

WIPO REGIONAL WORKSHOP ON IPAS FOR TRADEMARK EXAMINERS

COUNTRY REPORT: IP OFFICE AUTOMATION STATUS, STATISTICS & FUTURE PLANS

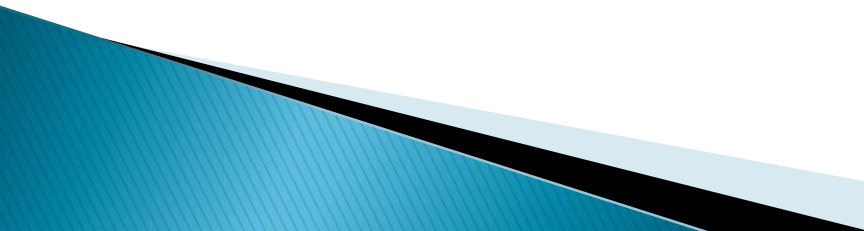
GABRONE, BOTSWANA, JULY 10 TO 14, 2017

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TRADEMARK EXAMINER & IPAS ADMINISTRATOR



INTRODUCTION

- ❖ Intellectual property in the Gambia is divided into the two main areas of **Industrial Property** and **copyright** and **related rights**.
 - ❖ **Industrial property** is under the Attorney General's Chambers and Ministry of Justice.
 - ❖ **Copyright** is administered by Ministry of Tourism and Culture through the National Council for Arts and Culture.
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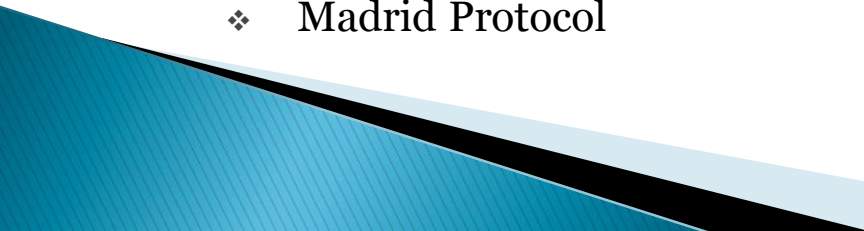
Acts & Regulations

- ❖ Industrial Property Act Vol. 15 Cap 95:01 Laws of The Gambia 2009.
- ❖ Industrial Property (Amendment) Act 2015.
- ❖ The Act is supplemented by the Industrial Property Regulations 2010.
- ❖ The Act came into force on the 2nd April 2007 and repealed the following Acts which were applicable in The Gambia:
 - a. The Registration of United Kingdom Patent Act,1925;
 - b. The United Kingdom Designs(Protection) Act,1936; and
 - c. The Trademark Act,1916

