

# 2021 ID5 Annual Meeting



1-2 November, 2021  
Virtual meeting hosted by the CNIPA

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# Introduction of the 2021 ID5 Annual Meeting

# ID5 Annual Meeting 2021

Virtual Meeting November 1-2, 2021

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) (known as “the Partners” ) met virtually on 1-2 November 2021, for the ID5 Annual Meeting hosted by the CNIPA. The meeting was also attended by the World Intellectual Property Organization (WIPO) as an observer.

At the closed session on 1 November, the Partners discussed 13 ongoing projects and 1 new project proposed jointly by the CNIPA and the EUIPO. With their goals achieved, 3 projects on priority document exchanges, quality management and non-patent literature data resources were successfully concluded. The outcomes of these three projects were published on the ID5 website.

The Partners agreed to proceed with the new project concerning an informational user guide on view and drawing requirements. The Partners also agreed to update the ID5 Operational Guidelines with further guidance on the procedures for updating the published work products, enhanced utilisation of the ID5 website, and



meeting arrangements under emergency situations. The Partners concluded the closed session with a discussion on the “2021 Joint Statement of the ID5 Partners” and reached a consensus on the text.

At the user session on 2 November, user representatives from the jurisdictions of the Partners were provided an office update by each of the Partners as well as a progress update on the ID5 cooperative projects. The users participated by sharing their views with the Partners on the challenges presented by the pandemic and their expectations. The Partners also elaborated on their respective measures they had taken to minimise the effects of the pandemic as well as other initiatives to better meet user needs.

The EUIPO will act as Secretariat for the group upon conclusion of the 2021 Annual Meeting until the end of the 2022 Annual Meeting.



# Messages from the heads of the delegations



**Dr. Shen Changyu**  
Commissioner

## CNIPA:

Emerging technologies and digitalization are reshaping the IP landscape. COVID-19 is actually a catalyst for the transformation, which bring new challenges for the IP system. The innovations in ID5 jurisdictions are very active, it is very important for the ID5 offices to get together and provide high-quality and effective protection for industrial design, better serve the users and contribute to economic recovery.

## EUIPO:

Applications have seen significantly more growth, illustrating the important role of IP rights played in the recovery. I hope the next year we could continue the momentum and ensure that design rights could play a even more permanent role in the further for the benefit of our users, particularly our SMEs.



**Mr. Christian Archambeau**  
Executive Director



**Mr. Yasuda Futoshi**  
Director-General, Patent and Design  
Examination Department

## JPO:

Since the outbreak of the COVID-19 pandemic, we have changed our way of lives, and digital solutions, products and services have been launched. The pandemic has also drawn the attention of the international community to the importance of designs. For ID5, our volume of applications of designs accounts almost 80% of the global total, and industrial design is instrumental to innovation, so our cooperation is really important.



**Mr. Mok Sung Ho**  
Director General, Trademark&Design  
Examination Bureau

### KIPO:

The ID5, through a series of cooperation projects, has raised the mutual understandings of the ID5 Partners in terms of designs. ID5 is also playing a critical role to better facilitate the use of the system for the users. I think these benefits are reflected in the institutional reforms of each of the ID5 partners.

### USPTO:

The ID5 has already had many notable achievements as a forum in the short time span of its existence. As we look to the future and the work of the ID5 forum, there remains significant opportunity for modernization, harmonization and cooperation in relation to industrial design protection that will directly benefit users and our offices. The ID5 can and should remain a leader in this modernization work, particularly given the large share of global industrial design filings this group represents.



**Ms. Mary Critharis**  
Chief Policy Officer and Director for  
International Affairs

### WIPO:

We gather at a crucial moment, at a time of crisis, and a time of opportunity. WIPO is committed to continuing to work with all the global partners, including the ID5 and TM5 partners, to ensure a robust and sustainable economic recovery, and make IP benefit everyone and everywhere.



