



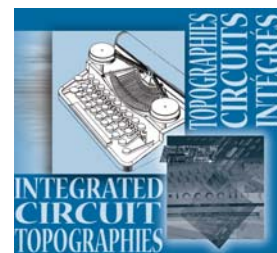
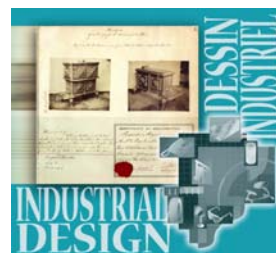
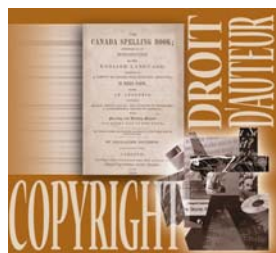
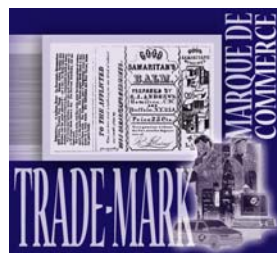
**Canadian
Intellectual Property
Office**

An Agency of
Industry Canada

**Office de la propriété
intellectuelle du
Canada**

Un organisme
d'industrie Canada

Industrial Design Focus Day



November 6, 2003

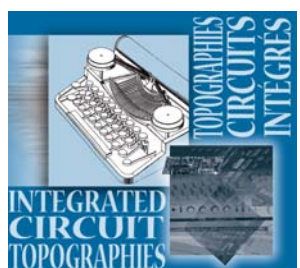
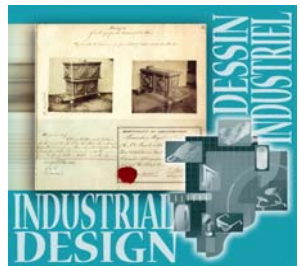
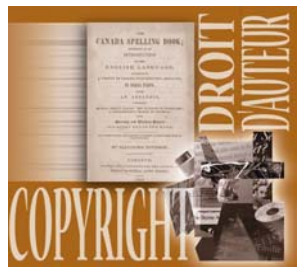
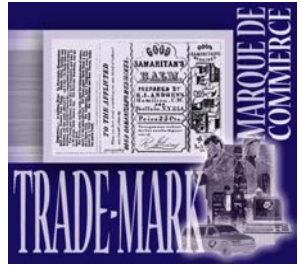
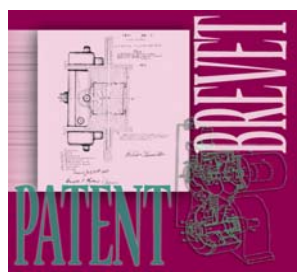
Attendees

- AIPPI Canada – Rose-Marie Perry
- Bereskin & Parr – Bob Storey
- Blake Cassels & Graydon – George Fisk
- Bombardier – Jonathan Cutler
- Borden Ladner Gervais LLP – John Koh
- Canadian Bar Association – Glen B Tremblay
- Chair, Industrial Design Committee of IPIC – Max Wood
- Kirby Eades Gale Baker – John Baker , Kimberly Lachaine, Mark Sprigings
- MacRae & Co – AJS Davidson
- Marks & Clerk – Gary Partington
- McFadden & Fincham – Maryann O’Hara
- Ogilvy Renault – Theresa Astles
- Osler Hoskin Harcourt – Brad White
- Ridout & Maybee – Tim Bourne
- Robic – Alain Provost
- Seaby & Associates – George A Seaby
- Sim & McBurney – David A Ruston
- The Canadian Chamber of Commerce – Robert McKinstry

Attendees

■ CIPO

- Doug Kuntze, CID
- Heather Coulter-Bowen, CID
- Rita Vidotto Carreau, CID
- Micheline Vincent, CID
- Robert Snippe, CID
- Francine Bouthillier, CID
- Alan Troicuk, Justice
- Darlene Carreau, Justice



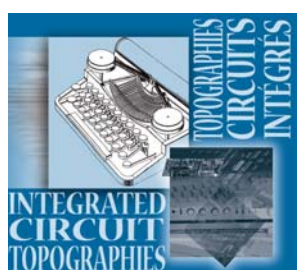
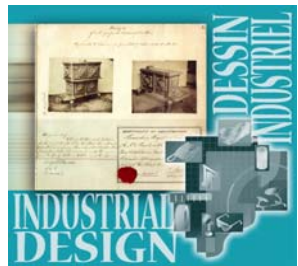
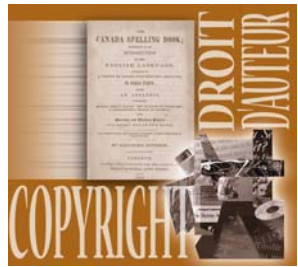
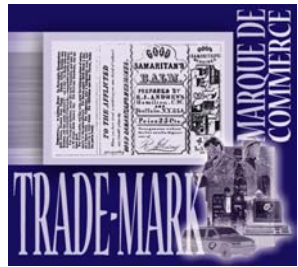
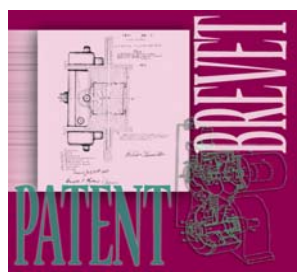
Overview

■ SETTING THE SCENE

- CIPO Overview
- Issues and Challenges

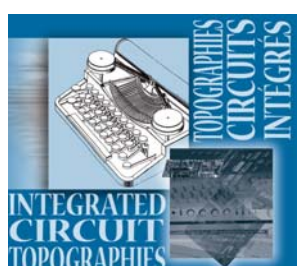
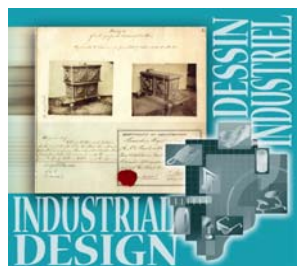
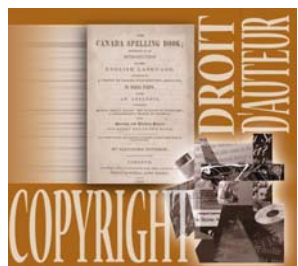
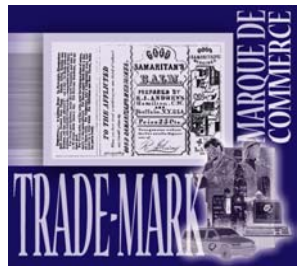
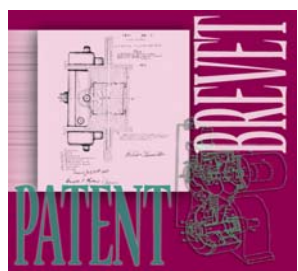
■ INDUSTRIAL DESIGN DIVISION

