ZIMBABWE INTELLECTUAL PROPERTY OFFICE (ZIPO)'s EXPERIENCE WITH THE ARIPO MEMBER STATES MODULE, AND NEW VERSION OF IPAS (VERSION 3) AND THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM (EDMS)

MORNCLIFF MUDZVATANGI Senior Examiner – Industrial Property

ZIMBABWE INTELLECTUAL PROPERTY OFFICE – Ministry Of Justice LPA





Brief Background on ZIPO

- Started operations on 7 May 1894, as an extended functionary of the Deeds Office under the Attorney Generals Office.
- Influenced by Roman-Dutch law from the Cape Colony
- Office with the mandate to register/grant and publish Intellectual Property Rights
- Falls under the Ministry of Justice, Legal and Parliamentary Affairs
- Headed by the Controller of Patents, Trade marks and Industrial Designs
- The Office acts as a custodian <u>of all records, books, drawings, specifications, documents, and</u> <u>other papers and items</u> relating to intellectual property rights applications filed with the Office.

Services Offered by ZIPO

- Examine applications for IPRs.
- Monitor and appraise the functioning of collecting societies.
- Promote the use of patent information as a tool for technology development.
- Publish regularly in its own publication the IPR applications received, registered or amended.
- Conduct primary hearings on contested intellectual property rights.
- Coordinate with other government agencies, offices and the private sector efforts to formulate and implement plans and policies to strengthen the protection of intellectual property rights in the country.
- Represent government of Zimbabwe in the regional and international fora.
- Making national intellectual property registers accessible to the public where necessary.

Primary Sources of IP Law

- Statute
- Regulations
- Case Law (e.g. effect of issuing a certificate with a digital signature)
- Hearing decisions by the Controller
- Legislative History e.g. creation and objectives/ purpose of Office, administrative decisions
- Intellectual Property Tribunal decisions
- Laws <u>affect</u> administration processes of Offices, As we move attention from manual processes to digital processes, it is important to assimilate the laws into the new landscape

Acts Administered

- The Patents Acts Chapter 26:03
- The Trade marks Acts Chapter 26:04
- The Copyright and Neighbouring rights Act Chapter 26:05
- The Industrial Designs Act Chapter
- The Integrated Circuits Layout-Designs Act, Chapter 26:07
- The Armorial Bearings, Names, Uniforms and Badges Act Chapter 10:01
- The Geographical Indications Act Chapter 26:06

International Memberships

- Berne Convention for the Protection of Literary and Artistic Works (April 18, 1980)
- Paris Convention for the Protection of Industrial Property (April 18, 1980)
- Convention Establishing the World Intellectual Property Organization (December 29, 1981)
- Agreement establishing the World Trade Organization (WTO) (March 5, 1995)
- World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property
 Rights (TRIPS Agreement) (1994) (March 5, 1995)
- Patent Cooperation Treaty (June 11, 1997)

Regional Treaties

- Lusaka Agreement on the Creation of the African Regional Intellectual Property Organization (ARIPO) (November 11, 1980)
- Harare Protocol on Patents and Industrial Designs Within the Framework of the African Regional Industrial Property Organization (ARIPO) (April 25, 1984)
- Banjul Protocol on Marks Within the Framework of the African Regional Industrial Property
 Organization (ARIPO) (March 6, 1997)
- Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore within the Framework of the African Regional Intellectual Property Organization (ARIPO)

Issues affecting digitisation

Law and Policy

National + International

Standards

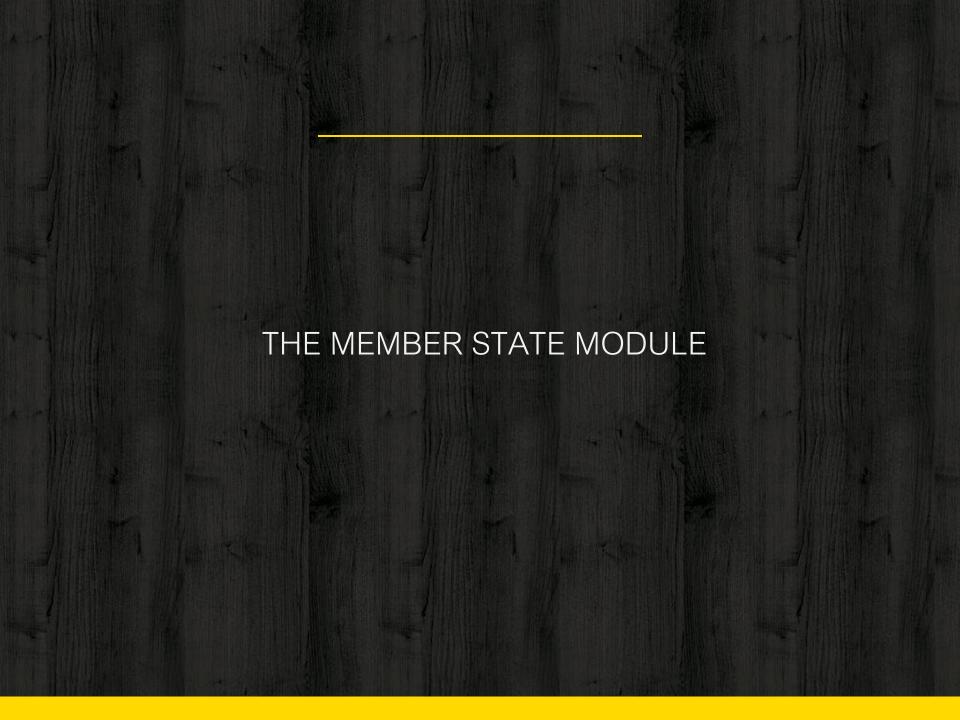
Digitisation

Resources

Financial, Human

Organisational / Political Will

Planning



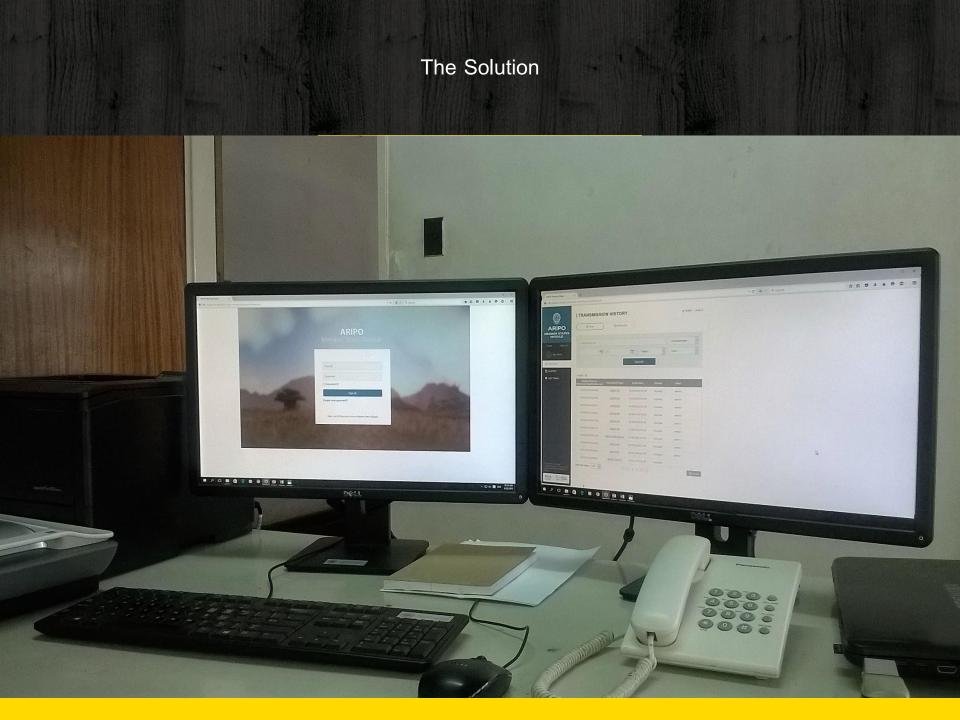
What is M/S Module?

