IPKey

AMÉRICA LATINA

Taller sobre implementación de herramientas de PI
CESTO & Front Office

Emmanuel COLLIN | Lima - Perú | 11 noviembre 2018

www.ipkey.eu

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Bajo la dirección de la Comisión Europea, IP Key es un programa gestionado por la Oficina de Propiedad Intelectual de la Unión Europea.
Sob a direção da Comisão Europeia, IP Key é um programa gerido pelo Instituto da Propriedade Intelectual da União Europeia.

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Extensión de herramientas EUIPN (red de PI de la Unión Europea)

Search and Classification Tools

TMview / DesignView

TMclass / HDB

DesignClass

IP Services and Quality

CESTO

User Satisfaction Survey

Front-office

IP Enforcement and Awareness

ACIST

ACRIS

Orphan Works Database

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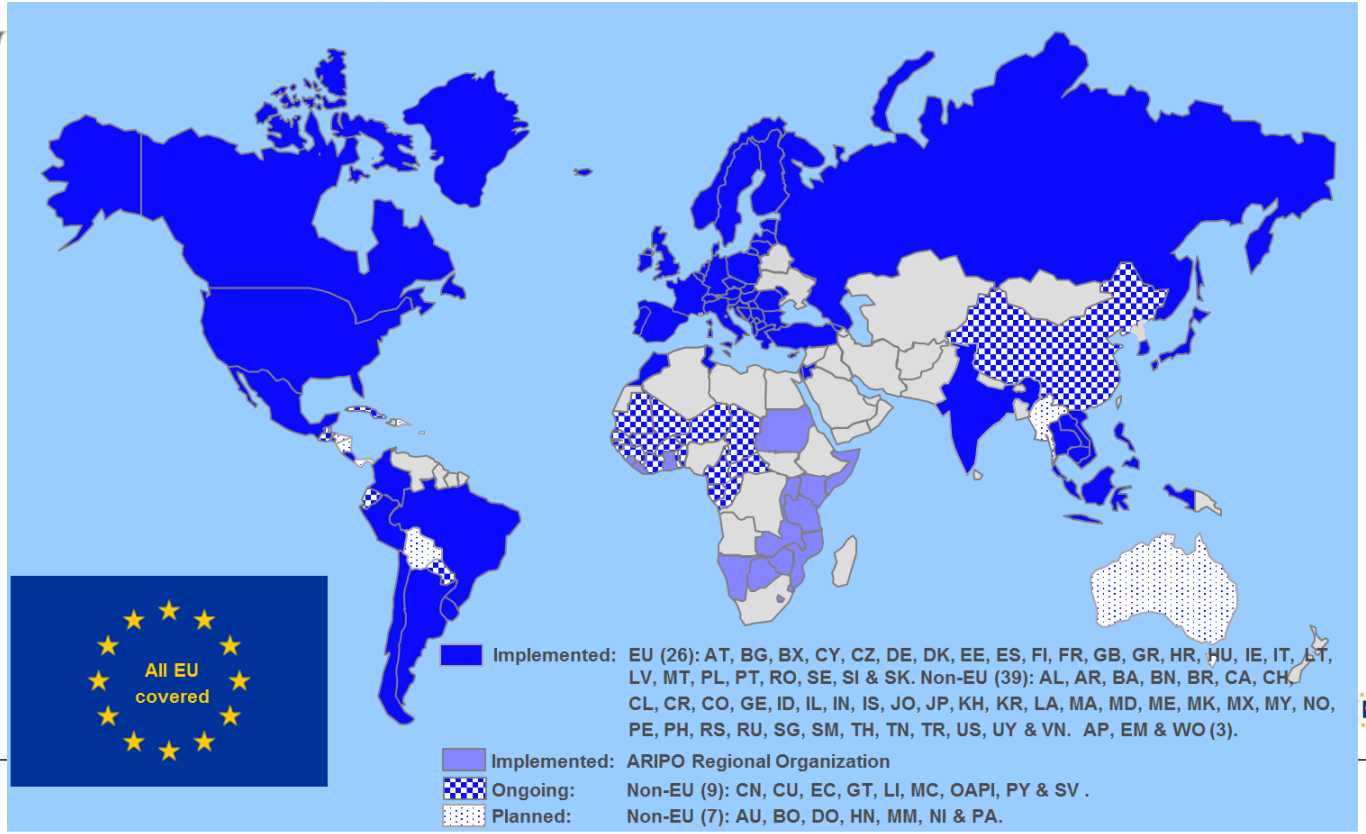
TMview – 68 implementaciones (Noviembre 2018)