- Recent history
- Objectives
- Future Directions for Industrial Design
 - Reengineering
 - New Fees



Canadian Intellectual Property Office (CIPO)

- Special Operating Agency of Industry Canada
- Operates on full cost-recovery
- CIPO's mission:
 - Fostering the use of the IP system and the exploitation of IP information
 - Encouraging invention, innovation and creativity in Canada
 - Administering the IP system in Canada
 - Promoting Canada's international IP interests
- More than 800 employees and growing

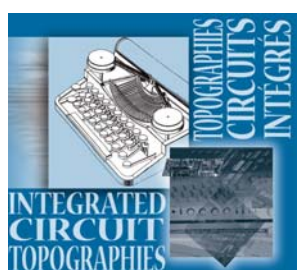
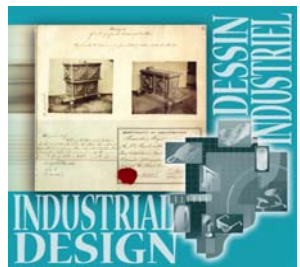
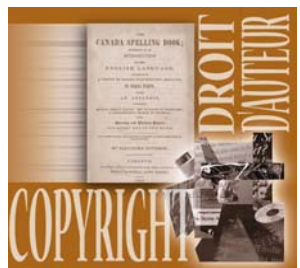
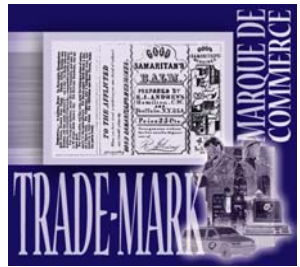
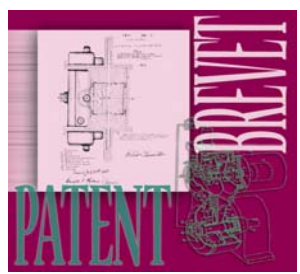


CIPO ... 5 years

- The "Campbell Report" undertaken to help position CIPO for the future
- Key findings and recommendations:
 - CIPO is a viable mid-sized office, but need to improve upon the status quo
 - Step 1: Improve core service (turn-around times)
 - Step 2: Build up international capacity to play a more proactive – but focused – role in shaping IP globally
- Steps 1&2 together are referred to as "Renaissance"

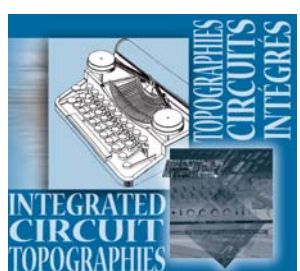
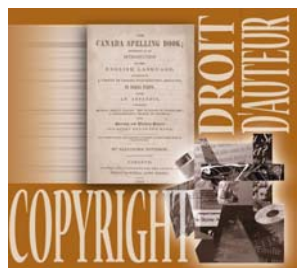
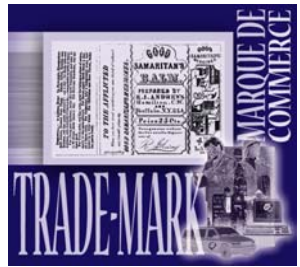
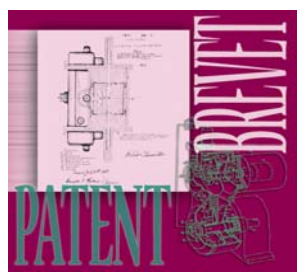
Clients – Survey Response

- Have completed two client surveys
- Key issues:
 - Turnaround times
 - Quality
 - Communication



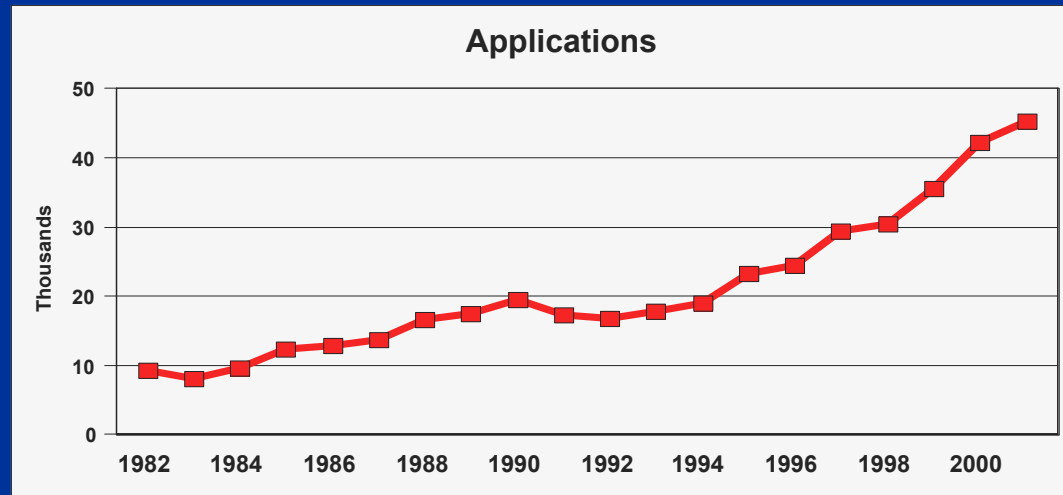
Clients – Survey Response

- Turnaround times, quality, communication are issues for all the product lines:
 - Trade-marks
 - Patents
 - Industrial Designs
- A lesson from Trade-marks and Patents ...



Trade-marks Branch in 1999-00 The Status Quo was not an option ...

