

An overview of CESTO, Front-office & TMclass

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CESTO - What is it?

CESTO is a tool to help examiners during the examination procedures on Absolute grounds (AG) and Relative grounds (RG).

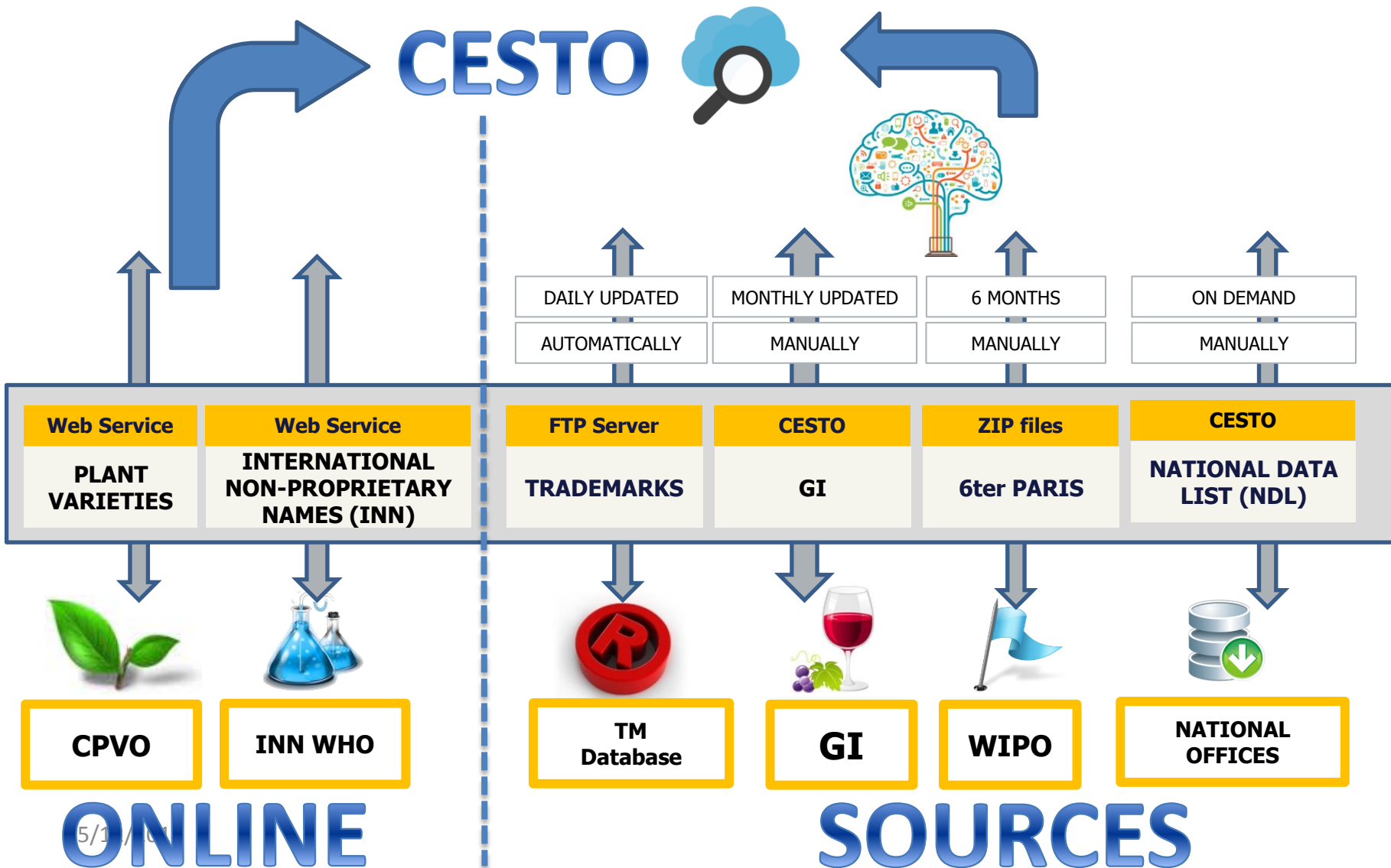


Common Examiner Support Tool (CESTO) - background

1. Before CESTO: **Examiners would have to consult different data sources in order to get a complete picture before taking a decision on Absolute (AG) and Relative Grounds (RG). The result was often inconsistent decisions.**
2. The project: **The creation of a tool to deliver a standardised and automated report for examiners covering relevant databases in order to improve the quality and consistency of decisions plus reduce examination time.**
3. International partners: **International partners receiving CESTO would benefit from a tool which:**
 - A. **Will help examiners to take consistent decisions.**
 - B. **Will help the IP office to save time and costs.**
 - C. **Allows for specific customizations, including creation of and links to data sources, according to the IP office's needs.**

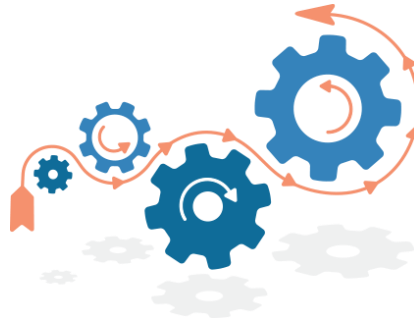
[https://f5extdmztestf08.tmdn.org/cesto-
ui/free/search/show.htm](https://f5extdmztestf08.tmdn.org/cesto-ui/free/search/show.htm)

CESTO - sources and data update



CESTO - OSA - OHIM SEARCH ALGORITHM

OSA is the underlying search algorithm behind CESTO, assessing the similarity between two expressions.



1. Literal element similarity: finding part/modifications of the searched expressions
2. Phonetics similarity: potential similar results based on pronunciation
3. Conceptual similarity: it is capable of searching for “symbols” (5,\$, etc) both ways

CESTO benefits for the new office

1. The tool will help improving the trade mark examination process.
2. The new office will save time and costs because of increased automated processes.
3. The new office is more likely to see an increase of trade mark applications.
4. The tool will provide a harmonised search in several databases/sources.
5. Specific customizations of the tool can be implemented by the new office without depending on EUIPO.

CESTO benefits for the user

1. The tool will help speeding up the trade mark registration process.

CESTO - Fully National Model - costs descriptions

PO set-up costs

1. UI customization (software development)
2. UI translation (optional)
3. Installation of the database.
4. Preparation of the data and loading into the database.
5. Development costs of the solution for the web service consumption and integrating into PO's custom tools (if needed).
6. Procurement of hardware equipment if needed.
7. Procurement of software and licenses if needed.

