

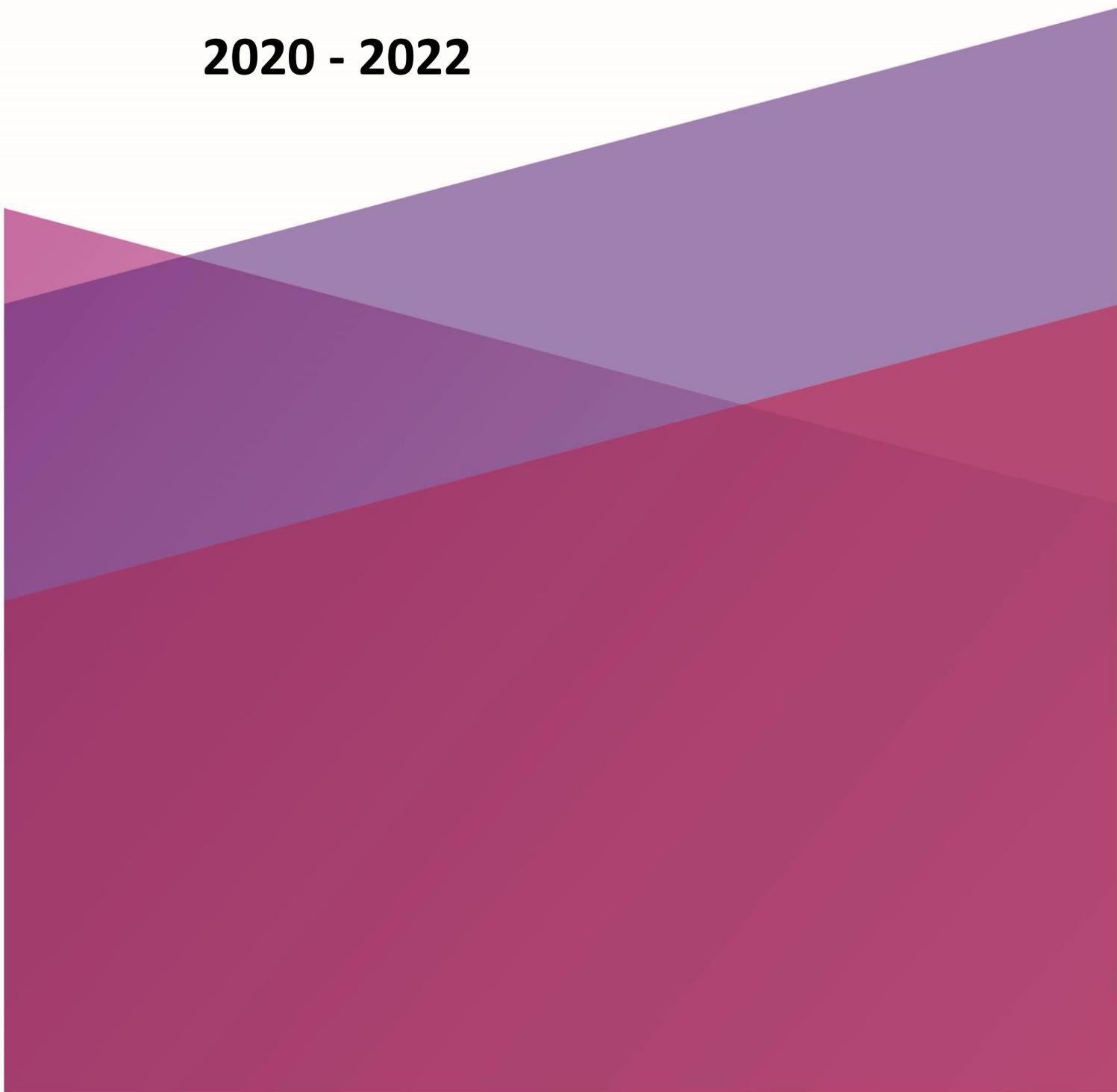


**Oifig Maoine Intleachtúla na hÉireann**  
Intellectual Property Office of Ireland

**RÁITEAS STRAITÉISE**

**STRATEGY STATEMENT**

**2020 - 2022**



## **STRATEGY STATEMENT 2020 TO 2022**

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## EXECUTIVE SUMMARY

**This Strategy Statement** provides a brief analysis of the current IP environment in Ireland, recent changes made to Irish IP legislation as well as some risks and challenges facing the IPOI and Irish business, including those arising from COVID 19, BREXIT and the UK not participating in the Unitary Patent System and the Unified Patent Court.

The Statement also sets out key priorities aligned with the four strategic objectives which the IPOI will be working towards over the next 3 years (2020 to 2022):

**(1) Operational excellence.**

*Key actions include:- improving and simplifying procedures, increased digitisation, where possible ceasing the creation of paper files and documents, ISO 9001 certification, updating the Office's administration system and its underlying technology platform.*

**(2) Customer service excellence.**

*Key actions include:- revision of the Office's Customer Services Plan, use of technology solutions to improve and enhance the customer service experience and meet stakeholder expectations.*

**(3) An effective IP legal framework.**

*Key actions include:- ensuring that new IP legislation, rule changes and practice notices improve the administrative and regulatory environment for the benefit of business and enterprise.*

**(4) Effective promotion of awareness and understanding of IP rights.**

*Key actions include the delivery of appropriate IP outreach events and tools which can assist students, new-business start-ups, micro-enterprises and individual inventors to better understand the intellectual property system.*

The statement also contains (at Annex1) a table which reviews performance against the objectives set out in the previous Strategy Statement for the period 2017 to 2019.

June 2020

## INTRODUCTION

**The Intellectual Property Office of Ireland (IPOI)** (formerly known as the Patents Office) is an independent statutory office under the aegis of the Department of Business, Enterprise and Innovation with responsibility for the grant and registration of intellectual property rights in Ireland, specifically patent, trade mark and industrial design rights. Through the provision of services associated with these rights, the IPOI aims to assist people, business, industry and enterprises to realise the full economic potential of their intellectual property. The Office and its activities support a number of the Department's strategic goals which include fostering an entrepreneurial culture, creating an innovative enterprise base and maintaining a regulatory environment which is supportive of enterprise and business in Ireland.