- Online Module for Member States' IPO linked with the ARIPO POLite+ system.
- A digital shared workspace for IPR registration system between ARIPO and its member states.

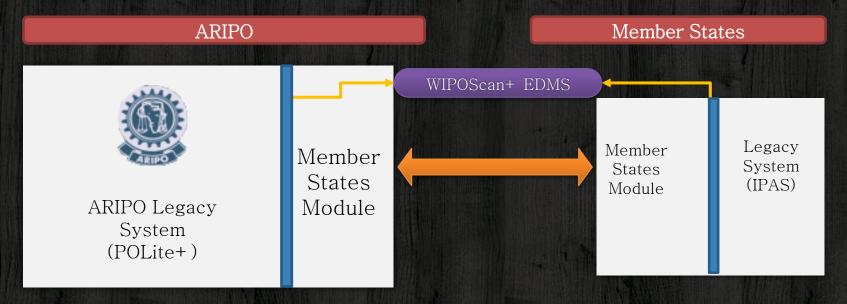
Member State Module

- M/S Module allows electronic-exchange of Patent, Trademark, Utility Models and Design application notifications and other data (e.g. journal and M/S Account information) between ARIPO and Member states. It handles all functions related to interaction between the ARIPO Secretariat and IPOs throughout the granting/registration procedures.
- Enables secure access to the ARIPO system remotely through a SSL (Secured Socket Layer)
- MS Module has a referral service for checking the status of applications, and automatically manage deadlines for subsequent documents where an IPO is concerned.





THE MEMBER STATE MODULE





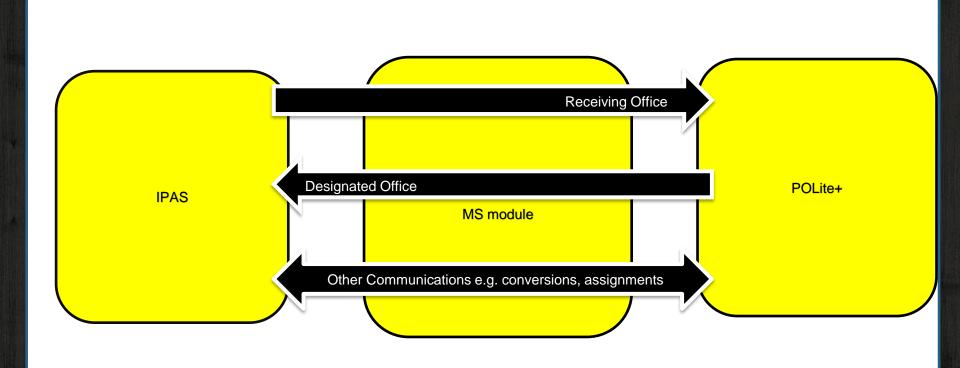
Benefits to Office

- Saves money postage, fuel, telecommunications, storage and data capturing costs
- Increase efficiency and timeliness reduces manual work processes / Minimization of manual paper-intensive procedures
- Files are managed digitally, no physical exchange of documents
- Real time retrieval of records / better access to records
- Increase depth and width of database
- Attract new clients
- Enhancing security and durability of records

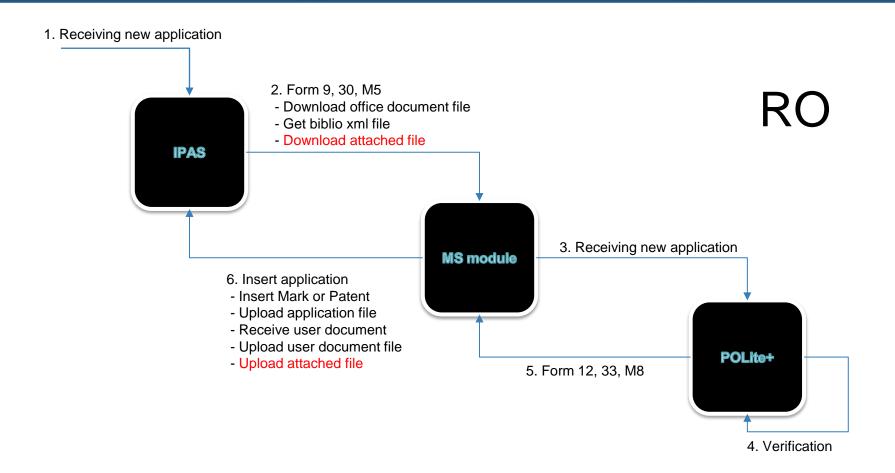
Benefits to clients

- Documents processed on time
- Less risks of documents getting lost
- Searches are more accurate
- Database is much bigger reduces risk of infringing on other proprietors rights

MS Module ecosystem



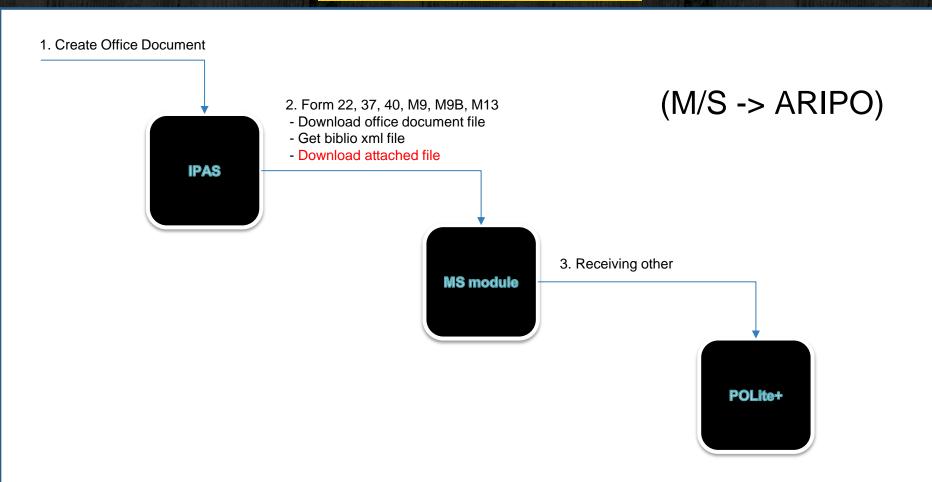
Receiving Office



Designated Office

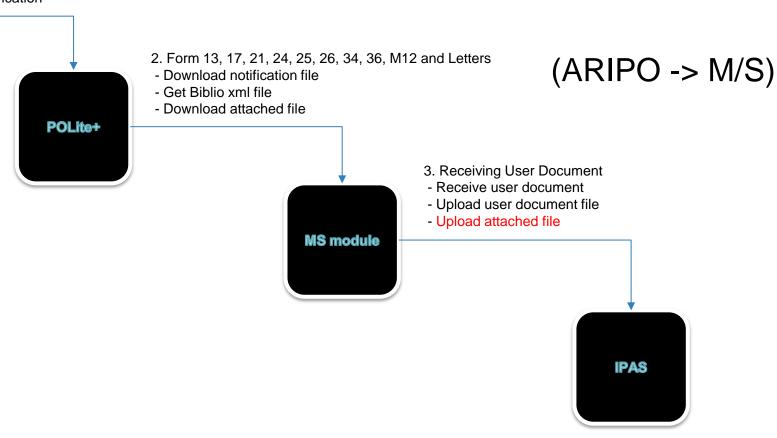
1. Receiving new application 3. Form 12, 33, M8 - Download notification file - Get Biblio xml file - Download attached file POLite+ 4. Insert application - Insert Mark or Patent - Upload application file - Receive user document - Upload user document file 2. Verification - Upload attached file **MS** module **IPAS**