TMview



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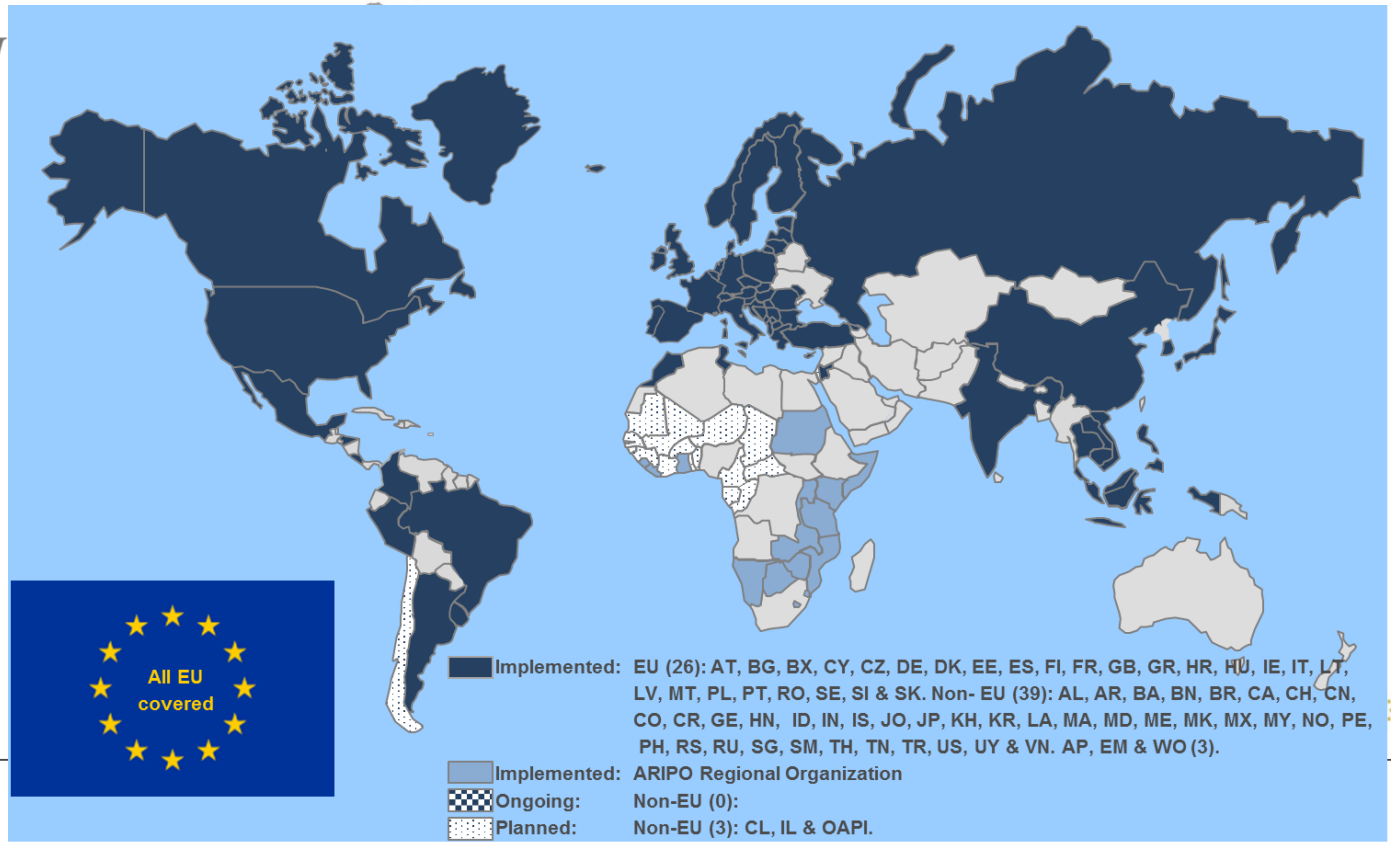
TMview – benefits & key features