The main legislation under which the Office operates comprises:

- The Patents Act 1992 (as amended),
- The Trade Marks Act 1996 (as amended)
- The Industrial Designs Act 2001(as amended)
- The Copyright and Related Rights Act 2000 (as amended)

as well as the various Statutory Rules and Regulations made under these Acts; and the European Communities (Supplementary Protection Certificate) Regulations.

In addition to its core business of administering the relevant legislation concerned with the processing of applications for patents, trademarks and industrial designs and maintaining the electronic registers and databases of these rights, the IPOI performs a number of operational and regulatory functions including:

- Administering proceedings before the Controller in relation to IP rights including hearings on oppositions to trademark registrations.
- Maintaining the registers of patent and trademark attorneys authorised to operate in the State.
- Administering the registration and compliance reporting by copyright licensing bodies/collective management organisations as well as the resolution of disputes regarding royalty amounts payable to those bodies arising mainly in the area of public performance of sound recordings.
- Contributing to policy and legislative development on IP rights.
- Providing assistance and information on intellectual property rights.

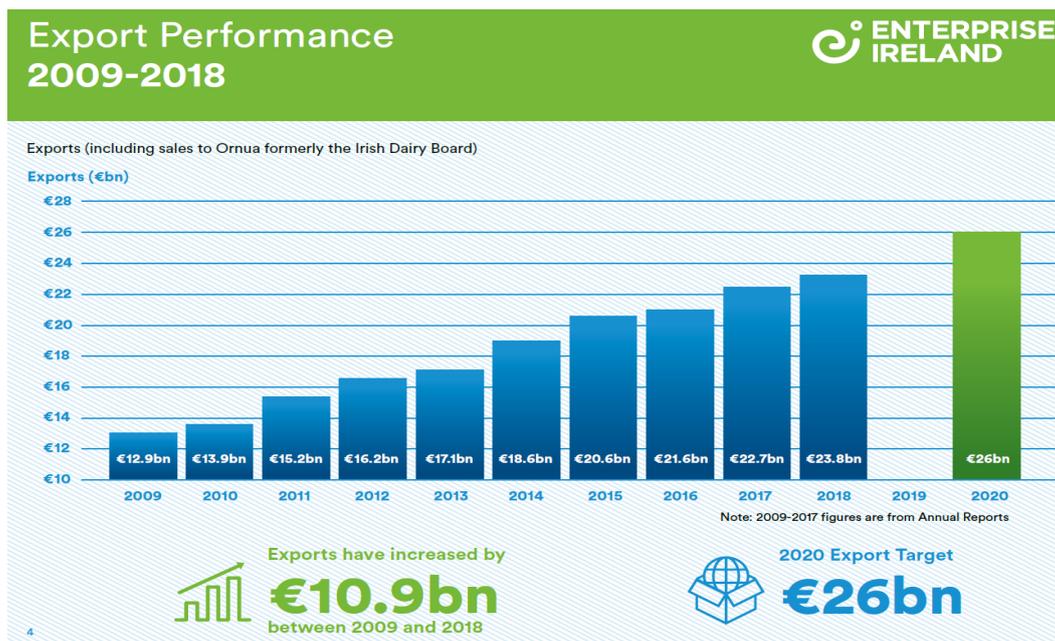
**This Strategy Statement** provides a brief analysis of the current IP environment, some risks and challenges facing the Office, including that of COVID 19 and sets out key priorities aligned with the four strategic objectives which the Office will be working towards over the next 3 years (2020 to 2022): (1) operational excellence, (2) customer service excellence, (3) an effective IP legal framework and (4) effective promotion of awareness and understanding of IP rights.

The statement also contains (at Annex1) a table which reviews performance against the objectives set out in the previous Strategy Statement for the period 2017 to 2019.

## Environmental Analysis

Since the mid-1990s, firms in the United Kingdom, Europe and the United States have invested more in intangible assets – R&D, branding, copyright content, design and software – than they have in tangible capital assets. The shift in investment has also been observed increasingly in Asia, as knowledge and services have become more important for economic growth.

IP rights have become increasingly important in a globalised world where intangible assets now make up most of the value of leading global companies and many local companies. The increasing value of knowledge and service outputs has contributed to global increases in the demand for IP rights. The value generated by knowledge and services industries has grown rapidly, along with the proportion of market value that is attributable to intangible assets. Greater global demand for products and services combined with a return to export led growth has meant that Irish based businesses and enterprises are now increasingly likely to file for IP protection outside of Ireland and seek to register their IP rights with multiple IP offices.



Source:

<https://www.enterprise-ireland.com/en/Publications/Reports-Published-Strategies/Export-Performance-in-Global-Marets-2018.pdf>

Many of Ireland’s export led growth industries which have contributed to the increases in exports shown on the above table are those that are IP-rich and IP-intensive, such as new ICT related technologies, high-end design and media content. Those IP intensive firms appear for the most part to be in the export led, FDI and multinational sectors. The Government’s strategy to promote Ireland as a

R&D-centered, innovation-based, knowledge-intensive economy is seen as a major deciding factor in Ireland's ability to attract continued investment from R&D-focused U.S. companies and other foreign multi-nationals. This has contributed to Ireland being ranked 12<sup>th</sup> in the overall 2019 Global Innovation Index, ranked 10<sup>th</sup> in the innovation output sub index and ranked 6<sup>th</sup> in the Knowledge and Technology outputs pillar. Ireland also remains the top economy in the world (1st) in Knowledge Diffusion but is in 31<sup>st</sup> place in terms of Knowledge Creation.

Irish Government policies have prioritised the right frameworks to encourage foreign firms including multi-nationals to locate in Ireland. Consequently, Ireland has become the go-to destination for these companies which include many IP intensive industries. It is reasonable to assume that in the foreseeable future, Irish based exporting companies will continue to file abroad, and the level of national patent filings will continue to fluctuate and may not increase.

