



**Canadian
Intellectual Property
Office**

An Agency of
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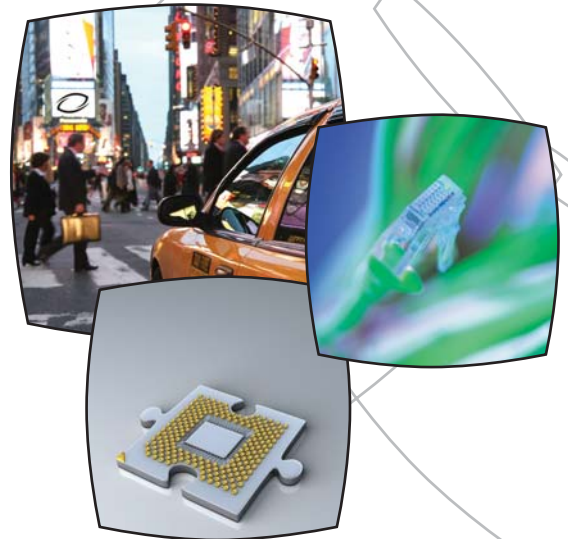
**Office de la propriété
intellectuelle
du Canada**

Un organisme
d'Industrie Canada



INNOVATION
MARKET
COMPANIES
TEAM
EXCELLENCE
OPERATION
SUCCESS
GROWTH
WORKS
BUSINESS
SKILLS
WORK
COMPETITIVENESS

BUSINESS PLAN 2009-2010



BUSINESS PLAN 2009-2010

WORKS TEAM
EXCELLENCE
GROWTH SUCCESS
COOPERATION
SKILL
COMPETITION
MARKET
INNOVATION
BENEFIT

This publication is available upon request in accessible formats.

For further information or to obtain additional copies of this publication, please contact:

Client Service Centre

Canadian Intellectual Property Office
Industry Canada
Place du Portage I
Room C-229, 2nd Floor
50 Victoria Street
Gatineau QC K1A 0C9

Tel.: 1-866-997-1936

Fax: 1-819-953-7620

Email: cipo.contact@ic.gc.ca

This publication is also available electronically on the World Wide Web (www.cipo.ic.gc.ca).

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OVERVIEW



The Canadian Intellectual Property Office (CIPO) is now entering the third year of its Strategic Plan 2007–2012. Developing our business plan provides us with an opportunity to review our progress and to consider necessary adjustments to keep us *Moving Forward to Canada's Advantage* as we strive to achieve our five-year objectives. This business plan sets out CIPO's key planned activities for the upcoming year and reflects changes that enable us to be more responsive to our clients in a volatile and difficult economic climate.

Our operating environment

It is now well accepted that Canada and the rest of the world are in a recession. Governments worldwide have taken swift action to reduce the negative impacts of the economic downturn and to stimulate and support a return to economic stability.

Innovation is one essential ingredient in ensuring Canada's prosperity and long-term economic growth. Clearly, the current global recession will have an impact on the Canadian business community. To support businesses in the current economic and financial environment, Industry Canada (IC) must balance the immediate needs of industry sectors as they pursue Canada's long-term economic objectives. CIPO must also maintain flexibility in working with a business community that faces very difficult times.

Small and medium-sized enterprises (SMEs) represent an extremely high proportion of business in Canada. In order to support SMEs, we are tailoring our outreach role — moving from front-line information and awareness to the larger role of helping SMEs gain a competitive advantage through maximizing the business value of their intellectual property (IP).

Fine tuning to better serve our clients

Another change that will have an impact on how we support clients in the coming year and beyond is the establishment of CIPO's E-Business Office (EBO). The new EBO is based on a strong foundation of new and enhanced electronic services, and on a better understanding of our clients' needs. The services were developed through a variety of consultation approaches, such as surveys, discussions and information sessions held across Canada. Our clients have confirmed that they will benefit from more and better tools to interact securely with CIPO electronically, regardless of the type of IP service they require.

The EBO incorporates the scope of work which is currently being conducted under the Enterprise Business Renewal (EBR) transformation initiative, and is responsible for meeting CIPO's e-business requirements. The EBO will also support internal goals of improving processing tools for staff, reducing our reliance on paper-based processes and enhancing the staff's ability to share information across business lines.