Other documents: MS Module to ARIPO



Other documents: MS Module to ARIPO

1. Create Notification

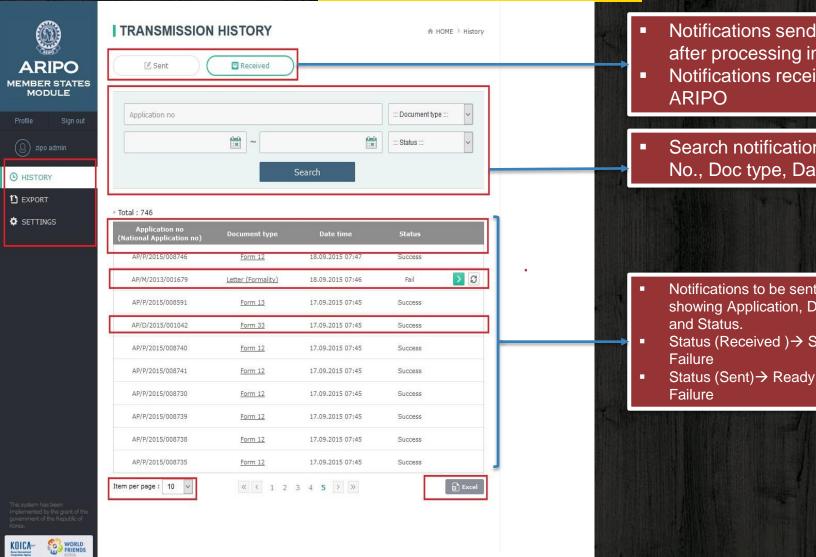


The Module System UI

ARIPO Member States Module

User Id	
Password	
Remember ID	
	Sign In
Forgot your pa	ssword?

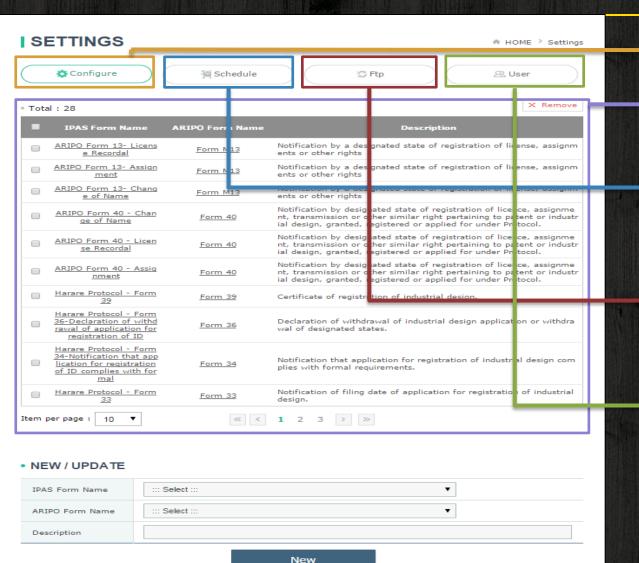
Transmission History



- Notifications send to ARIPO after processing in IPAS
- Notifications received form
- Search notification using App. No., Doc type, Date or Status

- Notifications to be sent or received --showing Application, Doc type, Date
- Status (Received)→ Success or
- Status (Sent)→ Ready, Success or

Settings Panel



- Configure forms
- Forms and Descriptions
- Schedule Batch ---Automatic or Manual
- FTP configuration Server Port and IP Address, User ID and P/W
- New users / modify user details

STATISTICS: MEMBER STATE MODULE

Patent Notifications = 582

Design Notifications = 81

Trade marks - Banjul = 72

Utility Models = 11

Statistics from M/S Module

Imported Applications	April / May	Jun / Jul	Aug / Sept	∑ (n)
Patents	121	246	215	582
Designs	7	42	32	81

20

5

<u>313</u>

27

3

<u>277</u>

72

11

<u>746</u>

25

3

<u>156</u>

Trade Marks

Utility Models

Total



Whoa! That's encouraging!

Transmission History



Total: 746

(HISTORY

1 EXPORT

SETTINGS

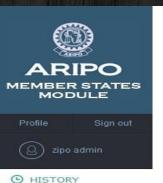
This system has been implemented by the grant of the government of the Republic of Korea.



::: Document type :::	~
::: Status :::	~

Application no (National Application no)	Document type	Date time	Status
AP/P/2015/008756	Form 12	23.09.2015 07:45	Success
AP/D/2015/001044 (KE/AP/ID/15/000017)	Form 33	23.09.2015 07:45	Success
AP/D/2015/001043 (KE/AP/ID/15/000016)	Form 33	23.09.2015 07:45	Success
AP/P/2015/008757	Form 12	22.09.2015 07:45	Success
AP/P/2015/008758	Form 12	22.09.2015 07:45	Success
AP/P/2015/008702	Form 13	19.09.2015 07:46	Success
AP/P/2015/008320	Form 13	18.09.2015 07:50	Success
AP/P/2015/008747	Form 12	18.09.2015 07:50	Success
AP/P/2015/008742	Form 12	18.09.2015 07:49	Success
AP/P/2015/008748	Form 12	18.09.2015 07:48	Success

Received Notification M/S Module



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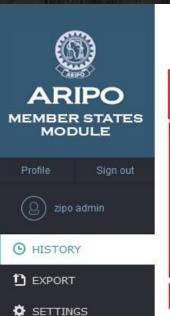
Application no (National Application no)	Document type	Date time	Status
AP/P/2015/008756	Form 12	23.09.2015 07:45	Success
AP/D/2015/001044 (KE/AP/ID/15/000017)	Form 33	23.09.2015 07:45	Success
AP/D/2015/001043 (KE/AP/ID/15/000016)	Form 33	23.09.2015 07:45	Success
AP/P/2015/008757	Form 12	22.09.2015 07:45	Success
AP/P/2015/008758	Form 12	22.09.2015 07:45	Success
AP/P/2015/008702	Form 13	19.09.2015 07:46	Success
AP/P/2015/008320	Form 13	18.09.2015 07:50	Success
AP/P/2015/008747	Form 12	18.09.2015 07:50	Success
AP/P/2015/008742	Form 12	18.09.2015 07:49	Success
AP/P/2015/008748	Form 12	18.09.2015 07:48	Success

