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# Assuring the Quality of Trademarks in Singapore

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Bangkok, Thailand*

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**Vivis Tan**  
**Trade Mark Examiner**  
**Registry of Trade Marks**  
**Intellectual Property Office of Singapore**

# Overview

- **Procedures for Assuring Quality**
- **Training of new TM Examiners**
- **Tools to Aid the Examiners**
- **Quality Management Processes**
- **Measures to Educate the Public**
- **Tools to Aid TM Applicants**
- **Public Feedback**

# Procedures for Assuring Quality

Ongoing Internal Training

## Internal Guidelines

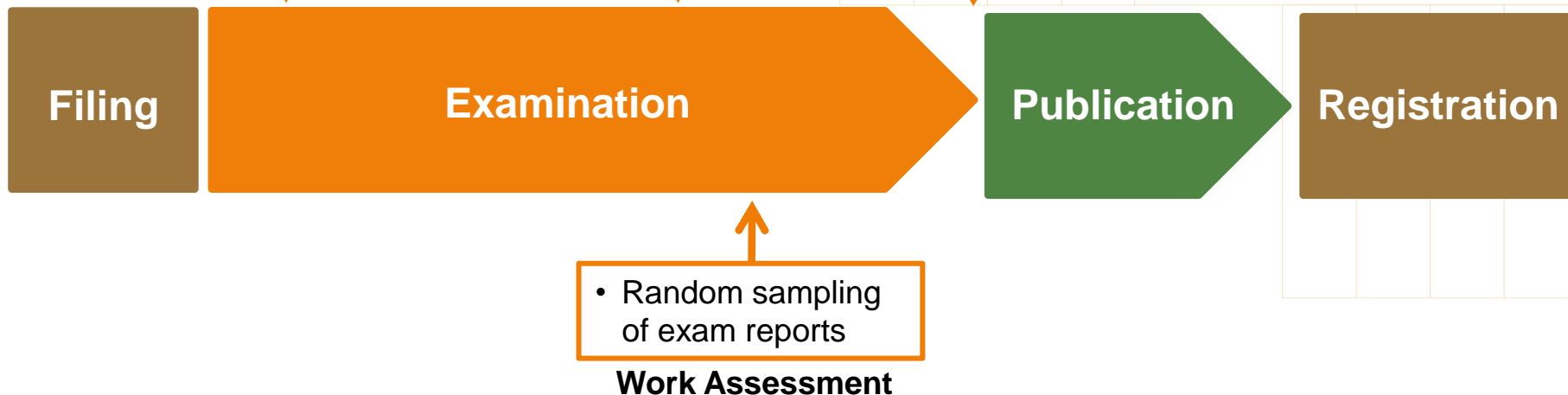
- Examination Guidelines
- Practice Manual
- Letter Templates
- ICGS Recommendations

## Internal Case Consultation

- TM Clinic

## Quality Control

- Quality Check prior to publication



Educating the public



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# Training of New TM Examiners

# Training of New TM Examiners

## In-house training of new examiners

- Theory:
  - 3-months classroom training on how to conduct substantive first-stage examination of TM applications
  
- Practical:
  - Hands-on exercises after each segment of training
  - Vetting of live cases by Team leaders after each relevant segment of training
  
- The decisions and objection letters of new examiners will be vetted by their Team leaders for ~1year

# Training of New TM Examiners

## Further training

- After the new examiners have attained some experience (~1year), they will be trained in:
  - Subsequent examination (how to respond to written arguments and examine evidence of use)
  - Examination of international registrations filed via the Madrid Protocol
- ❑ New examiners will be ready for “cradle-to-grave examination” thereafter
- ❑ All examiners to be eventually trained in subsequent examination and examination of Madrid Protocol applications, for their professional development

## Tools to Aid the Examiners

- TM Work Manual**
- Practice Manual**
- Letter Templates**
- Auto-checker for ICGS**

# TM Work Manual

- External facing manual
- Provides guidance on the Registry's examination practices
- Available on IPOS website: <http://www.ipos.gov.sg/resources/trade-mark>