A new year, with some new initiatives

The activities and ongoing work of CIPO planned for 2009–2010 are all geared toward achieving our vision — to be a leading intellectual property office (IPO) that is recognized for excellence in our products and services, and for strengthening Canada’s innovative capacity through ongoing quality improvement, continuous development of our employees and adherence to our values.

Many of the activities described in this business plan build on earlier work, and many reflect our evolving environment and clients’ needs. In particular, and as noted above, the rapidly evolving technological environment demands that CIPO remains current with electronic communication and security.

There have been no changes to our mission or mandate and the five strategic directions that guide our work over the 2007–2012 planning period remain the same: client services, outreach, IP administrative framework, international, and our people.

Moving forward in uncertain times

IP continues to be at the very intersection of creativity, economy, social progress, business, environment, health, education, community values, and aspirations for collective and individual success. Without IP, there is no protection for our inventors, creators, companies, musicians or artists, and no incentive for them to invent, to innovate or to create. Strategic use of IP will continue to provide businesses with a competitive advantage, enabling innovators and creators to enhance the value of their products and services.

CIPO’s mission calls for the organization to be actively engaged in accelerating economic development in Canada. It is more important than ever for innovators to be aware of the value that IP can bring to their bottom line.

CIPO plays a key role in supporting Canada’s innovation and performance by delivering quality and timely IP rights in a modern and competitive IP system.

I. BACKGROUND



CIPO, as a special operating agency (SOA) of IC, has the responsibility for granting and registering IP rights. The organization works within an IP framework made up of legislation, regulations and office practices.

A. Our business

CIPO is responsible for the review of applications for patents, trade-marks, industrial designs, copyrights, and integrated circuit topographies, which could lead to the granting or registering of rights under the relevant IP legislation.

- **Patents** cover new inventions (process, machine, manufacture, composition of matter), or any new and useful improvement of an existing invention.
- **Trade-marks** are words, symbols or designs (or a combination of these), used to distinguish the goods or services of one person or organization from those of others in the marketplace.
- **Industrial designs** are the visual features of shape, configuration, pattern or ornament (or any combination of these features), applied to a finished article of manufacture.
- **Copyrights** provide protection for artistic, dramatic, musical or literary works (including computer programs), as well as for a performer's performance, sound recordings and communication signals.
- **Integrated circuit topographies** refer to the three-dimensional configurations of electronic circuits embodied in integrated circuit products or layout designs.

Mandate and mission

CIPO's mandate is to deliver high-quality and timely IP products and services to its clients, and to increase the awareness, knowledge and effective use of IP by Canadians.

CIPO's mission is to accelerate Canada's economic development by:

- fostering the use of the IP system and the exploitation of IP information;
- encouraging invention, innovation and creativity in Canada;
- administering the IP system in Canada; and
- promoting Canada's international IP interests.

Vision and values

CIPO's **vision** is to be a leading IPO that is recognized for excellence in our products and services, and for strengthening Canada's innovative capacity through ongoing quality improvement, continuous development of our employees and adherence to our values.

CIPO's work is guided by seven **values**:

- Integrity
- Fairness
- Respect
- Efficiency
- Trust
- Quality
- Continuous improvement

Other aspects of CIPO's work

CIPO is also responsible for building awareness of the IP regime, of its products and services, and of the benefits that can be gained from the strategic use of IP.

As well, the organization is active internationally and provides collaborative support to IC's Strategic Policy Sector and other government players in the development of federal IP policies and positions. In particular, CIPO plays a lead role in IP administrative policy development. Together, all of these activities support CIPO's mandate and mission.

As an SOA, CIPO manages a revolving fund fully financed by user fees. The revolving fund is an ongoing funding authority for revenue respending that provides a financial management structure similar to that of a private business. CIPO maintains a sound financial footing, as a result of prudent financial management within the revolving fund.

CIPO has three distinct client groups, each with its own needs and expectations:

- innovators and creators of IP;
- IP professionals who act on behalf of innovators and creators; and
- existing and potential Canadian exploiters of IP rights and information.

Because CIPO's examination processes can be quite technical and thorough, most of its applicants seek the services of specialized IP agents to assist them with their applications.

B. Our organization

The organization is led by the Commissioner of Patents, Registrar of Trade-marks and Chief Executive Officer who is supported by a Senior Executive Committee. This committee provides strategic direction and decision making on behalf of CIPO with respect to strategic business proposals and sensitive managerial issues.

CIPO is also supported by a strong governance structure developed to help foster enhanced leadership and participation at the branch and employee level across the organization.

