IMPLEMENTATION OF PROJECT ON TRADEMARK WORKFLOW OPTIMIZATION

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Manila, December 11, 2024

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LEGAL & INSTITUTIONAL FRAMEWORK

Gov' Resolution No. 36a/NQ-CP on e-Government

"Establish websites/portals and apply IT to deal with administrative procedures, shorten the time for processing documents, and reduce operating costs; increase transparency in the operation of regulatory authorities, thereby creating favorable conditions for people and enterprises"

National IP Strategy until 2030

"Implementing comprehensive online public services, digitizing IP data; increasing investments, developing infrastructures, applying new technologies in IP registration, exploitation and enforcement"

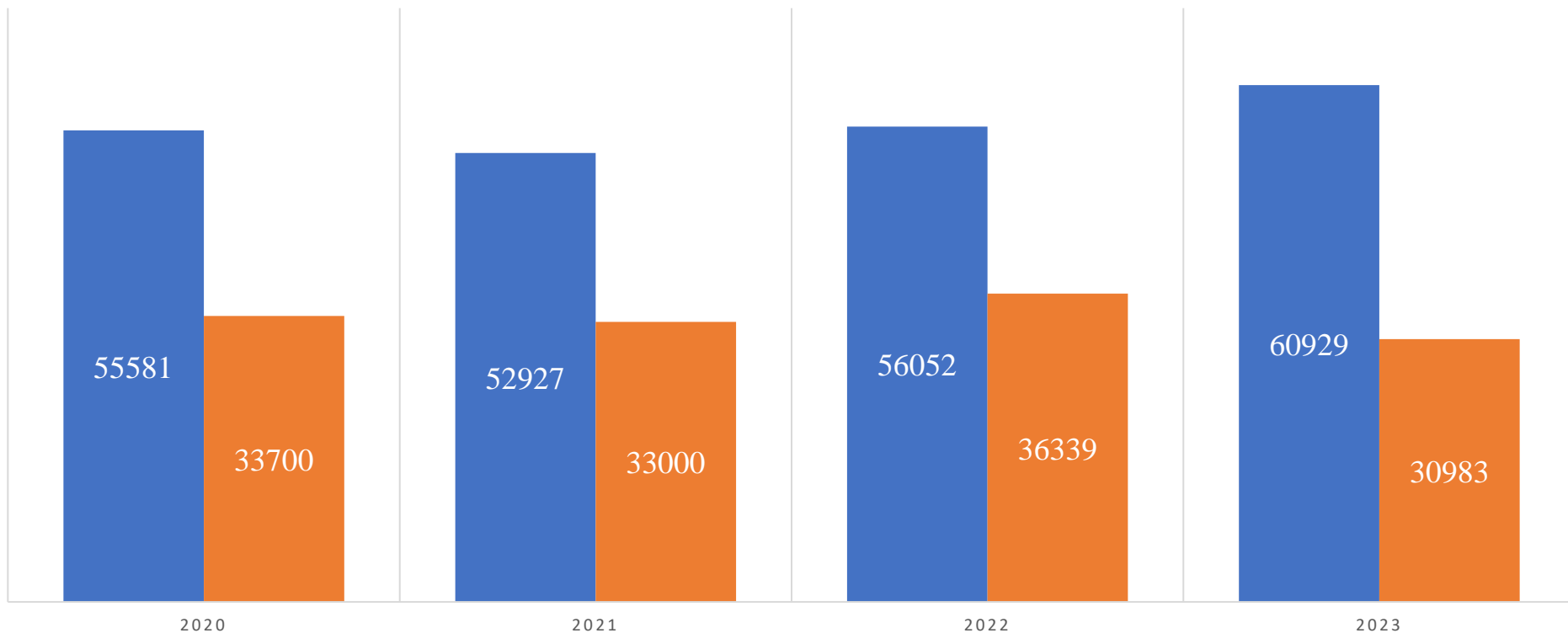**Revised IP Law in 2022 and guiding documents**

Recent changes in IP legislation necessitate a reevaluation of existing workflows

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OTHER CHALLENGES

- Increasing the annual number of trademark applications

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TRADEMARK

■ Application   ■ Registration

Year	Application	Registration
2020	55581	33700
2021	52927	33000
2022	56052	36339
2023	60929	30983