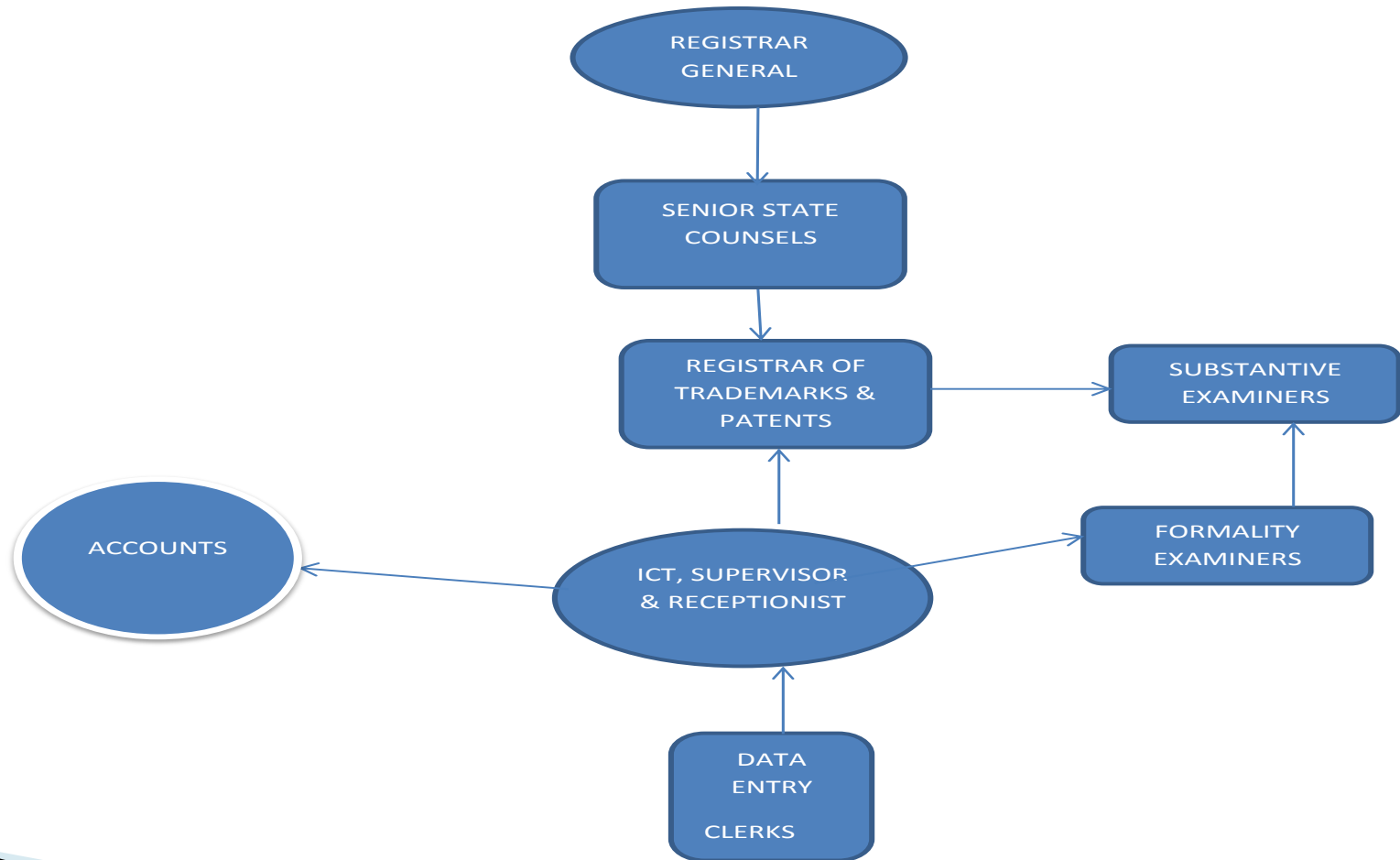
INTERNATIONAL ENGAGEMENT

The Gambia is a member of the following:

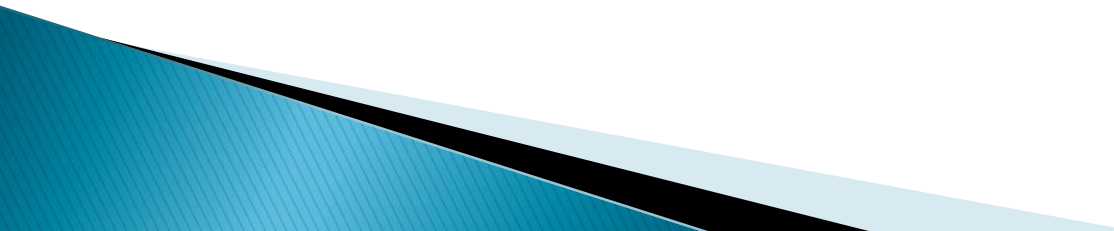
The World Intellectual Property Organization (WIPO) since 1980

- ❖ The African Regional Intellectual property Organization (ARIPO)
 - ❖ Signatory of the Patent Cooperation Treaty (PCT)
 - ❖ The Berne Convention
 - ❖ Harare Protocol
 - ❖ Banjul Protocol On Marks (pending)
 - ❖ Swakopmund Protocol On the protection of Traditional Knowledge and expressions of folklore (pending) - Instrument deposited
 - ❖ Madrid Protocol
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OFFICE STRUCTURE



IPAS SERVER DETAILS

- ❖ Installed IPAS Centura since 2012
 - ❖ upgraded to 2.7.0 in 2014
 - ❖ Currently using IPAS 2.7.C
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IPAS AUTOMATION

- ▶ After the installation of the IPAS System, the office started capturing data and processing them.
- ▶ The IPAS System helped to effectively, conduct formality and substantive examinations.
- ▶ IPAS generate Journals quickly which is then worked on manually, Even though we have to send the journal the public printing press for publication which causes the delay in our publication of gazettes, now the office have to amend the laws to be able to print the gazette internally.

AUTOMATION CONTINUATION

- ❖ The Trademark section has improved its service delivery and has reduced the time for processing trademarks applications.
- ❖ Now you can search, apply & renew for a trademark within hours just by filling out the trademark forms.

IPAS AUTO CON.

- ▶ **Patents:** The office receive national patents assign them with numbers and send them to ARIPO for examination and for the ARIPO patents that are designated to the Gambia we have established a link with ARIPO through the FTP server so we download from there and then capture
- ▶ **PCT:** we receive notification through mail which needs to be captured into IPAS the configuration needs improvement.
- ▶ **IDUSTRIAL DESIGN:** These are registrable under the Act & Needs configuration we also need to import the designs designated to through ARIPO.
- ▶ **UTILITY MODELS:** We have received some application in recent years but doing the process manually system yet to be configured.