Received Notification - Bibliographic Data added to IPAS

IPAS JAVA - Industrial Property Automation System Usuario: TRADEMARKS1 Back | M | 4 | Delete | Folder PDF | View POA Logout View patent Record 1/1 Application type Harare Protocol Patent (219) Application Nbr AP/P/2015/008702 (51)IPC A 61K 39/00, 39/02 Reception date 06/03/2014 (220) Filing date 06/03/2014 08/03/2013 Novelty date Priorities EP 13169328.5 27/05/2013 Pending; US 61/774,993 08/03/2013 Pending; Status AP Substantive Exam (730) Owner(s) CRUCELL HOLLAND B.V., Archimedesweg 4, NL-2333, CN Leiden, The Netherlands [NL]; (740) Representative HONEY & BLANCKENBERG, P.O. Box 85, Harare, ZIMBABWE [ZW]; Title ACELLULAR PERTUSSIS VACCINE English title (57)Abstract The invention relates to an acellular pertussis (aP) vaccine composition comprising English abstract



Searching Notifications / Application



Total: 11

Application no

AP/U/2015/000050

AP/U/2015/000049

AP/U/2015/000048

TRANSMISSION HISTORY ♠ HOME > History Received Sent AP/U/ ::: Document type ::: ::: Status ::: Search

(National Application no) AP/U/2015/000055 Form 12 02.09.2015 07:58 Success AP/U/2015/000054 Form 12 01.09.2015 09:35 Success AP/U/2015/000053 Form 12 01.09.2015 09:34 Success AP/U/2015/000052 Form 12 27.07.2015 07:45 Success

Date time

17.07.2015 07:45

15.07.2015 07:45

02.07.2015 07:47

Status

Success

Success

Success

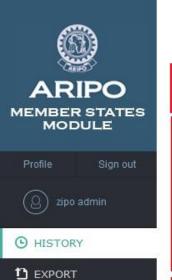
Document type

Form 12

Form 12

Form 12

Received Notifications



SETTINGS

TRANSMISSION HISTORY

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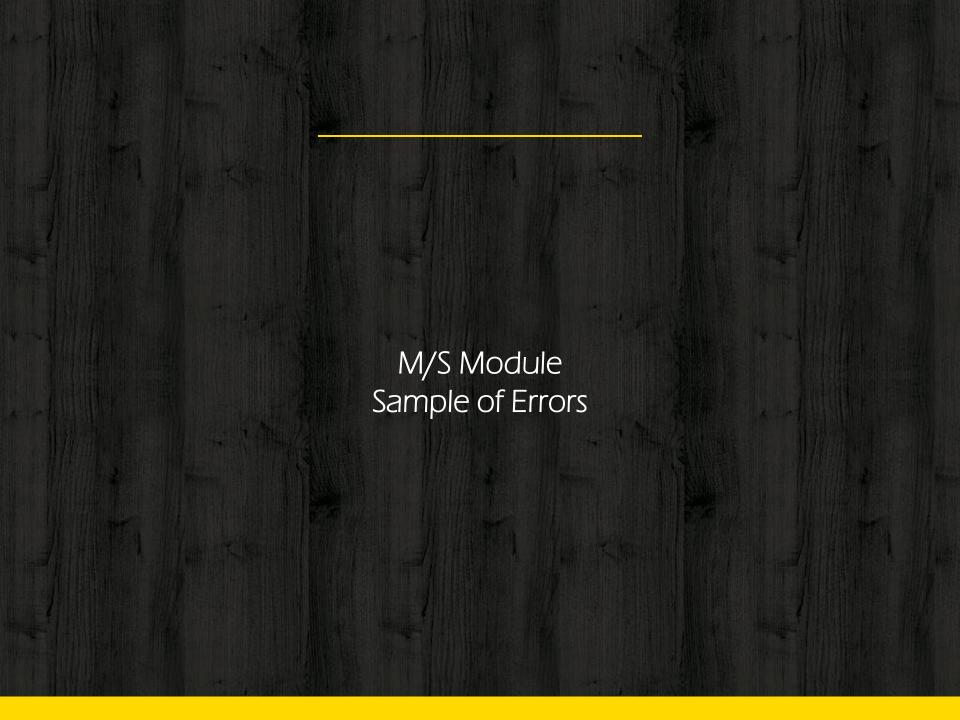
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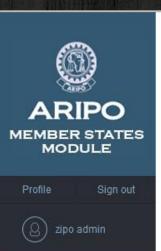
Search

• Total : 11

Application no (National Application no)	Document type	Date time	Status	
AP/U/2015/000055	Form 12	02.09.2015 07:58	Success	
AP/U/2015/000054	Form 12	01.09.2015 09:35	Success	
AP/U/2015/000053	Form 12	01.09.2015 09:34	Success	
AP/U/2015/000052	Form 12	27.07.2015 07:45	Success	
AP/U/2015/000050	Form 12	17.07.2015 07:45	Success	
AP/U/2015/000049	Form 12	15.07.2015 07;45	Success	
AP/U/2015/000048	Form 12	02.07.2015 07:47	Success	



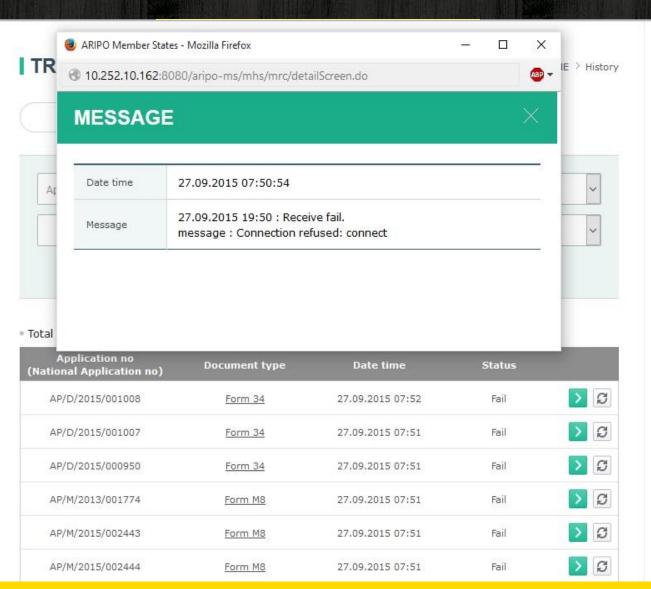
EDMS not running



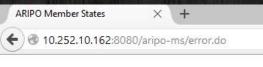


1 EXPORT

SETTINGS



Common HTTP error



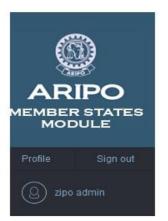


HTTP ERROR

Connection refused: connect

Move Previous Move Home

Country Code



(HISTORY

EXPORT

SETTINGS

TRANSMISSION HISTORY

Sent



INFO

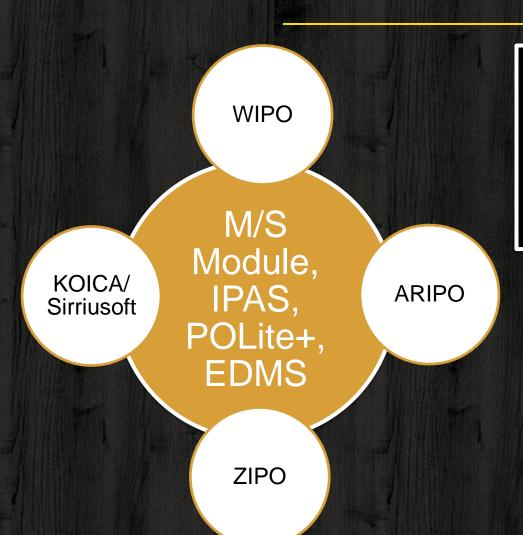
Application no	AP/P/2015/008754	
Document name	Form 12	
Date	23.09.2015 07:45	
Status	Fail	
Contents	24.09.2015 17:06 : Receive fail. message : Invalid Country:IB 23.09.2015 19:45 : Receive fail. message : Invalid Country:IB	
Form	2 2015 23400.pdf ×	
Biblio	AP P 2015 008754 BIBLIO.xml ×	