Updates by PO

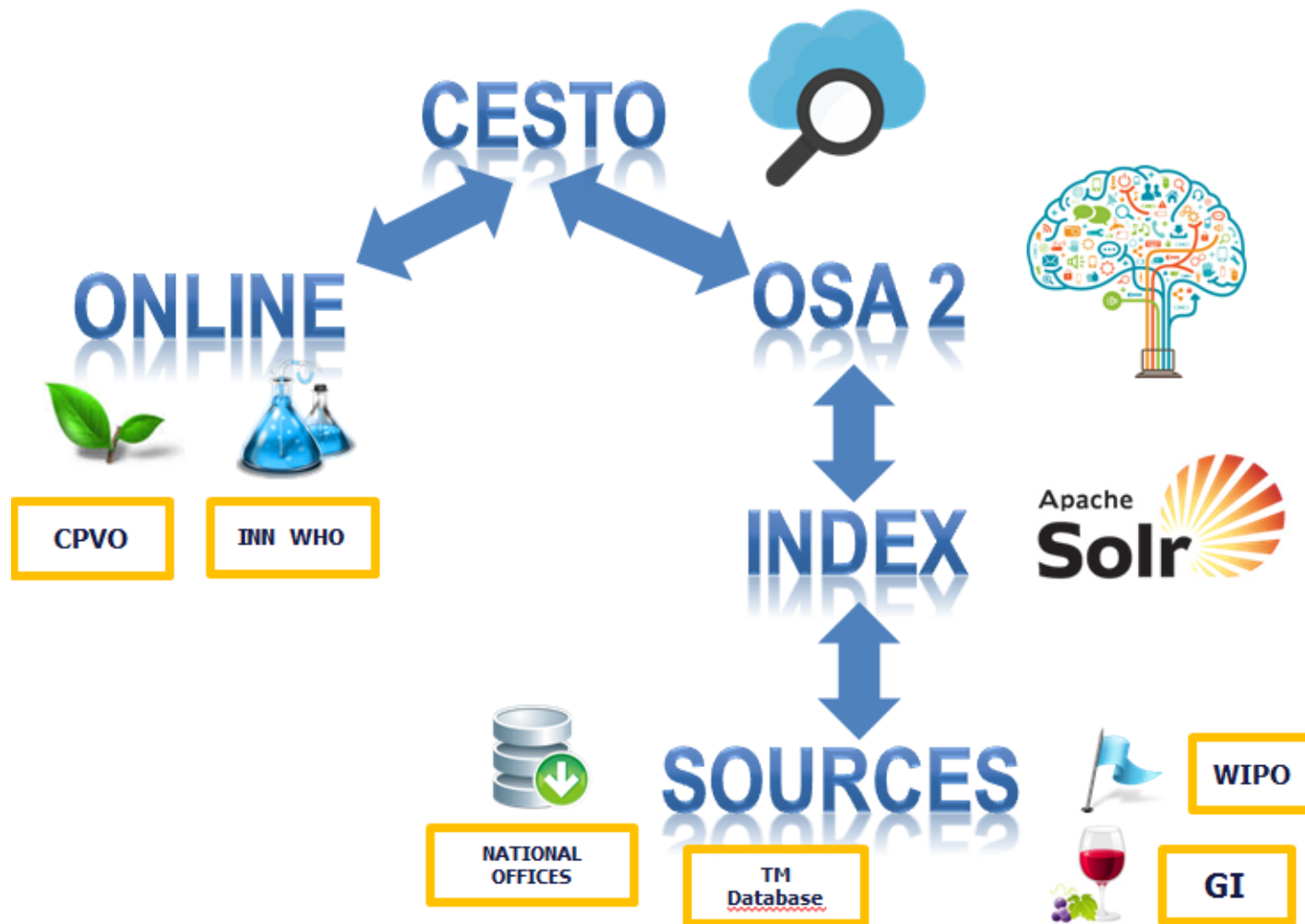
1. Hardware and software to allocate the application (including user interface + database).
2. Maintenance of custom software to consume the application web service (if needed).
3. Improvements and bug fixing of the national application (if needed).
4. Maintenance of the database.
5. Renewal of software licenses (if needed).

CESTO implementation process

In order to implement CESTO in the Participating Office, it is necessary that EUIPO provides the source code.

1. First EUIPO and the Participating Office set a meeting where the implementation process and the technical architecture of the application is explained. In addition, access to a TEST environment and technical documentation is provided.
2. The Participating Office has to assess the feasibility of implementing the system in their own premises. Once decided, they have to inform EUIPO so the preparation of the license agreement can start.
 - Then EUIPO prepares a source-code license agreement for the CESTO software.
3. Once the agreement is signed by the Participation Office, they receive the source code so they can configure it and further develop if needed. During this process EUIPO can provide basic support
4. The Participating Office makes the Go-live when they are ready