Our employees range from IP examiners and operational staff to specialists in information management, dissemination, communications, outreach, policy, planning, program development, information technology, finance, learning and development, and administration. CIPO's employee community is distributed into 17 occupational groups. The largest group, patent examiners, represent 40% of the total CIPO employee community.

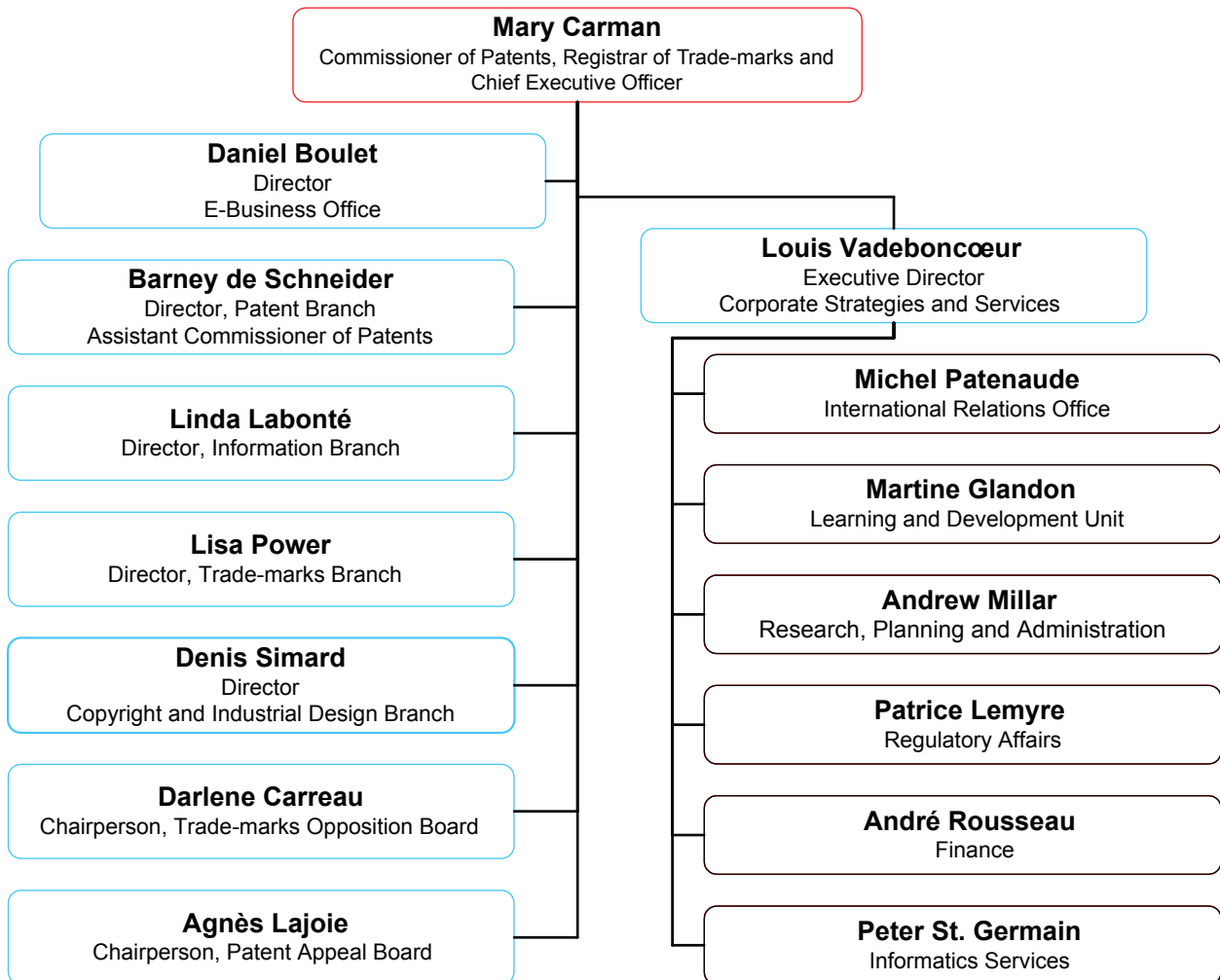
To respond to an increased demand for IP products and services, CIPO's workforce has grown from 654 employees in 2001 to 1055 employees in 2008 (an increase of over 61%). Most employees are located in the National Capital Region with a very small complement in regional offices across Canada.

