



Zimbabwe

COUNTRY REPORT - ZIMBABWE

**Regional training Workshop on Industrial Property Administration
System (IPAS)**

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OUTLINE

- IP office overview
- IP statistics
- Automated processes handled in IPAS
- Current office automation status
- Processing of Madrid marks
- Challenges with Madrid system
- Challenges with IPAS
- WIPO support
- Future Plans



IP OFFICE OVERVIEW

- Zimbabwe intellectual property office is a section in the Department of Deeds, Companies and Intellectual Property under the Ministry of Justice, Legal and Parliamentary Affairs
- The office has the mandate to register/grant and publish Intellectual Property rights.

The office mainly administers the following Acts:

- Trademarks Chapter Act 26:04
- Patents Chapter Act 26:03
- Copyright and related rights Act Chapter 26:05
- Industrial Designs Chapter Act 26:02
- Armorial Bearings, Names, Uniforms and Badges Act Chapter 10:01
- Geographical indications Act Chapter 26:06



IP STATISTICS SINCE CREATION OF OFFICE

○ Trademarks	89 601
○ Patents	5 080
○ Industrial designs	947
○ Total	95 628



IP STATISTICS IN THE IPAS

○ National Trademarks	88 335
○ Banjul marks	1 494
○ National Patents	69
○ Harare protocol Patents	1 523
○ National Industrial designs	-
○ Harare Protocol Designs	143
○ ARIPO Utility Models	42
○ Total	91 606



FILES NOT CAPTURED INTO IPAS

○ Trademarks	1 266
○ Patents	5 011
○ Industrial Designs	947
Total	7 224



AUTOMATED PROCESSES HANDLED BY IPAS

Process

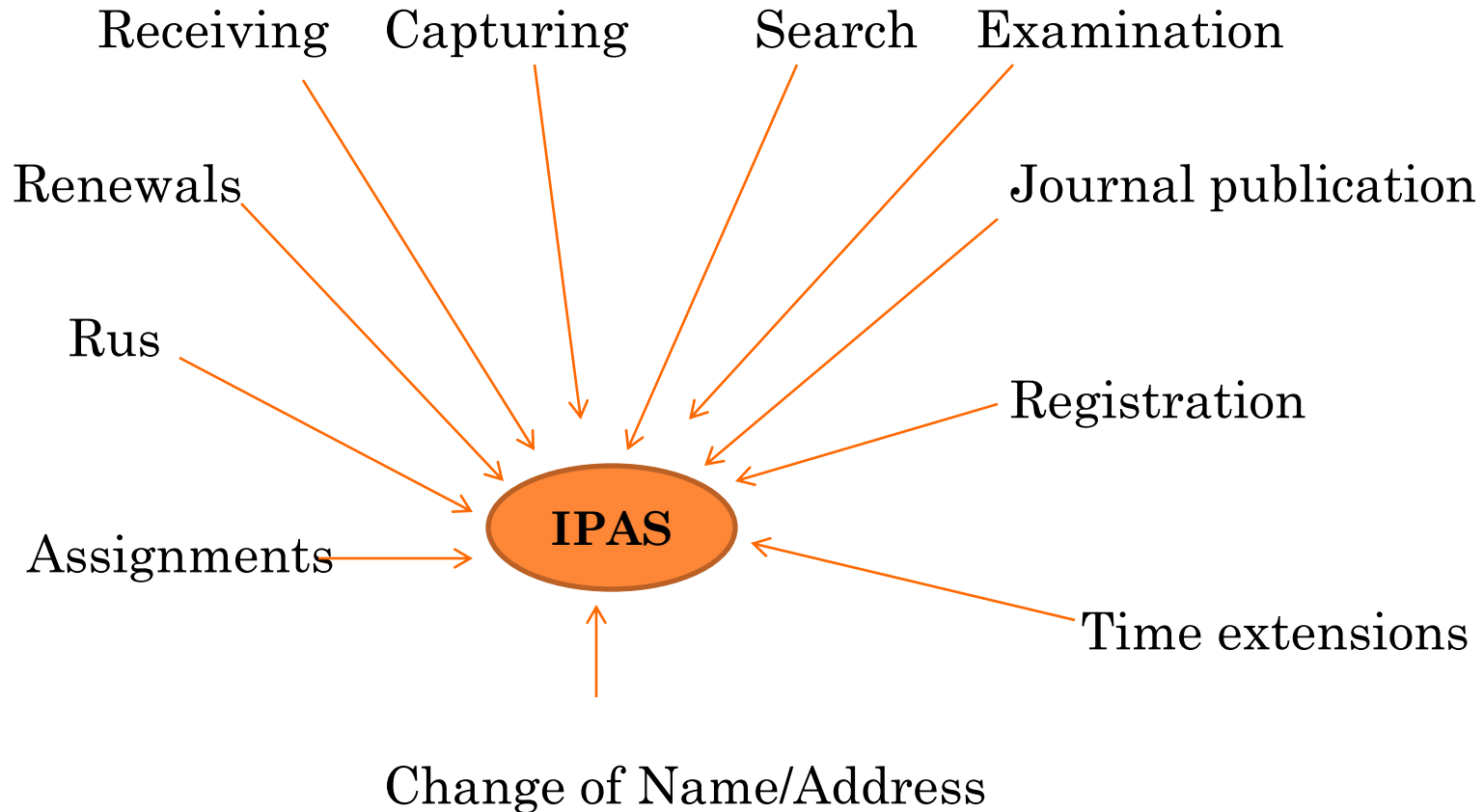
- Receiving new TM applications and user documents
- Capturing (TMs, scanning logos)
- TM search
- TM Examination
- Process renewals
- Process assignments, change of name and address
- Process registered user documents
- Search and examine ARIPO TMs
- Preparation and publication of journal
- TM registration