1. A single online tool to check the availability of a trade mark (and keep an eye out for competition).
2. Includes more than 47 million trade marks from the officials databases of 52 participating offices
3. Carry out 24/7 trade mark searches in various languages and get first hand information from official trademark registers.
4. Information updated frequently (e.g. daily or weekly) by the participating offices.
5. TMview is the answer for want-to-be brand owners: Clear your trade mark idea before filing.
6. TMview is the answer for trade mark examiners when dealing with for instance priority claims.
7. Time and costs savings by providing a common, harmonized and multilingual platform for searching trade marks from all participating offices.
8. With the Alerts feature you can set up email warnings for selected trade marks regarding change of status, change of name and opposition period close to an end..
9. Combining it with the Fuzzy search you have a powerful tool to identify and keep track of similar conflicting trade marks and to monitor that nobody infringes your brand.
10. **Free of charge**

DSview – 68 implementaciones (Noviembre 2018)

DesignView



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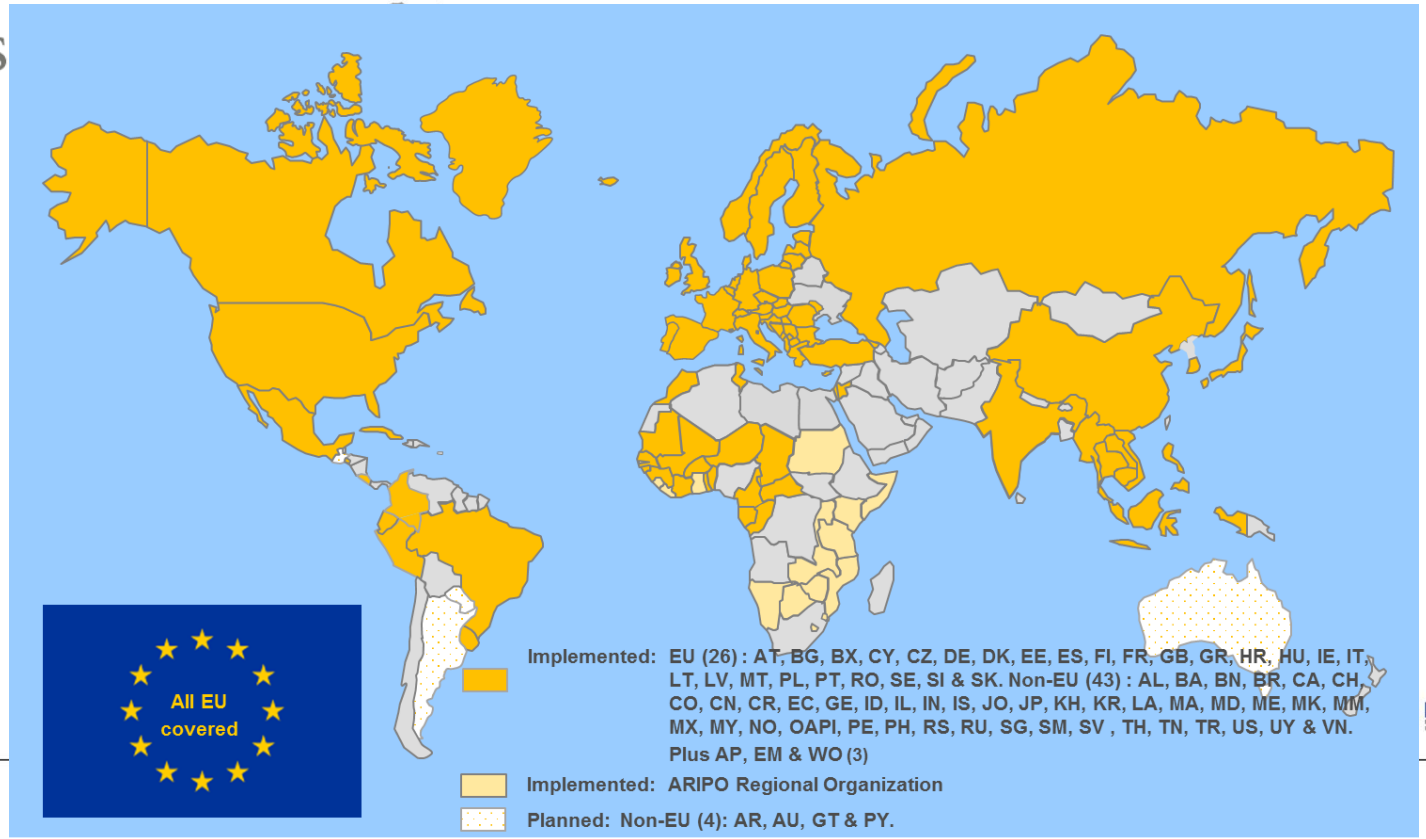
DesignView – benefits & key features

