

Summary of IPONZ Technical Focus Group

Trade Marks

Date of Meeting: 24 August 2017

Agenda Items	Comments
1. Minutes and action points from previous meeting	No further action undertaken in respect of the USPTO technological evolution pilot practice to recognise technological changes in respect of classification of goods.
2. Office update and practice	<ul style="list-style-type: none"> - IPONZ received approx. 23000 filings within the last year. - 3 new TM examiners started and are 3 more are to be recruited. - IPONZ and MBIE meet with the NZIPA to discuss what MBIE and IPONZ are planning doing in the coming year.
3. IPONZ business plan	<ul style="list-style-type: none"> - IPONZ working on goods/services tool to make classification easier. - Planning to open up compliance reports, including their own SEPTO reports. - Planning to allow the query of types of objections i.e. number s18 objections, etc. - Planning to run regular IP educational seminars however is willing to meet with firms individually as well. - Working on an examiner exchange with Singapore. - One Check portal to be reviewed. - MME18 form for US Designation – electronic version being looked at. - Payment of International filing fees at time of filing being looked at – such as by credit card.
4. IP Omnibus bill	Discussion document still being prepared and hopeful of being released early in the new year. However IPONZ indicated that are still willing to take any feedback on any issues that may come up.
5. Possible to use a memorandum to record a licence?	Currently not possible, but looking into the whole memorandum issue and how it is to be used/effective/purposeful in the future.
6. Prior rights to overcome section 25 objection	IPONZ to change prior use practice so that prior use is able to be considered.

7. Classification practices	IPONZ released a draft practice that they plan to implement.
8. Madrid working group	<ul style="list-style-type: none"> - Currently 99 members of Madrid. - 2016 saw a 7.2% increase in filings. - Acknowledged that WIPO has significant delays and problems in processing Madrid applications and associated requests, etc. - Madrid Monitor to replace Romarin.
9. Enforcement	Not used yet. There have been no apparent instances of any TM enforcement cases.
10. Other Matters	<ul style="list-style-type: none"> a) For International TM Application from a series NZ TM registration/application need to pick on of the marks in the series as not possible to lodge a series International TM registration. b) Retail and wholesale of computer software classification – IPONZ still to decide on practice to such services. c) IPONZ considering if the decisions arising from the recent SC Johnson and NZME cases fit within the current IPONZ practices and if any change in practice is required.

Date of Next Meeting: 23 November 2017