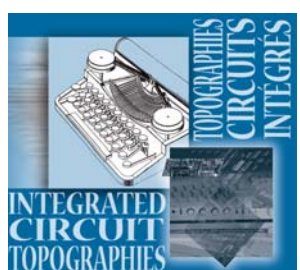
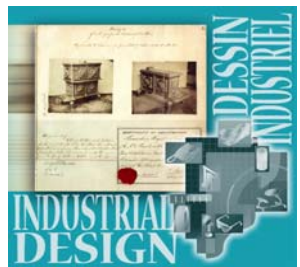
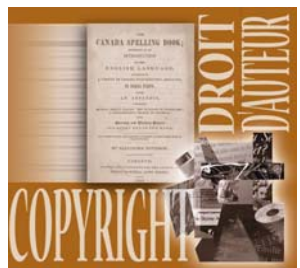
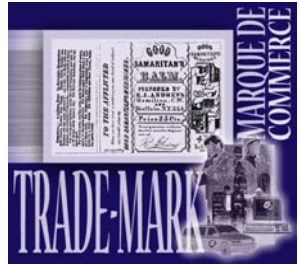
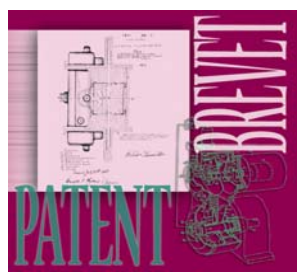
- From '95 to '00, unprecedented growth in applications



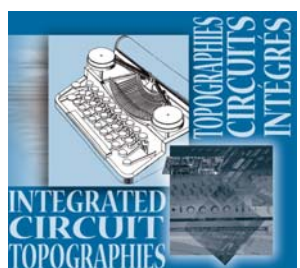
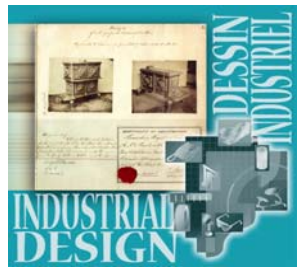
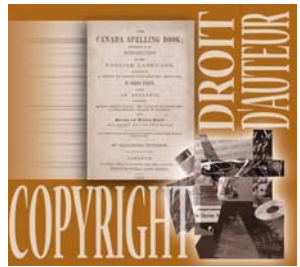
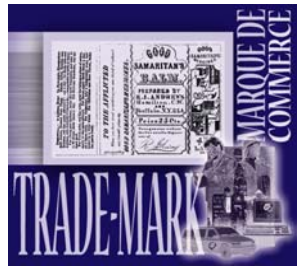
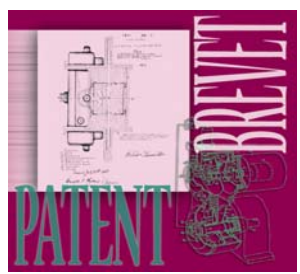
- No growth in Branch capacity -- continuous inventory increase; deterioration in turnaround time to examination

Trade-marks – Branch Response

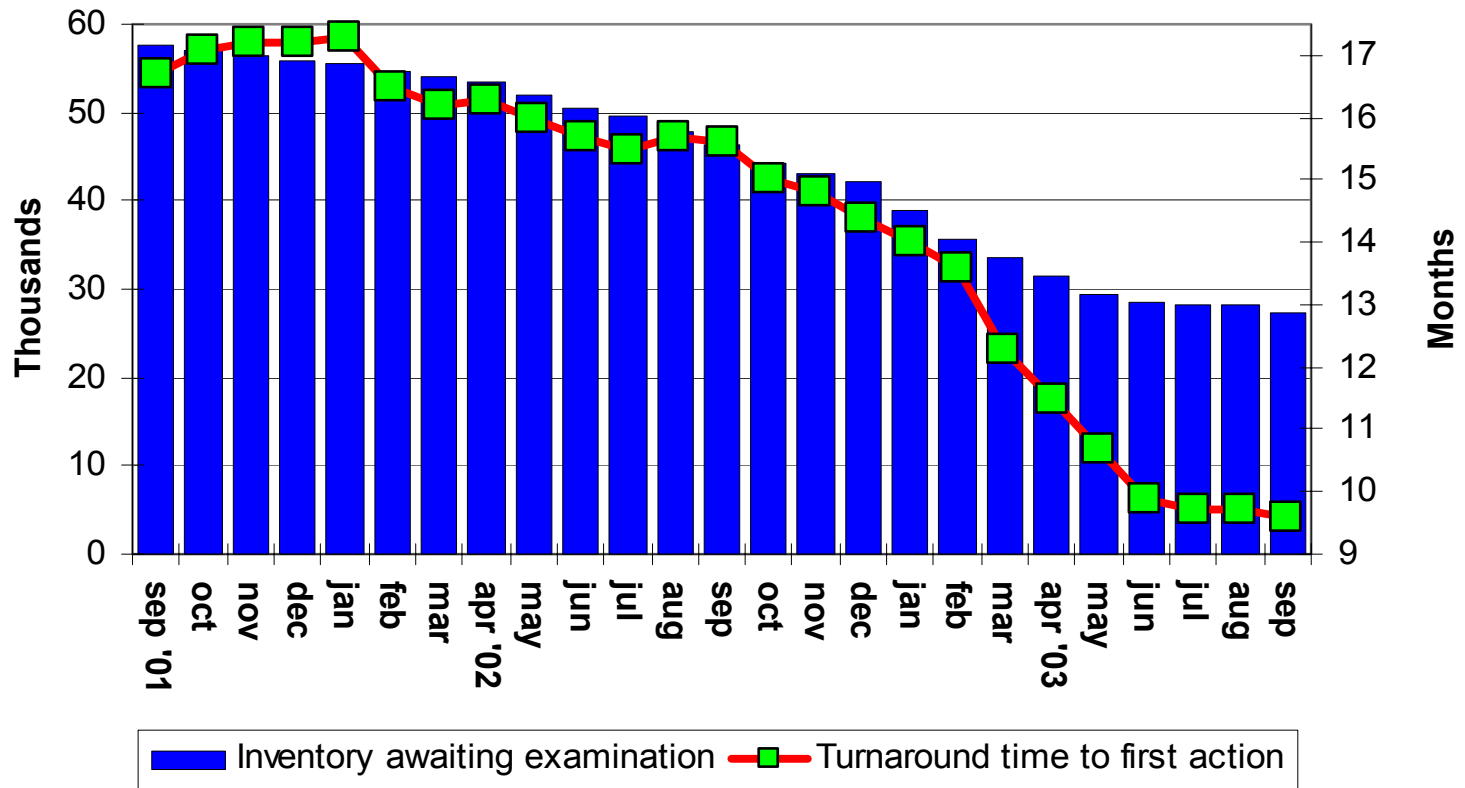
- Re-engineer key processes:
 - Don't throw resources at a tired process – examine the “workflow”
 - Acquisition of an automated system; don't duplicate paper and electrons
 - Development of performance indicators to track progress
 - Everyone likes to see results