## • Trade Marks Work Manual

- [Cover Page](#)
- [Content Outline](#)
- [Chapter 1 - What is a Trade Mark?](#)
- [Chapter 2 - Colour Marks](#)
- [Chapter 3 - Shape Marks](#)
- [Chapter 4 - Descriptive Marks](#)
- [Chapter 5 - Geographical Names](#)
- [Chapter 6 - Evidence of Distinctiveness Acquired Through Use](#)
- [Chapter 7 - Relative Grounds for Refusal of Registration](#)
- [Chapter 8 - Series of Marks](#)
- [Chapter 9 - Marks Contrary to Public Policy or to Morality](#)
- [Chapter 10 - Names and Representation of Famous People, Buildings, etc](#)
- [Chapter 11 - Other Grounds for Refusal of Application](#)
- [Chapter 12 - Deceptive Marks](#)
- [Chapter 13 - Licences](#)

Work Manual: Shape Marks

SHAPE MARKS	
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# Practice Manual

- Internal practice manual for examiners
- Consolidates all the internal work processes of the Registry so that examiners and staff are aware of processes to follow, including:
  - ❑ Examination guidelines
  - ❑ SOPs for examination work and operational matters
- Acts as a knowledge repository
- Meant to be a “one-stop-shop”

# Letter Templates

- Purpose:
  - ❑ To ensure drafting consistency in objection letters
  - ❑ To reduce time involved in crafting objection letters
- Deployed into our internal trademark examination system so that examiners can easily access the templates once the objections have been selected

# Auto-checker for ICGS Examination

- Tool to aid examiners in the examination of specification of goods and services

# Quality Management Processes

- ❑ QMC review of mark acceptances
- ❑ Work Assessment
- ❑ TM Clinic
- ❑ ICGS Queries and Recommendations
- ❑ Professional Sharing sessions
- ❑ Customized Courses

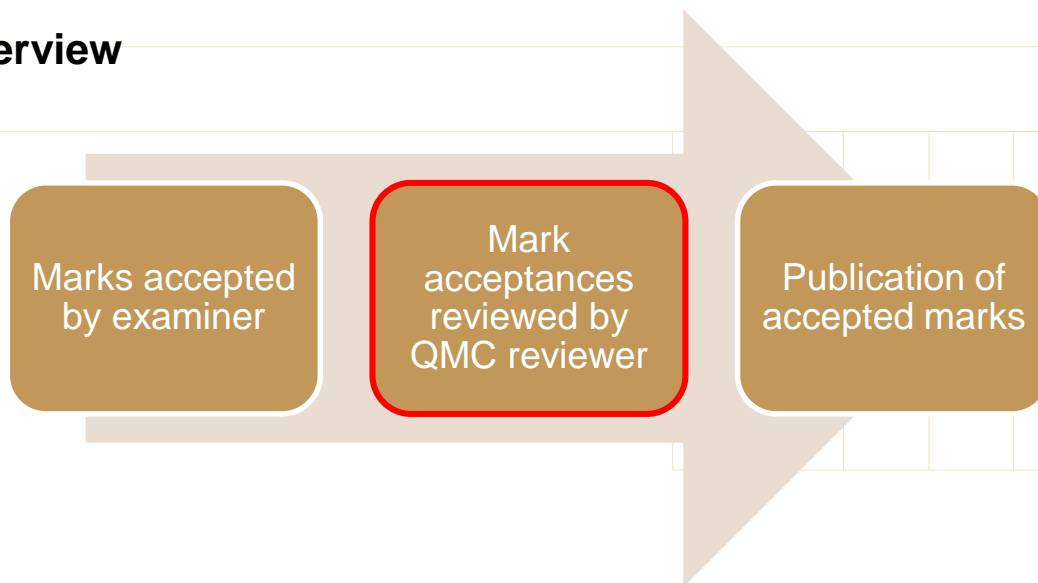


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# Quality Management Committee (QMC) Review of Mark Acceptances