For those Irish based firms where R&D constitutes a significant investment, such as the pharma, med tech and other IP intensive industries and for companies with European or global markets there is a lot of awareness of the IP system and a recognition of the value of the associated IPRs. However, for smaller Irish businesses, start-ups and micro enterprises, there may be increasing scepticism about the value of the IP system, the benefits of protecting IPRs and the high cost of enforcing IPRs in Ireland and abroad. Therefore, the Office will continue to focus its awareness raising activities on small business, start-ups and micro enterprises and will seek to identify and introduce a range of online tools which will assist smaller enterprises and individuals to better understand the IP system, to recognise the potential and the value that IPRs can bring to their business and to make better business decisions and develop business strategies which take account of their IP. The economic impact of the COVID 19 pandemic restrictions on business and on travel has further illustrated the need for user friendly tools and information resources which can be accessed online when needed and which can be delivered without a physical face to face engagement.

## **The Regulatory Environment, BREXIT and other issues**

In recent years, in conjunction with the Intellectual Property Unit of the Department of Business, Enterprise and Innovation (DBEI), the Office has sought to ensure that the regulatory environment for IPRs and Irish IP law has been modernised and has kept pace with international and European developments.

Substantive examination of long-term patent applications was reintroduced in 2017 after a gap of 25 years<sup>1</sup>. Substantive patent examination is often regarded as a gatekeeper that prevents frivolous and substandard patents being granted. In introducing substantive examination, the Office has been innovative in finding the best option available within its resources and according to its specific circumstances whilst ensuring no fee increases for applicants. Substantive examination provides applicants with an assurance that a patent granted following substantive examination is stronger and has a greater degree of legal certainty than a patent granted under a registration system. In addition, the introduction of substantive examination has allowed a change to the Patents Act to permit International PCT<sup>2</sup> applicants who decide not to pursue a PCT application, to avail of the option of obtaining a national patent.<sup>3</sup>

The Copyright and Other Intellectual Property Law Provisions Act 2019 modernises copyright law in Ireland and seeks to reduce barriers to innovation in the digital environment. It also gives greater protection to rightsholders while at the same time facilitating access to creative content for users and wider society. The Act made a number of changes including:

- renaming the “Patents Office” to the “Intellectual Property Office of Ireland”. This amendment better reflects the role of “the Office”, which is in line with the more standardised naming convention for such offices across the EU;
- allowing owners of intellectual property to pursue lower value IP infringement claims in the District and Circuit Courts which may result in a reduction in litigation costs;
- making it easier for researchers to use text and data mining tools by expanding the current exception.

BREXIT will also change the IP environment and will give rise to additional costs to Irish businesses wishing to maintain or obtain design protection in the UK. At the end of the BREXIT transition period when the UK leaves the EU, existing EU registered trade marks (EUTMs) and designs (RCDs) held by Irish businesses, organisations and individuals will no longer cover or have protection in the UK. If they so choose, they will be able to avail of a new UK equivalent right that will come into force at the point of the UK’s exit from the EU and will be subject to renewal in the UK. Pending applicants for EUTMs and RCDs will have a nine month period to refile under the same terms for a UK right. New applicants for

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<sup>1</sup> KDB Act 2017

<sup>2</sup> Patent Cooperation Treaty

<sup>3</sup> The Copyright and Other Intellectual Property Law Provisions Act 2019.

trade mark and design protection will have to file a separate UK application if protection in the UK is desired. The Office will continue to provide updated information on the IP implications of BREXIT for Irish business.

The Unified Patent Court Agreement (UPCA) is an agreement between member states of the European Union (EU) which seeks to “improve the enforcement of patents and the defence against unfounded claims ... and to enhance legal certainty ... for litigation relating to the infringement and validity of patents” across the world’s largest trading block.<sup>4</sup> While the UK had ratified the agreement, BREXIT has resulted in the UK government announcing that the UK will not now participate in the Unitary Patent and Unified Patent Court system on the basis that *“Participating in a court that applies EU law and bound by the CJEU is inconsistent with our aims of becoming an independent self-governing nation.”* This has obviously given rise to increasing uncertainty about the future of the Unitary Patent and the IP environment in Europe. The uncertainty could result in calls to reopen the negotiations and re-ratifying an adjusted agreement without UK participation. Non participation by the UK will give rise to increased costs for businesses even if the UPCA were to go ahead without the UK.

Trade mark law has been updated to reflect the reform of the European trade mark system and *inter alia* to allow applications for the registration of non- traditional trade marks.<sup>5</sup> The Irish regulations implementing the Directive are aimed at delivering lower costs and greater efficiency for businesses wishing to protect their brand rights in Ireland and should provide increased legal certainty for companies operating across the EU single market.

As part of its Digital Single Market Strategy, the European Commission is rolling out an ambitious modernisation of the EU copyright framework. The objective is to make EU copyright rules fit for the digital age. Steps have already been taken to facilitate the digitisation and dissemination of cultural heritage (Orphan Works Directive) and the management and licensing of rights (Collective Rights Management Directive) and these have already been implemented into Irish law and are being operated by the Office. A new Directive on copyright in the digital single market was published in the Official Journal of the EU on 17 May 2019. Member States are required to update their national legislation to comply with the Directive by 7 June 2021. The Office will continue to engage with the Intellectual

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<sup>4</sup> UPCA page 4

<sup>5</sup> DIRECTIVE (EU) 2015/2436 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2015 to approximate the laws of the Member States relating to trade marks and REGULATION (EU) 2017/1001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 June 2017 on the European Union trade mark (codification).

Property Unit of the DBEI regarding any legislative changes or actions arising from the Directive (e.g. Out of Commerce Works) which impact on the Office.

During the period of this Strategy Statement, the Office will seek to ensure that Ireland's IP regulatory framework and IP law can facilitate Irish business to access and use intellectual property rights more effectively. In continuing its successful online digitisation programme, the IPOI will look to build on the successful rollout of e-filing, e-payment and e-register search functionalities to continue to develop its e-services and create a 100% online digital business model for its front and back office operations.