ATTACHED FILE

Other

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Stakeholders



- A challenge with multi-partner projects
- Communication and report structures
- Project governance duties and responsibilities

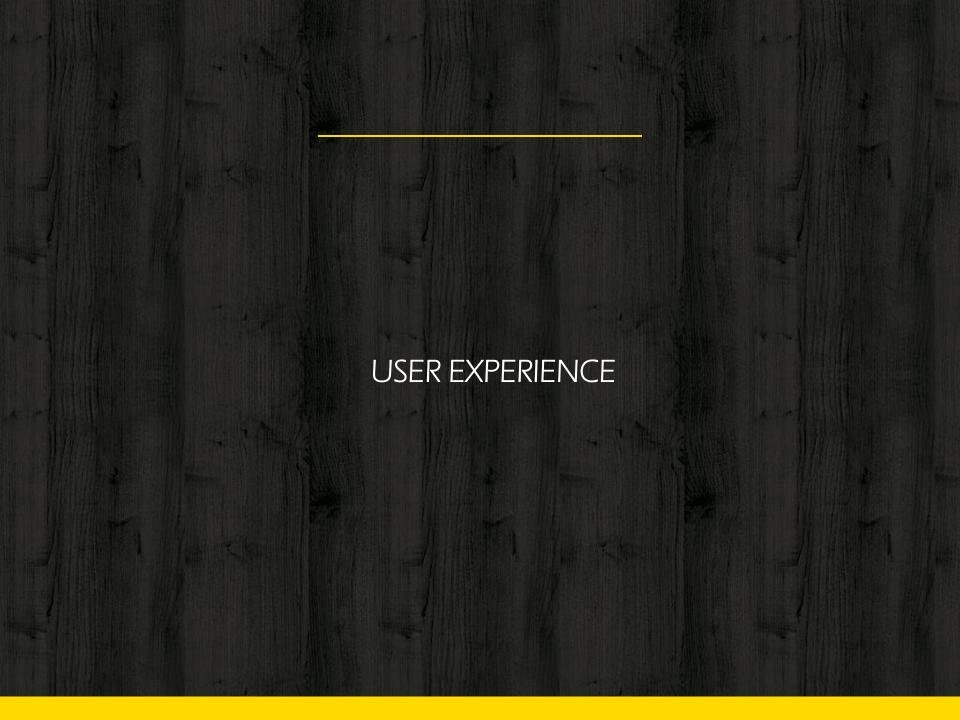
Challenges

- Lack of resources to man and sustain the project human resources — insufficient capacity building — additional training required
- Resistance to change no change management strategy
- Inadequate supervision, validation, verification and audit/ control
- No IT Section
- IPAS' ARIPO workflow setting not complete triggering errors in M/S module. Example – Incomplete document mapping
- ZIPO does not strictly adhere to classification standards e.g., Nice Classification, Vienna, Locarno, and the IPC, which essentially complicates data drawn from ARIPO or any other source which adheres to the classification standards.





- Improved office efficiency...process streamlining and managing staff productivity.
- Easy file tracking.
- Produce productivity statistics.
- More interactive.
- Easy to search and track files.

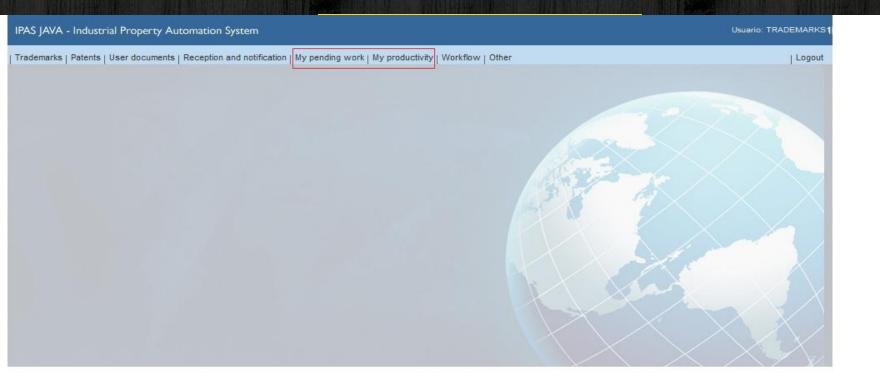


IPAS v3.1 UI

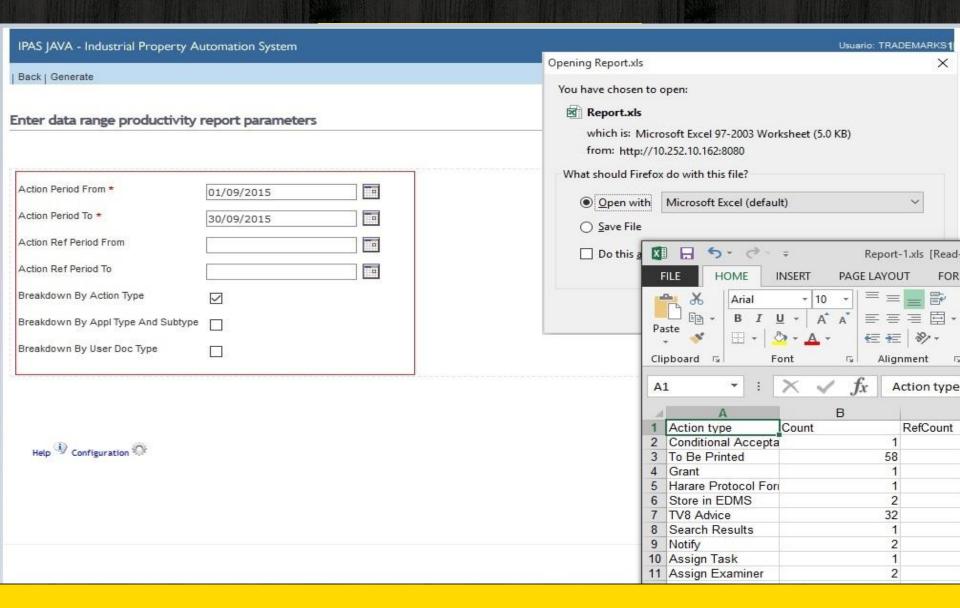




Work UI



Productivity



Pending Work

IPAS JAVA - Industrial Property Automation System

Usuario: TRADEMARKS1

| Back2 | Refresh | More work for me | Edit process groups

Logout

Select user and status to view details

2 items found, displaying all items.

Process type	Status	User	Quantity	Avg days old	Min days old	Max days old
National TradeMarks	Awaiting Publication fee	M. MUDZVATANGI	106	56	1	116
National TradeMarks	Awaiting Search Report	M. MUDZVATANGI	1	1	1	1



Assigning Tasks

Cancel Next				
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Help Configuration

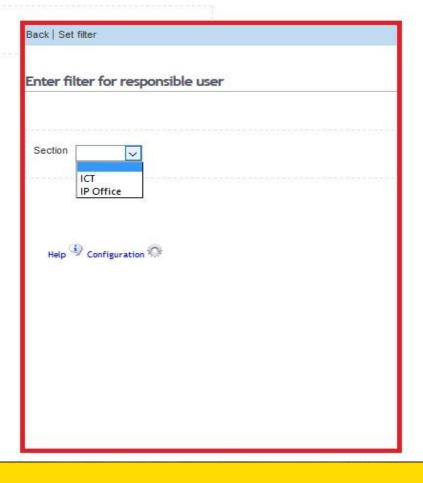
Tasks by Individual or Section

Cancel | Filter responsible user | Next

Select responsible user

Selected action: : Amendments Recieved Final status: Substative Examination





Assignment/Distribution of Work

IPAS JAVA - Industrial Property Automation System

Usuario: TRADEMARKS1

| Back | Show logos | Report list | Excel list | Add all to process group | Sort | Set filter

Logout

Select trademark

Search criteria: File Series

1,048 items found, displaying 1,036 to 1,048.