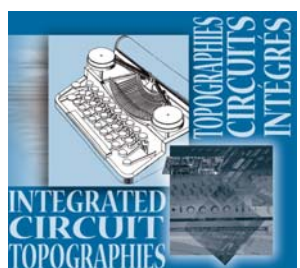
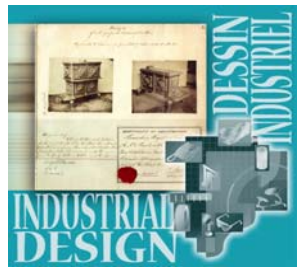
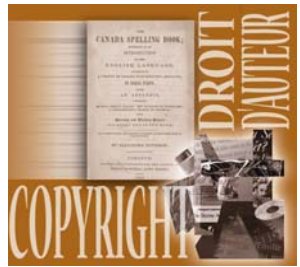
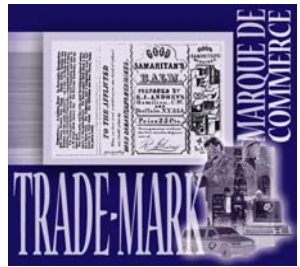
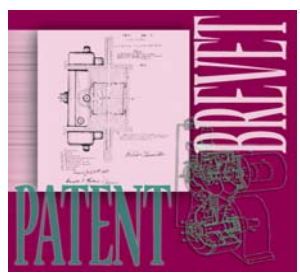
Trade-marks – Steady Improvement