## **COVID 19**

It is appropriate to mention that intellectual property (IP) offices around the world have been taking steps to address the consequences of the COVID 19 pandemic and the impact that stay-at-home orders may have on IP practitioners, IP rightsholders and their own operations. Many offices (including the IPOI) swiftly reacted by extending deadlines/time limits for responses to actions regarding patents, trade marks and designs and have postponed hearings and meetings or are requiring them to be held by videoconference or through other virtual mediums. The IPOI has been fortunate in that the bulk of its services from e-filing to e-payments are now delivered online. However, given the significant worldwide economic consequences of the pandemic and the likely medium to long-term impact on how business is transacted under the "new normal", the IPOI like many other organisations, must rethink ways of working in light of the considerable operational challenges. Therefore, within the four main strategic goals, the IPOI will also seek to:

- Revise its business continuity and risk planning to reflect a capacity for a remote working environment in the medium to long term.
- Produce a short "working from home" fact sheet or guidance note to assist staff understand and tackle the potential threats (to data security etc.) and safeguards they may need to take when working from home.
- Evaluate the changes to behaviours, and procedures resulting from home working over the short to medium term and consider what changes to procedures and practice need to be made and what functionality can be improved by further investment in technology, e.g. document collaboration, digitising files and file storage, online file access and file inspections.
- Consider what improvements can be made to the way we disseminate IP information to the public and business concentrating on providing online resources rather than traditional face to face meetings, clinics etc.

- Put in place appropriate procedures, guidelines and facilities at the IPOI's premises to secure the health and welfare of staff and visitors when a full return to work is permitted

## Finances

### Receipts and Expenses 2012-2018

	2012	2013	2014	2015	2016	2017	2018	2019
Net receipts	8.6	8.4	8.2	8.3	9.8	9.3	9.8	9.6
Net expenses	2.8	2.3	2.7	2.9	2.6	3.2	3.2	3.1

The bulk of the Office's fee income comes from renewal fees. The decline in renewal fee income in the years 2013 to 2015 can mostly be attributed to some long-lasting effects of the recession on entrepreneurial activity which often resulted in a more conservative financial approach which will have influenced a firm's ability to renew a trade mark or resulted in the ceasing of the manufacture of a patented product. However, matters began to improve again in 2016. A relatively stable income stream from European Patent renewals compensated for any declines in other fee income and has meant that the Office's overall outturn for receipts has generally been in line with that estimated.

By expedient use of ICTs, the continued enhancement of internal processes, developing online services, including email-based services, the Office has improved access to information for the public and delivered major improvements to its digital infrastructure making it easier for customers to interact with its services; in particular, self-service procedures such as online filing of patents, Supplementary Protection Certificates (SPCs) trade marks and designs and an online fee payment functionality. Effective use of the European Union Intellectual Property Office (EUIPO) co-operation fund and being able to avail of the services of a deployed consultant continues to facilitate ICT infrastructure and service improvements. This has reduced processing times, improved productivity and has contributed to the Office being able to introduce new services without increasing staff numbers and without increasing its budget.

It is likely that the economic impact of the COVID 19 pandemic on most businesses and enterprises will result in a reduction in the Office's receipts in the short to medium term.

## Risk Analysis and Challenges for the IPOI

The Office's Risk Register identifies the main potential risks faced by the Office which primarily relate to business continuity, online services and financial irregularity.

The Office's website and its administration system are essential for the Office's work and have become increasingly important as the Office moves towards mostly paperless processing. Ensuring continuity for the administration system and for the number of services which the Office delivers online and the need to be able to offer the web services as far as possible on a 24 X 7 basis with almost no downtime has become increasingly important from a risk perspective. This combined with the ability of staff to remote work and continue to deliver key services online is also important to ensure and maintain business continuity.

The other area of risk which has been identified is in the area of financial irregularities and fraud. The Office continues to review this area (in conjunction with internal audit unit) with a view to ensuring that adequate controls are in place.

The Office in conjunction with ICT Unit will continue to pursue the goal of having appropriate and adequate redundancy and backup of all the Office's systems, including its website services involving virtualisation and remote hosting to mitigate any risks and to ensure uninterrupted business continuity.

In addition to the identified risks there are several factors which will pose challenges over the period of this strategy statement, some of which may have the potential to impact on the Office's ability to fully achieve its objectives.

- Budgetary constraints.  
Adverse economic conditions may lead to insufficient financial and technical resources to deliver a digital workplace and online services to enable smarter ways of working which serves both internal and external customers to the extent that the IPOI might wish.
- Increasing scope and complexity of EU legislation in the IP area.  
Difficulties around copyright harmonisation, challenges to laws preventing patenting plants and animals, patenting of AI.
- Brexit & Unitary Patent System  
Potential failure of the Unitary Patent system and the Unified Patent Court since BREXIT means the UK cannot participate. Risk of having to renegotiate and re-ratify UPCA.

- Business continuity - COVID 19  
The IPOI's capability to continue to provide its services in the medium to long-term in circumstances where almost all staff are working from home.
- Workforce planning and succession planning.  
Potential loss of corporate knowledge due to retirements.

In so far as it is possible, the Office will seek to address these challenges when reviewing its business needs as part of its annual business, ICT and workforce planning processes.

## Functions and Mission Statement

The Intellectual Property Office of Ireland is the entity responsible for administering Ireland's IP rights system. As such, the core business of the Office is the grant of patents and the registration of trade marks and industrial designs as laid down by statute. The Controller also has statutory functions under the Copyright and Related Rights Act, 2000.

To support the delivery of effective and efficient IP rights administration, the IPOI is committed to delivering value for money across all our services and ensuring that appropriate staff resources are in place with the capacity and capability to provide those services.

The central mission of the IPOI is:

***“To provide an efficient and effective system of intellectual property protection that encourages technological development and promotes enterprise”.***

This is to be achieved through the protection of intellectual property rights in the fields of patents, trade marks and designs within an effective legal framework which encourages innovation in Ireland and facilitates the proactive dissemination of relevant knowledge about IPRs and the IP system.

## Links with the Department's Statement of Strategy 2018-2021

The Department's strategy includes a number of goals which include supporting entrepreneurship, supporting innovation and maintaining a regulatory environment which is one of the more progressive

and supportive environments for enterprise. In particular, *“In the area of intellectual property, we [the DBEI] will actively engage with, and respond to, new challenges in the digital market context, support the deepening of innovation, including at enterprise level. We will strengthen our comprehensive legislative framework for intellectual property rights at domestic, EU and international level.”*

The IPOI’s strategy has and will continue to be involved in contributing to achieving the DBEI’s desired outcome of a *“progressive Intellectual Property regime that rewards creators, meets wider societal needs and encourages greater levels of innovation by businesses”*<sup>6</sup>, through its day to day activities. The Office will look to play its part in achieving a modern and responsive regulatory regime for IP and will continue to assist with the preparation of IP legislation (particularly where the legislation impacts on the role of the Controller or creates functions for the Controller).

