**Summary of IPONZ Technical Focus Group**

**Trade Marks Date of Meeting: 25 August 2016**

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| **Agenda Items** | **Comments** |
| 1. **Office Update** | * **45390 Classes for TM applications lodged in the 12 months up to 30 June 2016** * **Recruiting for TM examiners** * **Currently, two TM staff working at WIPO in Geneva** |
| 1. **Senior Stakeholder Engagement Advisors (SEA)** | **IPONZ introduced Tim Renner and Peta Bailey Gibson as part of the SEA team (Team Head: Tao Morton) who are the go to people that engage with IPONZ stakeholders, such as Attorneys, Applicants, etc. in matters pertaining to IPONZ communications, website, contact centre, etc.** |
| 1. **Proposed Classification Changes** | * **Broad Specifications. In light of feedback from WIPO in respect of wording of classifications for NZ lodged International TM registrations WIPO provided IPONZ with an initial list of classification terms that WIPO does not allow. IPONZ to review the list and seek feedback.** * **Discussion on new proposed practice guideline in respect of how to approach similarity of goods between class 32 and 33. Effectively if both the class 32 and 33 goods are broad then the marks will generally be considered similar, if one class is specific and the other broad then the marks will generally be considered similar and if both are specific then the marks will be considered on how specific the goods are as if they are similar or not. IPONZ to finalise the practice guideline and release in due course.** |
| 1. **Geographical Indication Implementation** | * **Select Committee to report back sometime in September/October.** * **Submissions to the draft regulations to appear on the IPONZ/MBIE website.** * **GI Implementation should hopefully occur in the first half of 2017** |
| 1. **Madrid Working Group** | * **Malaysia, Brunei, Indonesia, Thailand, Malawi and Trinidad and Tobago are to join Madrid in 2016/2017.** * **Canada, Pakistan and South Africa should be joining Madrid within the next two to three years** * **WIPO still has a big backlog of processing newly filed International TM Registrations, including those designating NZ.** * **IPONZ indicated that if there are any issues concerning filed International TM registration that is best to contact IPONZ in the first instance.** * **WIPO from February 2019 will allow for divisionals.** |
| 1. **Approach to Section 60(2)** | **Discussion on Section 60(2) of the TM Act was discussed. At present, there are no regulations that pertain to section 60(2) and IPONZ has no current guidelines as to how to handle section 60(2). IPONZ initial view is that they would have to involve the party of the mark being removed, however IPONZ seeks more feedback before generating any guidelines.** |
| 1. **Including Agent details in citation reports** | **IPONZ is to look at a possible enhancement so that the Agents details will appear citation reports.** |
| 1. **Foreign Characters translated in Excel Search reports results** | **IPONZ is to look at a possible enhancement so that translations of foreign characters appear in Excel search reports.** |
| 1. **Māori as an official language, significant section of the community, meaning in English including where there are a number of translations for the same word** | **Not sure what the context of this item was and not sure if IPONZ fully addressed it. However, the following points came out of the discussion.**   * **IPONZ indicated no real measure as to determine or what constitutes a significant section of the community.** * **IPONZ takes the meaning of a translated word that is closest and relevant to the goods/services specified.** * **IPONZ provided a list of marks refused the Maori Advisory Committee.** |

**Date of Next Meeting: 24 November 2016**