**Mr. Daren Tang**  
Director General

# Joint Statement

# 2021 Joint Statement of the ID5 Partners

2 November 2021

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) (collectively known as the “Partner Offices” ) met online on 1-2 November, 2021, for the ID5 Annual Meeting hosted by the CNIPA. The meeting was also attended by the World Intellectual Property Organization (WIPO) as an observer.

The Partner Offices acknowledge that the digitalization of economies and development of new emerging technologies are transforming the intellectual property (IP) landscape, with the process accelerated by the pandemic. Technological advances provide opportunities for greater quality and efficiency for business operations in the Partner Offices and cost-effective services for the users, as well as challenges to the existing system.

During the Annual Meeting, the Partner Offices reiterated their common goals of promoting and furthering the development of user-friendly, highly efficient, and interoperable industrial design systems and procedures through cooperative projects, and providing high-quality services for users, including small and medium-sized enterprises and the public.

During the Annual Meeting, the Partner Offices confirmed the importance of strengthening cooperation, particularly for designs in digital and new emerging technologies, to respond to the changing needs of industrial design owners. The Partner Offices will endeavor to focus efforts on the following areas:

—Continue project-focused cooperation while striving to explore new areas of cooperation: share best practices and pursue initiatives in relation to designs in digital and new emerging technologies, promote cooperation to facilitate mutual understanding of respective industrial design systems, and enhance interoperability among various operating practices and procedures;

—Further refine and improve the cooperation framework and operating procedures: endeavor to achieve sustainable implementation of existing and new cooperative initiatives, and continue to cooperate adaptively;

—Continue engagements with users and stakeholders: continue providing timely information about the Partner Offices and the ID5; encourage user involvement by providing feedback on ID5 projects to bring more user-friendly results; and

—Continue to work closely with WIPO: cooperate toward optimising the functioning of the IP ecosystem, as well as facilitating wider and more cost-effective services for users, such as electronic transmission of documents and WIPO Digital Access Service (DAS).



# Achievements

## A Closed Projects

—Study of Quality Management  
by ID5 Offices (CNIPA/EUIPO)

—Study of Design Non-patent  
Literature Data Resources among  
ID5 offices (CNIPA/JPO)

**INDUSTRIAL DESIGN FORUM**  
**ID5**

Study of design Non-Patent literature data resources among ID5 Offices (CNIPA/JPO)  
**(Final Report)**

Disclaimer: This catalog contains information provided by the ID5 partners. The document is for educational and informational purposes only. It aims to reflect the practices of the participating offices in the area of industrial designs. The ID5 partners are not responsible for any use that may be made of the information contained in the catalog. Readers looking for reference or additional material related to applications or practice before an ID5 partner are encouraged to consult the website of the respective ID5 partner.

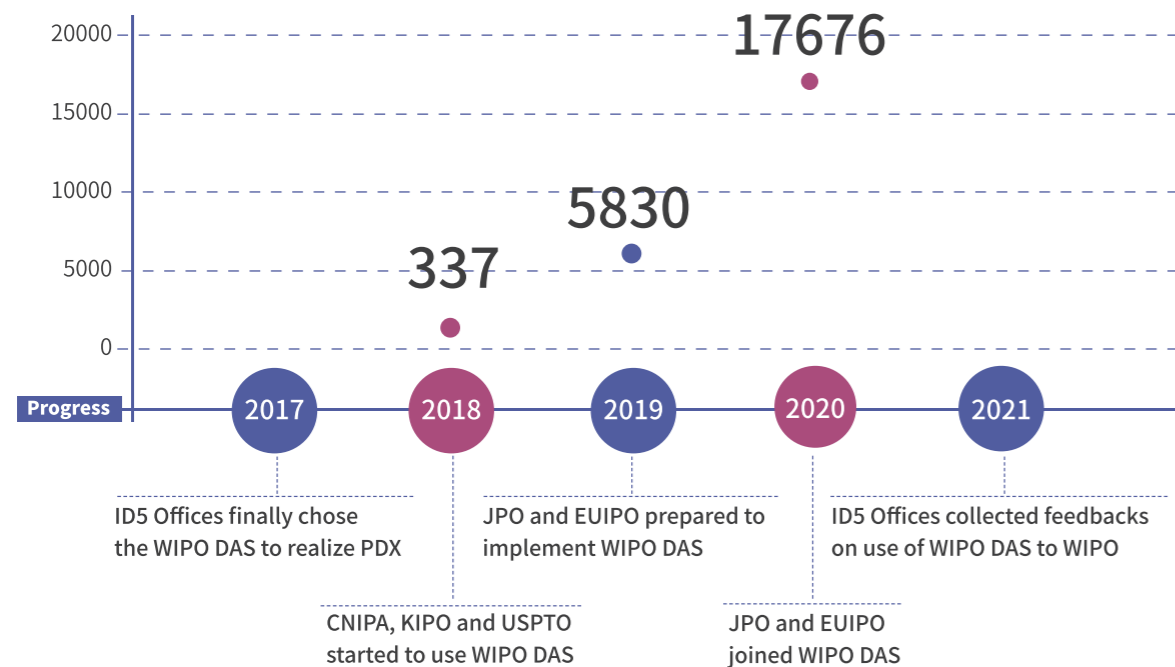
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**ID5**

