WIPO

WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

STANDING COMMITTEE ON INFORMATION TECHNOLOGIES

PLENARY
Eighth Session
Geneva, February 23 to 27, 2004

REPORT OF THE ACTIVITIES OF THE INTELLECTUAL PROPERTY OFFICE
AUTOMATION DIVISION

Document prepared by the Secretariat

Introduction

1.   Industrial property offices around the world face increasing demands for efficient management of their services in order to reduce the time and cost of granting rights and to improve the quality of search and examination of patents, trademarks and industrial designs. Industrial property offices in developing countries, in particular the smaller Offices, that are paper-based and still manage their services manually, experience difficulties in coping with these demands and with the growing backlog of IP applications, especially for trademarks. To address these challenges, the IP Offices are placing a high priority on automation, and are requesting advice and assistance from WIPO.

2.   Similarly, collective management organizations in developing countries are requesting automation assistance from WIPO in order to cope with the growing workload in establishing databases of musical works and rights owners and in processing large volumes of information for distribution of royalties.

3.   In recognition of this critical need of Member States, WIPO established the IP Office Automation (IPOA) program in 2002 aimed at giving a new focus to the automation assistance to developing countries, least developed countries and countries in transition, in the framework of the cooperation for development policies of WIPO.

Scope and Nature of Automation Assistance

4.   The potential recipients of WIPO's automation assistance include the majority of countries covered by the Economic Development Sector (total of 138 countries, including 33 in Latin America and the Caribbean region, 45 in Africa region, 19 Arab States and 41 in Asia and the Pacific region) and by the program for Cooperation with Certain Countries in Europe and Asia (31 countries). This total of 169 countries includes all the 49 least developed countries.

5.   The scope of the IPOA program covers automation assistance to the industrial property offices (IPOs) and the collective management organizations (CMOs), in the countries mentioned above.

6.   The nature of WIPO's automation assistance covers a wide range of services and may include one or more of the following activities, as applicable, for an Office (i.e., an IPO or a CMO):

        (a)   Technical oversight, advice and guidance;

        (b)   Assessment of an Office's automation requirements;

        (c)   Streamlining of workflow and archiving procedures;

        (d)   Provision of customized software for IPOs for receiving, formality checking, search and examination, official correspondence, reminder notices, publication, registration, renewals and assignments of trademarks, patents and designs;

        (e)   Provision of customized software for collective management of copyright and related rights for registration of musical works, sound recordings, audiovisual productions and of authors, performers, publishers and producers and processing of log-sheets for distribution of royalties;

        (f)   Provision of Information Technologies infrastructure;

        (g)   Establishment of databases of registered trademarks, patents and designs;

        (h)   Training of Office staff on the functional, operational and technical aspects of the automation system;

        (i)   Technical support;

        (j)   Post-deployment follow-up and impact assessment;

        (k)   Provision of enhanced versions of automation software, where applicable;

(l)   Regional Technical Workshops focusing on all aspects of automation assistance; and

(m)   Assisting Offices in maximizing the usage of WIPONET equipment and services.

7.   Provision of automation assistance is based on requests from Member States and is prioritized and closely coordinated with the Cooperation for Development sector.

Automation Assistance Strategy and Approach

8.   The IPOA program takes a global and harmonized approach to improve the quality of assistance it provides to Member States.

9.   Taking into consideration the opportunities offered by information and communications technologies and the challenges faced in deploying automation solutions in developing countries, in particular in some small and medium-sized offices, the IPOA program uses the following broad strategic guidelines in carrying out its activities:

(a)   Re-use of tested automation solutions and best practices to minimize deployment time and cost;

(b)   Use of a building-block approach for customization of software modules to specific requirements of an Office;

(c)   Compliance with international standards and systems;

(d)   Comprehensive automation solutions including IT infrastructure, customized software, establishment of required databases, training and ongoing support;

(e)   Emphasis on the involvement, commitment and ownership by the Office from the start of the project;

(f)   Focus on capacity building;

(g)   Post-deployment follow-up and evaluation to assess the impact of automation; and

(h)   A long-term view in the planning and execution of IPOA activities.

IPOA Knowledge and Tools

10.   WIPO's collective knowledge, experience and tools are leveraged for carrying out automation assistance activities. Experience from each automation deployment, in any region, is used in further improving the quality of assistance that is provided to the countries.

IPOA experts, mainly based in the regions, have both IT and IP expertise and carry out the automation deployment, training and support activities as well as participate in the ongoing development and enhancement of IP automation software modules owned by WIPO.