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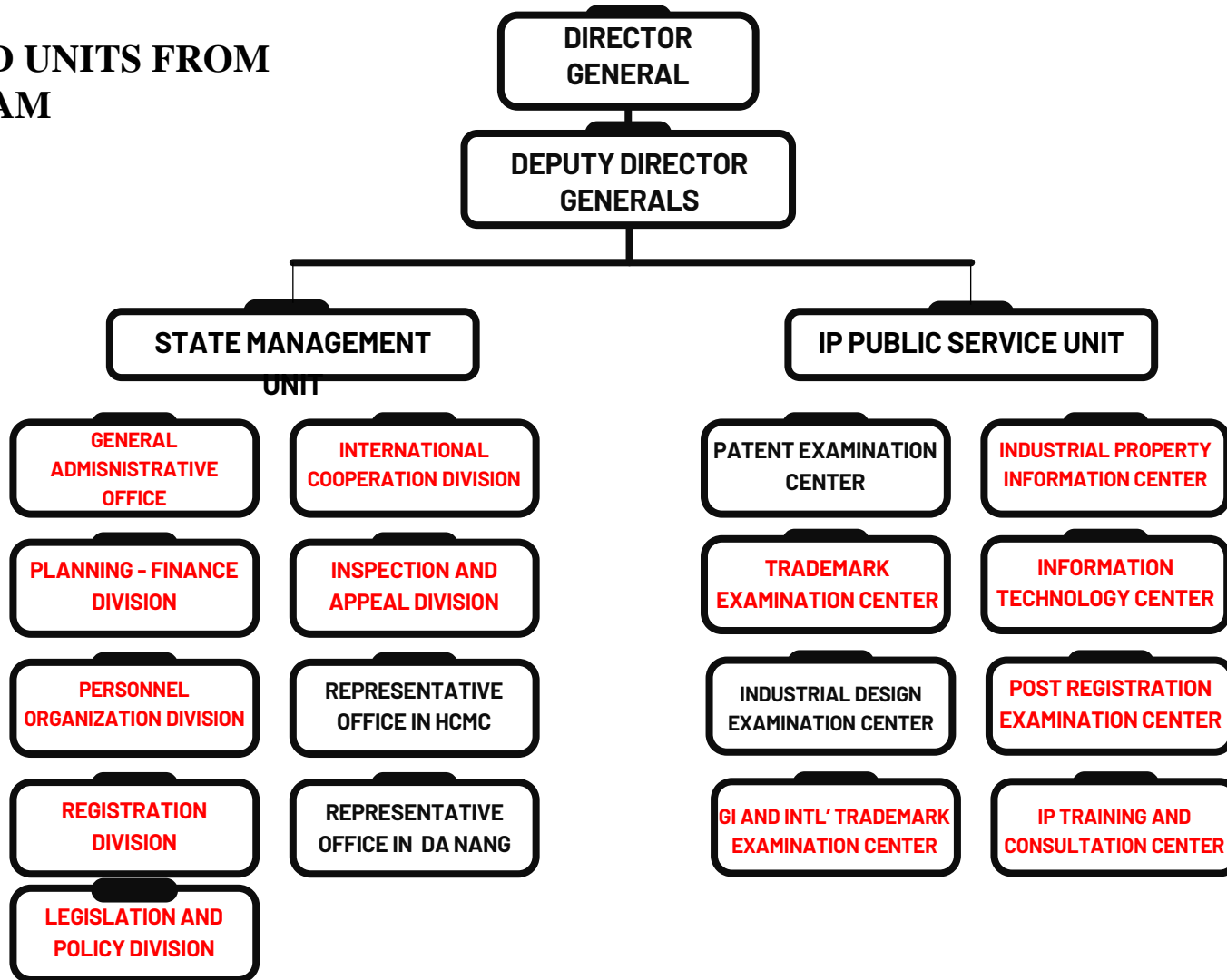IP VIET NAM

OTHER CHALLENGES

- Increasing the annual number of trademark applications

- WIPO IPAS (trademark module) officially deployed in 2022

- Other data and technology issues

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PROJECT OVERVIEW

- **Objectives:** to enhance trademark administration by addressing inefficiencies, with a focus on digitization, workflow improvement, and resource allocation.
- **Implementing unit**: IPOBSD + external consultant (**Mr. JESUS ANTONIO Z. ROS**)

