



2019 ID5 ANNUAL MEETING

Chiba, Japan, December 12-13, 2019

RECORD OF DISCUSSION (MEMORANDUM)

1. The China National Intellectual Property Administration (CNIPA), the European Union Intellectual Property Office (EUIPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and the United States Patent and Trademark Office (USPTO), (hereinafter referred to as the “Partners”) gathered in Chiba, Japan, on December 12-13, 2019 for the 5th ID5 Annual Meeting hosted by the JPO. The World Intellectual Property Organization (WIPO) participated in the meeting as an observer.
2. Mr. TANIYAMA Toshio, Director General, Patent and Design Examination Department, JPO served as the Chair and the JPO acted as the Secretariat of the meeting.

DAY 1 (December 12, 2019)

Welcome Address and Opening Remarks

3. Following the welcome address by Commissioner MATSUNAGA Akira of the JPO, the heads of delegation of the Partners made opening remarks.

Adoption of the Agenda

4. The Partners adopted the meeting agenda as proposed by the Secretariat.

Follow-up of Closed Projects and Clarification of Post-closure Management Method

5. The Partners adopted the revision of the Operational Guidelines for ID5 with a view to clarifying post-closure management method of cooperation projects.
6. The Partners took stock of the progress in the following two closed projects running in operation mode.
 - (A) ID5 Statistics (JPO)
 - (B) ID5 Website (KIPO)

Updates of the Continuing Projects

7. The Partners approved the reports created in the following three projects and agreed that the projects be closed and enter into maintenance mode. The Partners also agreed to publish a public version of the reports on the ID5 website with possible final modification.

(C) Study of Practices of Priority Right by ID5 Offices (CNIPA)

(D) Analysis of Underlying Economic Factors and IP Office Actions on How They Impact Global Design Filings (EUIPO)

(E) Study of Product Indications (EUIPO)

8. The Partners took stock of the progress in the following project and confirmed that all the Partners had been moving forward with the implementation of the WIPO DAS.

(F) Study of Priority Document Exchange by ID5 Offices (CNIPA & USPTO)

Updates of the New Projects

9. The Partners approved the report created in the following project and agreed that the project be closed and enter into maintenance mode. The Partners also agreed to publish a public version of the report on the ID5 website with possible final modification.

(G) 3D Printing and Industrial Design Protection (KIPO)

10. The Partners took stock of the progress of the following five projects and agreed to continue cooperation activities in accordance with the agreed schedules.

(H) Study of Quality Management by ID5 (CNIPA & EUIPO)

(I) Study of Design Non-patent Data Resources among ID5 Offices (CNIPA & JPO)

(J) Study on the Admissibility of Internet Information as Legitimate Disclosure for Novelty Examinations (JPO & CNIPA)

(K) Recommended Design Practices (USPTO & JPO)

(L) Remedies and Relief for Industrial Design Infringement (USPTO & KIPO)

11. With regard to the project (J), the Partners approved the comparative catalogue of Phase I and agreed to publish a public version of the catalogue on the ID5 website with possible final modification.

12. With regard to the project (K), the JPO, the KIPO and the USPTO adopted the Recommended Design Practices documents, and the Partners agreed to publish them on the ID5 website with the agreed disclaimer.

Discussion on Potential Cooperation Area

13. The Partners discussed the proposal by the EUIPO in the following areas and agreed not to proceed with the ID5 cooperation.

- Image Search
- Risk Management

2019 ID5 Joint Statement

14. The Partners adopted 2019 ID5 Joint Statement as attached to this document. (ANNEX)

2020 ID5 Host and Secretariat

15. It was unanimously agreed that the USPTO will serve as the ID5 Secretariat and host relevant ID5 meetings in 2020.

Conclusion of Discussion

16. The Partners approved this Record of Discussion.

Closing Remarks

17. Following the closing remarks by the heads of delegation, the Chair closed the meeting.

DAY 2 (December 13, 2019)

2019 User Session

18. The Partners delivered the outcomes of the ID5 cooperation projects in 2019 and presented recent developments at the respective Partners to the user representatives.

19. User representatives shared their views under the set topic “Expectations for More Efficient and User Friendly Industrial Design Protection: Where exists the need from global users?”, including their feedbacks on the Recommended Design Practices.

20. The User Session was closed with the willingness of the Partners that the ID5 cooperation would continuously develop with their users.

[Annex follows]