The two official language communities are represented in the following proportions: 54% of employees have indicated English as their first official language, 46%, French.

Members of employment equity designated groups are well represented at CIPO. Women represent 52.5% of the employee community compared to a workforce availability (WFA) of 48.6%; Aboriginal peoples represent 1.6% (WFA of 1.4%); persons with disabilities represent 3.8% (WFA of 3.5%); and members of visible minority groups represent 12.3% (WFA of 9.8%).

The average age of CIPO employees is 41.4 years compared to 44 years for Industry Canada. One-third of employees (30%) is under 35 years old, followed by the 35–44 years group (31.5%). Those aged 45–49 years represent 14% of the population with those aged 50 and over accounting for 24.5%.

Organizational structure



II. OUR PLAN — STRATEGIC DIRECTIONS



There are five strategic directions set out in CIPO's Strategic Plan 2007–2012: **client services** and **outreach** (which together constitute the core of our business); the **IP administrative framework**; our efforts on the **international** front; and **our people**. These five strategic directions are focused on achieving **operational excellence** and repositioning our **Outreach** program to enable Canadians to make greater strategic use of IP. During the annual planning process these strategic directions and outcomes have been reviewed and confirmed. Planned activities to support each strategic direction are described below.

- A. Client services
- B. Outreach
- C. IP administrative framework
- D. International
- E. Our people

A. Client services

CIPO is committed to improving products, services and processes in areas of highest priority to clients while supporting the public good. To this end, CIPO focuses on two client service outcomes.

Client service outcomes

1. The delivery and quality of CIPO's products and services respond to client needs and expectations, and meet or surpass the performance of leading IPOs.
2. CIPO clients, including the public, can easily locate the information and people they need.

CIPO will concentrate its efforts on key activities in the following areas, each described in more detail below:

- corporate *Enterprise Business Renewal (EBR)* program;
- specific business line activities to improve *timeliness and quality*;
- *understanding our clients' needs*;
- *provision of information to clients*; and
- *conducting business with CIPO electronically*.

Enterprise Business Renewal

The IP environment is evolving, generating demand for new products, new services, and new ways to access information easily, seamlessly and securely. CIPO will continue to achieve operational excellence and respond to client needs and expectations through its EBR transformation program. Over the next few years this corporate-wide program will enable CIPO to continue to improve a wide range of client services and lead to increased client self-sufficiency and satisfaction.

The EBR program consists of a portfolio of projects directed to transforming the way CIPO does business by improving business processes, renewing operational systems and expanding the range of electronic services for clients and staff.

For CIPO employees, EBR will improve internal processes, enable staff to respond to clients more quickly and efficiently, and result in more accurate and complete client information.

EBR will result in benefits for clients, as it will mean improved, user-friendly service offerings, more consistent services, faster TATs and a secure environment for exchanging information.

The EBR program started in 2007 and focused on the following phases:

- business process modernization;
- core IT tools selection;
- integration of business functions; and
- core tools and process implementation.

CIPO has already completed a process mapping and analysis effort, which resulted in the high-level redesign of several key processes. These include inbound mail, formalities and processing, and assignments. Completion of process redesign will occur in future phases of EBR, ensuring that these processes are seamlessly integrated with the tools selected to support CIPO's business needs. CIPO has also investigated standardizing inputs, which has resulted in the phased implementation of a new CIPO Fee Payment Form to streamline paper-based requests from clients (currently underway). Further work to standardize client inputs will support data gathering and management of client information for other projects in the EBR portfolio.

In keeping with the vision in our renewal effort to offer more e-services and increase client self-sufficiency, CIPO's activities in process modernization have also resulted in identifying the need to develop and implement an enterprise portal. To that end, CIPO will be working extensively throughout 2009–2010 to plan and scope out the work required to successfully implement such a portal, which will provide a modernized platform for e-service offerings and allow for a single point of access to a wide array of information, tools and documents by both staff and clients.

The EBR program will also focus on the Integrated Client and Case Management Solution (ICCMS) project, which aims to further harmonize and modernize processes and operational systems across CIPO's business lines. This important initiative has two main components:

- client interaction management; and
- IP case management.

In 2009–2010, much of CIPO's effort related to ICCMS will focus on obtaining the appropriate levels of approval for the next phases of the project as it involves significant resources and funding. Once approvals are obtained, next phases include identifying detailed requirements and seeking products that might meet those requirements.