CESTO: Architecture

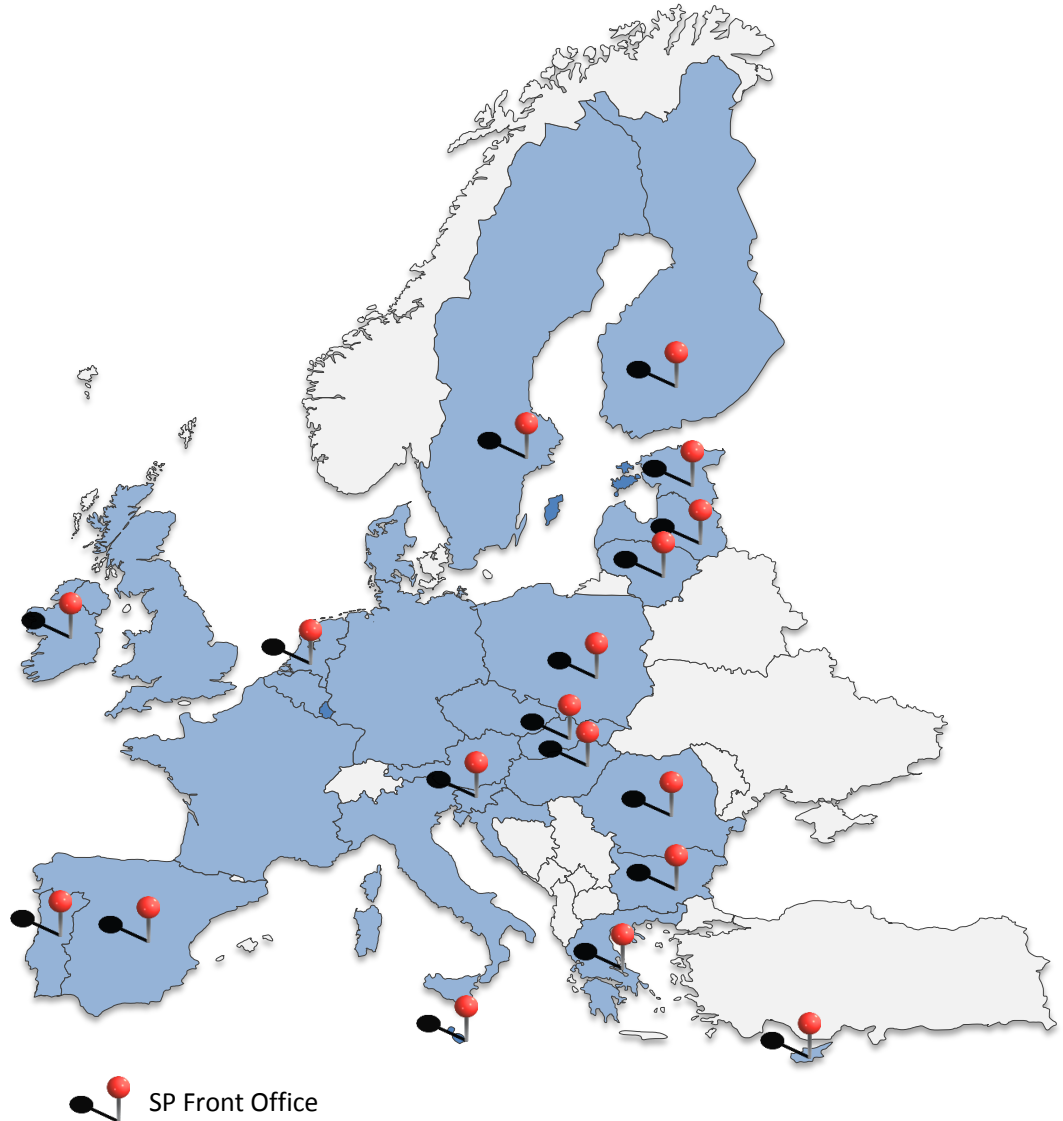


Front-office (e-filing) key features

1. Submit your application in 10 minutes.
2. Step-by-step guidance or one page through the application procedure.
3. Assurance of making the right choices while applying.
4. Fast, easy and efficient.
5. Highly configurable e-filing tool. Sections and fields can be adapted to the specific design regulation of each office.
6. Interfaces available to connect to different platforms, e.g.: Applicants and representatives databases, payment platforms, classification and products indications.
7. e-Filing applications can be saved as a draft to continue at a later stage