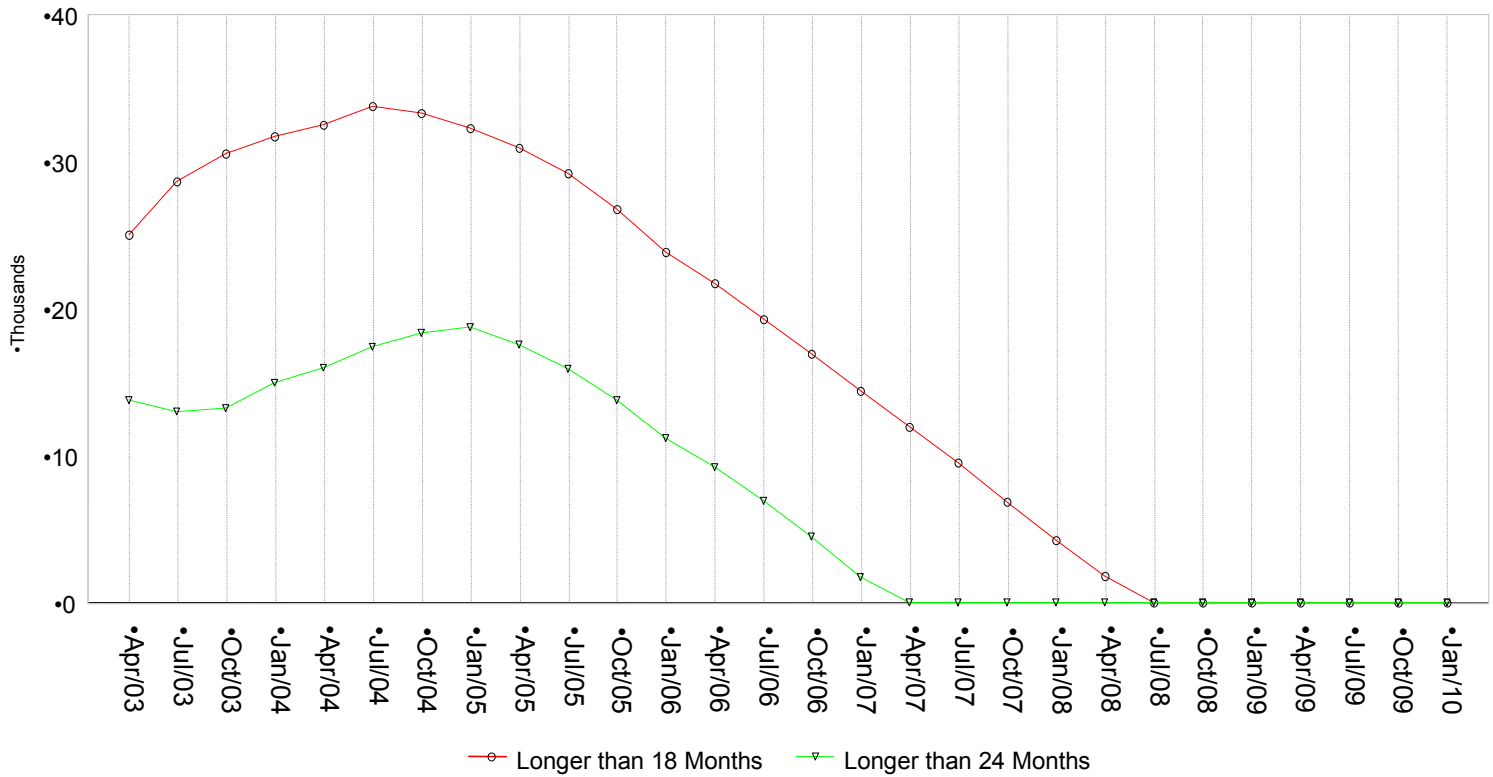
Trade-mark Branch



Future Patent Inventories



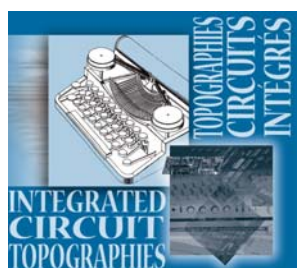
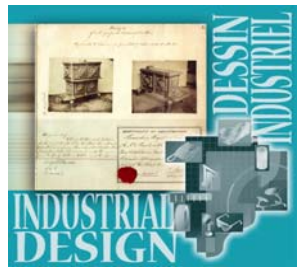
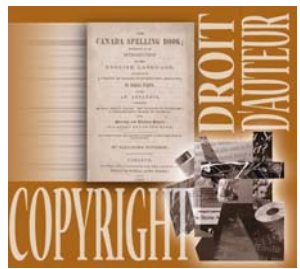
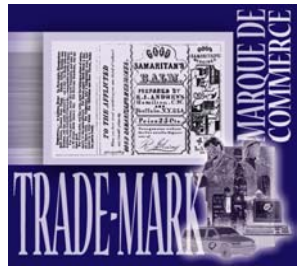
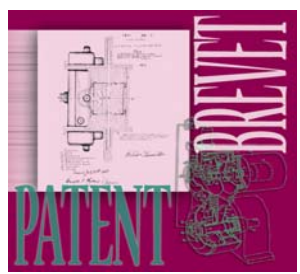
**INVENTORY OF APPLICATIONS WITH RE & IN GOOD STANDING
AWAITING 1st ACTION**



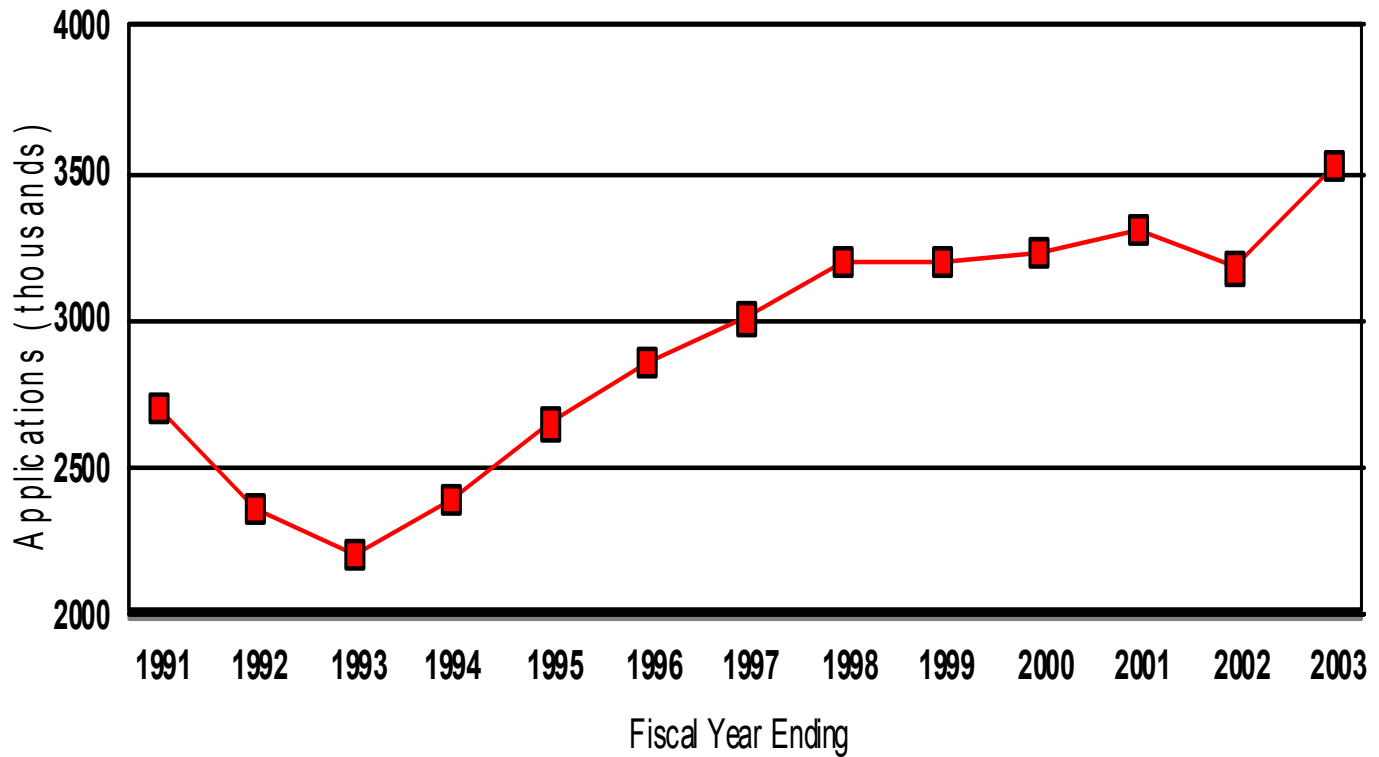
Industrial Design Division --

- Since 1997, four Directors
- The smallest of CIPO's product lines
- An outdated Act – not a Parliamentary “priority”
- As a Branch, Copyright & Industrial Design expenses exceed revenues
- Industrial Design operations last to be automated – data still not “online”
- A year's worth of inventory awaiting examination
- A “difficult” process!

