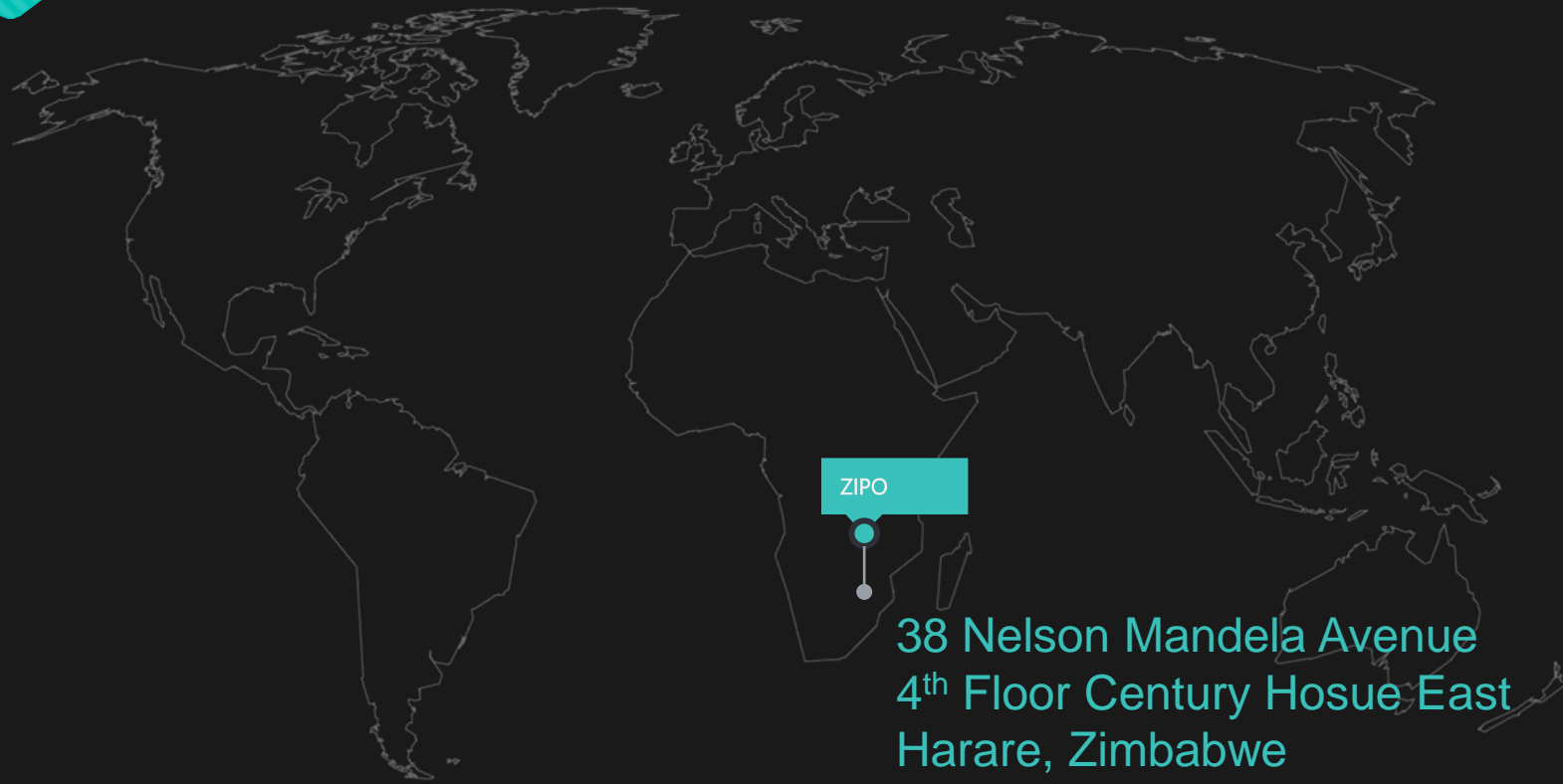


IP Data Management and Uses of IP Data by IP Offices: The Zimbabwean Experience

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ZIPO

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Brief Background on ZIPO

- Started operations on 7 May 1894, as an extended functionary of the Deeds Office under the Attorney Generals Office.
- Influenced by Roman-Dutch law from the Cape Colony
- Office with the mandate to register/grant and publish Intellectual Property Rights
- Falls under the Ministry of Justice, Legal and Parliamentary Affairs
- Headed by the Controller of Patents, Trade marks and Industrial Designs
- The Office acts as a custodian of all records, books, drawings, specifications, documents, and other papers and items relating to intellectual property rights applications filed with the Office.