In the area of supporting entrepreneurship and innovation, the Office will continue (where possible in co-operation with Enterprise Ireland, County Enterprise Boards, universities and institutes of technology), to assist in supporting innovation through providing IP information and awareness raising activities which inform indigenous Irish enterprise, micro enterprises and small business start-ups of how a knowledge of IP can help with the development of a business idea and establishing and running a successful enterprise.

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<sup>6</sup> <https://dbei.gov.ie/en/Publications/Publication-files/Statement-of-Strategy-2018-2021.pdf> (page 14).

## MAIN OBJECTIVES

The Office will seek to pursue and achieve the following main objectives over the coming three years.

### **Objective (1)**

#### **Operational excellence.**

Over the next three years we will -

1. Continue to encourage staff innovation by reviewing and improving administrative procedures and tools with a view to simplification of same and achieving organisational excellence.
2. Produce an annual ICT plan for the Office (in consultation with ICT Unit) with priority projects reflected in the Office's annual business plan.
3. Implement a new single technology platform based on open source which will future proof and underpin delivery of our online and internal services.
4. With the assistance of the EUIPO, begin the process of adopting a globally recognised quality management system leading to ISO 9001 certification.
5. Maintain quality of orders and decisions and ensure they are issued and made publicly available in a timely manner.
6. Participate in the EUIPO and the European Patent Office convergence programmes in selected areas which will be of most benefit to the Office.
7. To the extent possible, avail of any new tools or functionality developed under the new EUIPO or the EPO co-operation programmes which deliver benefits to internal and external customers, (having due regard to costs and benefits).
8. Cease the creation of paper application files so that all applications for IP rights are scanned and processed electronically from application to grant/registration.
9. Continue to digitise work processes, improve document management and records management, develop a system of digital file creation, and develop new file structure for shared administrative files.
10. Improve organisational effectiveness through enhancing staff skills, job satisfaction and knowledge sharing through the provision of appropriate training and coaching, having detailed up-to-date work manuals, devolving increased responsibilities and participation in project teams, etc.

### Outcomes

- *Improved organisational performance.*
- *Add value to Ireland's IP system in line with stakeholder expectations.*
- *Obtain a globally recognized quality management system.*
- *A robust and responsive ICT architecture, administration system and website built on an up-to-date technology platform that allows the office to provide effective and efficient services and tools, as well as enhanced accessibility to IP data.*
- *An almost completely digital electronic environment for workflow and processes which delivers optimum efficiency and is capable of being adapted to meet changes to business requirements and customer needs.*
- *Maximising the practical benefits and assistance of co-operation and convergence programmes offered by the EPO and EUIPO, for the benefit of the Office and its customers.*

## **Objective (2)**

### **Customer service excellence**

Over the next three years we will -

1. Following consultation with stakeholders and a review of the existing Customer Service Action Plan, draw up a new Action Plan for the period 2020-2022 to ensure our measures and targets reflect external and internal customer needs.
2. Where feasible, benchmark our targets with other national IP offices.
3. Continue to deliver a responsive and quality service in line with performance targets.
4. Seek to acquire, customise or develop IP business tools, (e.g. an online IP Health-check / Audit tool to assist small business customers and entrepreneurs) and make them available to Irish business via the Office's website.
5. Where necessary, upgrade existing online guides and tools provided by the EUIPO and EPO.
6. Make best use of our data resources in order to better support operational effectiveness and customer service.
7. Continue to explore the use of technology solutions to enhance customer experiences and improve immediacy and reliability of our external-facing services in line with stakeholder expectations and our service commitments.

### **Outcomes**

- *A new Customer Service Action Plan for 2020 to 2022.*
- *Measurable targets which can demonstrate the extent to which the Office is delivering its services in a timely way.*
- *Ongoing stakeholder engagement to inform and improve the way we work, our practices and procedures.*

### **Objective (3)**

#### **An effective IP legal framework.**

Over the next three years we will -

1. Propose or provide input into any new legislation with a view to improving the administrative and regulatory environment for intellectual property protection.
2. Provide ongoing policy observations to the IPU on IP issues.
3. Provide advice on discussions on a proposal for the reform of the Designs Directive.
4. Assist with the identification and drafting of any legislative changes arising from the transposition of the EU Digital Single Market Directive.
5. Use the opportunity of any new rules or rule changes to reduce procedural burdens on applicants, and to streamline and clarify the Office's administrative processes and procedures in line with best practice.
6. Assist with the identification of any legal implications and legislative changes to the Patents Act and Rules which might be required to give effect to the Unitary Patent.
7. Continue to create and publish Office practice notices in the Office's website so that they can be easily accessed.

### **Outcomes**

- *An IP regulatory framework which has a strong legal basis, reflects changes to European IP law and supports the needs of Irish business and enterprise and also takes into account the needs of the Office*
- *Ease of access to Office practice and procedures.*

## **Objective (4)**

### **Effective promotion of awareness and understanding of IP rights**

Over the next three years we will -

1. Continue to improve the provision of and public access to intellectual property information by using the Office's website as a dynamic information tool.
2. Meet the annual targets set for IP events (seminars, exhibitions, courses and clinics) which are provided in support of new business start-ups, entrepreneurs and individual inventors.
3. Co-operate with Enterprise Ireland (EI), Third Level Institutions, Local Enterprise Offices (LEOs) and others to deliver outreach awareness raising IP events.
4. Redesign all the IP Information booklets and redraft where necessary to reflect legal and other changes to the IP environment
5. As part of the EPO's quality at source programme and in order to improve access to Irish patent information, (a) improve the transmission of published patent data to the EPO and (b) secure the financial and technical support and assistance of the EPO under the new Co-operation programme to digitally capture patent specifications and make them available online for public use.
6. Run awareness surveys and stakeholder surveys (if possible, via the website using the EUIPO online survey tool or another suitable tool) with a view to identifying gaps and trends and to better inform our information dissemination strategy.
7. Continue our involvement with the Student Enterprise Awards and BT Young Scientist with a view to increasing an awareness of IP amongst second level students.