1. A single online tool to check existing designs and market tendencies.
2. Includes more than 12,7 million designs from the officials databases of 61 participating offices
3. Carry out 24/7 designs searches in various languages and get first hand information from official design registers.
4. Information updated frequently (e.g. daily or weekly) by the participating offices.
5. DesignView is the answer for want-to-be design owners: Clear your design idea before filing.
6. DesignView is the answer for design examiners when dealing with for instance priority claims.
7. Time and costs savings by providing a common, harmonized and multilingual platform for searching designs from all participating offices.
8. Create a design watch alert to receive e-mail messages when a new design application corresponds to search criteria defined by the user.
9. **Free of charge**

TMclass – 72 implementaciones (Noviembre 2018)

TMclass



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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

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TMclass – Niza / Niza extendida / HDB (lista armonizada)

1. Nice
   - The Participating Office (PO) uses and accepts all goods and services of the Nice classification.
   - A simple configuration by EUIPO that does not require the PO to send any term
2. Nice + domestic terms
   - 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).
   - These terms can be from other classifications such as MGS or HDB or IDlist or goods and services that in principle are from the PO only.
   - The PO may choose the terms from other lists either partially or completely according to what it considers acceptable.

TMclass – Niza / Niza extendida / HDB (lista armonizada)

3. HDB

- HDB contains ~ 64.000 master terms and ~ 83.000 with the synonyms / variants of the master terms included. The number of the synonyms is the important number for the PO since it includes all the variants for the same concept.
- The PO that is interested in HDB would have to accept all those ~ 83,000 terms.
- 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). Changes also mean that a term can be deleted or modified.
- 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.
- 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.

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HDB (Harmonised DataBase)

- 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.
- 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.
- 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.

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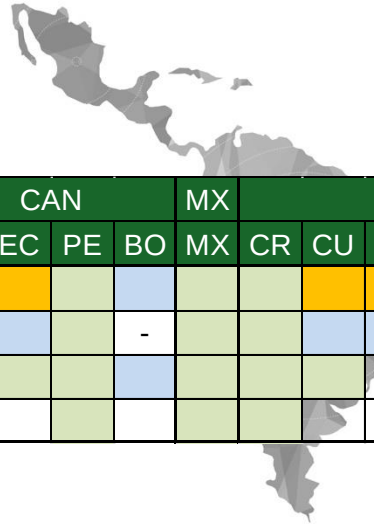
Bases de datos de búsqueda y clasificación – Status-quo en la región (Junio 2018)



Countries	MCS				CL	CAN				MX	CA							TOTAL			
Tools	AR	BR	PY	UY	CL	CO	EC	PE	BO	MX	CR	CU	GT	HN	NI	PA	SV	Adopted	Ongoing	Interest	TOTAL
TMview																		8	5	3	16
DesignView									-									8	1	6	15
TMclass (Nice)													-					9	1	5	15
TMclass (HDB)													-					3	1	2	6

** Noticia (12 de noviembre 2018): IMPI México acepta aproximadamente 70.000 términos de la HDB*

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Herramientas – Talleres previstos en el Plan Anual de Trabajo 2019 (por confirmar)

Segundo trimestre:

- Taller sobre integración de bases de datos y herramientas de búsqueda. Orientado principalmente a DesignView