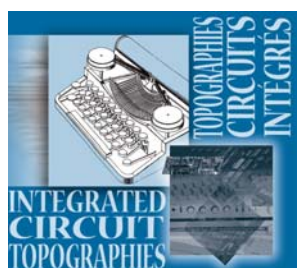
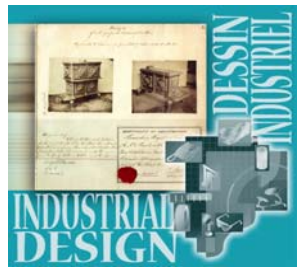
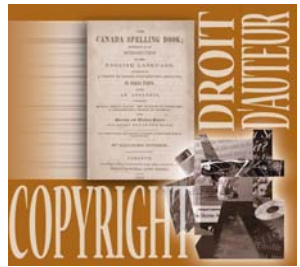
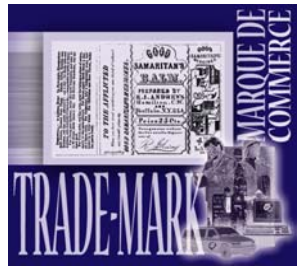
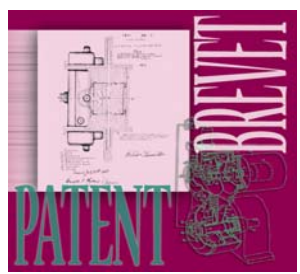
Industrial Design Division --