Front-office (e-filing) - background

1. Before Front-office (e-filing): **Users would in many cases have to file applications via fax, mail or even in person at the office. If offices did offer e-filing services they were likely to be different from one another.**
2. SP Front Office tool developed by Cooperation Fund is already implemented in 20 IPOs across Europe



Front-office (e-filing) - background

1. The project: **The creation of a common and extended e-filing system covering not only the service to file a trade mark and design application online.**

TM Renewal

TM Transfer of rights

TM Change owner details

TM Generic e-service

TM Invalidity

TM Change Representative / Correspondent

TM License

TM Rights in rem

TM Opposition

TM Revocation

TM Objection

TM Withdrawal / Surrender

TM G&S Limitation

DS Renewal

DS Transfer of rights

DS Change owner details

DS Generic e-service

DS Invalidity

DS Change Representative / Correspondent

DS License

DS Rights in rem

Front-office (e-filing) - background

1. International partners: **International partners receiving the Front-office (e-filing) would benefit from a system:**
 - A. **Already used by other IP offices and thus recognized by users worldwide.**
 - B. **Prepared to be configured to cover all services offered by the IP office.**
 - C. **Prepared to link to different back-office systems, e.g. IPAS.**
 - D. **That can perform formality checks at the moment it interacts with a user filing e.g. a trade mark or design application.**

<https://portal.bpo.bg/home>

Front-office (e-filing) benefits for the new office

1. The tool can perform formality checks to a certain level at the moment it interacts with a user filing an application for a trade mark or design. By certifying that applications are formally correct, the users are assured that their applications are admissible and if necessary they can solve any deficiencies immediately. In other words, the tool will help improving the trade mark and design examination process.
2. The new office will save time and costs because of increased automated processes.
3. The new office is more likely to see an increase in the use of its IP rights.

Front-office (e-filing) benefits for the user

1. Since several offices have or will implement the tool, the common solution, including the interface, will be available in more offices worldwide and therefore the way to apply for a trade mark or design will be similar, this in turn will:
 - A. Save the user time and money.
 - B. Lower the obstacle for a user or company to expand its business worldwide.
2. The tool can perform formality checks to a certain level at the moment it interacts with a user filing an application for a trade mark or design. By certifying that applications are formally correct, the users are assured that their applications are admissible and if necessary they can solve any deficiencies immediately. In other words, the tool will help speeding up the trade mark and design registration process.

Front-office - Fully National Model - costs descriptions

PO set-up costs

1. UI Customization (software development and layout design customization).
2. UI translation (optional).
3. Installation and configuration of the application.
4. Procurement of hardware equipment if needed.
5. Procurement of software and licenses if needed.

Updates in PO side

Maintenance of:

1. Hardware and software to host the application.
2. Database and application.
3. Web services (integrations with other systems, such as Integration layer between SP Front office and National Back-office).
4. Code improvement and bug fixing
5. National user interface software improvements, bug fixing (if needed).
6. Renewal of software licenses if needed

Front-office (e-filing) implementation process

In order to implement the Front-office in the Participating Office, it is necessary that EUIPO provides the source code.

1. First EUIPO and the Participating Office set a meeting where the implementation process and the technical architecture of the application is explained. In addition, access to a TEST environment and technical documentation is provided.
2. The Participating Office has to assess the feasibility of implementing the system in their own premises. Once decided, they have to inform EUIPO so the preparation of the license agreement can start.
 - Then EUIPO prepares a source-code license agreement for the Front-Office software.
3. Once the agreement is signed by the Participating Office and EUIPO, the PO receives the source code so it can configure it and do further development if needed. During this process EUIPO can provide basic support.
4. The Participating Office makes the Go-live when it is ready.