M € 63, 64, 65, 66, 67, 68, 69, 70 M

File No.	Novelty date	Reg No.	Mark name	Classes	Owner name	Status
TM/T/2015/000953	09/09/2015		PUCK	NCL(9) 29	Arla Foods amba [DK]	Awaiting Supervisor Assignmennt
TM/T/2015/000956	09/09/2015		PROCLIN	NCL(9) 3	INDOVEST LIMITED CAPITAL [MY]	Awaiting Supervisor Assignmennt
TM/T/2015/000959	09/09/2015		JINLONG	NCL(9) 34	WONG HUNG YUEN [HK]	Awaiting Supervisor Assignmennt
TM/T/2015/000960	09/09/2015		PHOENIX	NCL(9) 34	WONG HUNG YUEN [HK]	Awaiting Supervisor Assignmennt
TM/T/2015/000963	11/09/2015			NCL(9) 29	DAVITA TRADING (PROPRIETARY) LIMITED [ZA]	Supervisor Examination Assignment
TM/T/2015/000962	11/09/2015			NCL(9) 30	DAVITA TRADING (PROPRIETARY) LIMITED [ZA]	Supervisor Examination Assignment
TM/T/2015/000961	11/09/2015		JUICE LABEL	NCL(9) 32	DAVITA TRADING (PROPRIETARY) LIMITED [ZA]	Supervisor Examination Assignment
TM/T/2015/000964	11/09/2015		DST	NCL(9) 39	DSV A/S [DK]	Supervisor Examination Assignment
TM/T/2015/000965	11/09/2015		DST	NCL(9) 39	DSV A/S [DK]	Supervisor Examination Assignment
TM/T/2015/000966	14/09/2015		CAVALIER	NCL(9) 12	GENERAL MOTORS LLC [US]	Supervisor Examination Assignment
TM/T/2015/000967	15/09/2015		KAYSER	NCL(9) 25	INVERSIONES HOLDING KAYSER LIMITADA [CL]	Supervisor Examination Assignment
AP/M/2015/002481	18/09/2015		BATTLE GEAR (Device)	NCL(10) 25 32	PASSAPORTIS David [ZW]	AP Formalities
TM/T/2015/000991	18/09/2015		HONEY BEE	NCL(9) 33	MAMBO BEVERAGES LIMITED [ZW]	Awaiting Publication fee

Toggle select flag | Select/Deselect All | Add to process group



Files not Captured

Back | Change password | Files not captured | Refresh configuration | About | Logout



Refined Searches

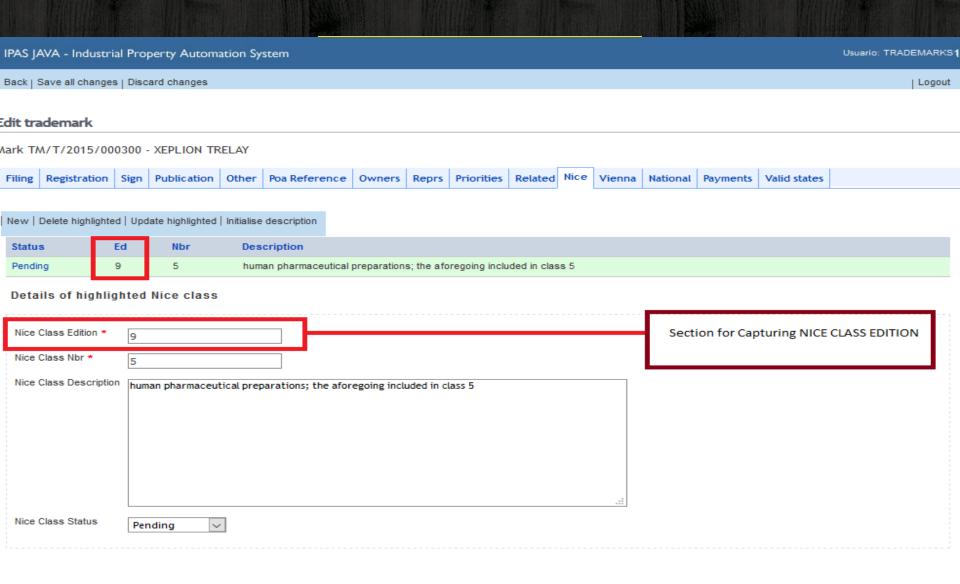
IPAS JAVA - Industrial Property Automation System

Back | Search | More criteria | New mark | Clear criteria

Help D Configuration

ter trademark select	tion criteria		
arch criteria: Mark nam	e contains		
ile series			
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egistration Nbr			
ark Name Contains Word1	family		
ark Name Contains Word2	planning	7	IPAS JAVA - Industrial Property Automation System
ark Name Contains Word3	services		Back Show logos Report list Excel list Add all to process group Sort <u>Set filter</u>
ark Full Name			Select trademark
ice Class Edition			Colors and a company of the colors of the co
ist Of Nice Classes			Search criteria: Mark name contains
ist Of National Classes			3 items found, displaying all items.
clude Reclassified Classes			File No. Novelty date Reg No. Mark name
ovelty Date To			TM/T/2014/001199 19/09/2014 PROFAM PROFESSIONAL FAMILY PLANNING S
overly Date 10		10	TM/T/2014/001198 19/09/2014 PROFAM PROFESSIONAL FAMILY PLANNING S
			TM/T/2014/001197 19/09/2014 PROFAM PROFESSIONAL FAMILY PLANNING S
			Toggle select flag Select/Deselect All Add to process group

Capturing the NICE Class



Search – Pending Work

IPAS JAVA - Industrial Prop	erty Automation System	Usuario: TRADEMARKS
Back Search		Logout
inter pending work sele	ction criteria	
Responsible User		
Process Type	Banjul Trademarks	
Status	V	
Userdoc Type	V	
Userdoc Group	V	
Summarise Responsible Users		
Include Non Pending Statuses		

