

Current Status on Accession to the Madrid System



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Outline of the Presentation



- Current Status
- Action Plan for Accession to Madrid Protocol
- Preliminary assessment of stocks in hand ---
 - Existing Position of Trade Mark Applications
 - Backlog Clearance
 - Human Resource Requirement
 - Space Requirement
 - IT Requirement
 - Amendment in the Existing Law
- Way forward ---conclusion

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Current Status



- Decision in principle to sign Madrid Protocol has been taken
- Approval of the Action Plan for Accession to Madrid Protocol has been granted
- Target for the year
- Country preparedness during the year 2012

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Action Plan for Accession to Madrid Protocol –



Action started

- IPO-Pakistan has started consultations with the stakeholders both in Public and Private Sector for their view points in relation to accession to Madrid Protocol. Two such consultations had been held in Karachi and Lahore and the next is planned in Islamabad.
- Opening of facilitation centers in Chambers of Commerce, Universities and SMEs --
- Assessment and training of Staff in Trade Marks Registry, Karachi is being made

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Action plan --continued

- ❑ Removal of back log from the Trade Marks Registry, Karachi is under examination
- ❑ Space readjustment for Trade Marks Registry, Karachi to address the problem of shortage of space is under study
- ❑ IT Infrastructure for processing of Madrid Applications
- ❑ Legal amendment and Process of formal approval & accession will be taken up

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Existing Position of TM Applications



Year	Applications Received	Applications Registered	% age
2006-07	14,309	5,067	35.41
2007-08	14,595	7,412	50.78
2008-09	16,056	5,656	35.23
2009-10	16,260	7,537	46.35
2010-11	18,720	7,951	42.47
Total	79,940	33,623	42.0

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Analysis



- ❑ 42% is the efficiency of 11 Trade Mark Registry/ Examiners
- ❑ 58% is the increasing Backwater in the Trade Marks Registry
- ❑ Total Pendency in the Registry is 46,317 Applications
- ❑ No. of pending applications/Examiner is 4210/Year
- ❑ No. of pending applications/Examiner is 350/Month

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Backlog Clearance--- major step taken



- ❑ Digital Publication of Trade Marks Journal by amending the Trade Marks Rules, 2004;
- ❑ Digital Publication of the Trade Marks Journal is posted on the website of IPO-Pakistan
- ❑ New Trade Marks Journal is posted on the website after every 15 days (Two TMJ/Month)

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Backlog Clearance – major step taken



- ❑ Currently, Trade Marks Journal for the Month of September, 2010 is posted on the website
- ❑ The current backlog of applications will be removed by November, 2012
- ❑ Trade Marks Journal will be updated in the month of June/July, 2013 after which applications accepted in current month will be published in the upcoming Trade Marks Journal

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The screenshot displays the website of the Intellectual Property Organisation of Pakistan. The main heading is 'Intellectual Property Organisation of Pakistan'. Below the heading is a navigation menu with links: Home, About Us, Trademarks, Patents, Designs, Copyrights, Lahore Office, Resources, Legislation, Careers, and Contact Us. The current page is titled 'Trademarks: Journals'. It lists digital publications of the Trade Marks Journal for the years 2010 and 2009. The 2010 list includes publications for September (716), August (715), July (714), June (713), May (712), April (711), March (710), February (709), and January (708). The 2009 list includes publications for December (707) and November (706). A sidebar on the right contains a search box and a list of links under 'Trademarks' and 'Legislation'. The 'Trademarks' list includes: Introduction, Download Trademarks Forms, Legislation (Trademarks Rules 2004, Trademarks Act 1940, Trademarks Ordinance 2001, Revised Rules 1963), Trademarks Official Notices, Trademarks Hearings, Classification of Goods, Manuals, Affiliations, Trademarks Journal, News, Events, and FAQs. The 'Legislation' list includes: Trademarks Rules 2004, Trademarks Act 1940, and Trademarks Ordinance 2001. The browser's address bar shows the URL 'http://www.ipo.gov.pk/Trademark/TrademarkJournal.aspx'. The taskbar at the bottom shows several open applications, including KINGSTON (H+), Madrid Protocol Pre..., Microsoft PowerPoi..., and IPO Pakistan - Trade... The system tray shows the time as 10:35 PM.

THE TRADE MARKS JOURNAL

September, 2010

(Registered as a Newspaper)



ISSUED UNDER THE DIRECTIONS OF THE
REGISTRAR OF TRADE MARKS REGISTRY,
KARACHI

Human Resource Requirement



- Total Pendency as backlog in the Registry is **46,317** Applications
- Total No. of Trade Mark Examiners is 11
- No. of Applications received by each Examiner is 1702/Year (18,720 / 11 Ex = 1702 per year) (1702/12 months = 142 applications per month per examiner)
- No. of Applications received by each Examiner is 142 /Month out of which 42% (60) are registered.
- Over all inland business as previous backlog or 46,317 plus annual addition as backlog 6500 ---grand total – **52,817** to be disposed off on priority

Human Resource Strategy to liquidate backlog



- ❑ Putting efficiency bar on examiners
- ❑ Increase in number of examiners –may be 15 or so -----
- ❑ Analysis of the backlog data and revisiting other reasons of delay like non- response --- unjustified oppositions etc
- ❑ process re-engineering to ensure better efficiency
- ❑ The conclusion will form basis for the timely decision under Madrid system
- ❑ An Average of 40,000 Applications are filed at International Bureau of WIPO every year
- ❑ If Pakistan is designated in 15% (6,000) of 40,000 Applications then 2 Trade Mark Examiners are required to Register the Application in 15 Months

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Space Requirement



Title	Space Required (ft x ft)	Total Space (ft x ft)
Existing Examiner	36	36 x 11 = 396
New Examiner	36	36 x 15 = 540
Examiner for Madrid	36	36 x 2 = 72
Assist. Registrar	64	64 x 4 = 256
Deputy Registrar	100	100 x 2 = 200
Registrar	196	196 x 1 = 196
Circulation Area	200	200
Grand Total		1860

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IT Requirement



Present status

Industrial Property Automation System (IPAS) is already installed and working in the Trade Marks Registry

Required and To be achieved

Complete Digitization and Validation of Trade Marks Data—documents and earlier and current files

Electronic Communication is required between Trade Marks Office of Pakistan with the International Bureau of WIPO for correspondence on Madrid Matters

Module for Madrid Protocol in Industrial Property Administration System (IPAS) includes:

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IT Requirement



Functionality to electronic download of international mark designated for the member country

Work Flow of Madrid entries will be defined in IPAS to follow required procedure

Downloads will be performed weekly as WIPO updates new Madrid Applications on weekly basis

Etc

training of staff on software

developing IT based information and awareness

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Amendment in the Existing Law



- ❑ The Trade Marks Ordinance, 2001 will be amended by incorporating an enabling provision for giving effect to the provisions of Madrid Protocol
- ❑ The detailed procedure for registration of Marks through Madrid Protocol will be inserted in the corresponding Rules
- ❑ In addition administrative instructions as per requirement will be added

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Way forward --

- Assessment by---
 - In house of all aspects of the organization
 - By WIPO this year ---
- Capacity Building
 - Cleansing the rust in the organization
 - Tokyo experience
 - Team of officers to Geneva in June 2012
- Legal amendments and HR engagement and training
- Backlog clearance and ability to decide in 12 to 18 months

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**THANKS FOR YOUR
KIND ATTENTION**

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