Together, the enterprise portal and ICCMS initiatives will allow for improved tracking of client interactions and correspondence. In turn, this will enhance CIPO's ability to effectively manage client relationships and to respond more quickly to emerging client trends.

To ensure success and ongoing development of e-services, CIPO has established an EBO, through which the EBR program now reports. While EBR is intended to be a program with a finite period of operation, the EBO will continue its efforts to enhance and build client e-services and move CIPO towards e-business.

Key 2009–2010 activities in support of EBR

- develop an enterprise portal framework for CIPO including a delivery plan for a series of e-business projects;
- continue preparing for next phases of the ICCMS project as approvals are obtained;
- implement the CIPO Fee Payment Form as a first step towards harmonizing input from CIPO clients; and
- streamline and simplify the assignment process and practices across business lines and identify requirements for an e-assignments process to be connected to the future enterprise portal.

Client service outcome #1

The delivery and quality of CIPO's products and services respond to client needs and expectations, and meet or surpass the performance of leading IPOs.

Timeliness and quality initiatives

The delivery of high-quality and timely IP products and services to our clients is at the core of CIPO's mandate and commitment to achieving operational excellence. Business lines are striving to meet client expectations by placing a high value on turnaround times (TATs), quality and e-filing. A complete list of CIPO's service standards for this year as well as long-term targets is included in this report under Appendix A.

The business lines will continue undertaking activities in 2009–2010 to support our efforts in achieving operational excellence.

Key 2009–2010 activities in support of timeliness

Patent Branch will continue to focus on improving overall timeliness and mastering its workload. The Branch will seek to better understand our clients' needs and effectively encourage and promote newly implemented e-services such as PCT-Safe, and electronic payments of maintenance fees. The Branch will also focus on reducing the backlog in the PCT National Unit and commit resources towards CIPO's EBR initiative.

Industrial Design Division will continue to review and improve its registration process with the goal of delivering high-quality and timely industrial design registrations to clients.

Patent Appeal Board will implement a process to review their service standards. Before new standards can be established, priorities will be identified and reduction of inventory will be monitored. The establishment of transitional service standards and implementation of priorities will help resources shift towards improved timeliness by the end of fiscal year 2009–2010.

Trade-marks Opposition Board will implement new practices in section 45 to streamline and modernize the proceedings, establish a new service standard of four months from the date of a hearing for the issuance of final decisions of the Registrar in both section 45 and opposition cases, and work towards publishing all final decisions of the Registrar electronically.

Trade-marks Branch will assess the Headstart program provided by Intellectual Property Australia and United Kingdom's Patent and Trademark Office, which aims to assist unrepresented owners seeking trade-mark protection. The project will also help identify internal issues such as costs of the service, staff training requirements, information technology assistance and the necessity of regulatory changes or the introduction of a fee. A feasibility report will be prepared in 2009.

To answer to the global demand for IP services and in order to meet our client service commitments, CIPO will require sustained and targeted hiring. This will ensure we have the optimal capacity to effectively manage and continuously improve the timeliness and quality of our products and services.

Recruitment, retention and training is the foundation of renewal. Business lines will continue to emphasize recruitment and training in 2009–2010. Some CIPO recruitment, retention and training activities are further described under “Our people” section.

Building on early successes in the Trade-marks Branch and Patent Branch — International Examination, CIPO will focus on quality through specific product line quality initiatives, all with the common objective of improving consistency, accuracy, timeliness and efficiency of processes and services.

Key 2009–2010 activities in support of quality

Patent Branch

In 2009–2010, the Quality Management System will be expanded to include national examination, and quality assurance will be implemented for international examination. Further expansion will continue with Operations and Classification in 2010–2011. The Branch expects to be positioned to have the quality system externally audited in 2012.

Industrial Design Division

The Division will begin the design and implementation of a quality management approach to improve the quality of industrial design registrations. In 2009–2010, a three-year quality framework/road map will be developed with a particular emphasis on reviewing the industrial design registration process with the goal of having an efficient, lean, quality process in place that delivers timely and valid registrations to clients.

Understanding our clients' needs

Canadian innovators use IP rights to gain a competitive advantage, both to protect their own innovations and creations and to determine the IP activity of others. The delivery of timely, high-quality products and services that respond to client needs and expectations is a high priority for CIPO.

Understanding clients' evolving needs and priorities requires sustained corporate commitment. CIPO recently published its commitment to seek client comments on operational issues, changes to office practice and amendments to legislation and regulations. This commitment is an essential element in ensuring that CIPO's products and services are efficient and internationally competitive. The organization's client relationship management function further assists CIPO in better understanding client needs and in identifying tangible service improvement opportunities.

