

# **IPO's IP rights examination backlog brought to zero**

In May, the Intellectual Property Office (IPO) cleared its examination backlogs for the first time in several years. Backlogs refers to cases that take longer than IPO's service standards. It follows two of the busiest years in IPO's history, where record numbers of applications and change requests were received.

Clearing backlogs has resulted in a faster service for IPO's customers. Over the last three years, customer satisfaction with IPO's speed of service for patent examination has almost doubled, rising from 42% in 2019 to 75% in 2022.

Overall, IPO achieved a customer satisfaction score of 88% in March 2022, a score which is among the highest in the UK across any industry. It also exceeds its Ministerial target of 85%.

Tim Moss, IPO's CEO said:

Clearing our backlogs has been a huge team effort, especially given the challenges we faced in Brexit and Covid-19. Our teams have worked incredibly hard and made processes more efficient to help us complete examinations more quickly. Now we have cleared the backlogs we can firmly focus on our transformation plans.

## **The patent examination backlog**

The patent examination backlog has been steadily growing over the previous two decades. Patent backlogs are those that have not been examined more than 42 months after the initial application.

In the last three years the number of late patent examinations reduced from 13,000 to zero. The scale of the work is unprecedented for IPO. Last April the patent backlog stood at 6,007 cases, consisting of 12,000,000 pages.

## **The trade marks and designs backlog**

In 2020 and 2021 there was also a significant backlog of trade mark and design applications, caused by three main factors:

1. The number of trade mark applications has soared. Domestic trade mark applications have more than doubled over five years – from around 65,000, to more than 150,000 last year.
2. Since the UK exited the European Union, customers now have to go to UKIPO if they want UK protection – previously they could file at the EUIPO and gain

UK protection.

3. The covid-19 pandemic led to new businesses being set up or businesses diversifying in response.

At its peak, in March 2021 the trade mark backlog stood at 32,185 trade mark applications, with it taking 35 days for the examination process. Now that the trade mark backlog has been cleared IPO is processing trade mark applications within its target of 10 days. IPO also had a backlog of 9,507 design applications, with it taking 32 days to process a case. This has now also been cleared.

## **Changes to the IP register**

The huge increase in IPO's workload extended to changes to the IP register, such as, changes of address. 2021 saw IPO receive 80,000 more change requests for trade marks and designs than it would receive in a typical year. This is a combined increase of 335% more change request forms than an average year, which resulted in it taking 33 days for changes to be processed. This backlog has now been cleared.

## **How did IPO clear the backlogs?**

Clearing the backlogs was a huge team effort for the IPO, especially given the considerable challenges faced in Brexit and Covid-19. Their teams made processes more efficient to complete examinations more quickly. A number of service improvements were made to help clear the patents backlog:

1. Patents examinations were streamlined so they focus on the most important and relevant things first, taking into account the legal requirements and the customer's considerations. This saved the IPO time, but is also better for customers, because they get more clear and succinct guidance on the issues that are most relevant to them.
2. 'Technology clusters' were created so work on different subject matters (eg measuring devices or automobiles) could be shared across a wider pool of colleagues. This allows IPO to focus our resources on the areas where it has the most demand at any given time.
3. IPO improved the way applications were handled so non-specialist staff could help examiners with early work on an application.

For trade marks and designs, given the surge in applications we've seen, IPO needed to recruit a number of examiners to cover the continued demand for their services.

However the team has also:

1. Invested in better forecasting across trade marks and designs, which allowed IPO to plan resource more effectively in order to become more flexible and cope with demand.

2. Had a root and branch review of our processes, improving efficiency by managing our workflow differently, adopting new methods of training and continuing to make small improvements to IPO's systems.

## **What's next?**

Clearing our backlogs is great preparation for IPO's next steps as an organisation. The One IPO Transformation Programme is edging closer, with the new patents service expected to launch in just two years. Starting with a clean slate will mean it's easier to move people over to our new digital services. Having better, faster services for both IPO's customers and staff, will allow them to manage large volumes of work more quickly and easily, and reduce the chances of similar backlogs building up in future.

So, with the backlogs cleared, the future is bright.

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## **Missing man in Sham Shui Po located**

A man who went missing in Sham Shui Po has been located.

Wong Chi-shun, aged 57, went missing after he was last seen on Yu Chau Street on June 5. His guardian made a report to Police on the next day.

The man was located on Ki Lung Street this morning (June 8). He sustained no injuries and no suspicious circumstances were detected.