### **Outcomes**

- *Access to tools and services which will allow new business start-ups, entrepreneurs and individual inventors obtain a better understanding of the role of IP and its importance for their business; to understand how IP can help them create value from their ideas and be able to easily access information on IPRs which will help them to use, manage, protect and enforce their IP to its fullest potential.*
- *Increase awareness amongst students and others of what IP is about and how it works.*

## Indicators of success

- Evidence that the desired outcomes under each objective have been achieved.
- Delivery of a high-quality intellectual property protection system which meet the needs of our customers (measured through online usage, customer feedback and performance against customer service targets).
- Effective and efficient administrative systems for the grant/registration of patents, designs and trade marks in place. (measured through performance against customer service targets)
- Customer satisfaction (measured through the number of complaints received, positive reviews and comments received through online feedback and feedback at events).
- IPOI regarded as a progressive, professional and safe place to work (measured through upward feedback and staff inputs to management through divisional and section meetings).
- IPOI's annual Business Plan will, where possible, incorporate specific performance indicators in respect of specific actions to be undertaken to achieve the wider objectives set out in this Strategy Statement.
- The Office will also measure performance against specific business targets set for specific tasks. Specific business and customer service targets are set out in the Office's Customer Service Action Plan and are also incorporated into the MOU between the Office and the Department.

## Annex 1 Review of Strategy Statement 2017 to 2019

<b>Objective (1)</b> <b>Provide excellent customer service.</b>	
<b>During the period 2017 to 2019 the Office undertook to :</b>	<b>Achieved/Delivered/Current Status</b>
<ul style="list-style-type: none"> <li>▪ Draw up a new customer service action plan (2017-2019) to ensure that the customer service targets are appropriate having regard to the introduction and development of eservices, new functions and the available staff resources.</li> <li>▪ Deliver a responsive and quality service in line with performance targets.</li> </ul>	<p>Reviews undertaken.                      All customer service targets being met to a satisfactory level.                      For details and percentages achieved see the Controller’s Annual Reports.</p>
<ul style="list-style-type: none"> <li>▪ Continue to review administrative procedures with a view to simplification of same and achieve organisational excellence.</li> </ul>	<p>Procedures in Finance &amp; Customer Service &amp; Register Admin sections changed in light of the introduction of Patent &amp; SPC e-filing, leading to more efficient processes. E.g. elimination of proofreading and scanning of images.                      Substantive examination of Patents introduced</p> <p>National Route opened to facilitate International (PCT) applicants wishing to obtain an Irish national patent.</p>
<ul style="list-style-type: none"> <li>▪ Maintain quality of orders and decisions issued and issue same in a timely manner.</li> </ul>	<p>Achieved.</p>
<ul style="list-style-type: none"> <li>▪ Where feasible, benchmark with other national IP offices to identify best practice and determine appropriate customer service targets.</li> </ul>	<p>Some benchmarking done in relation to TM processes having regard to best practice principally in UK, EUIPO and some other offices. Office is generally considered to be to the fore in operating best practice having regard to our size, throughput and workload.</p>
<ul style="list-style-type: none"> <li>▪ Seek to avail of any new tools developed by the EUIPO.</li> </ul>	<p>Achieved. Changes to the TM e-filing system and TM View to facilitate non-traditional TMs introduced with support from the EUIPO</p> <p>Support obtained from the EUIPO for an onsite developer to begin upgrade of ICT platform used to deliver online services.</p>

<ul style="list-style-type: none"> <li>▪ Participate in the EUIPO convergence programme in those areas which will be of most benefit to the Office.</li> <li>▪</li> </ul>	<p>Achieved.</p> <p>Benefits have been:</p> <ul style="list-style-type: none"> <li>· Clarity and transparency: Shared communication initiatives keep stakeholders informed of advancements .</li> <li>· Quality and usability: efficient access to protection offered by registration systems at the national and EU level.</li> <li>· Legal certainty: increased legal certainty due to greater consistency in decisions made at national and EU level.</li> <li>· Time and cost savings: potential reductions in application processing times and savings for Offices and applicants</li> </ul>
<ul style="list-style-type: none"> <li>▪ Engage with the EUIPO Project ECP5 which aims to support Quality Management Systems for trade marks in IP Offices. Specifically, the project will focus on implementing the ISO 9001:2015 standard in IP Offices Seek to engage a consultant (subject to the necessary financial resources being made available) to advise the Office on obtaining ISO 9000 certification.</li> </ul>	<p>Agreement reached with the EUIPO as regards support for gaining ISO 9001 certification, but commencement deferred until Q3 of 2020 as part of the EUIPO’s new Co-operation programme which begins in 2020.</p>

<b>Objective (2)</b> <b>Ensure effective business processing resulting from ICT infrastructure improvements</b>	
<b>During the period 2017 to 2019 the Office undertook to :</b>	<b>Achieved/ Delivered/Current Status</b>
<ul style="list-style-type: none"> <li>▪ Produce an annual IT plan for the Office (in consultation with IT Unit) ensuring that priority projects are also reflected in the Office’s annual business plan.</li> </ul>	<p>Achieved.</p> <p>Office IT plan developed in consultation with IT Unit each year.</p> <p>Office also completed ICT start of year and end of year statements in line with ICT governance procedures.</p>
<ul style="list-style-type: none"> <li>▪ Introduce an online filing and application payment systems for patents and SPCs (by end 2018, with the assistance of ICT Unit).</li> </ul>	<p>Achieved – soft go-live in December 2018.</p> <p>Full go-live on 1 August 2019.</p>
<ul style="list-style-type: none"> <li>▪ Introduce scanning paper TM application filings to facilitate electronic processing of all non e-filed TM applications.</li> </ul>	<p>Paper based TM and Design Applications can now be scanned for paperless processing. Paper patent applications will also be scanned from Q1 2020.</p>
<ul style="list-style-type: none"> <li>▪ Continuously aim to optimise the Office’s application hardware and software and its overall IT communications structure to deliver more efficient work processes that deliver benefits to internal and external customers.</li> <li>▪ Agree an annual co-operation programme with the EUIPO. This will allow for support to be obtained from the EUIPO and the EUIPO’s co-operation fund for any e-Services and business-related developments which the Office might wish to avail of having regard to feasibility including usefulness to users, costs and benefits of introducing same.</li> </ul>	<p>Achieved and ongoing.</p> <p>Patent &amp; SPC e-filing introduced and online tool to assist unrepresented patent applicants also implemented.</p> <p>New Patents &amp; SPC back end modifications to PTOLEMY implemented.</p> <p>A Technology Stack Upgrade and Architectural Refactoring (CFO V2 R2) of the existing Consolidated Front Office application which includes Design e-Filing and TM &amp; DS e-Services (Other Fees) is underway which also involves migrating TM e-filing and Designs e-filing and patents &amp; SPC e-filing to a LINUX based platform underway.</p>
<ul style="list-style-type: none"> <li>▪ Improve the provision of and public access to intellectual property information by introducing a redesigned web site in 2017 as a dynamic information tool.</li> </ul>	<p>Achieved.</p> <p>New redesigned website implemented in 2019</p>