ZIPO Structure

- Under Ministry of Justice, LPA. – Section within the Department of Deeds, Companies and Intellectual Property
- Headed by a Controller of Patents, trade marks and Designs
- 7 examiners
- 7 administrative staff (2 records, 4 Data Capturing, 1 executive assistant)

Services Offered by ZIPO

- Examine applications for IPRs.
- Monitor and appraise the functioning of collecting societies.
- Promote the use of patent information as a tool for technology development.
- Publish regularly in its own publication the IPR applications received, registered or amended.
- Conduct primary hearings on contested intellectual property rights.
- Coordinate with other government agencies, offices and the private sector efforts to formulate and implement plans and policies to strengthen the protection of intellectual property rights in the country.
- Represent government of Zimbabwe in the regional and international fora.
- Making national intellectual property registers accessible to the public where necessary.

Acts Administered

- The Patents Acts Chapter 26:03
- The Trade marks Acts Chapter 26:04
- The Copyright and Neighbouring rights Act Chapter 26:05
- The Industrial Designs Act Chapter 26:02
- *The Integrated Circuits Layout-Designs Act, Chapter 26:07*
- The Armorial Bearings, Names, Uniforms and Badges Act Chapter 10:01
- *The Geographical Indications Act Chapter 26:06*

International Memberships

- Berne Convention for the Protection of Literary and Artistic Works (April 18, 1980)
- Paris Convention for the Protection of Industrial Property (April 18, 1980)
- Convention Establishing the World Intellectual Property Organization (December 29, 1981)
- Agreement establishing the World Trade Organization (WTO) (March 5, 1995)
- World Trade Organization (WTO) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) (1994) (March 5, 1995)
- Patent Cooperation Treaty (June 11, 1997)

Regional Treaties

- Lusaka Agreement on the Creation of the African Regional Intellectual Property Organization (ARIPO) (November 11, 1980)
- Harare Protocol on Patents and Industrial Designs Within the Framework of the African Regional Industrial Property Organization (ARIPO) (April 25, 1984)
- Banjul Protocol on Marks Within the Framework of the African Regional Industrial Property Organization (ARIPO) (March 6, 1997)
- Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore within the Framework of the African Regional Intellectual Property Organization (ARIPO)

What kind of Statistical data do we gather as an Office?

- Data on IPR applications and registrations – Patents, trade marks, Industrial designs, Uniforms and Badges

Variables and their relevance

- Applicant details - Nationality, origin, number of applications.
- IPR status - Abandoned, opposed, completed, expired.
- Examination effectiveness & efficiency - Acceptances and rejections.
- Revenue Collection – Revenue by IPR.
- Classification – Nice and Vienna.
- Investment Potential/ IPR use – Marks for existing businesses, marks for proposed use, renewed, non renewal.
- IPR economic variables – Elasticity, Tax effect, licenses and Assignments.
- Technology Field – Technology trends.

Sources of IP Data

- **Internal Records** – Source Documents (Application Documentation, Receipts), IPAS Database, Member States Module, RBM documents, Policy and Strategy Documents
- **External Sources** - ROMARIN, Madrid Module IPAS - (WIPO); POLite+ (ARIPO), University and Research Institutions, Courts.
-
- **Standards observed when extracting and managing Data**
- WIPO standards - WIPO Standards: ST.3, ST.9, ST.60, ST.80, ST.13, ST.16, ST.14, and XML Standards.

Why do we need IP Data?

- Measure performance of Office (Registrations, Revenue, Resource Allocation Efficiency) – Actual v Variables
- Measure or Predict levels of investment (FDI, R&D)
- Infer policy direction and needs, Strategy formulation
- Evaluate usage of IPRs
- Make comparisons (IPR per square km or per100 people, IPR per GNP)


Challenges (Data management)

- Parallel systems of data management (Physical records and e-records) / data not harmonized
- Lack of expert knowledge of WIPO Standards
- Measured implementation of changes to Standards / Classification
- Lack of verification and validation tools and systems
- Data secrecy (data bureaucracy , defensive data management)
- Data dressing , Data beautification,
- No defined allowable margins of error (confidence levels)

Challenges (Data use)