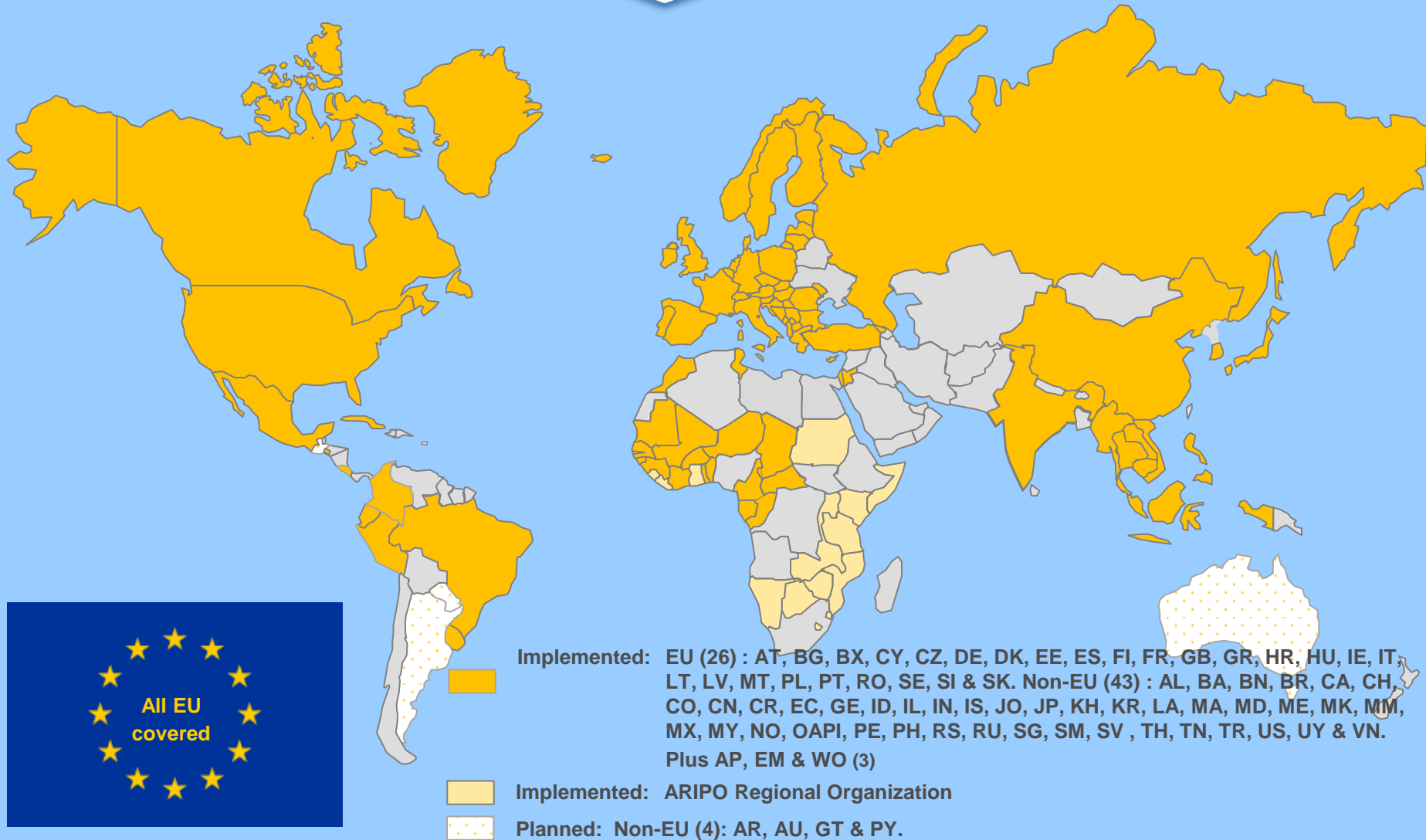
TMclass benefits & key features

1. When you apply for the registration of a trade mark, you need to describe the goods and/or services for which you wish to protect your trade mark.
2. TMclass is an online tool to help users to correctly search, verify, translate and classify goods and services before and when filing a trade mark application.
3. TMclass brings together the classification databases of participating offices worldwide.
4. TMclass means certainty as to which goods and services will be accepted by the participating offices.
5. Taxonomy tree which groups goods or services based on concept, relationship and market sectors, helping the user to choose the right term for his/her business area.
6. Minimal delay in trade mark registration.
7. Free of charge

<https://euipo.europa.eu/ec2>



72 Implementations



TMclass - types of integrations

1. Nice:

- A. The PO uses and accepts all (and without modifications) the list of goods and services of the Nice classification.
- B. A simple configuration by EUIPO that does not require the PO to send any term since we already have them in the system.