# QMC Review of Mark Acceptances

## Process overview



- 100% review of mark acceptances prior to publication in the TM Journal
- Review done by the Quality Management Committee (QMC) made up of experienced examiners
- Scope of review covers absolute grounds, clauses and specification
- QC findings are minuted in a report and circulated to all examiners monthly for learning purposes

# QMC Review of Mark Acceptances

## Process overview

- Prior to 2013, quality review checks were done after marks were published, resulting in many marks being revoked.
- Practice changed in 2013 to review marks before publication so that applicants could have more certainty from IPOS on the registrability of their marks.

## Role of QMC reviewers

- Review accepted applications within a given deadline
- Retrieve QC jobs in common pool once a month, according to a roster
  - Team leaders / Assistant team leaders (150 marks)
  - Other QC reviewers (250 marks)
- Review accepted applications for:
  - distinctiveness of trade mark
  - classification matters
  - other issues (eg. clauses on colour limitation/ series marks/ consent by earlier proprietor/ disclaimer have been endorsed correctly etc.)

# Dissemination of QC Findings Report

- QC Findings Report is disseminated to all examiners on a monthly basis, for learning purposes



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# Other Quality Management Processes

# Work Assessment

- Monthly work assessments by Team Leader
- Random sampling of 5 examination reports per examiner
- Provide timely and constructive feedback on written reports and decisions for continuous learning

# TM Clinic

- Weekly consultation sessions
- Chaired by Team Leaders + Assistant Team Leaders
- Allows examiners to surface difficult cases for a decision
- Provides faster resolution of tricky or complex cases which examiners find difficult to decide alone

# ICGS Queries and Recommendations

- ICGS Committee responds to examiners' ICGS queries
- Issues the responses in the form of "ICGS Recommendations" on a weekly basis

# Professional Sharing

- Monthly/bi-monthly sharing sessions held for all examiners for ongoing learning
- Focuses on sharing of examination and work related matters, such as:
  - ❑ Recent local case law updates
    - Local Court decisions
    - HMD (Hearing & Mediations Dept) tribunal decisions
    - Request for Reconsideration decisions
  - ❑ Updates to examination and ICGS practices and guidelines
  - ❑ Recent work trips

# Continuous Learning & Development – Customized Courses

- Work with external parties to plan customized internal training programmes for examiners, such as:
  - ❑ Technical Knowledge courses - relating to trade mark examination and prosecution
    - e.g. Trademark Law Concepts training programme (taught by university law professor)
  - ❑ Industry Knowledge Courses - relating to the latest trends and developments in the use of trade marks as a branding tool
    - e.g. Branding courses (by industry experts)
  - ❑ Site visits
    - e.g. Visit to 3M's Singapore office



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# Measures to Educate the Public

# Workshops for the Public / TM Agents

- TM Registry conducts free training workshops for the public and TM agents on an ad hoc basis
- Serves to educate applicants and TM agents on the Registry's filing systems and examination practices, so that they will avoid common filing mistakes in applications, and we will receive higher quality applications
- Materials from the workshops are also made available on IPOS website for public reference

## Guidelines and Useful Information

- [Trade Marks Infopack](#)
- [Classification of goods and services](#)
- [Sample statutory declaration to file evidence of use](#)
- [Sample letter of consent](#)
- [Sample document for translation and transliteration](#)
- [Slides for training workshop for trade marks application prosecutors \(2017\)](#)
- [Training slides on the "Nice Classification, 11<sup>th</sup> Edition, Version 2017"](#)
- [Training slides on the "Common Issues relating to International Classification of Goods and Services"](#)
- [Training slides on the "The Registry's practices in relation to Translation and Transliteration of non-English words or characters in trade marks"](#)
- [Training slides \(2016\) on IP<sup>2</sup>SG common filing issues, ICGS Autochecker Tool and trade mark search](#)

# TM Circulars and Practice Directions

- Published on the IPOS website to update or inform the public of:
  - Updates to TM examination and ICGS examination practices
  - Announcements of changes and updates (e.g. changes to Nice Classification edition, electronic-filing system etc)
  - Invites for public consultations, workshop training sessions, feedback to draft TM Work Manual chapters
- Available on IPOS website: <http://www.ipos.gov.sg/resources/trade-mark>

## Circulars

If you wish to receive our circulars via email, you may subscribe to our mailing list by emailing [news@ipos.gov.sg](mailto:news@ipos.gov.sg) to let us know so that we can keep you informed in future.