<ul style="list-style-type: none"> <li>▪ Seek to acquire or customise IP business tools which may be available from the VIPforSME project or other programmes, (e.g. an online IP Healthcheck tool for small business) and make them available to Irish business.</li> </ul>	<p>Limited participation in the VIPforSME project. Consideration being given to developing an online IP Healthcheck tool geared specifically towards Irish small business.</p>
<ul style="list-style-type: none"> <li>▪ Agree a new Bilateral Cooperation Programme with the EPO. This will allow for support for several patent related initiatives including the expansion of the amount of national patent documents which are electronically archived and which as a result can be made available online to the public.</li> </ul>	<p>Existing informal bi-lateral co-operation agreement with EPO continued until end 2019. This involved training for Office staff, assisting and hosting some EPO events in Ireland and ongoing co-operation on improving the availability of IE patent data under the “Quality at Source project.</p>

<b>Objective (3)</b> <b>Continue to contribute to the creation of an effective IP legal framework in Ireland and to IP Policy.</b>	
<b>During the period 2017 to 2019 the Office undertook to :</b>	<b>Achieved/ Delivered/Current Status</b>
<ul style="list-style-type: none"> <li>▪ Provide input into any new legislation with a view to improving the administrative and regulatory environment for intellectual property protection.</li> <li>▪ Provide ongoing policy observations to the IPU on IP issues.</li> <li>▪ Implement any legislative changes which create or change the statutory functions of the Controller – in particular implementing the changes and new functions arising from the enactment of the KDB Act.</li> <li>▪ Assist with the identification of legislative changes to the Patents Act and Rules required to give effect to the Unitary Patent.</li> <li>▪ Assist with the identification of legislative changes to the Trade Marks Act and Rules arising from the implementation of the new EU Trade Marks Directive and Regulation.</li> <li>▪ Use the opportunity of rule changes to reduce procedural burdens on applicants and to streamline and clarify the Office’s administrative rules and procedures in line with best practice.</li> <li>▪ Create Office Practice sections in the Office’s website so that notices regarding Office practice and procedure can be easily accessed.</li> </ul>	<p>The Office contributed text and amendments to the following patent, trade mark and design amendment rules.</p> <ul style="list-style-type: none"> <li>• PATENTS (AMENDMENT) RULES 2017 (S.I. No. 206 of 2017)</li> <li>• Patents, Trade Marks and Designs (Fees)(Amendment) Rules 2017 S.I. No. 205 of 2017.</li> <li>• EUROPEAN UNION (TRADE MARKS) REGULATIONS 2018. (S.I. NO. 561 OF 2018).</li> <li>• TRADE MARKS (AMENDMENT) RULES 2018 (S.I. NO. 562 OF 2018).</li> <li>• TRADE MARKS ACT 1996 (COMMUNITY TRADE MARK) (AMENDMENT) REGULATIONS 2018 (S.I. NO. 563 OF 2018).</li> <li>• PATENTS, TRADE MARKS AND DESIGNS (FEES) (AMENDMENT) RULES 2018 (S.I. NO. 564 OF 2018)</li> <li>• TRADE MARKS (AMENDMENT) RULES 2019 S.I. No. 588 of 2019</li> <li>• Consolidated Trade Mark Rules 1996 14th January 2019.</li> <li>• Patents (Amendment) Rules 2019 S.I. No. 589 of 2019</li> <li>• Consolidated Patent Rules 1992 (Unofficial Version) 2nd December 2019.</li> <li>• Industrial Designs (Amendment) Regulations&amp;nbsp;2019 S.I. No. 587 of 2019.</li> </ul> <p>The Office provided the full text for of the KDB Certification of Invention Act 2017.</p> <p>The Office contributed observations and text to the Copyright and Other Intellectual Property Law Provisions Act 2019.</p> <p>A new law and practice section was added to the Office’s website.</p>

<b>Objective (4)</b> <b>Promote awareness and understanding of IP amongst Irish business, enterprise and second and third level students</b>	
<b>During the period 2017 to 2019 the Office undertook to:</b>	<b>Achieved/Delivered/Current Status</b>
<ul style="list-style-type: none"> <li>▪ Use the redesign of the website to improve the content, accessibility and searchability of our databases to facilitate the leveraging of IP information.</li> <li>▪ Refine and improve online guides and tools.</li> <li>▪ Redesign all the IP Information booklets and redraft where necessary to reflect legal and other changes to the IP environment</li> </ul>	<p>Ongoing.</p> <p>Online DIY applicant guide for patent applicants implemented.</p> <p>User friendly interface for e-filing and e-services.</p> <p>Online information, search guides and tools updated, e.g. TM View, Design View, Innovaccess etc.</p> <p>Redesign of booklets ongoing. Latest changes to booklets and publications made because of the change of name.</p>
<ul style="list-style-type: none"> <li>▪ Meet the annual targets set for IP events (seminars, exhibitions courses and clinics) which are provided in support of Irish business, new business start-ups, entrepreneurs and individual inventors (within the constraints of limited resources i.e. staff numbers and T&amp;S allocation).</li> <li>▪ Co-operate with Enterprise Ireland (EI), Third Level Institutions, Local Enterprise Offices (LEOs) and others to deliver outreach awareness raising IP events.</li> </ul>	<p>107 in 2017 (60 events and 47 clinics)</p> <p>107 in 2018 (53 events and 54 clinics)</p> <p>91 in 2019 (47 events and 44 clinics)</p>
<ul style="list-style-type: none"> <li>▪ As part of the EPO’s quality at source programme, (a) improve the transmission of published patent data to the EPO and (b) digitize patent specifications of published patent applications from 1927 to 1989 (which are on microfilm) and make them available online for public use.</li> <li>▪</li> </ul>	<p>Ongoing. Being continued as part of EPO’s new co-operation programme beginning in 2020.</p>