2. Nice + domestic terms:

- A. The second option consists of option 1 plus all the terms used and accepted by the PO in its practice (apart from the Nice terms).
- B. These terms can be from other classifications such as MGS or HDB or IDlist or goods and services that in principle are from your office only.
- C. The PO may choose the terms from other lists either partially or completely according to what it considers acceptable.

3. HDB:

- A. HDB contains ~ 64.000 master terms and ~ 83.000 with the synonyms / variants of the master terms included.
- B. The number of the synonyms is the important number for the PO since it includes all the variants for the same concept.
- C. The PO that is interested in HDB would have to accept all those ~ 83,000 terms.
- D. The PO would also have to accept all the changes in HDB that the member states of the EU present each month (about 150-200 new terms).
- E. Changes also mean that a term can be deleted or modified.
- F. On the other hand, the PO would not have to assign resources to maintain its integration. The Spanish office (OEPM) and EUIPO are the offices responsible for checking the translations of new terms into Spanish.
- G. And as in option number 1, the PO can be integrated practically without any effort since HDB already contains all goods and services in Spanish.

HDB - background

1. Before HDB (TMclass): **The Nice classification, an open administrative system allowing offices to construct their own lists . The result is that users can face that a good or service accepted in one office is not accepted in another. Therefore , applicants may not be able to have a unique list of goods and services for the same trade mark in various offices.**
2. The project: **The creation of an extended and common list of goods and services limits the risk of being exposed to an objection when filing in different IP offices.**
3. International partners: **International partners joining the HDB would benefit of this extended list of goods and services, translated into the languages of all the participating offices:**
 - **Users filing in EU offices can re-use their applications to file in non-EU offices with certainty that no objections will be raised. Translation functionality can be used when languages are different.**
 - **Users filing in the new participating non-EU office can re-use their applications to file in the EU offices in order to expand their market.**

<http://euipo.europa.eu/ec2>

HDB benefits for the new office

1. The tool will help the new office improving its trade mark examination process.
2. The new office will save time and costs because of increased automated processes.
3. The new office is more likely to see an increase of trade mark applications.

HDB benefits for the user

1. Complete and harmonised information in one tool from several participating offices means the user only has to look up the pre-validated goods and services in one place. This prompts time and costs savings for the user and lowers the risk that an office will object to a user's trade mark filing.
2. The tool can be used 24 hours per day, 7 days per week and year round (365 days).
3. The tool is free of charge.

HDB - Centralized Model - costs descriptions

PO set-up costs

1. Translation of static texts for the UI of TMclass into the language of the PO (optional)*
2. Initial translation of all goods and services in HDB.**

Updates by PO

1. Revision of CDT's translations of new terms in HDB into a non-EU language (optional).

HDB integration process (office working language is EU language)

Easy 1-step integration process for the IP OFFICE

1. **First the Participating Office agrees the terms and conditions for their participation in the HDB.**
 - Then EUIPO prepares the office details and user account in the tool and provides the knowledge transfer.
- ✓ **GO-LIVE**
- ✓ **After the Go-live:**
 - The EFTA/Candidate/Potential Candidate countries can participate in the workflow proposing changes in the database.
 - Other non-EU countries will be included in the workflow with access to TMC in order to receive information on the changes in HDB.

<http://euipo.europa.eu/ec2>



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Thank you

Presentation		
Status	DRAFT / APPROVED	
Approved by owner	-	
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