



TRADE MARKS TECHNICAL FOCUS GROUP

11.00 am, Thursday 21 November 2013
Board Room, Ground Floor,
Intellectual Property Office of New Zealand,
205 Victoria Street, Wellington

Present

Andrew Matangi, Chris Ross, Dan Winfield, Elena Szentivanyi, Kieran O'Connell, Richard Watts, Theo Doucas, Tom Robertson, Simon Gallagher, Steffen Gazley, Jeanette Palliser; Tao Morton

Apologies

Alan Chadwick, Kate Duckworth, George Wardle

1. Minutes and action points from previous meeting

Minutes agreed.

Action points from this meeting

Question	Action/comment
Usability of the Trade Mark Journal (e.g. time outs, format makes it slow to review)	IPONZ has reviewed feedback on the Journal and is informally consulting with users on the format of the Journal. Simon G to follow up and seek more feedback.

2. Office update and practice

OIAs

IPONZ receive about 70 OIA requests on trade mark files per quarter. The vast majority can be completed in less than an hour so no charge is incurred. In order to provide more transparency and reduce this number, as previously mentioned, IPONZ will be opening up Compliance Reports issued by IPONZ after a go-live date (i.e. the change will not be retrospective for old Compliance Reports).

Renewal Scam

Anyone who uses Madrid are likely to get more scams. IPONZ updated its Comms in November 2013 including an example of the main scam: <http://www.iponz.govt.nz/cms/iponz/latest-news/warning-unsolicited-ip-services> Patent & Trademark Organisation LLC no longer seem to have an account to pay the renewals into.

However a new scam from them has come to light and may go to you or directly to your client:

From: Patent & Trademark Organisation
[mailto:info@trademarkorganisation.org]
Sent: Monday, 24 February 2014 10:59 p.m.
To: Sales
Subject: refund

Dear _____,

this is in reference to your letter dated 31st of January 2014. After considerate examination of the case it has been decided that Patent & Trademark Organisation will refund the amount of 1,290 NZD to _____.

However, we will be able to make a refund payment only upon the receipt of a letter with a statement that _____ will have no claims or complaints against Patent & Trademark Organisation as soon as a refund is made.

Please provide your bank details.

Thank you!

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Kind regards,
Patent & Trademark Organisation LLC

Stats update

Trade mark immediate acceptances are 67%

Trade Mark filings slightly ahead on previous year.

Any stats you would like to see? IPONZ is thinking of publishing objection stats to educate people of the typical objections raised. This may also make it easier for you to see how many times certain objections have been raised. For example, the Maori Trade Marks Advisory Committee found 9 trade marks likely to be offensive to a significant section of the community including Maori – or 0.05% of total trade mark filings in 2013.

Processing turnaround times

There is a delay in processing some evidence of use and finalising trade marks that include the word royal. IPONZ will work through these over the next couple of months.

Enforcement update

No complaints made at the time of the TFG meeting.

International engagement

IPONZ is to provide training to some ASEAN members to assist their preparations for acceding to the Madrid Protocol. The general approach has been to promote New Zealand as a good place to do business and establish linkages with other IP Offices to share best practice.

3. Consolidation of proceedings

IPONZ will formally publish the policy in due course.

4. Madrid Protocol update

IPONZ provided an update on the Madrid Working Group meeting and Eleventh session on the legal Development of the Madrid System for the International Registration of Marks 29 October – 1 November 2013. Noted preferred model for continued processing is similar to the New Zealand approach. Members asked about refusal rates. IPONZ will see if it can get the stats from WIPO.

5. Any other business

No other business.

Next meetings

11.00 am Thursday 3 April 2014
11.00 am Thursday 24 July 2014
11.00 am Thursday 20 November 2014