- IPR data is insufficient on its own to give a wholesome view of socio-economic events. (Other parameters need consideration e.g. Disposal Income, taxation, law strength.
- Data insignificant to give logical deductions.
- No strict adherence to classification standards – e.g., Nice Classification, Vienna, Locarno, and the IPC.
- Incomplete Data
- Data comparisons (between countries) often distorted without rebasing to even standard units –
 - i. Fees against average earnings / inflation
 - ii. Population dynamics

Error in data capturing

 IPAS - Industrial Property Administration System User : TRADEMARKS1

[Back](#) | [Excel list](#) | [Report list](#) | [Add all to process group](#) | [Sort](#) [Logout](#)



Select patent

Search criteria: Application type and subtype = AD|AD, File type = I, File series = 2015, Application subtype = AD|AD, Owner nationality country = US.

7 items found, displaying all items.

Selected	File id	Novelty date	Reg Nbr	Application subtype	Title	Classes	Owner	Status	Responsible
<input type="checkbox"/>	AP/I/2015/000950	04/07/2014 05/01/2015		Aripo Designs	Pocket solar panel chargers		WORLD PANEL, INC. [US]	Formalities Exam	
<input type="checkbox"/>	AP/I/2015/000983	05/01/2015		Aripo Designs	POCKET SOLAR PANEL CHARGES		WORLD PANEL, INC. [US]	Formalities Exam	
<input type="checkbox"/>	AP/I/2015/000987	14/10/2014 14/04/2015		Aripo Designs	BOTTLE		THE COCA-COLA COMPANY [US]	Formalities Exam	
<input type="checkbox"/>	AP/I/2015/000992	14/05/2015		Aripo Designs	ZIMBABWE STYLE LICENCE HOLDER		MUTSATA Lloyd [US]	Formalities Exam	
<input type="checkbox"/>	AP/I/2015/001052	10/04/2015 09/10/2015		Aripo Designs	SET OF SCREEN DISPLAYS		VISA INTERNATIONAL SERVICE ASSOCIATION [US]	Formalities Exam	
<input type="checkbox"/>	AP/I/2015/001069	15/12/2015		Aripo Designs	LATRINE PAN		AS IP HOLDCO, LLC [US]	Formalities Exam	
<input type="checkbox"/>	AP/I/2015/001071	15/12/2015		Aripo Designs	LATRINE PAN		AS IP HOLDCO, LLC [US]	Formalities Exam	


[Add selected to process group](#) | [Select/Deselect All](#)

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Capability of IPAS and MS Module to Generate Statistics

- Ability to generate Statistics based on:
- Applicant details – Application/Registration by Nationality, Ownership
- Application type – Banjul, PCT, National Patent, Madrid
- IPR type – Patents, trade marks, designs
- IPR time lines – e.g Trade marks applied for in a given year or month
- Revenue state / collected

Basic Search in IPAS web



 IPAS - Industrial Property Administration System User : TRADEMARKS1

[Back](#) | [Search all](#) | [Less criteria](#) | [New mark](#) | [Clear criteria](#) [Logout](#)


Enter trademark selection criteria

By Numbers | [By Dates](#) | [By Person](#) | [By Mark](#) | [By Others](#)

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File Type	<input type="text"/>	<input type="button" value="v"/>
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[Help](#)  [Configuration](#) 