ID5 Catalogue of Quality Services Involving Users

—Study of Priority Document Exchange by ID5 Offices (CNIPA/ USPTO)

ID5 as OFF sent documents



**B** Ongoing Projects

- Joint Communication Action (EUIPO/KIPO)
- New Technologies Exchanges (EUIPO)
- ID5 Statistics (JPO)
- Study on the Admissibility of Internet Information as Legitimate Disclosure for Novelty Examinations (JPO/CNIPA)
- Recommended Design Practices (USPTO/JPO)
- ID5 Website (KIPO)
- Deferment of Publication (KIPO/USPTO)
- Remedies and Relief for Industrial Design Infringement (USPTO/KIPO)
- A Study of Term of Protection (USPTO)
- ID5 5 Year Review (USPTO)

**C** New Project

-Informative User Guide for the View and Drawing Requirements of Designs (CNIPA/ EUIPO)

Objective

project aims to form an easy to read guide based on the previous EUIPO-led project, and it will present to users the differences and similarities concerning the view submission among five offices in an easy to follow format.

Forms of views accepted by each office

	Drawings	Photographs	computer-rendered images	3D computer modeling files	moving image files	Specimens
CNIPA	✓	✓	✓			✓
EUIPO	✓	✓	✓	✓		✓
JPO	✓	✓	✓			✓
KIPO	✓	✓	✓	✓	✓	✓
USPTO	✓	✓	✓			
WIPO	✓	✓	✓			✓

**D** Updates of Operational Guidelines

updates

Further clarifies the procedures concerning following updates on the information contained in the existing/published work products.

Website

The utilization of the ID5 website was further emphasized to share information with users in a timely manner.

Meeting

Recommended meeting arrangements under emergency situations have been included, such as epidemics, etc.



# Consultation with users

On 2 November, the ID5 user session was held virtually for the first time. User representatives from ID5 jurisdictions discussed topics on challenges and responses to the pandemic and the post-pandemic era.



**Mr. Gan Shaoning**  
Deputy Commissioner of CNIPA

To provide better services for the innovative designers, since the founding of the ID5 forum in 2015, the ID5 partners had been committed to not only improving the equality and efficiency of their services, but also soliciting opinions of users with the aim to promote a highly-efficient, interoperable and inclusive industrial design systems. Following this common goal, the ID5 cooperation delivered a series of user-friendly outcomes through having continuous engagements with users and stakeholder.



**CN Users**  
**Mr. Zhou Wenyu**  
Honor Device Co. Ltd

### Proposal for Strengthening Cooperation of ID5

#### Flexibility: Proposal for applicant in the view of product diversification

- Establish "one-stop review" and flexible Program for the applicant.
- Deferral or accelerated examination process for different industry designs per the request of the applicant.

