

Requirements of IT system for accession to the Hague Agreement



The software system for processing international registrations of industrial designs should include the following items:

- Database of international registrations designating Vietnam
- A tool to update the database
- A tool to search the prior art
- A tool for administration and examination of international registrations designating Vietnam

The tool to update the database

The tool used to update the database should fulfill the following requirements:

- If Vietnam does not make the declaration to require the IB to send confidential copies, then the update software should be able to download data from the WIPO's website regularly and migrate the data of registrations designating Vietnam to NOIP's international registration database.
- If Vietnam makes the declaration to require confidential copies, the update software should include the function of directly migrating the data from confidential copies provided by WIPO, with the method of transmitting these copies and their format being determined by agreement between NOIP the IB.
- The update function should be performed both automatically and manually.
- To ensure the full update of data, the tool should also include the function of automatically detecting and warning any failure in data update, as well as automatically scheduling any re-update if necessary.

The search tool

Currently, international registered designs can be searched on WIPO's website and on website orbit.com provided by Questel. However, if examiners only use these tools to conduct prior art search, there will be a number of difficulties as follows:

- Firstly, the search tool provided by WIPO is not powerful enough for professional use by design examiners, but suitable for ordinary use of searching and collecting information by the public.
- Secondly, both the search tool provided by Questel and the one provided by WIPO allow searchers to have access to only published designs, and do not display the designs in confidential copies sent by the IB to NOIP.
- Therefore, if Vietnam makes the declaration to require confidential copies then it is necessary to build a search tool for NOIP's examiners to have access to unpublished international registered designs designating Vietnam.

The tool for administration and examination of international designs

- The tool for administration and examination of international designs should include all necessary functions developed in the program for administration and examination of domestic design applications. It should not only be convenient for users but also solve the disadvantages of the domestic program .
- It is necessary to formulate and integrate all notification forms into the tool. These include notifications sent to the IB and the applicants. These forms have to comply with the Administrative Instructions. The notifications to the IB have to be in English.
- To ensure the security of confidential copies, it is essential that all the tools allow only the authorized personnel to have access to the information of these copies.

Hardware

- Currently, NOIP has not been able to implement the paperless system to handle international design registrations due to limitations of the IT system and the procedures of administration and examination of design applications.
- Therefore, NOIP will have to equip design examiners and related departments with high quality printers, enabling the photos or drawings of designs in international registrations to be printed out with high resolution in order to facilitate the prior art search and substantive examination.
- A high speed and stable internet connection without congestion is also required to facilitate the data update and prior art search.
- A stable internet connection also helps to prevent interruption of communication between NOIP and the IB.
- International registrations are in foreign language and subject to strict requirement of period for issuing the first action. Therefore, PCs with powerful configuration and large monitors should be equipped to help examiners improve their speed of search and examination, thereby enabling them to comply with the strict deadline.

Nguyen Quang Tuan

Industrial Design Division – National Office of Intellectual Property of Vietnam

386 Nguyen Trai – Thanh Xuan – Hanoi

Phone: 04-38586453

Email: ngquangtuan@noip.gov.vn