

ID5 Project Proposal

Title: *Industrial Designs Advancement and the ID5: A 5 Year Review*

Lead Office: USPTO

Background

In the last decade, rapid developments in electronics and internet commerce -- due in large part not only to innovative technologies but also due to innovative designs and advancements with user experiences -- have shifted how consumers relate to, interact with, and purchase products of all shapes and sizes. The effect of this revolution has been to thrust industrial designs into the forefront of IP protection and are a critical component of any IP portfolio for complete business in the modern innovation economy.

In order to meet the needs of the dynamic and growing design community, the ID5 Partner Offices have agreed the following to be objectives of the ID5 cooperation:

- Build highly-efficient and interoperable industrial design protection systems;
- Enhance quality and efficiency of work at design offices;
- Foster forward looking discussions on industrial design systems and protection;
- Provide improved service to the users and the public; and
- Promote innovation and development in industrial design.

As a result, this forum has become a strategic mechanism for advancing the interests of design stakeholders around the globe. Although ID5 has formally existed for only 5 years, the progress achieved thus far exemplifies that through strategic leadership and collaborative coordination tangible and meaningful results can be produced.

After 5 years of cooperation on topics that are achieving meaningful results, the time is ripe to consider and highlight tangible achievements that have occurred for design protection in relation to the work that has been done by the ID5 Partners.

Project Definition

The aim of the 5 Year Review is a high level survey of each ID5 jurisdictions significant legal and practice changes with regard to industrial design protections and filing practices in the last 5 years. The survey would not be limited to any specific topics but would be driven by and focus on topics that the ID5 have been actively engaged in over the last 5 years. Examples of developments that come to mind immediately for inclusion are changes in practices related to the implementation of WIPO DAS as a mechanism for electronic exchange of priority documentation, changes in practices and laws related to grace period, new and emerging technologies, 3D printing, damages/remedies, filing practices, etc.

The goal of this proposal is to identify, compile and highlight areas that the ID5 jurisdictions have been able to make progress towards meeting stakeholders' needs and overcoming international challenges. Ultimately, it may also serve to show areas where additional work in

these areas may be needed and ways we can refocus attention on specific topics to make additional progress.

Project Scope and Exclusions

In scope:

- Lead Office will develop and distribute an initial draft survey for completion by the Partners.
- Lead Office will solicit inputs from representatives of the Partner Offices in relation to the survey including discussion of the relevant topics and information to be collected. The Lead Office will update the survey as necessary and distribute for Partner Office completion.
- Lead Office will collect the data from each of the Partner Offices and draft a summary report on significant changes in ID5 laws and practices.
- Lead Office will identify any ID5 Studies that may need updated based on changes in to Partner Offices changes in laws/practices.
- Lead Office will collect feedback on the draft report and identified projects from Partner Offices and finalize each.
- The finalized the “5 Year Review” report will be made available publicly on the ID5 website.

Out of Scope:

- This project is not intended to re-open the any projects considered completed. If, through the survey and report process, it is identified that information of previously closed projects may be inaccurate due to recent updates in laws/practices, the ID5 Partners will have an opportunity to discuss the best ways for updating the information.
- If needs or desires for future projects are identified

Desired Outcome

A finalized “A 5 Year Review” report will be shared with the public, providing transparency of the progress being made towards the advancement of the global design system. Additionally, the ID5 Partners will be given an opportunity to identify previous projects that may need to be updated to reflect changes in laws and practice to ensure accuracy of the information provided by the ID5.

User Benefits

A finalized “A 5 Year Review” report will be shared with the public, providing transparency of the progress being made towards the advancement of the global design system directly and indirectly due to the ID5 industrial design forum and ensuring that the data provided through previous ID5 projects remains accurate and reliable.

Expected Resources

The Lead Office intend to be responsible for any resources required for planning and coordinating the project. Unless specifically otherwise identified, each office is responsible for their own costs and resources including personnel, IT and other resources required to collect and share information necessary to complete this project.

Proposed Project Timeline:

2020

- Submit Project Proposal
- Agree on Project Scope and Feasibility

2021

- Lead Office prepares and distributes a survey for distribution to the ID5 Partner Offices.
- Complete discussion on the survey document.
- Lead Office will finalize the survey and distribute for completion by the ID5 Partner Offices.
- Lead Office will compile the information collected and provide a draft report with developments highlighted. Projects that may need to be updated will also be identified.
- ID5 Partner Offices will provide feedback on the draft report and projects.
- ID5 Offices will agree to the final report for publication.