#### Convenience: Proposal for database recourses in the view of a great number of invalidated cases

- Establish global "one-stop" public accessible database for invalidated industrial designs.
- For the purpose of harmonization standard of invalidation, ID5 shall select typical invalidated cases of industrial designs every year.



**EU Users**  
**Mr. Richard Goddard**  
The Chartered Institute of Trade Mark Attorneys (CITMA)

### Challenges brought by the COVID-19 pandemic

- Communication
- Disruption to workflow
- Access to information/documents
- Execution and legalisation of documents
- Financial hardship/uncertainty
- Training/development
- Sickness/absence
- Business development

### Good measures expected to be continued

- Extension of time periods based on requests from users
- Electronic communication
- Electronic documents
- Remote hearings / trials
- Fees



**JP Users**  
**Mr. Hirabayashi Atsuya**  
Japan Intellectual Property Association (JIPA)



**JP Users**  
**Mr. Akanegakubo Koji**  
Japan Patent Attorneys Association (JPAA)

### Proposals for industrial design systems in relation to distribution delays due to the pandemic

#### Proposal 1 Delaying the publication of the registered design

- All countries should have a system that allows applicants to control when a registered design is published.
- Putting the Design Law Treaty (DLT) into effect early would be effective for this proposal.
- Allowing for the deferment of publication depending on the product type (including GUIs) may be considered.

#### Proposal 2 Extending the priority claim period

- The difference in the priority periods of utility patents and design patents could be an obstacle in formulating an IP strategy.
- Putting the DLT into effect early would also be effective for this proposal.
- Amending Paris Convention to extend the priority claim period from 6 months to 12 months should be considered.



**KR Users**  
**Mr. Yoo Hyunsang**  
Kolon Industries

- Need to establish systems to respond to rapidly changing trends according to the shortened life-cycle of a product in recent years
- Need to adapt to the fashion industry such as 'metaverse' where creation and consumption of designs are rapidly evolving
- Need to swiftly obtain design rights due to the accelerated digital economy in the wake of Covid-19
- Need to take action to restore the priority right in the Covid-19 situation
- Each Office needs to identify articles which require prompt entitlement and reflect users' needs according to industrial changes



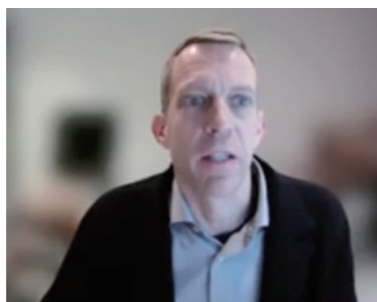
**US Users**  
**Mr. Dunstan Barnes**  
ABA