Productivity Reports

 IPAS - Industrial Property Administration System User : TRADEMARKS1

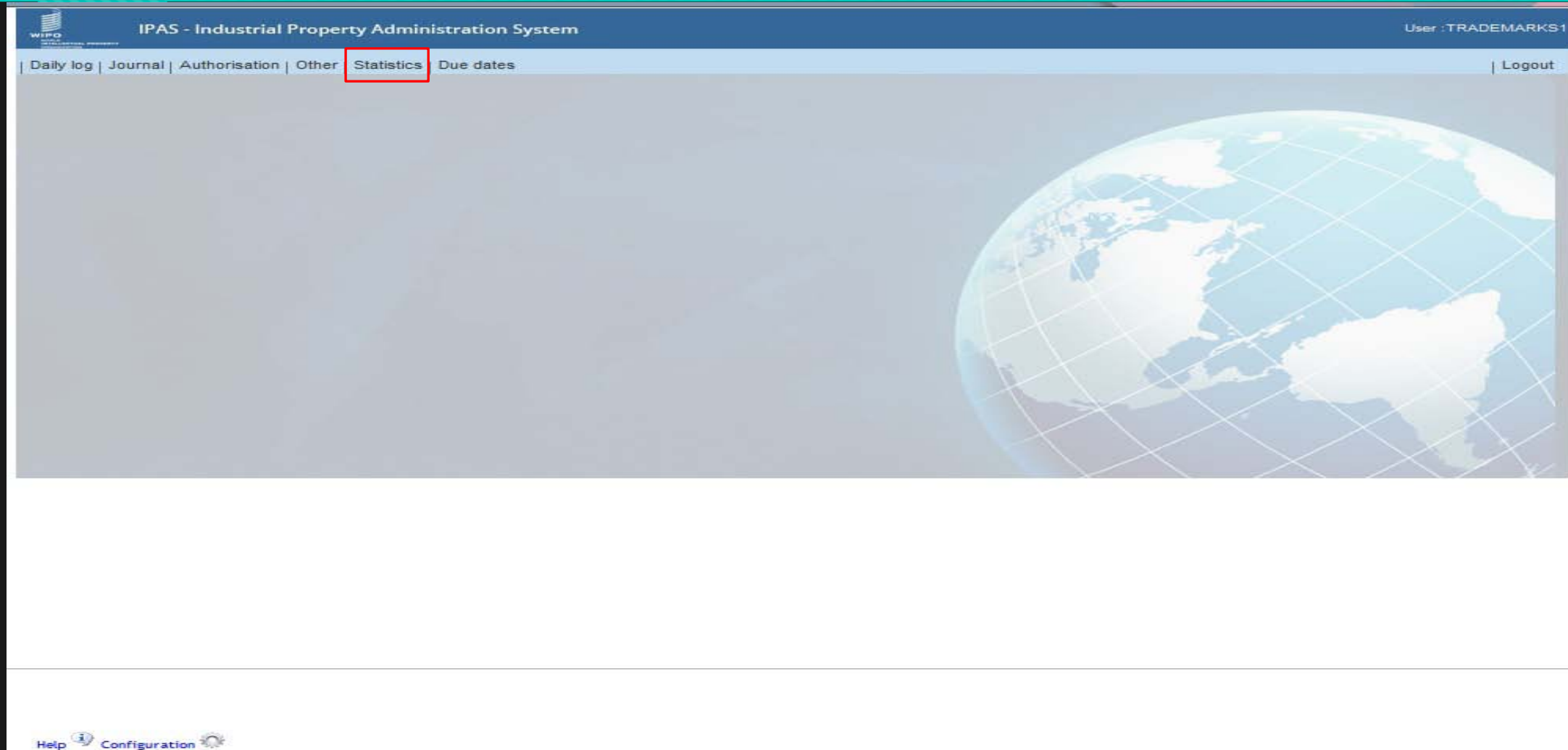
[Back](#) | [Filter by user](#) | [Filter by office section](#) | [Generate](#) [Logout](#)

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Action Period To *	<input type="text"/>	
Action Ref Period From	<input type="text"/>	
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Breakdown By Action Type	<input checked="" type="checkbox"/>	
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Breakdown By Month	<input type="checkbox"/>	
Breakdown By Appl Type And Subtype	<input type="checkbox"/>	
Breakdown By User Doc Type	<input type="checkbox"/>	

[Help](#)  [Configuration](#) 

Statistics Generation – IPAS Admin



The screenshot displays the IPAS - Industrial Property Administration System interface. The top navigation bar includes the WIPO logo, the system name, and the user name 'User : TRADEMARKS1'. A secondary navigation bar contains links for 'Daily log', 'Journal', 'Authorisation', 'Other', 'Statistics', and 'Due dates'. The 'Statistics' link is highlighted with a red rectangular box. A 'Logout' link is positioned on the far right of this bar. The main content area features a large, semi-transparent globe graphic on the right side. At the bottom left, there are links for 'Help' and 'Configuration' with a gear icon.

