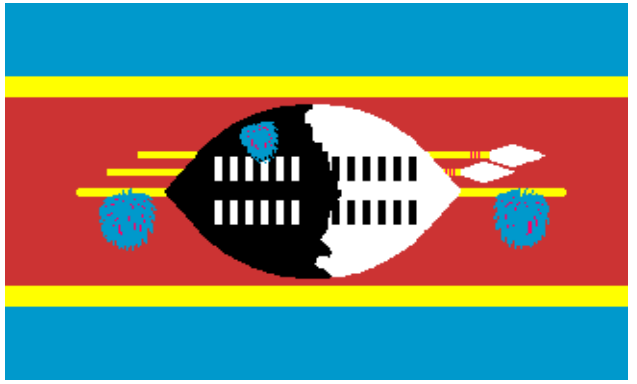
Eswatini
IP Office



Automation Status Reporting and Prerequisites for Online Tools Deployment

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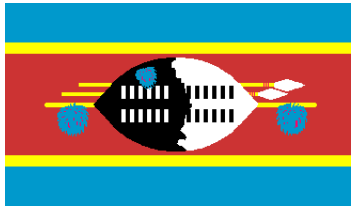
Outline of Presentation

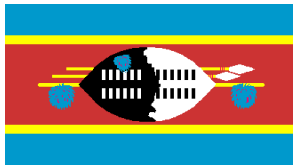
- Office organization structure and Office management
- Legal framework
- Electronic Registry
- Document Management
- Online services
- Future Plans
- Challenges

Structure



- The IP office falls under the Ministry of Commerce, Industry and Trade
- The office has a professional staff compliment of 7 officers namely; Acting Registrar, Assistant Registrar, 2 Acting Examiners, 3 Assistant Records officers
- The IP office does not have dedicated ICT staff; but sources these from the Ministry of Information, Communication and Technology – Computer Services Department
- Full implementation of IPAS system commenced in November 2015
- This is a thin structure that negatively impacts service provision in the office
- The office is in charge of protecting and registering Trademarks, Patents, Industrial Designs and Copyright.

Legal Framework



Currently, the IP office is guided by the following legislations:

- ✓The Trademarks Act, 1981
- ✓Patent and Designs Act, 1936
- ✓Recently, the following legislations have been promulgated into law;
- ❑Copyright and Neighbouring rights Act, 2018
- ❑Eswatini Intellectual Property Tribunal Act, 2018
- ❑Patent and Designs Act, 2018

However, they still do not apply as Regulations are still under development

Electronic Registry

The following processes are done through the IPAS system namely;

- Searches
- Examination
- Production of the monthly Gazette
- Renewals
- Assignments
- All changes

Electronic Registry cont.

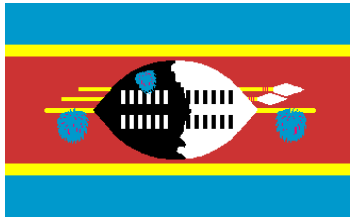
We joined IPAS on (November 2015), however, we have yet to introduce:

- the filing of electronic applications,
- electronic payments and,
- online searches.

Goals to be achieved

- Ensure quality and accuracy of data in IPAS
- Ensure all users are trained to use the system, we get the support from WIPO
- Training of IT and the staff

Document Management



- We have 54 350 files opened since the IP office's inception. We have no backlog in terms of capturing the files.
- All the hardcopy files are kept in the Registry for future references although they are all captured through the IPAS system.
- The office is using the IPAS system, although there are some challenges in some of the functions namely: Oppositions, Withdrawals, Abandoned, Priority claims, Disclaimers etc. We still need to be capacitated on how to capture all documents.
- As mentioned above we still have challenges our office is not yet paperless.

Online Services

- Type of online services – presently there are none offered to the public.

Future Plans

- Online searches to enable applicants to do their own searches – *by 2022.*
- Eswatini Government has a website, which would like the assistance of WIPO to link the IPAS system on it.
- Introduce online payments - *by 2022.*

Challenges encountered

- Additional captured information (disclaimers, priority dates etc.) do not appear in documents (e.g. proof of advertisement, certificates etc.)
- Search form does not show on IPAS. It only reflects on old government system called Terminal
- On amendments, information being amended does not show. Documents only reflect new amendment without showing correction
- Skills shortage on how to produce the gazette on IPAS
- Registered user form is not generated on IPAS, user often has to generate it manually
- There is no ICT personnel – We source this from the Ministry of ICT in the department of computer services.

THANK YOU