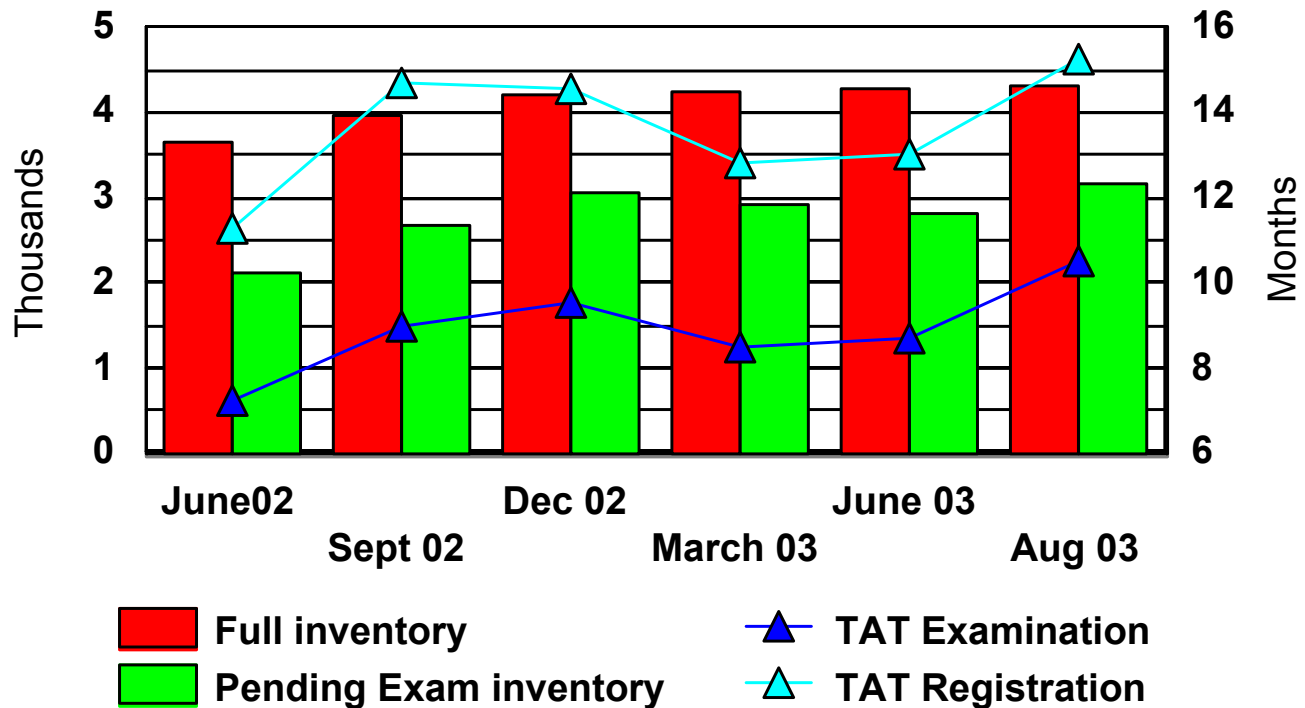
Industrial Design Applications



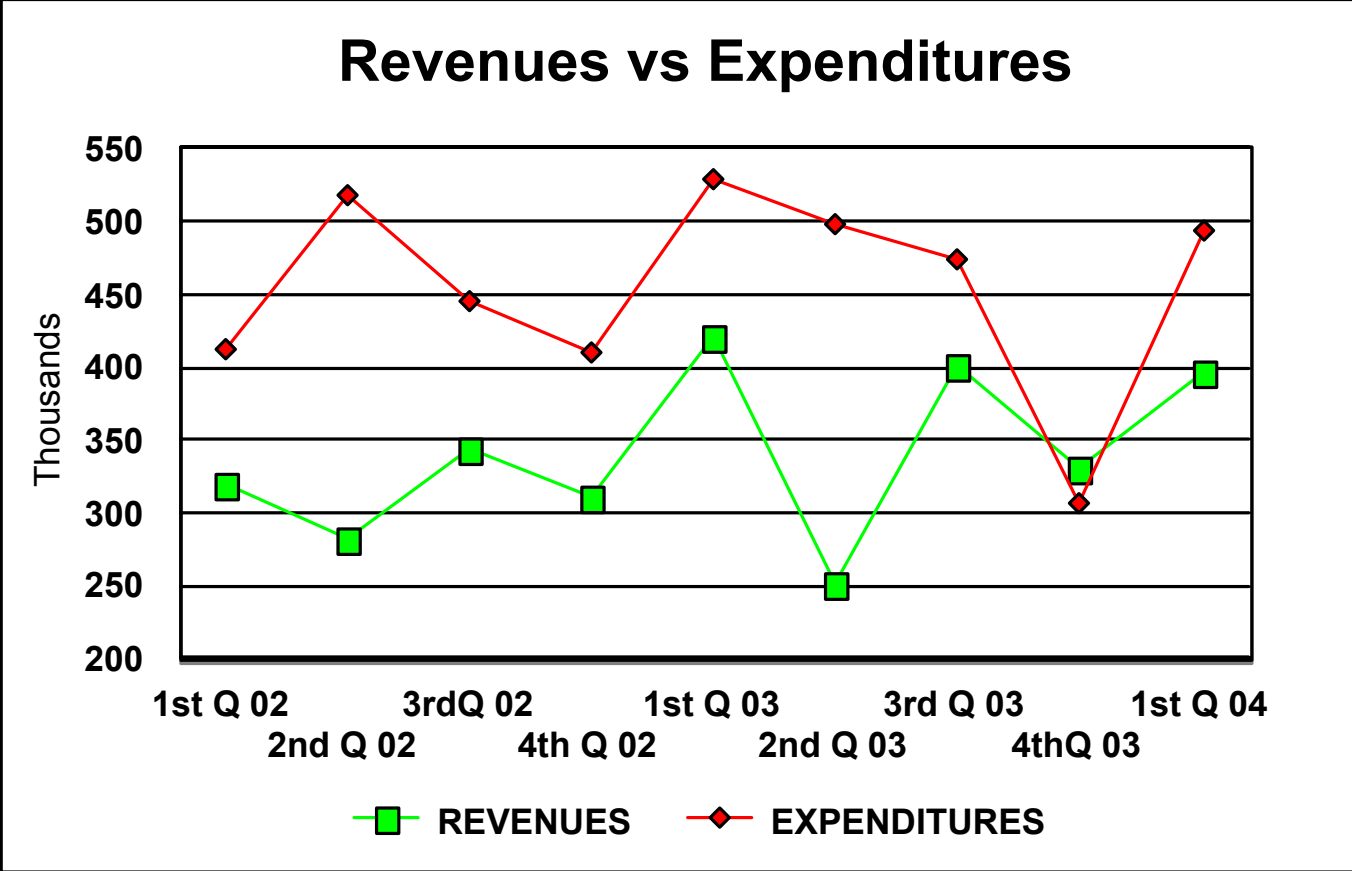
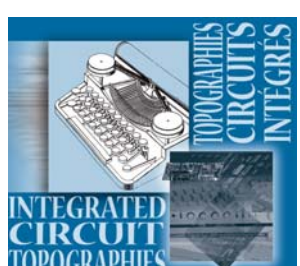
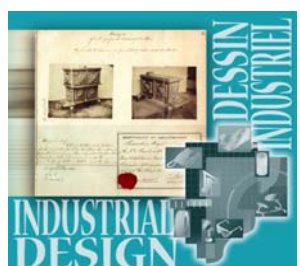
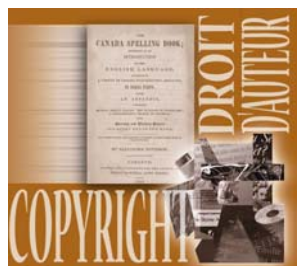
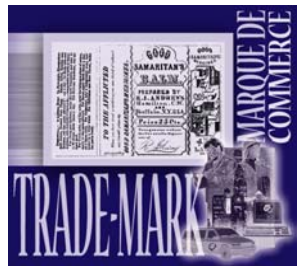
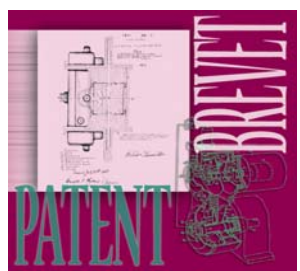
Industrial Design Division --



Inventories & Turnaround Times

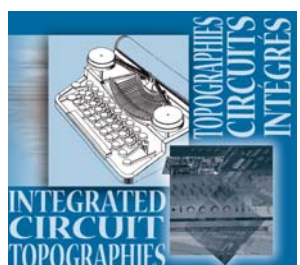
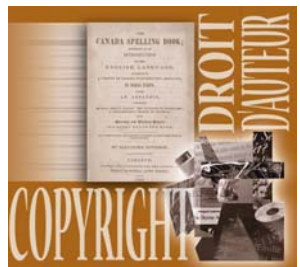
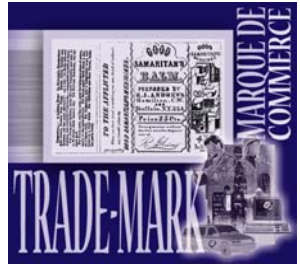
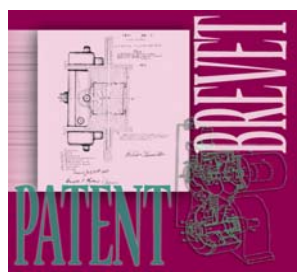


Industrial Design Division --



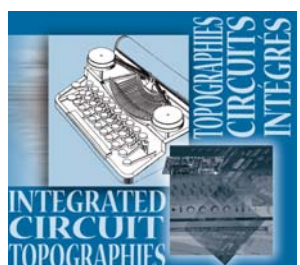
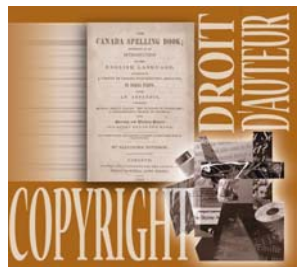
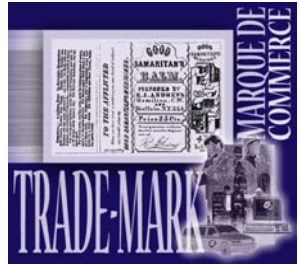
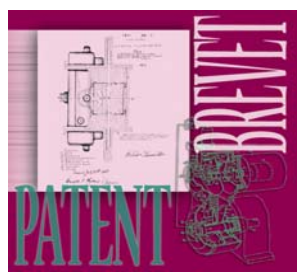
Industrial Design Division --

- Two major adjustments in the past 12+ months:
 - Automation – “DesignPlus”
 - Process Reengineering
- Overall Branch Objectives:
 - Reinvent the processing of applications within the bounds of the existing legislation
 - Achieve financial breakeven (minimum); become a net revenue contributor to CIPO (target)