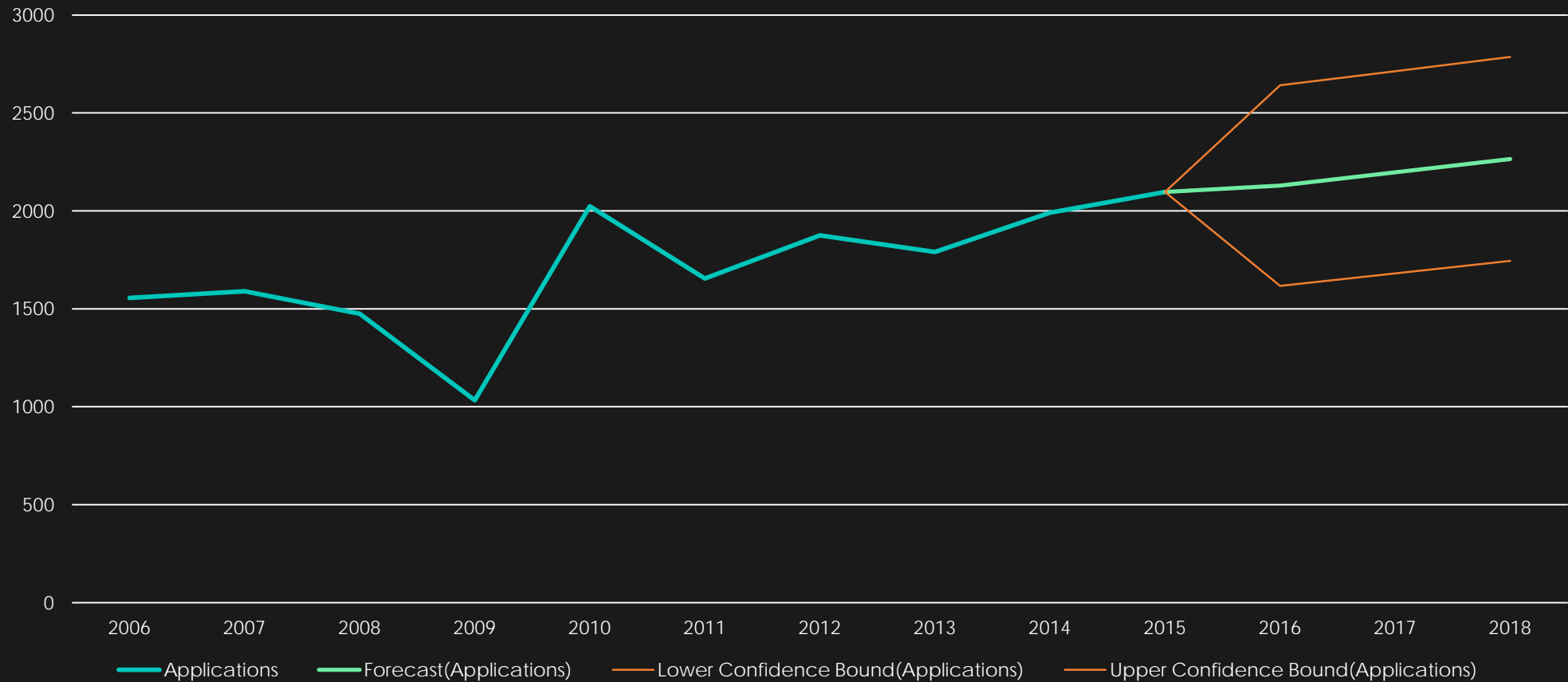
Statistics: Trademarks

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1556	1590	1475	1033	2023	1654	1875	1790	1991	2097

Trademark Applications table

Year	Applications	Forecast(Applications)	Lower Confidence Bound(Applications)	Upper Confidence Bound(Applications)
2006	1556			
2007	1590			
2008	1475			
2009	1033			
2010	2023			
2011	1654			
2012	1875			
2013	1790			
2014	1991			
2015	2097	2097	2097.00	2097.00
2016		2128.472917	1616.25	2640.69
2017		2196.718024	1680.38	2713.05
2018		2264.96313	1744.48	2785.44