Cuarto trimestre:

- Taller sobre herramientas de productividad y servicios PI. Orientado principalmente a CESTO y Front Office (e-Filing)

Taller en San José, Costa Rica (Junio 2018) – Resultados

- ✓ 9 Oficinas de PI:

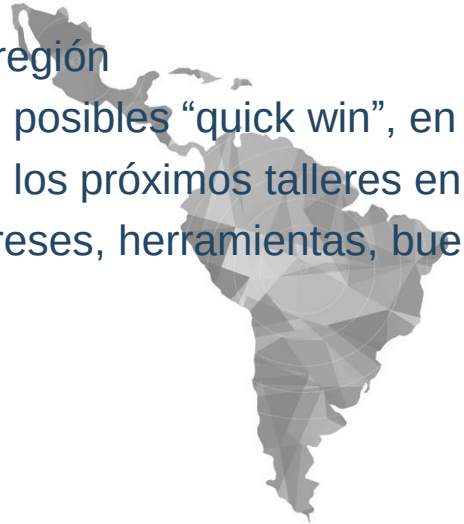
RPI Costa Rica	OCPI Cuba	SENADI Ecuador,
CNR El Salvador	RPI Guatemala	DIGEPIH Honduras,
RPI Nicaragua	DINAPI Paraguay	DNPI Uruguay

- ✓ 2 integraciones in TMview + 5 en curso
- ✓ 3 integraciones en DesignView
- ✓ 5 extensiones de Tmclass (1 en HDB)

Taller en Lima, Perú (Noviembre 2018) – Objetivos generales

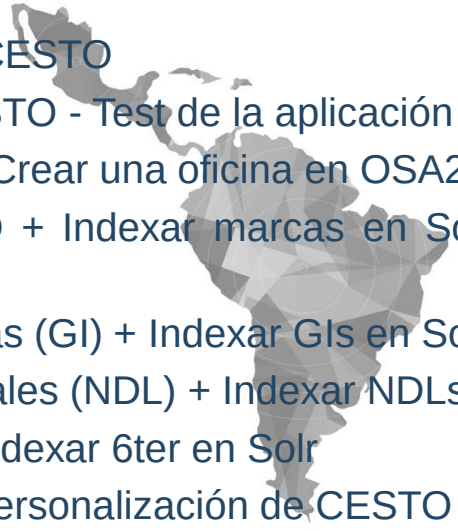
- 6 oficinas de PI: INPI Argentina, INAPI Chile, SIC Colombia, RPI Costa Rica, INDECOPI Perú, DNPI Uruguay
- Apoyo con la implementación y configuración de las herramientas CESTO y Front Office
  - CESTO requiere previa integración de las marcas de su oficina en TMview
  - Las dos herramientas requieren la firma de un acuerdos de licencia
- Intercambio de información y transferencia de conocimiento para asegurar una exitosa implementación futura

Taller en Lima, Perú (Noviembre 2018) – Objetivos adicionales



- Fomentar el efecto red en la región
- Preparar / intercambiar sobre posibles “quick win”, en particular TMclass
- Preparar / intercambiar sobre los próximos talleres en 2019
- Intercambiar sobre otros intereses, herramientas, buenas practicas, etc.

Taller en Lima, Perú (Noviembre 2018) – Plan de trabajo propuesto para CESTO



- ✓ Presentación del proyecto de CESTO
- ✓ Ejecución e instalación de CESTO - Test de la aplicación con ejemplos de búsqueda
- ✓ Crear una oficina en CESTO / Crear una oficina en OSA2
- ✓ Preparar marcas para CESTO + Indexar marcas en Solr - Extraer y guardar imágenes de marcas
- ✓ Añadir Indicaciones Geográficas (GI) + Indexar GIs en Solr
- ✓ Añadir Listas de Datos Nacionales (NDL) + Indexar NDLs en Solr
- ✓ Preparar 6ter para CESTO + Indexar 6ter en Solr
- ✓ Cambio de logo - ejemplo de personalización de CESTO
- ✓ CESTO como herramienta regional
- ✓ Uso de la herramienta de administración de CESTO y configuración de reglas de negocio para las búsquedas

THANK YOU

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