Industrial Design Division --

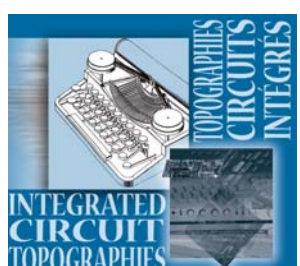
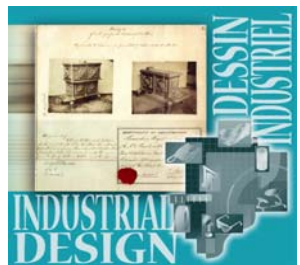
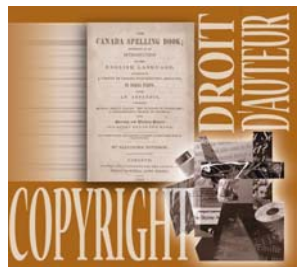
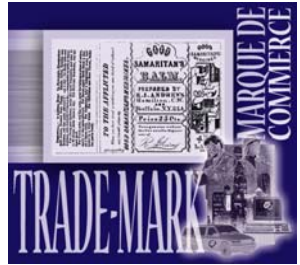
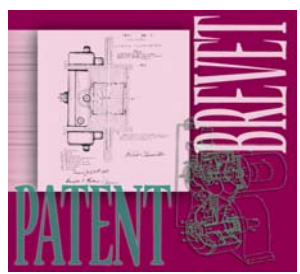
- **Reengineering objectives:**
 - **Faster turnaround times**
 - **Increased volume of registered applications, while maintaining quality**
 - **Updated and simplified industrial design work processes**
 - **Updated and simplified industrial design practices and procedures**
 - **Backcapture of registered art – business case in progress for searchable, online data**



Industrial Design Division --

- **What's been done:**

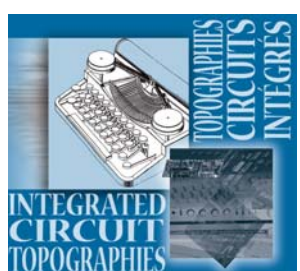
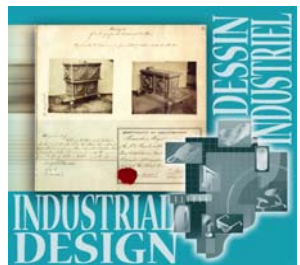
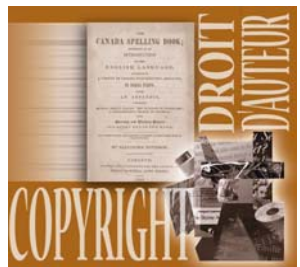
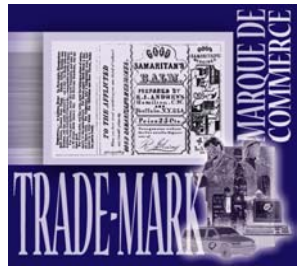
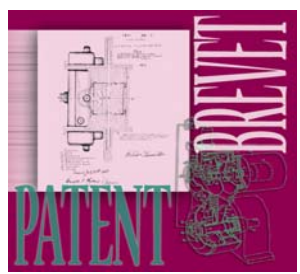
- Review of all work processes and practices
- Development of a new workflow for all ID processes
- Update and modernization of office practices
- Establishment of quality assurance measures
- Identification of areas that will continue to be monitored
- Improvements to DesignPlus
- Development of updated training methods and materials for ID staff



Industrial Design Division --

■ Highlights:

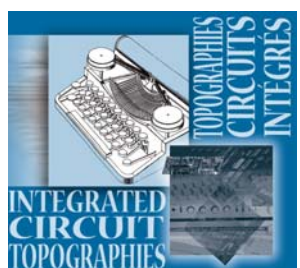
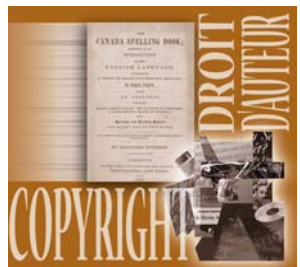
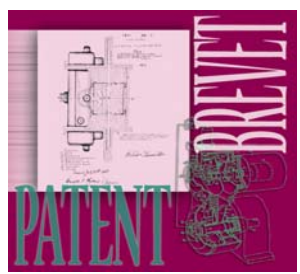
- Preliminary examination
- Search parameters
- Greater flexibility with respect to titles
- Design must be shown in isolation: no environment in drawings
- Kits: the fully assembled article must be shown: no separate pieces
- Proposed amendment to ID Regs: revise the application form to include a declaration that the design was or was not published



Industrial Design Division --

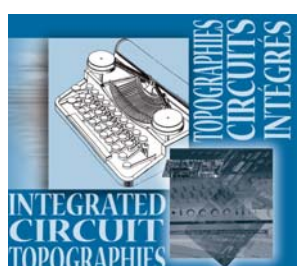
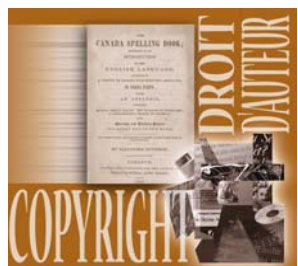
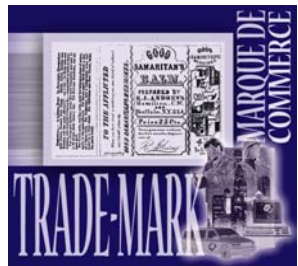
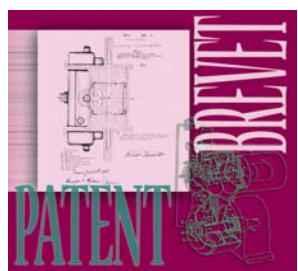
■ Industrial Design Fee Changes

- Basic application fee raised
- Additional fee for each additional page of drawings in excess of 10 pages
- Introduction of a fee for Reinstatement
- Introduction of a fee for Issuance of a correcting certificate
- Introduction of a fee for Delaying Registration
- Maintenance and Assignment fees raised; Assignment now one fee for each design affected
- A fee for accelerated examination



CIPO & Industrial Designs ... International

- IP - both the substantive and administrative aspects – becoming increasingly international.
- Growing CIPO's role in international IP decisions – Step 2 in "Renaissance":
 - Increasing strategic capacity
 - Enablers – e.g. intelligence gathering capability
- Industrial Designs:
 - The Hague –
 - Locarno –



Discussion ...

- Thoughts and comments on what you have seen and heard so far;
- Your priorities for Industrial Design – what is most important, what is least?
- What do you notice about filing in other offices, particularly the U.S.?
- There is a Patent “JLC” and a Trade-mark “TPC” – should there be an “Industrial Design C”
- Is online searching of the Registry important?
- Is “E-Commerce” important?
- Views on the Patent Appeal Board Process?