In the last Client Satisfaction Survey, CIPO received positive results in their objectives of becoming a leading IPO. However, it also indicated a reduction in satisfaction with TATs and the quality of service received from the Patent Branch. CIPO will continue to give priority to activities that improve client satisfaction, and will seek to better understand and respond to the specific client needs and expectations.

Key 2009–2010 activities that relate to supporting our clients' needs

Patent Branch will develop and implement a more focused client consultation initiative to better understand and respond to client needs with respect to communications and accessibility. This will include a review of all published service standards to measure relevancy, appropriateness and accuracy in responding to client needs.

Client service outcome #2

CIPO clients, including the public, can easily locate the information and people they need.

As more and more information becomes available online, CIPO expects to see a reduction in the demand for its paper copy services. As this change takes place, we will look for opportunities to modernize CIPO's service delivery channels. CIPO will gather e-business requirements to support the establishment of efficient and high-quality e-services that support client self-sufficiency. Our efforts will concentrate on e-business initiatives in two client service activities:

- providing information to clients; and
- conducting business electronically.

Provision of information to clients

CIPO understands that clients need to have easy access to information about the IP system, including regulations, legislation and services.

Surveys of CIPO's clients have indicated that information and access are two primary drivers of clients' overall satisfaction. Action in these areas is imperative. Clients want to be kept informed as to the status of their IP applications or changes in CIPO policies or services. Clients also want the information they receive to be clear, consistent, concise, accurate and comprehensive.

Key 2009–2010 activities in support of providing information to clients

- complete the transformation of CIPO's website to meet and comply with Treasury Board's Common Look and Feel (CLF 2.0) requirements; and
- complete the implementation of bilingual features on CIPO web databases to allow clients to conduct bilingual searches, display bilingual abstracts on the Canadian Patents Database, view translated titles of industrial designs, and conduct online machine translation.

In response to a long-standing request from clients, CIPO will explore options to provide final decisions online regarding Trade-marks Opposition Board and section 45 cases. In 2009–2010, an action plan for this initiative will be drawn up.

The organization will also develop an Internet vision to guide the development of the site toward a better engagement of clients and stakeholders.

Conducting business with CIPO electronically

Since CIPO's online filing service for new trade-mark applications was introduced, use of the service has continued to grow. Currently, 90% of trade-mark applications are filed electronically.

Key 2009–2010 activities in support of conducting business with CIPO electronically

In line with the strategic planning and scoping of work to develop an enterprise portal framework under EBR, CIPO will assess activities and determine requirements in the following areas:

- online filing of extension of time requests for the Trade-marks Opposition Board;
- online filing of extension of time requests at the examination stage for trade-marks;

- enhancements to the electronic application filing system for trade-marks;
- electronic transmission of examiner's reports and trade-mark correspondence;
- electronic filing of Patent Cooperation Treaty (PCT) applications at the national entry phase; and
- electronic services for industrial designs application registration, maintenance, and amendments.

While CIPO's business lines are at very different points of maturity with respect to their capacity for electronic commerce, CIPO's long-term objective is to be a true "e-office," in which time zones and geography are irrelevant to doing business.

B. Outreach

CIPO has an important role to play in helping Canadians understand in straightforward terms what IP means to the country's economic objectives. Increasing Canadians' awareness, knowledge and effective use of IP is a core responsibility set out in our mandate. The management and exploitation of innovative knowledge can be a decisive determinant of business success. It is vital that Canada's SMEs and start-up companies use the IP system to propel their domestic and international success.

In 2009–2010, CIPO will work on phase one of a three-year outreach business renewal (OBR) initiative. This initiative will shift the current approach from mostly reactive IP awareness activities delivered mainly by the Information Branch, to concerted proactive activities by all CIPO branches. This new direction supports CIPO's vision to help Canadian innovators thrive in the knowledge-based economy.

Current levels of IP awareness and use demonstrate clearly that Canadian SMEs are not making effective use of the IP system and information. A bold new approach is required to achieve our enhanced objectives.

Outreach outcomes

1. Canadian SMEs have gained competitive advantage through the effective use of IP assets and information.
2. Secondary and post-secondary graduates are aware of the benefits of IP and of using IP information so that they will be better positioned to contribute to the realization of its business value.