Help Configuration 🎊

Search Result

IPAS JAVA - Industrial Property Automation System

Usuario: TRADEMARKS1

Back | Refresh | More work for me | Edit process groups

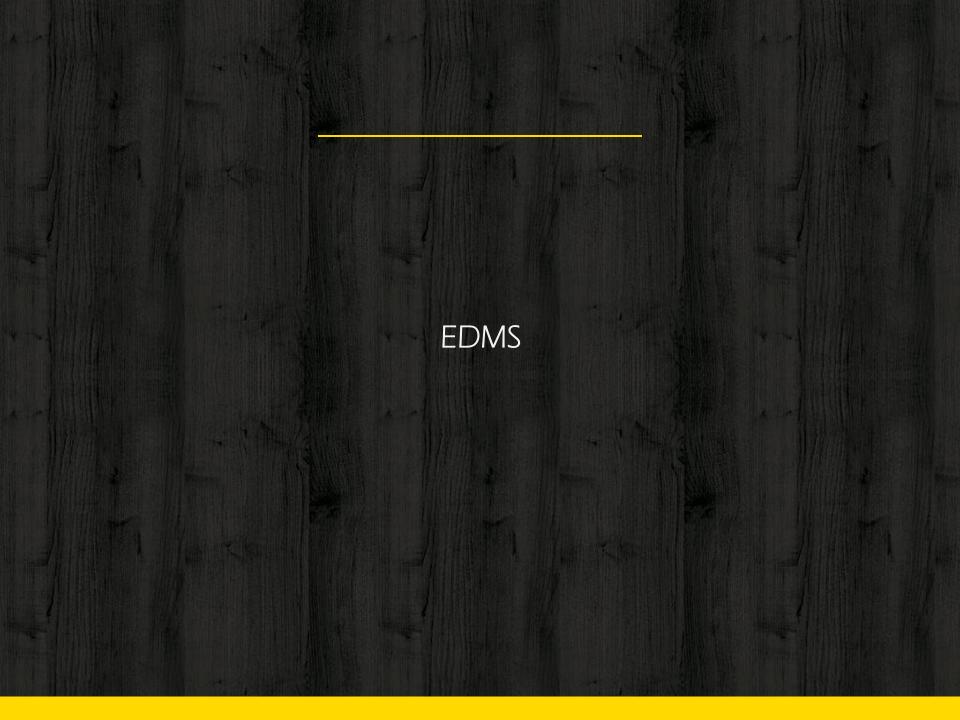
| Logout

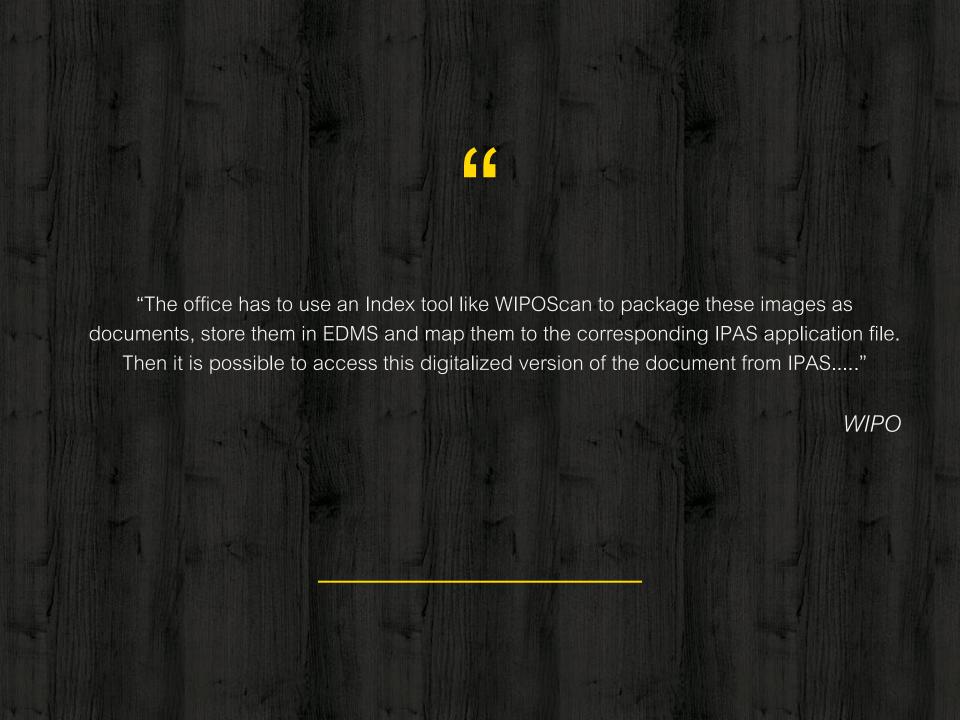
Select user and status to view details

5 items found, displaying all items.

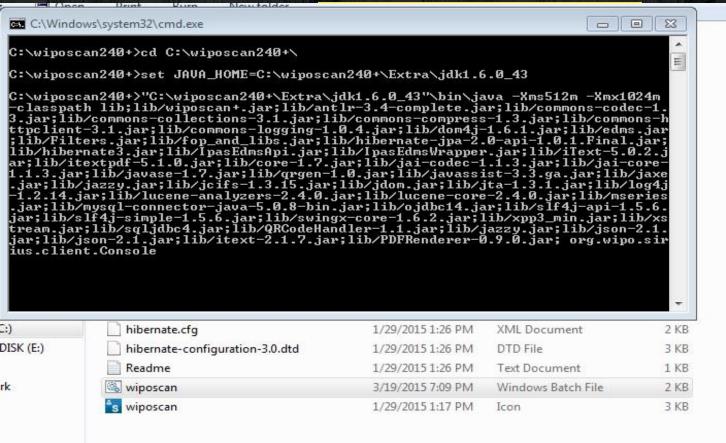
Process type	Status	User	Quantity	Avg days old	Min days old	Max days old
Banjul Trademarks	AP Formalities		40	339	17	3745
Banjul Trademarks	Awaiting Publication		45	313	12	558
Banjul Trademarks	Awaiting Response		6	354	263	461
Banjul Trademarks	Migrated		558	1206	630	2037
Banjul Trademarks	Refused		1	12	12	12







WIPOscan





WIPOscan...

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You have been successfully authenticated.

Logout



Indexing Documents in WIPOscan to Export to EDMS

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Document Import QR Indexing Lookup	
Navigation	1028 15
Page 1 ▼	
i age i	PORM T.M.5 ZIMBABWE Section 21 or 25 of the Act
Ide () mix	Sections 11(1) or 13(1) of the Engulations
	TRADE MARKS ACT (CHAPTER 28:04)
Document Number: 1/1	APPLICATION FOR REGISTRATION OF TRADE MARK IN PART A OF THE REGISTER
	Top
	Travel
Dossier	Trip —
Type ▼	Application is hereby made for registration in Part A of the Register of the accompanying Trade Mark in Cass 19 in respect of:
Series - Number	Travel arrangement; arranging of cruises; arranging for all type transport including passenger
Ref	transport; arranging of tours; chauffour services; seat booking (trovel); road transport; car rental; packaging of goods; reservation; (transport & travel); tourist offices; sightsecing (tourism) and escorting of traveler, all included in class 39
	in the name of SATGURU INTERNATIONAL FZE, a limited liability Free Zone Establishment (FZE) in Ras Al Khaimah (RAK)
Document	whose full trade of pusiness undress is Sheikha Mariam Building, 4 th Floor, 401, Baniyas Square, Deira, United Arab Emirates
Type	trading as MANUFACTURERS AND MERCHANTS
	by whom it is being preased to be used, and who dames to be the propriate thereof.
Series - Number	DATED this 30° day of SEPTEMBER 2015
Date 2015/10/07 (yyyy/MM/dd)	GILL CODION TO A GERRAIN
	Agents for Applicant Our Reft 3/A/04728
Separator Sheet	Our andress for service is: SILL, GOULOVION & GERRANS 7 th Floor, Beverley Court.
	100 Nelson Mangels Avenue P.O. Bex 235, Henrie
Actions	TO: The Registrar of Trans Marks
	Trade Marks Office HARARE HARARE AND MADE AND MADE
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EDMS – Documents from ARIPO

Close | New action | View patent | Other process | Set filter | Other patent | Tree mode | Refresh | Add manual sub process | Edit | Save changes