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## **Government enforces "restriction-testing declaration" and compulsory testing notice in respect of specified "restricted area" in Pak Suet House, Choi Hung Estate, Wong Tai Sin**

â€‹The Government yesterday (May 31) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" effective from 6pm yesterday, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in

Wong Tai Sin (i.e. Pak Suet House, Choi Hung Estate, Wong Tai Sin) were required to stay in their premises and undergo compulsory testing. Persons subject to compulsory testing are required to stay in their premises until all such persons identified in the “restricted area” have undergone testing and the test results are mostly ascertained.

In addition, the Government issued a compulsory testing notice yesterday to any person who had been present at the above building for more than two hours from May 25 to 31, 2022 to undergo compulsory testing on or before June 2, 2022 even if they were not present in the “restricted area” at the time when the declaration took effect. The Government finished the compulsory testing exercise at around 7.30am today (June 1) and is now carrying out enforcement actions in the “restricted area” to verify that all people in the “restricted area” have undergone compulsory testing. The Government will further announce the revocation time of the declaration.

Starting from around 7.30am today, persons in the specified “restricted area” in Wong Tai Sin who have undergone testing and are able to present SMS notifications with negative test results or wear wristbands as proof of having undergone testing may leave the “restricted area” through the designated exit after providing personal information to a prescribed officer.

The Government set up temporary specimen collection stations in the “restricted area” yesterday and requested persons subject to compulsory testing to collect combined nasal and throat swab samples at the stations to undergo a COVID-19 virus test before 11.30pm yesterday. Around 1 480 people within the area had undergone testing, among which one case tested positive was found. The Centre for Health Protection of the Department of Health will arrange to follow up.

Regarding cases tested positive in the specified “restricted area”, the Government has provided additional food packs, health advice for persons tested positive pending admission to hospitals or isolation facilities, disinfection products and surgical masks to these persons and their household members pending follow-up arrangement.

Moreover, the Government also assigned staff to visit around 770 households within the “restricted area”, among which 102 households did not answer the door. The Government will take measures to follow up.

The Government reiterates that enforcement actions will be taken seriously. Any person who fails to present an SMS notification with a test result or wear a wristband as proof of having undergone testing breaches the compulsory testing notice and may be liable to a fine of \$10,000. The person will also be issued with a compulsory testing order, requiring him/her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the “restriction-testing declaration” is an offence and the offender may be liable to a fine of level 5 (\$50,000) and imprisonment for six months.

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## Government follows up on positive results of sewage surveillance and appeals to residents to undergo virus testing

The Government announced today (May 31) that in order to fight the coronavirus epidemic, the Environmental Protection Department and the Drainage Services Department have been collecting sewage samples for virus testing in all districts, and had detected positive results in some areas, indicating that there may be hidden cases in the premises within these areas.

### Rapid test

As regards positive sewage testing results with relatively high viral loads in the following areas, the Housing Department and the respective District Offices will commence distributing about 240 000 sets of the COVID-19 rapid antigen test (RAT) kits to residents, cleaning workers and property management staff working in the following areas for them to take the test on their own, in order to help identify infected persons:

- Southern District – Tin Wan Estate, Shek Pai Wan Estate, Hung Fuk Court, Yue Fai Court, Yue Kwong Chuen and residential premises around Hing Wo Street, Ka Wo Street and Tang Fung Street (See Annex)
- Sham Shui Po District – Shek Kip Mei Estate and residential premises around 70A-178 Tai Po Road (See Annex)
- Kwun Tong District – Richland Gardens

Members of the public may refer to ([www.coronavirus.gov.hk/rat/eng/rat.html](http://www.coronavirus.gov.hk/rat/eng/rat.html)) for enquiries relating to the use of the RAT kits.

When using an RAT kit, please pay attention to and follow the instructions from the manufacturer to perform the test and read the result properly. It is advisable to record the displayed result by taking a photo immediately after reading. Users should wash their hands before and after performing the tests, and avoid placing non-essential items within the specimen collection area. After completing the test, wrap and seal all components of the test kit carefully and dispose of them properly. If the household environment is contaminated during the specimen collecting process, disinfection should be conducted with 1 in 49 diluted bleach solution or 70 per cent alcohol.

People who obtained a positive result through an RAT for the first time can report via the online platform "Declaration System for individuals tested positive for COVID-19 using Rapid Antigen Test" ([www.chp.gov.hk/ratp](http://www.chp.gov.hk/ratp)). If individuals encounter difficulties using the online platform, they can call the automated system at 183 6119 to register their identification document and telephone number. The Centre for Health Protection of the Department of Health will contact the relevant person later to finish the report procedure.

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## **Lincolnshire man fined £21,000 for storing waste illegally**

Two-year fly-tip racket catches up with pensioner