Key 2009–2010 activities in support of outreach

Design a road map to guide CIPO's OBR initiative to be launched in 2010–2011. The OBR will establish a common understanding of outreach and define the steps to deliver in the following three broad areas:

- **Economic value**
 - seeking mechanisms to promote the value of IP in the education sector while working with selected universities and colleges to effectively deliver IP case studies; and
 - customizing products and services to meet SME needs while exploring approaches identified in the 2008–2009 SME pilot.
- **Governance/integration**
 - initiating external advisory committees to strengthen synergy between federal, provincial and economic players; and
 - engaging intermediaries in IP promotion/advice by providing them IP training.
- **Management**
 - building policy, research, and project management capacity and the necessary resources to deliver our outreach strategy.

To support SMEs, we will build on the intelligence gained in the 2008–2009 SME pilot and partner environmental scan. This includes raising awareness of the huge potential of business opportunities found in IP databases. As well, we will work with selected intermediaries to provide them with IP training so that they can help SMEs gain awareness and make strategic use of IP.

In addition to our SME initiatives, we will continue to work with Canada's education sector to learn what works best to ensure that young Canadians appreciate the value of IP and contribute to building a culture of innovation. We will continue to determine the best way to deliver this knowledge while implementing approaches based on the intelligence gained from our work in the 2008–2009 university pilot.

During 2009–2010, we will also work to define CIPO's role in promoting respect for IP to a broader target audience of the general population. We will explore ways in which CIPO can provide Canadians with a broad, concise understanding of IP that fosters respect for creativity and supports and encourages inventors and innovation.

C. IP administrative framework

A strong, modern, internationally competitive IP framework is vital to advancing Canada's interests. CIPO recognizes the linkages between a strong IP framework and Canada's competitiveness, and the value of removing impediments to innovation and barriers to registering and protecting IP in Canada. CIPO is committed to working effectively with other government departments and its IP partners and to achieving an efficient, world-class IP regime that supports the modernization of CIPO's products, services and processes.

To improve IP administrative policy to benefit Canadians, CIPO will focus on achieving the following outcomes.

IP administrative framework outcomes

1. Canada's IP administrative framework is internationally competitive.
2. CIPO leverages its expertise to contribute to the domestic IP agenda.

In 2009–2010, CIPO will concentrate its efforts toward simplifying and clarifying administrative processes for the delivery of services and products, improving legal certainty and reducing the administrative burden for applicants. CIPO will also propose to amend the *Patent Rules* in response to a number of points raised by the Standing Joint Committee for the Scrutiny of Regulations. We will continue to assess priorities for attention and improve the organization's ability to respond and bring forward changes.

Key 2009–2010 activities in support of the IP administrative framework

- undertake measures to modernize the *Trade-marks Act* by simplifying and streamlining processes for applicants;
- complete consultation with stakeholders on amendments to the *Patent Rules* to streamline and simplify the delivery of services and products, and to make the Rules more compatible with international standards (Patent Law Treaty);
- review CIPO's approach to making documents open for public inspection;
- review of the Patent Appeal Board mandate, practice and procedures;
- develop proposed regulatory amendments to enable applicants to receive a filing date on a weekend or holiday when filing electronically; and
- continue to assess fee-related issues so as to support service delivery and to maintain a solid financial framework.

The Patent Appeal Board will review its mandate, which was last done in 1970 when the Board was instituted. The review and update of the Board's practice and procedures will result in a more efficient, effective and consistent treatment of applications. In turn, these changes will also contribute to the improvement of client services while supporting the greater public good.

During 2009–2010, we will review the *Timber Marking Act* to assess its relevance as a form of IP protection for the Canadian industry.

D. International

As Canadians seek greater access to global markets they require more streamlined, predictable and harmonized procedures to acquire IP rights. By strengthening strategic relationships and participating in key international committees, CIPO is well placed to influence the international IP regime to benefit Canada. CIPO is committed to leveraging these international relationships to share and acquire information and best practices from major IPOs.

As well, the technical assistance we provide developing countries helps improve the climate for exporting Canadian products and services to emerging economies, and supports Canada's objective of establishing more stable and self-reliant economies in developing countries.

In respect of CIPO's Strategic Plan 2007–2012, the following two outcomes have been identified.

International framework outcomes

1. CIPO is proactive and demonstrates leadership in advancing Canada's IP position internationally.
2. The IP assistance provided to developing countries is recognized as being of high quality.