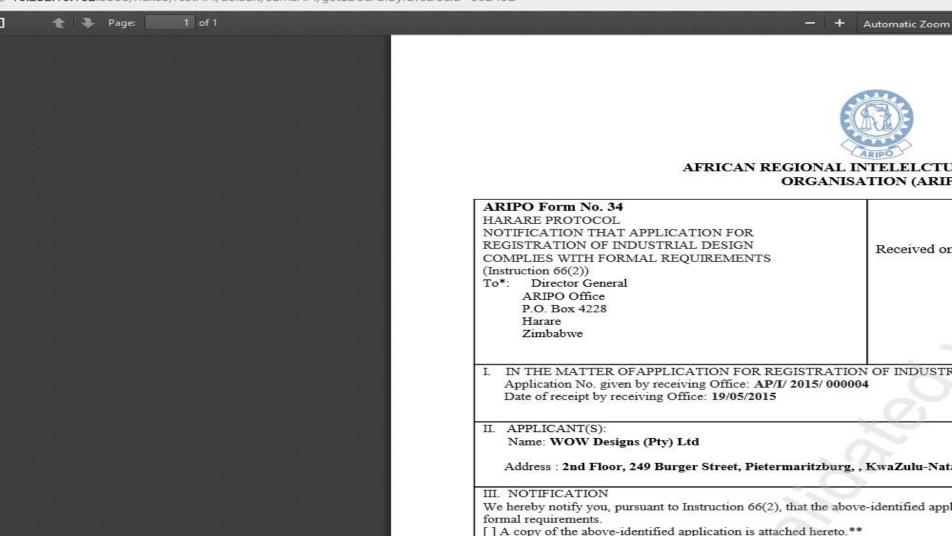
Edit process data

File:4 - Hair Tool - WOW Designs (Pty) Ltd - ID ToBe Registered

pe		Date	Description	Notes	Action 1 A	ction 2
	e-doc	19/05/2015	Aripo Design	No content yet		PDF
- 2	Action	22/07/2015	Formalities OK	EDMS Storage (22/07/2015) .	Details	PDF
	Action	22/07/2015	Acceptance		Details	
	Action	22/07/2015	No Opposition		Details	

EDMS - Stored ARIPO Document

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EDMS – IPAS documents

Close | New action | View mark | Other process | Set filter | Other mark | Tree mode | Refresh | Add manual sub process | Edit | Save changes

Edit process data

File:1382 - DAIRY MOO SHAKE N' SIP - TRADE KINGS LIMITED - Registered

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pe		Date	Description	Notes	Action 1	Action 2	
	e-doc	31/10/2014	Part A	Content not certified yet		PDF	
	Action	03/12/2014	Formalities OK	Printed (09/12 /2014) .	Details	PDF	
	Action	21/01/2015	Search Results	Printed (21/01 /2015) .	Details	PDF	
	Action	18/02/2015	Conditional Acceptance	Printed (18/02 /2015) .	Details	DOC	80
	Action	25/02/2015	Amendments Recieved	Printed (08/06 /2015) .	Details	DOC	
	Action	08/06/2015	TV8 Advice	Printed (08/06 /2015) .	Details	DOC	
	Action	29/06/2015	Advert Fees Paid		Details		
8	Action	30/06/2015 30/06/2015 Journal	Publish Absolutely		Details		
	Action	30/06/2015	Publish		Details		
	User Doc.	15/09/2015	Userdoc:TM12 Registration of TM/cert, marks & fees (Doc 2015/4156) (Registration Certificate 2015/2688) File:1382 - DAIRY MOO	Pending (15/09 /2015) .		PDF	Ī
	Action	23/09/2015	End of Opposition		Details		
0.000	Action	23/09/2015 30/09/2015 Journal	Registration	Printed (23/09 /2015) .	Details	DOC	
	Action	23/09/2015	Issue of Ledger	Printed (23/09	Details	DOC	

Storing in EDMS

Cancel	Month
ancer	MEXI

Select action type

Normal Action Type		
Special Action Type	Store in EDMS	
Note Action Type		
Action Date *	07/10/2015 18:10:34	
Notes		
		at a

Help Configuration

Issues to consider

System related

- Issuance / release of manual for IPAS v 3.1.x to offices.
- System development could benefit more from Offices' involvement.

Human Resources related

- Resistance to change in terms of system use.
- Buy in from management.
- Need to capacitate the right personnel.

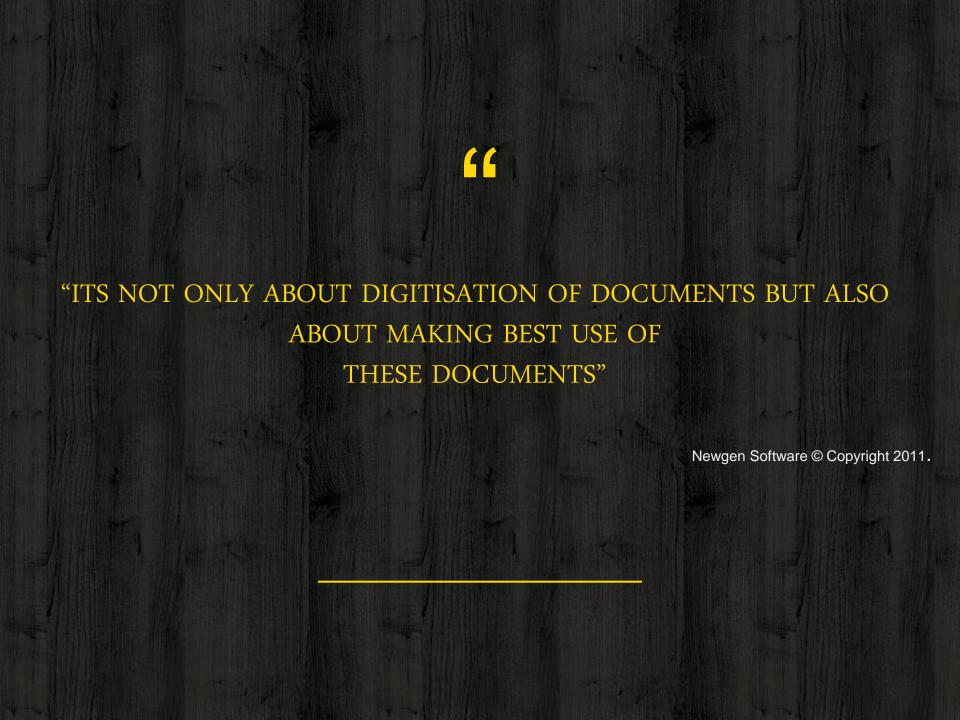
<u>Ideas</u>

- Use of MOUs / Agreements to tie IPOs on use, management and sustainability of IPAS and related software tools.
- Provide (further) online training / simulated or otherwise, similar to DLs.
- Change management training for IPO heads.
- Attaching IPO IPAS administrators to WIPO / Offices of good practise.
- Provide extended support of new products (time and human resources).

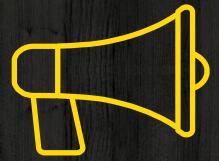
Finally...

Negatives of using manual Paper based processes

- Paper/Manual processes hinder productivity and increase operational costs. Paper feeds into (unproductive) bureaucracy
- Paper/ manual processes negatively impacts security and trust
- Paper takes up space (storage)
- Cost of using paper is high
- Creates more work
- Paper gets lost easily



Thank You!



Any questions?

Contact

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