11.   Currently, WIPO uses the following standard automation software modules that are customized and adapted based on an Office's specific legal and administrative requirements and language considerations:

    (a)   *The IP Automation Software (IPAS)* owned by WIPO is designed to assist an IPO in processing and managing trademarks, patents and designs throughout their entire life-cycle workflow, covering such tasks as reception, data capture, examination, publication, registration, changes to the register, etc. Extensive customization features enable adaptation of these modules to different national legislation and administrative procedures, allowing definition of the workflow structure using graphical tools for status transition diagrams, legislated time periods, pre-defined templates and other related information. The customization is parameter-driven and does not require any programming effort. IPO official documents are also generated, such as correspondence with agents and applicants, notices for the journal, renewal reminder notices, registration certificates and gazette publication. A specialized similarity search module for marks offers the examiner the possibility to find prior similar trademarks, based on either phonetic or logo similarities. Technical search criteria using complex Boolean operands are available for patents technical search, using IPC, title, abstract and other data. Official WIPO statistics can be generated, as well as management productivity reports. IPAS is Windows-based and uses Oracle or other databases. An Internet query module is also available;

    (b)   *The Automated IP Management Software (AIPMS)* for trademarks, patents and industrial designs. AIPMS is not owned by WIPO, but WIPO has license to use and adapt it for countries within the Arab region only. AIPMS functionality is similar to those systems owned by WIPO covering the automation of an IPO's internal procedures and transactions from the IP application receiving and filing to final registration and granting including renewals and amendments; and

    (c)   *The AFRICOS Software* for collective management organizations owned by WIPO is designed to automate their day-to-day activities. The software allows a CMO to distribute the royalty money, collected from licensed customers and clients, to its members and other rights owners according to established rules. The Distribution Module is customized to a CMO's specific distribution rules that can vary from country to country according to the national laws, international laws and treaties or recommendations and standards of the International Confederation of Societies of Authors and Composers (CISAC). The Documentation Module incorporates the information required by the Common Information System (CIS) tools such as Interested Parties Information (IPI) and Works Identification Database (WID) systems for the Copyright field. In Related Rights, the Performers and Producers are managed as well as the Sound Carriers. The current version of AFRICOS exists in English and French.

12.   Enhancements and value-added services are added to the IPAS and AFRICOS systems owned by WIPO, and also the AIPMS on an ongoing basis. These improvements are based on feedback and suggestions from Offices. The new versions of the systems are distributed to the Offices as they become available. Some recent enhancements include:

(a)   Support of non-Latin languages for IPAS for the user interface, messages, data capture and transliteration rules for phonetic searches;

(b)   A graphical tool to facilitate the definition and integration of configuration parameters for customization of IPAS to specific IPO requirements;

(c)   A "Madrid Module" is under development for IPAS to facilitate the processing of international registrations affected under the Madrid System by the IP Offices of the countries which have been designated. It would allow automatic processing of electronic notifications created by WIPO into the IPAS trademarks database. These notifications include the initial designation of the IPO under the Madrid System and all subsequent modifications to these registrations; and

(d)   Major enhancements have been made to AFRICOS, both functional and technological, to make it compliant with international databases and standards and to improve the Distribution module's functionality and ease-of-use.

13.   The IPAS system is currently deployed in 15 countries (10 in Latin America and the Caribbean region, 3 in Africa region, 1 in Asia and the Pacific region and 1 in the Certain Countries in Europe and Asia region).

14.   The AIPMS is currently deployed in 8 Arab States.

15.   The AFRICOS is currently deployed in 5 countries in the African region.

16.   To improve the effectiveness and sustainability of automation assistance, a three-level technical support structure has been established, consisting of a first-level on-site support provided by a trained Office focal point, a second-level support by the IPOA regional consultant, and a third-level support by the system developer who may also be an IPOA consultant based in the region or at the headquarters. This support structure is now operational to respond to problems and queries from Offices.

IPOA Activities

17.   The new IPOA approach and strategy has resulted in concrete deliverables to Member States in terms of comprehensive automation solutions, with reduced deployment time and cost, and, in general, a better quality of service.

18.   During the 2002 and 2003 biennium approximately 155 separate automation assistance activities were carried out in 72 Member States across all regions and included technical advice and guidance, on-site assessments, analysis of Offices' automation requirements, deployment of automation systems, training, knowledge transfer and technical support.

19.   These activities include launching of automation projects, using the new approach and strategy, in 30 Offices (25 IPOs and 5 CMOs), of which 24 were successfully completed (19 IPOs and 5 CMOs) across all regions.