**US Users**  
**Mr. Andrew O'Brien**  
IPO



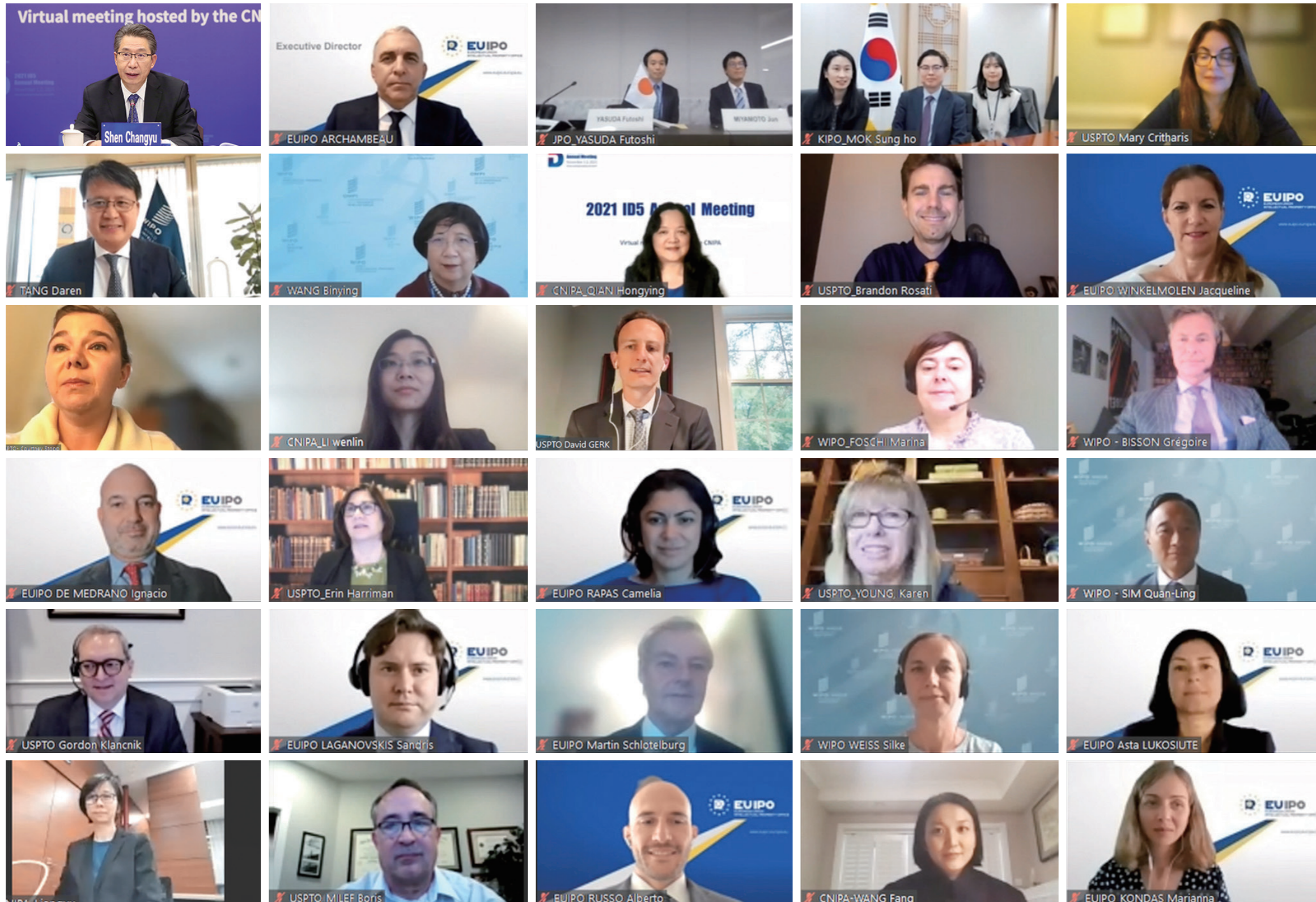
**US Users**  
**Mr. Robert Katz**  
FICPI US

