

Session 2 – 23 September 2020

1. Regional IPOs may not have a dedicated IT person to manage the required system. How important is it to have someone in the office dedicated to deal with issues related to TMview **maintenance**?

There is no need to develop an extraction mechanism from scratch. It has been agreed with WIPO to use WIPO Publish, which also contains a data extraction functionality. As a result, the technical work consists rather of a mapping and configuration exercise of the data from IPAS to WIPO Publish.

Please refer to the slides called “TMview / DESIGNview Integration steps” and “TMview / DESIGNview WIPO Publish data extraction.

First a data analysis must be done with a business person and a technical person with knowledge of IPAS and WIPO Publish. This is needed in order to see which data you can legally and technically share with the public.

No actual development work (i.e. computer programming) is needed to create a data extraction mechanism. The technical work has deliberately been limited to the minimum consisting primarily of the data mapping and fine tuning between IPAS and WIPO Publish to ensure the agreed data in the data analysis is extracted.

2. In terms of process, there will first have to be a needs assessment to determine the data being requested is configured in the right way and this will require someone to be aware of the office’s software and how it is setup e.g. IPAS. WIPO has provided assistance in this regard. Then the other aspects for the IPO to implement TMview will need to be done. Coordination of implementation will depend on the availability of a technical person.

As regards the integration process, please refer to the slide called “TMview / DESIGNview Integration steps”. This slide is a generic version, which in principle covers any IP office in the world.

The integration process for the Caribbean IP offices would look more like the following:

1. The IP Office assigns two people to the project:
 - A. A business person with knowledge of the legal aspects (i.e. the trademark or design regulation) in terms of which data can be shared with the public.
 - B. A technical person with knowledge of IPAS and WIPO Publish.
2. Feasibility study phase
 - A. Data analysis (i.e. what can technically & legally be provided)
 - B. Time plan (the IPO and EUIPO agree on the milestones and dates for the project)
3. Mapping and configuration phase
 - A. Mapping and configuration of data between IPAS and WIPO Publish
 - B. Sample data extraction

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- C. Full data extraction (all trademarks in the data base are extracted)
 - D. Data update extraction mechanism
 - E. Link between TMview / DESIGNview and the national search system
 - F. Data cleansing (optional, the IPO decide)
4. Testing phase
- A. UAT (testing to be performed by the IPO before giving final OK to the go-live)
 - B. If needed, steps 3A-C are repeated to correct data errors and then the UAT is resumed
5. Go-live

In general terms, we have substituted point 1B with “A technical person with knowledge of IPAS and WIPO Publish”. The title for point 3 is renamed to “Mapping and configuration phase”.

The technical person, with knowledge of IPAS and WIPO Publish is important when the data analysis is carried out and for the mapping and configuration of the data from IPAS to WIPO Publish. That is point 2A and point 3A respectively.

To begin with sample data is extracted, validated and prepared in the TMview TEST environment for verification. This is the new point 3B. The technical person will have to intervene again if fine-tuning or re-mapping of data is needed. The business person can also assist with this if sufficient knowledge has been acquired.

As soon as everybody (i.e. both the IPO and EUIPO) are satisfied with the sample data, we can proceed to the extraction of all the data (aka FULL extraction). This is the new point 3C. The point covering the “Data update extraction mechanism” has become point 3D and so forth.

Once all relevant steps under point 3 have been dealt with, we can move on to point 4, the “Testing phase”. The FULL extraction is prepared in the TMview TEST environment, so you can test what has been agreed upon in the data analysis. This is known as the User Acceptance Test (UAT). In principle, there shouldn't be major data mistakes but sometimes errors are found and the technical person could be needed for additional fine tuning of the data between IPAS and WIPO Publish. If this is the case, the process repeats (as point 4B indicates) either first with a new sample data extraction or even directly with a new FULL extraction, so the UAT can be resumed.

ASIPI PRESENTATION

3. Would clients (of a law firm operating in the Caribbean) be interested in obtaining information on TM registrations in the Caribbean?

Yes! such information would be useful. Any possibility to use a regional approach instead of having to go to each office individually would be welcome. If it was possible to make regional applications, it would increase the number of clients applying for TMs in the region. Also, if regional TMs were able

to be viewed on TMview it can increase filings in the region. Additionally, access to harmonized terms will also make it easier to file applications in the region.

TTIPO PRESENTATION

4. What physical infrastructure was required to handle these additional services? Did you have to enhance the capacity of your physical infrastructure to facilitate e-Filing and WIPO Publish?

We did not have the equipment on hand, so we needed to obtain additional equipment such as servers, ports etc. and we now have our servers with the required resources on it.

This is something for smaller IPOs to consider: (1) procurement of required equipment; (2) having the right environment for locating the equipment once procured and operational. It is important that these things are identified for each IPO before launching into a project such as implementing TMview or any of the other online databases.

5. The challenge is to move from where we are currently to where we would like to be in the future regarding fully implementing the various online tools and automation. What is the process you went through at the TTIPO moving to e-Filing and other automated processes? What of the timeline and resources?

- Have most updated IPAS. TTIPO had to upgrade to the latest version of IPAS and therefore needed to verify data prior to moving from one version to the next.
- Deploy/install WIPO Publish – there was a WIPO mission to the TTIPO to configure and install the required software for EDMS and for internal searches. WIPO Publish has several modules: search, extraction and upload for TMview and Global Brands; and EDMS, WIPO File.
- Procure additional resources (servers, ports etc.) where necessary
- Testing & training internally and with users
- Obtaining clarity regarding existing legislation to allow for electronic processes such as e-Filing. (The TM Act had to be updated to allow for online filing and publication.)
- Timeline – took TTIPO about 12 months from start to finish

6. Was there technical assistance from WIPO to allow for knowledge transfer so that the office can undertake any fine tuning to the system after setup?

The office does some minor configuration. WIPO is quite responsive if any technical assistance is required.

7. When undertaking the process of configuring internal systems (infrastructure and equipment needs etc.) for integration into for example TMview/DESIGNview, will this also facilitate similar processes for e.g. the Madrid, Hague Agreement or the PCT process in terms of electronic filing, searches and other WIPO systems? Are the required systems compatible?

The Madrid and Hauge filing systems are unrelated to TMview and/or Global Brand.

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All these efforts regarding electronic databases for IP do contribute to preparing the IPOs for Madrid and Hague integration as well. The objective is to make TM data available to the public. Yesterday's workshop was about making the list of approved goods and services available to users and examiners

8. Can your workplan be shared with Jamaica?

Yes, it will be shared with the IPO once the project is started with the member state.

9. What version of IPAS is required before moving to WIPO Publish?

At least IPAS 3.5.

10. How do the IT tools deal with confidentiality request regarding information?

The legal expert in each IP office must indicate which data can be shared with TMview etc and hence the public. The technical expert is needed as she/he knows if the information is available in IPAS and therefore can be mapped to WIPO Publish. This is the reason a data analysis is done. In the rare case that confidential information for a TM is inadvertently extracted, the TM can be deleted by the IPO or EUIPO can be contacted to have it deleted.