STATISTICS

YEAR	CAPTURED DATA	PROCESS DATA	UNPROCESSED DATA	UNCAPTURED FILES	BACKLOG /MISSING FILES
2010	516	516	0	0	0
2011	407	407	0	0	0
2012	440	440	0	0	0
2013	406	406	0	0	0
2014	559	559	0	0	0
2015	402	402	0	0	0
2016	256	256	0	0	0
2017	103	103	0	0	0
Total=	3089	3089	0	0	0


OUTSTANDING DATA TO BE CAPTURED

	2010	2011	2012	2013	2014	2015
Patents National	0	0	0	1	2	2
ARIPO Designs	0	0	0	0	0	0
PCT	0	0	0	0	0	0
ARIPO	0	0	0	0	0	0
UTILITY MODELS	-	-	-	0	0	2

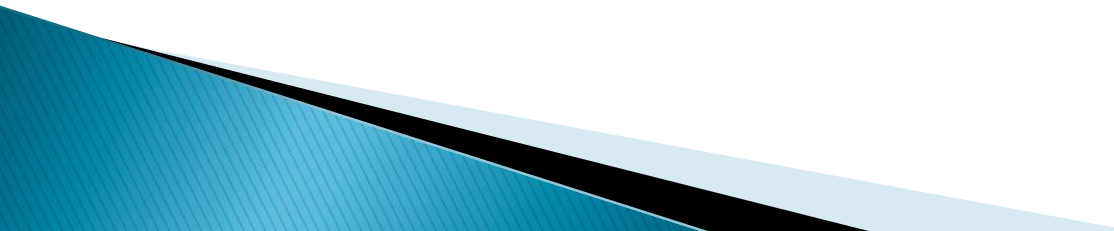
STATISTICS CONT.

MARKS	TO BE VERIFIED	VARIFIED	TO BE VALIDATION	VALIDATED
1906-2013	12039	3380	12039	3380


SEARCH & EXAMINATION

- ▶ The office conducts manual searches and electronic searches due to the fact that not all of our records are in the database we still maintain the registers.
 - ▶ Searches through the Global Brands Database and Romarin on the wipo website to help us examine the application at hand.
 - ❖ We look for name similarities, logo, and the proprietors of the mark and so on as required.
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SEARCH & EXAMINATION CONT.

- ▶ We search on the indexes of registered trademarks on a register of which the files and certificates are still missing.
 - ▶ We have published what we have on the missing years and agents started furnishing the office with these copies.
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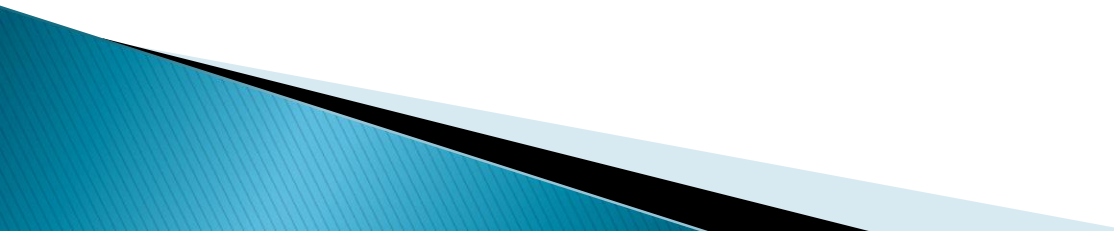
CHALLENGES IN THE OFFICE

- ❖ The Industrial Property Office needs more training.
 - ❖ The office is under-staffed and needs more human resource and adequate infrastructure to work effectively.
 - ❖ Fostered cooperation between the IP Office within the region in terms of data exchange.
 - ❖ There is need to digitalized the records.
 - ❖ Network connectivity a major factor causing delay in the downloading of notification and uploading to Madrid.
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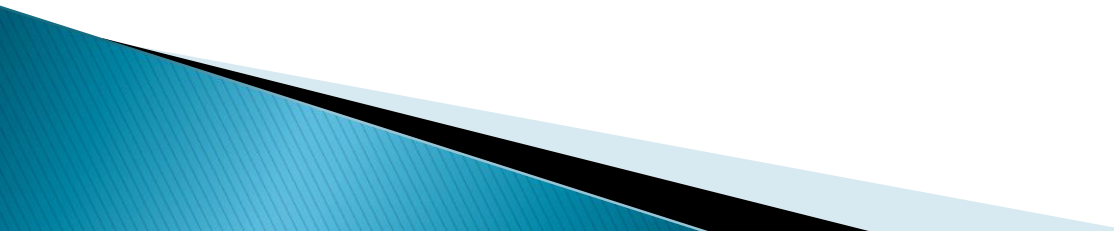
BENEFITS FROM PREVIOUS IPAS TRAINING

- ▶ We have benefited a lot from these trainings since 2014.
- ▶ The madrid registration system in 2015 and so on.

STRATEGIES FOR DATA QUALITY MANAGEMENT

- ▶ Acquire information about the best practices in other offices.
 - ▶ Digitalizing the IP registers and front files.
 - ▶ More human resources needed.
 - ▶ Upgrading of the current IPAS server
 - ▶ Develop ways of creating value from IPAS, e.g. reports, searches, file delivery system and monitoring.
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FUTURE PLANS

- ▶ Establishment of an online filing system.
 - ▶ Online publication
 - ▶ Digitalization of files.
 - ▶ Configuring Industrial Design, Utility Models and PCT to be able to integrate with other systems
 - ▶ Upgrading of the IPAS system.
 - ▶ Additional training on the Madrid System.
 - ▶ Proper ICT infrastructure
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**END OF PRESENTATION
THANK YOU !!**