Assuring the Quality of Trademarks in Singapore

IP Key SEA Conference on Trademarks
Bangkok, Thailand

16 October 2019

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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

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

- Internal Case Consultation
  - TM Clinic

- Quality Control
  - Quality Check prior to publication

Ongoing Internal Training

Filing → Examination → Publication → Registration

Educating the public

Work Assessment

- Random sampling of exam reports
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 ~1 year
Training of New TM Examiners

Further training

- After the new examiners have attain some experience (~1 year), 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
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
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
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
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 “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 IP2SG 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

IPOS News

- IPOS News (a subscription-based free email newsletter) sent via email to subscribers when the Registries’ Circulars and Practice Directions are published.
Tools to Aid TM Applicants
Tools to Aid TM Applicants - Search and Pick tool

- Search and Pick tool in electronic filing of TM applications
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
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