TM Graphical Presentation and Forecast



Trade marks by applicant nationality

USA	516
Zimbabwe	285
South Africa	248
China	96
UK	68

Data includes, Banjul, Madrid and National Applications for 2015

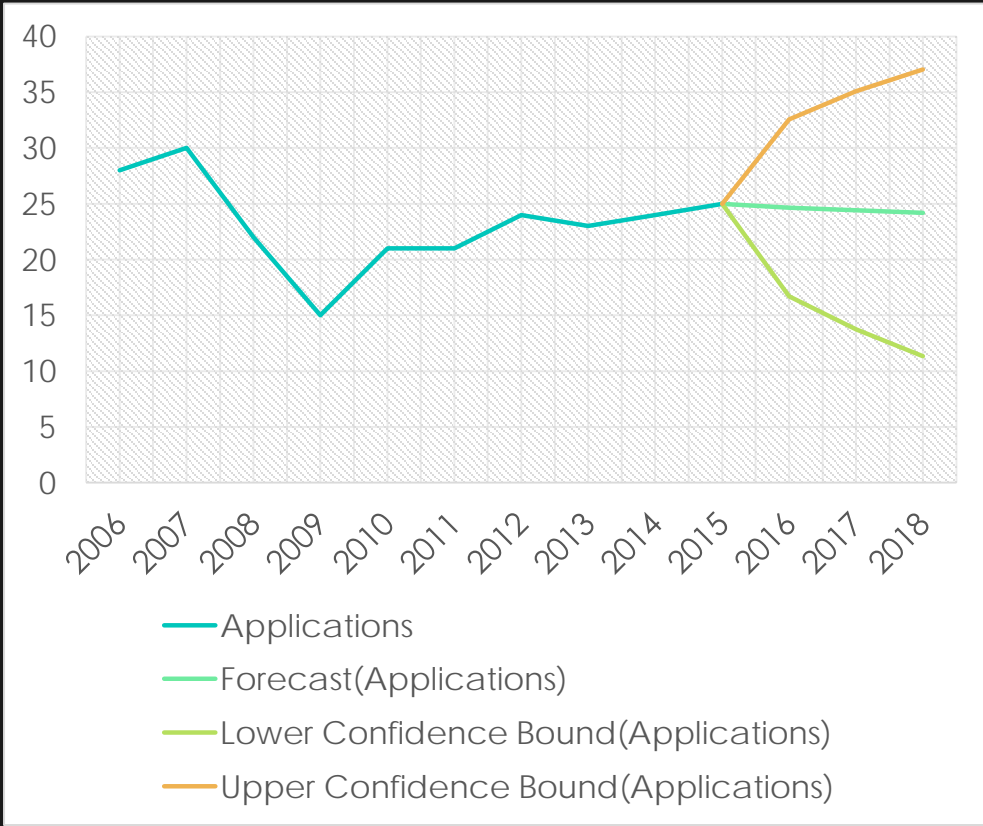
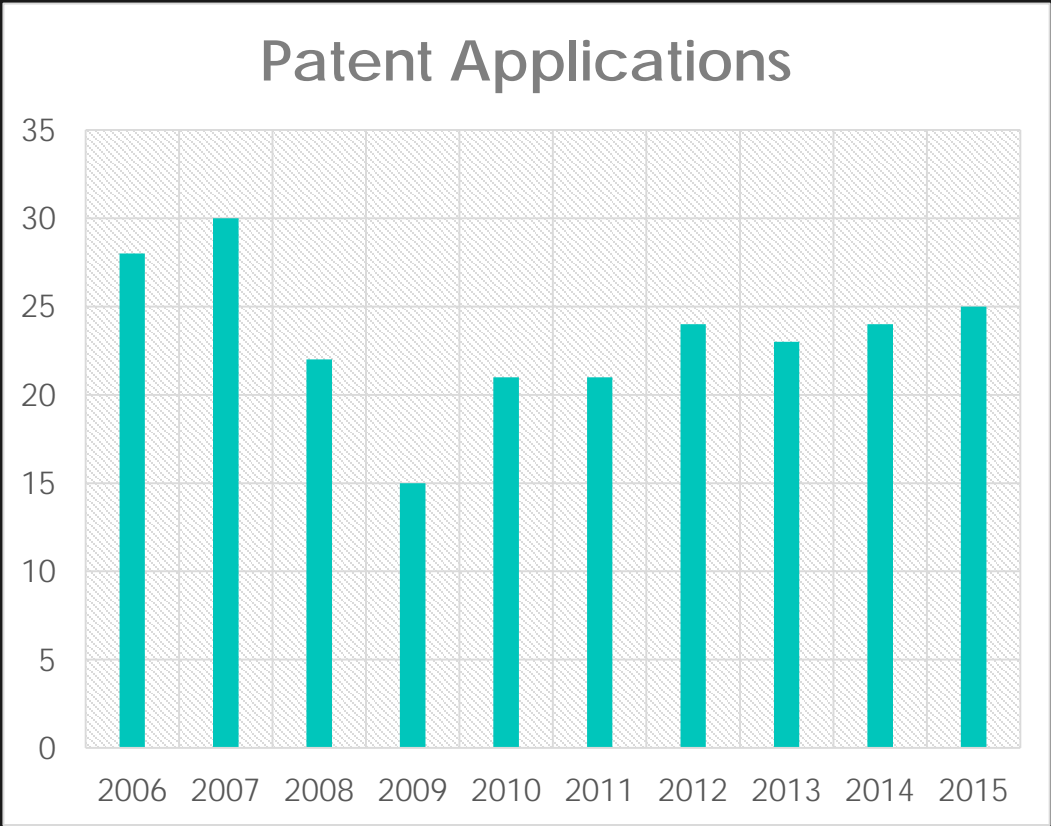
Trade mark oppositions

- In 2015 oppositions stood at 37 cases (Banjul 7 and National 30)
- Usually less than %1 of applications per year
- However case turnover is also very low.