2019

23 Aug 2019	<a href="#">Circular No. 5/2019</a>	International Classification of Goods and Services – Nice Classification Eleventh (11th) Edition, Version 2020
7 Mar 2019	<a href="#">Circular No. 4/2019</a>	Easing of Translation and Transliteration Requirements for Marks Containing Foreign Words or Characters
7 Mar 2019	<a href="#">Circular No. 3/2019</a>	Revamped Filing Interface for Form TM4
4 Mar 2019	<a href="#">Circular No. 2/2019</a>	Division and Merger of International Registrations Designating Singapore
4 Mar 2019	<a href="#">Circular No. 1/2019</a>	Trade Marks (International Registration) (Amendment) Rules 2019

## International Classification of Goods and Services Nice Classification – Eleventh (11<sup>th</sup>) Edition, Version 2020 (Circular No. 5/2019, dated 23 August 2019)

### 1. Entry into force of the Nice Classification, Eleventh (11<sup>th</sup>) Edition, Version 2020

The Eleventh Edition, Version 2020 of the Nice Classification (hereinafter abbreviated as "NCL (11-2020)") will enter into force on 1 January 2020.

A copy of the Class Headings and Explanatory Notes of NCL (11-2020), in track changes, is available on the website of the World Intellectual Property Organization at <https://www3.wipo.int/classifications/nef/public/nice/en/project/NC020/annex/3>.

A copy of NCL (11-2020), in Excel format, is available on the website of the World Intellectual Property Organization at <https://www3.wipo.int/classifications/nef/public/nice/en/project/NC020/annex/4>.

## IPOS News

- IPOS News (a subscription-based free email newsletter) sent via email to subscribers when the Registries' Circulars and Practice Directions are published



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# Tools to Aid TM Applicants

# Tools to Aid TM Applicants - Search and Pick tool

- Search and Pick tool in electronic filing of TM applications

PART 6

Specification of Goods/Services\*

Remove Search & Pick Manual Entry

Edit Goods & Services

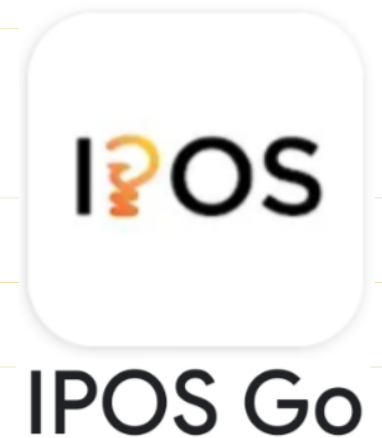
Pick & Search Goods Services

- Arm warmers (clothing)
- armbands (clothing)
- articles of clothing made from wool
- articles of clothing made of fur
- articles of clothing made of hides
- articles of clothing made of imitation leather
- articles of clothing made of leather
- articles of clothing made of plush
- articles of water-resistant clothing

Cancel OK

## Tools to Aid TM Applicants – ‘IPOS Go’ Mobile App

- Allow users to file directly with IPOS via mobile devices
- Reduce filing time for users by up to 80%
- Receive registration updates on the go





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# Public Feedback

## Public Feedback

- Invitations to the public (via TM circulars) for feedback on draft TM Work Manual chapters, before the chapters are finalised and published
- Hold informal meetings and get-together sessions with TM agents, members of the Law Society and other local law associations (once or twice annually) to get their feedback on our practices and filings systems

Thank you