



Innovation, Science and  
Economic Development Canada  
Canadian Intellectual Property Office

Innovation, Sciences et  
Développement économique Canada  
Office de la propriété intellectuelle du Canada

Canada

# Year in Review and Looking Ahead

IPIC Annual Meeting 2020

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## Overview

- Highlight a few **accomplishments** one-year after coming into force (CIF)
- Review recent **IT improvements**
- Provide an update on **quality and timeliness** journey
- Share data on **file pendency** and **turnaround times**
- Review the **impact of the COVID-19** pandemic on operations, and TIDB's response
- **Looking ahead** to new practices, initiatives, and IT tools



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## Benefits of Canada's Modernized TM and ID Systems



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## Trademarks and Industrial Designs Branch (TIDB)

- *Trademarks Branch* **amalgamated** with the *Copyright and Industrial Designs Branch*.
- **Modernized** the Examiner training and development program.
- Adopted more **stringent hiring criteria** for Examiners.
- Successfully hired **38 new TM and ID Examiners**. October 13 = 9 more. Total since 2018 is **66**.
- Established **new quality procedures and processes** for TM and ID examination.



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## A Year in Review

- **Increased quality objectives in examination** from 80% to 95% for ID and to 90% for TM.
- **Expanded list of possible telephone amendments** with respect to TM applications. Since launching 183 files have been approved through telephone amendments.
- Canada's "**Madrid filings**" have exceeded expectations. Over 23,000 designations, and CIPO has certified more than 600 applications for international registration. Canada is ranked fourth place worldwide in terms of designations.
- **Created two specialized teams**, including the *Nice Team* and the *Madrid Team of Experts*.
- Implemented the **World Intellectual Property Office's Digital Access Service** for ID applications.
- **3,199 Hague applications** that stem from the *Hague Agreement* have been filed with CIPO in the past year. Canada is ranked 12<sup>th</sup> place worldwide in terms of Designs in International Registrations designating Canada.

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## Quality and Timeliness during the Examination Process

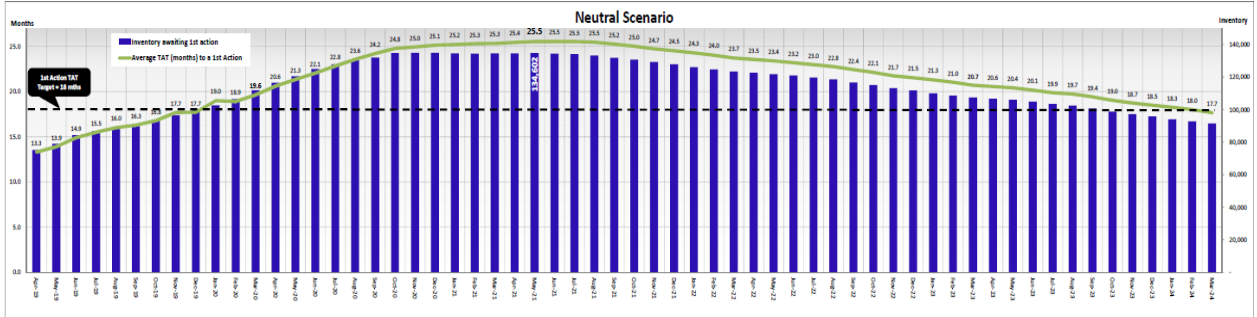
- Current inventory of TM applications awaiting 1<sup>st</sup> action is **133,928**.
- Pending TM mail currently stands at **9,392**.
- Turnaround time (TAT) for TM 1<sup>st</sup> action is currently **23.7 months**.
- TAT for TM being approved is currently **29.4 months**.
- TAT for TM correspondence is currently **2.6 months**.
- Current inventory of ID applications awaiting 1<sup>st</sup> action is **8,304**.
- Comparatively, TAT for ID 1<sup>st</sup> action currently stands at 11.1 months, and TAT for allowance is **13.5 months**.



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## 5-Year Production Model (TAT to 1<sup>st</sup> Action)





## Recent IT Improvements

- Launched the **new general eCorrespondence service**.
- Significant **improvements made to TM online services**, including the TM database.
- Implemented **automation in TM e-Filing and e-Renewal systems**.
- Launched **new online services for ID** (E-Mailbox, E-Access, and E-Amendment).
- Streamlined the **ID registration package**.
- Introduced **new acknowledgement of receipt letter** for international registrations under the *Hague Agreement*.



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## Looking Ahead: Expanded Telephone Amendments Practice

- Recently, TIDB **expanded the list of possible telephone amendments** with respect to TM applications.
- Purpose of the initiative is to provide examiners and clients with **more flexibility in resolving minor issues on files** by way of a telephone conversation.
- **Response is required within 72 hours**, as opposed to an examiner's report which gives clients 6 months to respond.
- Since being launched in May, 360 calls have been made by examiners, resulting in **183 approvals (51% of calls made)**.
- On average, examiners spend **7 minutes per call**.
- **25% of calls** have concerned files with one or two reports.
- Agent return call rate has been **around 50%**.

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## Looking Ahead: Trademark Review Panel

- As a result of the pendency file review initiative, a **Trademarks Review Panel was established** on September 21<sup>st</sup> with the mandate of helping streamline the examination process.
- The initiative has been implemented with the hope of **alleviating some of the current correspondence burden**, shaping **more efficient examination practices**, and modelling **better examiner behaviour**.
- The **proposed four-member Panel** will be comprised of one employee from the Policy and Legislation directorate, one employee from the Quality and Continuous Development unit, a manager of Examination and one Examiner.
- **Managers of Examination** will submit applications to the Panel for review based on specific criteria.

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## Looking Ahead: Three Key Areas of Focus

Until the end of fiscal year we will focus on:



**Complete  
1<sup>st</sup> Report**



**Madrid, Madrid,  
Madrid**



**Improvement Initiatives**

1. Enhanced telephone amendments
2. Review Panel
3. AI initiatives

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## Looking Ahead: Implementation of AI

- **Implementing an AI solution** to help facilitate and accelerate the grouping and classing of goods and services of registered trademarks according to the *Nice Classification*.
- **Explore an AI based visual search tool for industrial designs**, which provides automated ranking and ordering of all possible similar designs.



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## Looking Ahead: Stakeholder Engagement

- **Effective stakeholder engagement** will continue to be a primary focus area
- **Build upon the success of information sessions** such as the National Information Sessions and pivot to virtual collaboration with stakeholders
- **Continue holding quarterly meetings with TM and ID practice committees** to discuss broader policy questions and office practices
- **Bolster international relationships** by liaising and coordinating discussions with leading IPOs and other international partners on best practices

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# Questions?



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# Thank you!

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