Patents

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Applications	28	30	22	15	21	21	24	23	24	25

Graphical Presentation and Forecast



Analysis: Patents including Harare Protocol Applications

- 2015 total Applications – 539 (PCT National Phase 4, Harare Protocol 517, Non Convention Applications 14, Provisional Applications 4)
- Top ten Applicants

USA	187
South Africa	44
Zimbabwe	39
Japan	33
Switzerland	24
France	23
German	23
Great Britain	23
China	12
Netherlands	11

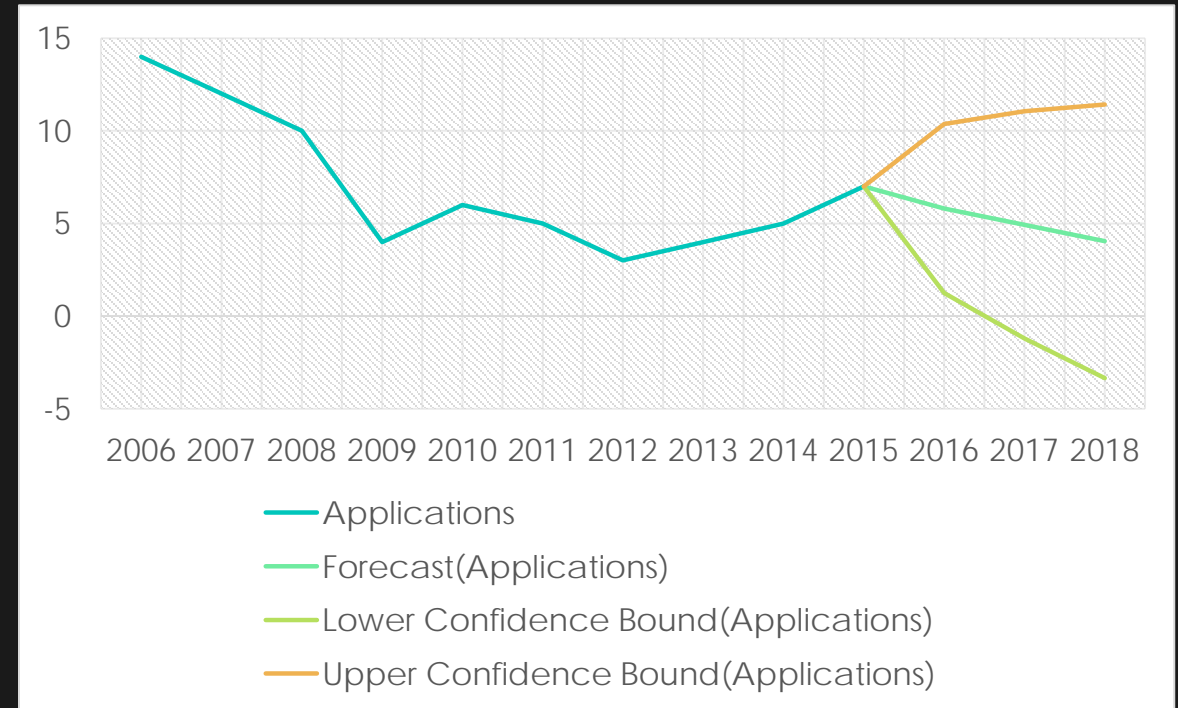
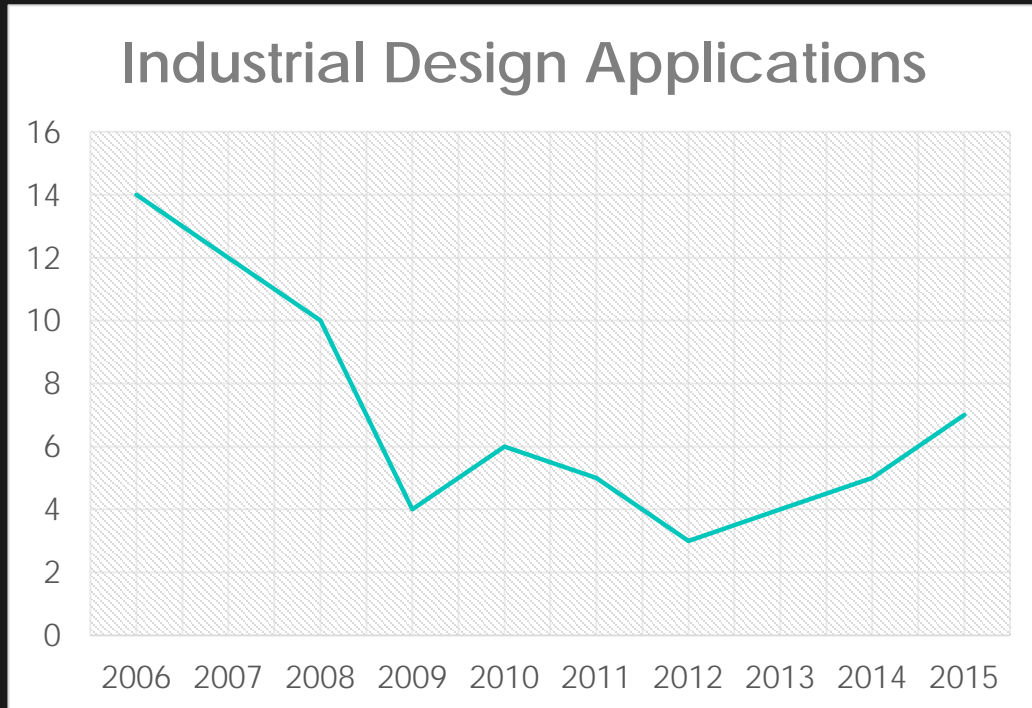
Top Technologies