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INVOLVED UNITS FROM IP VIET NAM

DIRECTOR GENERAL

DEPUTY DIRECTOR GENERALS

STATE MANAGEMENT UNIT

- **GENERAL ADMISNISTRATIVE OFFICE**
- **INTERNATIONAL COOPERATION DIVISION**
- **PLANNING - FINANCE DIVISION**
- **INSPECTION AND APPEAL DIVISION**
- **PERSONNEL ORGANIZATION DIVISION**
- REPRESENTATIVE OFFICE IN HCMC
- **REGISTRATION DIVISION**
- REPRESENTATIVE OFFICE IN DA NANG
- **LEGISLATION AND POLICY DIVISION**

IP PUBLIC SERVICE UNIT

- PATENT EXAMINATION CENTER
- **INDUSTRIAL PROPERTY INFORMATION CENTER**
- **TRADEMARK EXAMINATION CENTER**
- **INFORMATION TECHNOLOGY CENTER**
- INDUSTRIAL DESIGN EXAMINATION CENTER
- **POST REGISTRATION EXAMINATION CENTER**
- **GI AND INTL' TRADEMARK EXAMINATION CENTER**
- **IP TRAINING AND CONSULTATION CENTER**

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PROJECT TIMELINE

June 2024
Gathering of data and information, review of workflow, laws and rules

June - Sept 2024
Drafting of initial report and recommendations

Oct 2024
Review and discussion of the Initial Report; Gathering of additional data and Information

Oct-Nov 2024
Finalization of the Report

Dec 2024
Submission of the Final Report to WIPO

This timeline outlines key activities of the project conducted by the external expert of WIPO

KEY FINDINGS

✔ **Paper-based system: IP Viet Nam relies heavily on paper-based processes, hindering efficiency and creating inconsistencies in data entry and record-keeping**

✔ **Backlog: Significant backlogs exist in all stages of trademark processing, from filing and digitization to examination and publication, leading to long processing times (months to years in some cases). This is exacerbated by inefficient manual processes**

✔ **Manual Processes: Numerous manual processes, such as encoding, scanning, manual fee calculation, and paper-based document handling, create bottlenecks and increase processing times**

✔ **IPAS System Issues: The implemented IPAS system, while intended to improve efficiency, has integration problems, data inconsistencies, and stability issues, limiting its full utilization**

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KEY FINDINGS (CONT.)

Lack of Standards: The lack of standardized data entry and process implementation creates confusion and errors

Lack of Digital Signatures: The absence of widespread use of digital signatures slows down processes and hinders the transition to a fully digital system

Insufficient Resources: The IP Viet Nam lacks sufficient personnel, especially in the handling and processing of the high number of applications

Outdated Technology: Older and incompatible IT systems are used, making workflow improvements challenging

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RECOMMENDATIONS

- Advocate for **full digitization** of processes and documents, including electronic filing and payment systems integrated with IPAS.

- **Enhance the IPAS system** for improved functionality and stability.

- **Streamline workflows** by eliminating redundant steps and increasing automation.

- Implement **staff training programs** to improve skills and effective IPAS usage.

- Introduce an **Electronic Document Management System (EDMS)** and adopt electronic signatures.

- **Address technology issues** such as internet and server problems, and move towards electronic communication.

- Hire **additional personnel** to handle backlog and improve processing times.

CONCLUSION

• Emphasizing the need for a full transition to a digital, automated system to meet future demands and align with international standards.

• Highlighting the multi-faceted approach combining technology upgrades, workflow improvements, and personnel training.

• Encouraging immediate action on these recommendations to enhance efficiency and effectiveness in trademark administration.

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REMARKABLE UPDATES

Digital Transformation

- National digital transformation program until 2025, with vision towards 2030 (issued by Prime Minister in 2020)

- Establishment of National Committee on Digital Transformation in 2021 with Prime Minister as Chair

- Merger of the Ministry of Information and Communications (MIC) and the Ministry of Science and Technology (MoST): a significant step forward in achieving digital transformation revolution and streamlining government structures (to be done by 1st Quarter 2025)

IP application processing

- National Assembly Resolution No. 100/2023/QH15: "timely processing industrial property applications and finishing the backlog situation" (by the end of 2026)

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THANK YOU FOR YOUR ATTENTION!

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