Output document

- Generate application/ document number
- Generate filing receipt
- Generate search report
- Generate examination report
- Generate renewal notice
- Generate notifications
- Generate advert and notifications
- Generate examination notifications
- Generate Industrial Property Journal
- Generate registration certificate



ILLUSTRATION OF AUTOMATED PROCESSES HANDLED BY IPAS



CURRENT AUTOMATION STATUS

- New TM applications are received in the system, captured, logos scanned and saved in the system.
- The system supports the business processes from receiving, formalities, examination, searches, publication, registrations, change of ownerships and renewals.
- User documents for trademarks are received in the system allocated a number and are processed using the system.
- IP Journal is produced monthly and is generated using the system
- The office receives through the system ARIPO trademarks, Patents and Designs and Madrid trademarks.



CURRENT AUTOMATION STATUS

- No on line services are offered by the office yet.
- IPAS backup is done everyday after work.
- Since the inception of IPAS there is an improvement in IP filing/ registration processes and also it has provided the office with an electronic register

Data quality management

- As a data quality management strategy ,data verification and validation is on going, with users encouraged to perform all editing through the system.
- However the office is failing to delete files which are duplicated in the system or are wrongly captured e.g. TM/T/2016/000003 and ZW/T/2016/000003 and some as NU/T/2015/1126




CURRENT DIGITIZATION STATUS

- The digitization team started scanning in April 2016 up to date and, statistics is as follows:
- 84 169 TM files have been scanned into IPAS with the aid of WIPOscan.
- Outstanding TM files for digitization -----5 432
- No Patent and Industrial Designs files has been digitized yet.
- The information captured for Patents includes the title, bibliographical data, abstract and drawings.



PROCESSING OF MADRID MARKS

- Zimbabwe acceded to the Madrid Protocol on 11 December 2014.
 - The Madrid Protocol Regulations were gazetted on 13 March 2017 to enable the Office to process the international filings.
 - Madrid marks are uploaded into the IPAS from the WIPO FTP server.
 - Up to date **713** applications are in the IPAS system. However there are some applications that are not yet in the system due to challenges in uploading them from the WIPO FTP Server.
 - **559** Madrid marks have acquired automatic registration.
 - Since the Office started to examine, **119** marks are pending substantive examination.
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PROCESSING OF MADRID MARKS

- During uploading into the **IPAS** devices are not appearing therefore the examiners are copying the devices from Madrid Office Portal and pasting them in the IPAS
- First publication of Madrid marks was in the June Industrial Property Journal. Exactly **35** applications were advertised with conditional acceptance and the notifications were sent to the IB through MOP.



CHALLENGES WITH MADRID SYSTEM

- File series is not changing, all files are showing application number with file series 2015.
- We are facing challenges in uploading Madrid applications in the system from the WIPO FTP server therefore some applications for 2016 and 2017 are not yet in the IPAS system.
- Devices for uploaded Madrid applications are missing, examiners have to copy and paste from the MOP.



PROCESSING OF ARIPO MARKS

- ARIPO marks are uploaded in the IPAS as PDF files from ARIPO.
- Search and examination is done electronically
- Notifications are generated and send to ARIPO.
- However, the Office has to print them and send hard copies to ARIPO due to an administrative issue of e-signatures.



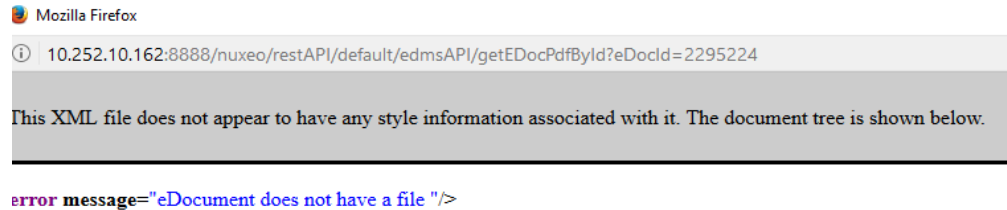
CHALLENGES ON IPAS

- IPAS is failing to migrate back files to current status resulting in files not updating changes e.g. renewal dates.
- Some User documents such as TM 1 reclassification of goods/services, TM 35 for amending registered mark and TM 2 and 3 notice for opposition cannot be received in the system.
- General Power of Attorney is not included in the system in order to pick up new applications affected by it.
- TM 9 User Document cannot be processed in the system.
- Searching figurative element trademarks is still a challenge.
- IPAS has no provision to search for figurative marks. The Office does not use Vienna classification to pick figurative marks.



CHALLENGES

- PDF files stored to EDMS sometimes fail to open. The system is showing an error message



- Missing and old torn, dirty documents in the Registry was slowing down the indexing and scanning of documents for digitization process.
- The Office is facing challenges in uploading Madrid applications in the IPAS from the FTP file.
- Devices for uploaded Madrid applications are missing, examiners have to copy and paste from the MOP.
- Some trademarks are duplicated in the system captured with both TM and ZW, with one mark appearing twice in the system.

WIPO SUPPORT

The office is very thankful for the technical assistance provided by WIPO:

- IPAS software and Hardware
- Skills transfer to the IPAS focal persons and Users of the system
- Funding for the digitization project.



FUTURE PLANS

1. To capture and digitize all Patents and Industrial designs into IPAS.
2. To make sure that all the Patent and Industrial Design processes are automated.
3. To complete capturing and scanning of all the trademark files.
4. To provide on line services such as online filing, on line searches and online journal publications.
5. To complete verification of captured and digitized data in the system.
6. To provide a supreme data quality control system



Ke itumetse

Thank you