<ul style="list-style-type: none"> <li>▪ Run awareness surveys via the website (using the EUIPO online survey tool or another suitable tool) with a view to identifying gaps and trends and to better inform our information dissemination strategy.</li> </ul>	<p>Not achieved. Postponed until 2020.</p>
<ul style="list-style-type: none"> <li>▪ Complete the actions and activities which the Office has agreed to deliver with EI as part of the EU’s VIP4SME programme.</li> </ul>	<p>Completed to the extent possible.</p>
<ul style="list-style-type: none"> <li>• Continue our involvement with the Student Enterprise Awards with a view to increasing an awareness of IP amongst second level students.</li> </ul>	<p>Ongoing with successful involvement during 2017, 2018 and 2019.</p>

<p><b>Objective (5)</b></p> <p><b>Improve organisational effectiveness through enhancing staff skills and satisfaction and knowledge sharing.</b></p>	
<p><b>During the period 2017 to 2019 the Office undertook to:</b></p>	<p><b>Achieved/Delivered/Current Status</b></p>
<ul style="list-style-type: none"> <li>▪ Maintain and improve internal communications through appropriate management structures and reporting arrangements.</li> </ul>	<p>Delivered. Staff meetings took place on a regular basis, as envisaged under PMDS. Management meetings continued to take place as and when required as did liaison meetings with the IPU.</p>
<ul style="list-style-type: none"> <li>▪ Ensure all staff contribute to the business planning process.</li> <li>▪ Utilise the business planning and performance management process to focus on and prioritise key tasks.</li> <li>▪ Use the PMDS process to help staff improve and manage performance better.</li> </ul>	<p>Staff in each section contribute to drafting of section business plan which is incorporated into the Office’s Business Plan.</p> <p>Annual Office Business Plan is drawn up and progress is reviewed mid-year and end year.</p>

<ul style="list-style-type: none"> <li>▪ Seek to align individual performance goals with the Office’s Strategy Statement and annual Business Plan.</li> <li>▪ Ensure that the knowledge base, skills and competencies of staff in the Office is sustained through the provision of appropriate training, internal coaching and mentoring, detailed up-to-date work manuals, increased responsibilities, participation in project teams, etc</li> <li>▪ Ensure staff meetings take place on a regular basis.</li> </ul>	<p>All staff have regard to business plan and strategic objectives when undertaking individual goal setting</p> <p>Project team approach implemented to deal with significant projects which can involve staff from across the office.</p> <p>Managers have regular section staff meetings.</p> <p>HEO Forum meetings re-established on a monthly basis.</p>
<ul style="list-style-type: none"> <li>▪ Maintain a safe and pleasant working environment for staff.</li> </ul>	<p>Bi-annual H&amp;S Audits, Risk assessment exercise undertaken, VDU assessments provided.</p> <p>Health and well-being and safety courses organised and provided annually.</p> <p>Energy awareness in place and operating successfully. Energy consumption in the building has been reduced by 30% since 2008.</p>
<ul style="list-style-type: none"> <li>• Encourage staff to avail of training and secondment opportunities which will improve their knowledge and skill set to the benefit of the Office.</li> <li>• As far as is possible and where circumstances and “new ways of working” allow, encourage and promote internal staff rotation, as well as external temporary transfers in and out in order to expand knowledge, skills and competencies and promotional opportunities.</li> </ul>	<p>Ongoing implementation of the Staff Training and Development Plan ensures that staff receive training in the appropriate competencies required to deliver on the key tasks and objectives set out in each annual business plan and the customer services action plan.</p> <p>Outside of on the job training, staff availed of training in economics, financial systems, writing skills, customer service, communication skills, presentation skills, statistical analysis and statistical reporting.</p> <p>Staff and management engaged with the DBEI mobility sub- group with a view to improving mobility opportunities and promotional opportunities for staff.</p>

<b>Objective (6)</b> <b>Work and co-operate with EU and international partners (EPO, EUIPO, WIPO etc.) and other national offices to ensure that European and International IP systems are accessible to and supportive of Irish business and enterprise.</b>	
<b>During the period 2017 to 2019 the Office undertook to:</b>	<b>Achieved/Delivered/Current Status</b>
<ul style="list-style-type: none"> <li>• Represent Ireland’s views at meetings in international organisations – in particular at meetings of the Administrative Council of the EPO and its various committees and at meetings of the Administrative Board of EUIPO and its associated committees.</li>   <li>• Participate and attend meetings at expert level in EPO, EUIPO and the World Intellectual Property Organisation (WIPO).</li>   <li>• Develop contacts and networks with colleagues in other industrial property offices in Europe and elsewhere, to keep abreast of and where possible implement best practice in the administration of patents, trade marks, designs and copyright.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff from the Office led the Irish delegation at the Administrative Council meetings of the EPO and the Administrative Board meetings of OHIM/EUIPO and ensured Ireland’s views were properly represented.</li> <li>▪ Staff from the Office continued to attend meetings at expert level in EPO, EUIPO and WIPO.</li> <li>▪ Contacts were developed and maintained with colleagues in the EPO, EUIPO, WIPO, and from other countries, to keep abreast of best practice in the administration of patents, trade marks and designs.</li> <li>▪ The practical benefits and assistance of co-operation programmes, in the EPO and EUIPO, for the benefit of the Office and its customers were maximised.</li> </ul> <p>The following were amongst the benefits obtained from maintaining successful co-operative relationships with international IP organisations:</p> <ul style="list-style-type: none"> <li>▪ Ongoing financial assistance obtained from EUIPO under a bi-lateral agreement to assist with the cost of providing information on TM’s and Designs at start your own business courses and at other events as well as the cost of implementing several CF projects such as Design View, Design e-Filing and E-services.</li> <li>▪ Assistance obtained from the EPO towards staff training, information provision/access to patent documentation.</li> </ul>