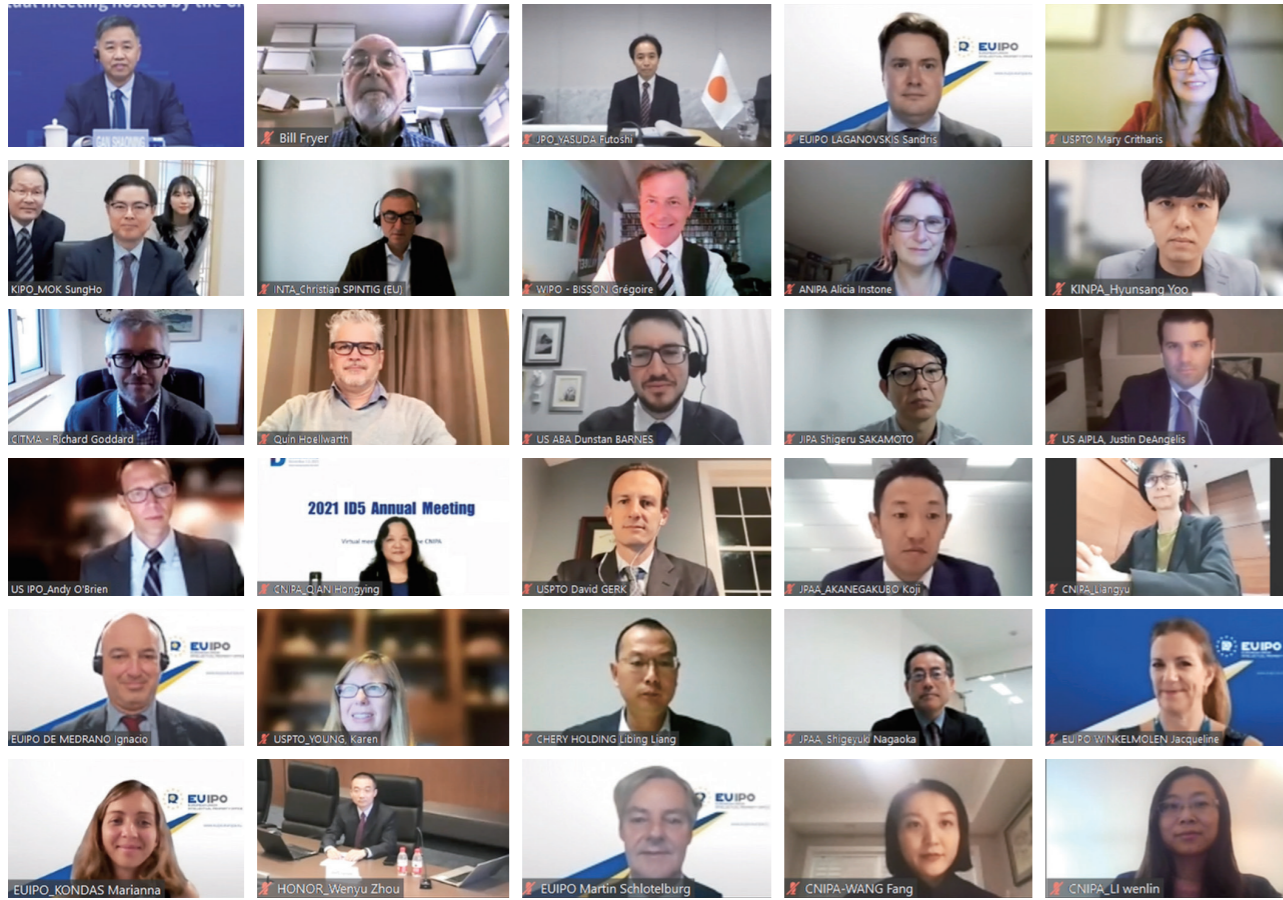


**US Users**  
**Mr. George Raynal**  
AIPLA

- Expect further harmonization of procedures and practices among the ID5 offices, especially grace period.
- Expect more flexibility for timing related issues such as public disclosure, etc.
- Expect further enhancement of the protection on the designs used in virtual space and their protections do not necessarily request physical products. Also it would be appreciated if the ID5 offices could further clarify the border of infringement.