Pharmaceuticals			
Pump Technologies			
Mining technologies - ferrochrome, slug purification			

Industrial Design Applications

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Applications	14	12	10	4	6	5	3	4	5	7

Graph showing Industrial design Applications



Industrial Design by applicant nationality

Republic of Korea	34
South Africa	11
USA	6
Zimbabwe	5
India	4

The Top technology is related to
Phone Covers by Samsung

Fee Comparison

IPR	Patents (Application Fee)	Trademarks (Application Fee)	Industrial Designs (Application Fee)
Zimbabwe	Provisional \$80	Individual \$200	\$120
	Full Specification \$400	Local SME \$200	
	Renewal \$80 - \$160	Foreign \$200	
South Africa	Provisional \$6	Individual (R590) \$60	\$24
	Full Specification \$60		
	Renewal \$9 - \$22		
Botswana	Provisional \$5.40	Individual \$13	Individuals and SMEs \$3.30 Body Corps \$6.60
	Full Specification : Individuals and SMEs \$10.80	Local SME \$13	
	Large corporates \$21.60	Large Corps \$26	
Kenya	Provisional \$50	Individual 4000Ksh \$44.30	3000 Ksh (US\$33.21) local US\$150 Foreign
	Locals: 1000Ksh \$11.07	Local SME 4000Ksh \$44.30	
	Full Specification \$150	Foreign \$200.00	
	Local: 3000Ksh \$33.21		
Zambia	Provisional \$39.53	Individual K300.06 \$47	Locals 150K \$23.72
	Foreign \$208.74	Local SME K300.06 \$47	
	Full Specification \$47.00	Foreign K900.00 \$142	Foreigners \$94.88
	Foreign \$237.21		
Mozambique	Full Specification 4600Mtn \$144.54	950Mtn \$29.85	750Mtn (US\$23.57)

Common weak points in Graphs

- Economic crisis 2007 - 2009
- Dollarization of the economy 2009
- High human resources turnover 2006 – 2009
- De-industrialization 2006 – 2009
- Shift of applicants to ARIPO post 2009

Registrations

- Statistics not verified
- A huge overlap of registrations from previous years
- IPAS data not reliable in terms of registrations

Going Forward (Data Strategy Short term)

- Complete data capturing
- Embark on a data verification and validation process
- Re-categorization of files according to status (abandoned, registered etc.)
- Data cleansing (IPAS)
- Time line / process management (for renewals, certification etc.)
- Timeous compilation of Statistics
- Avail data to all stakeholders freely

Policy Change

- Ease of doing business to improve business landscape
- STEM policy to influence IPR registrations
- IP Policy to close weak points in the IP system over time
- Change in Office business processes

Thank You

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