20. The following chart illustrates the number of countries, by region, where automation assistance activities were carried out during the 2002-2003 biennium.
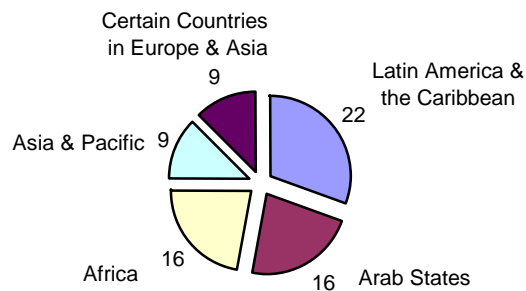
21. A Regional Technical Workshop for Arab States was held in Cairo, in June 2003, with 14 countries attending. Among them were eight countries where the AIPMS software was customized and deployed. This was the first workshop focusing on IPO automation. Its main objective was to share and review common experiences, problems and requirements, to define future enhancements and value-added services for the AIPMS system and to discuss how an IPO's automation system can benefit from the WIPONET Services and infrastructure. At the end of the workshop, a WIPONET electronic discussion forum was established by the participants to continue their workshop discussions online.

22. To leverage the benefits of WIPONET for IPOs, work was carried out closely with the WIPONET Service in the following areas:

    (a) Participation of IPOA regional consultants in WIPONET training workshops;

    (b) Assistance to IPOs in applying WIPONET Services in their day-to-day work;

    (c) Post-deployment follow-up of WIPONET KITS at IPOs;

    (d) Use of WIPONET KITS in IPO's internal automation;

    (e) Interfacing IPO automation systems with WIPONET and other WIPO IT systems; and

    (f) Requirements for potential new services for WIPONET.

23. An IPO automation Website is under development. Its aim is to serve as a repository for knowledge and experience to aid in improved planning and execution of automation assistance activities. The Website is already used in distributing new releases of IPOA systems to Offices. A new web service was developed for Member States for online updating and submission of the Annual Technical Reports (ATRs) and has been operational since July 2003.

24. Discussions are being held with the PCT-SAFE (E-Filing) Project on how the developing countries could benefit from its technical components and services.

Joint Activities under Framework Agreements with IP Offices

25.   A project is in progress under the framework of the Japan Funds-in-Trust program for the development of a generalized software for trademarks, patents and industrial designs and a customized version of a patent system for the Thailand IP Office.

26.   Assistance was provided in the development and follow-up of the Questionnaire on IP Administration by IP Australia for the Regionally Focused Action Plan (RFAP) for Pacific Forum Island Countries under the framework of WIPO-Australia Joint Statement on Cooperation for IP Technical Assistance in Asia and the Pacific region. Under the same framework, recommendations were proposed as a follow-up to the report prepared by the WIPO consultant for the modernization of the Indian Trademarks Registry.

27.   Under the Framework Agreement of Cooperation between WIPO and the Korean Intellectual Property Office (KIPO) of the Government of the Republic of Korea, one of the priority areas of cooperation is to support activities to assist the automation of IPOs in developing countries. Discussions are in progress to explore possible joint activities in this area.

Challenges

28.   Though significant progress is being made in the delivery of automation assistance to Member States, there are still challenges to overcome. Some of the main ones are highlighted below:

(a)   Data capture of registered trademarks, patents and designs from the archive files remains a key challenge. Though WIPO provides the tools and facilities for data capture, the actual data entry and validation of the bibliographic data and scanning of logos and images, need to be performed by the IPO. This is a slow and time-consuming process due to lack of IPO resources and could take several months to complete, depending on the volume and status of the archive files. In such cases, an IPO is not able to derive the full benefit of the automation system, till the data capture process is completed;

(b)   Transition from manually intensive procedures to the new way of working in an automated environment could be difficult for Offices. The training provided by WIPO helps the Offices in this transition but experience has shown that close follow-up and monitoring is essential in some cases during the initial critical months after deployment;

(c)   Availability of skills and expertise in Offices is another area of concern. The training provided during deployment time may not be adequate to ensure proper operation and on-site first-level support of the system by the trained IPO focal point. In such cases, the IPOA regional consultants play a critical role in capacity building of the focal points and transfer of knowledge;

(d)   Integration of WIPONET KITS and Services in the IPOs internal systems is an important challenge to encourage WIPONET usage and ownership by the IPOs.

29.   The approaches and strategies of the IPOA program highlighted in paragraphs 8 and 9 need to be further enhanced. Close cooperation with the Offices will help overcome these challenges.

30.   *The SCIT Plenary is invited to note the contents of this document.*

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