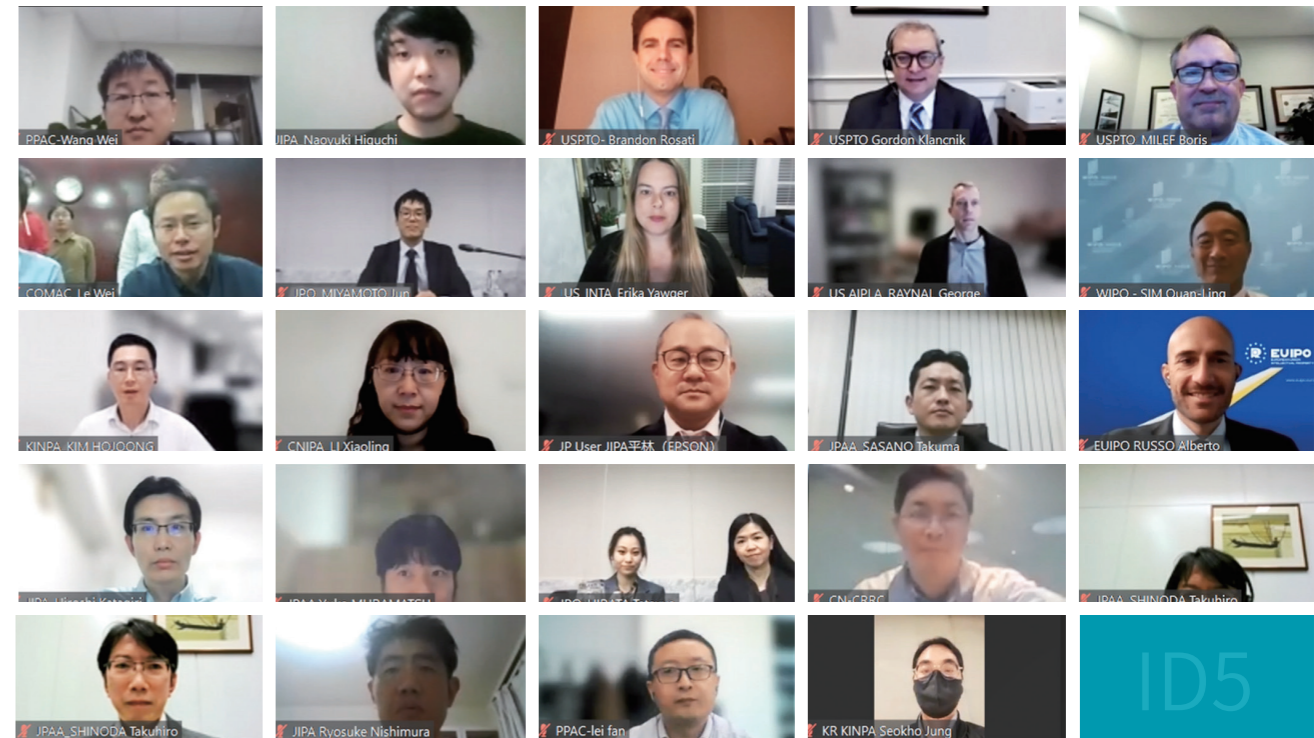
# Photo gallery

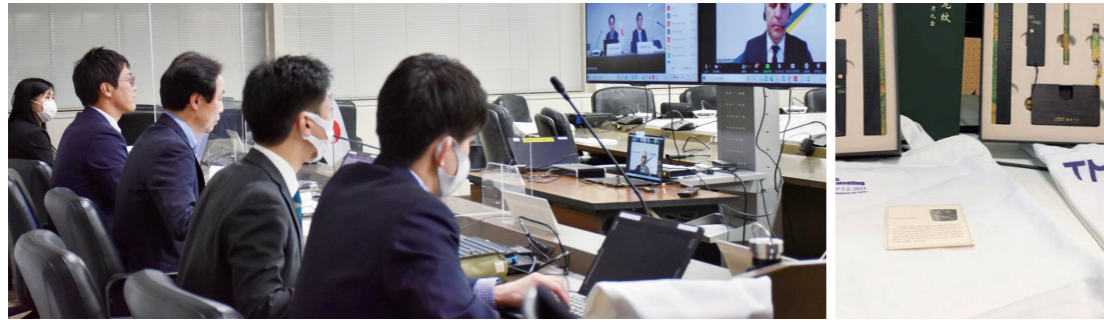




2 November, 2021 User Session

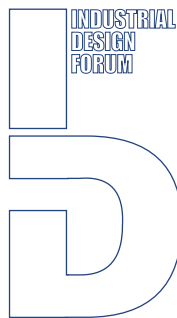
# 2021 ID5 Annual Meeting





The logo is inspired by the one designed by the CNIPA for the 2016 ID5 Annual meeting. The figure made up of the initials of Industrial Design with the the number 5 contained, represents the spirit of cooperation and solidarity of ID5 Partners. Compared with the 2016 version, the color scheme of this new logo is further improved by mixing the five colors (red, yellow, light blue, navy and black), each taken from respective logos of the ID5 Partners, representing an even closer cooperation among the Partners.

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