As a first step in providing more focus to the international framework, the International Relations Office was created in late 2008. The Office will lead important activities in order to support our international outcomes.

Key 2009–2010 activities in support of international outcomes

- develop an international strategy for CIPO to make Canada more competitive and innovative by focusing CIPO efforts on improving the worldwide IP system and by sharing and acquiring best practices;
- expand our network of Patent Prosecution Highway (PPH) partnerships for the advantage of Canadians;
- promote clients' use of the PPH;
- work with PCT Member states to identify and implement mechanisms to facilitate rapid and efficient resolution of rights; and
- evaluate CIPO's technical assistance programs to developing countries with a view to modifying and targeting activities that are in line with CIPO's new international strategic direction.

CIPO will continue to provide policy support and expertise to federal government delegations representing Canada in international forums; continue to provide technical assistance to developing countries through programs and services; maintain our collaborative effort with the United Kingdom and Australia to share best practices with respect to efficiency and productivity measures, and share research findings to better understand the value of IP systems; and work with the United States, Australia and New Zealand (UCAN Group) to develop and provide useful tools for trade-mark applicants.

In 2009–2010, CIPO's Industrial Design Division will actively participate, with both member and observer countries, in the LOCARNO Pilot Group. The LOCARNO Group was created by the Ad Hoc Working Group of the LOCARNO Union, with the mandate of proposing enhancements to the existing international industrial design classification system. The Group is working to improve searching within the classification system and to produce more effective search results.

CIPO will continue to be an active participant in various international forums, such as the Asia-Pacific Economic Cooperation and Intellectual Property Rights Experts' Group, and the Group B+ Harmonization Working Group of which CIPO chairs the Plenary Group.

E. Our people

CIPO seeks to be recognized as one of the best employers in the Government of Canada, and is focused on achieving the following outcomes.

Our people outcomes

1. CIPO attracts and retains individuals with the competencies it needs.
2. CIPO is a learning organization where individual capabilities and organizational leadership are reinforced.
3. Employees are committed, supportive and involved in their jobs and organization.

CIPO's most valuable asset is the talent and commitment of its employees. As a knowledge-based organization, CIPO's key underlying challenge will be to ensure it maintains its core capacity and knowledge. The organization's continued success will depend upon attracting the right people for the job and providing developmental opportunities in order to retain qualified employees in a competitive job market. CIPO's employee demographics also pose a number of human resource challenges. Although its workforce is younger in average than that of the overall Public Service, CIPO must make efforts to retain those qualified employees who will be coveted by other employers in the knowledge economy.

Employee engagement has not only a tremendous impact on CIPO's performance, it also increases its ability to retain outstanding employees. Helping employees achieve balance between their professional and personal lives contributes to creating a supportive and engaging work environment.

The average age of CIPO's employees is 41.4 years compared to 44 years for IC. The percentage of employees eligible to retire is greater than what is considered to be an "ideal steady rate" which is about 3%. In fact, in fiscal year 2009–2010, 5.6% of employees will be eligible to retire (10.2% for IC). However, based on CIPO's historical trends, the actual rate of retirements is predicted to be approximately 2.2% (3.3% for IC). In 2010–2011, the proportion of employees eligible to retire will reach 6.4% (11.5% for IC) and the rate of departures is expected to be approximately 2.3% (3.6% for IC). The wave of retirements that has been anticipated for years is starting to have a real effect. In the next ten years, there will be serious competition for people with the skills required by CIPO. In anticipation of this situation, CIPO will continue to develop new recruitment, retention and learning initiatives in 2009–2010.

Our people outcome #1

CIPO attracts and retains individuals with the competencies it needs.

Four key drivers are at the centre of CIPO's retention initiatives: balance between work and home life; working in an environment of trust and integrity; being treated fairly and equitably; and deriving satisfaction from one's work.

In 2009–2010, particular focus will be placed on improving CIPO's recruitment and staffing practices. Both internal staffing and external recruitment initiatives will continue efforts to achieve a balance between developing experienced staff and recruiting new talent. In its recruitment efforts, CIPO will also strive to maintain a diverse workforce and to promote a work environment that is conducive to the use of the two official languages.

Key 2009–2010 activities in support of people outcome #1

- better define the competencies that CIPO needs;
- develop new recruitment initiatives as a result of having better defined CIPO's employee community; and
- continue implementation of CIPO's recruitment initiatives by making more effective use of collective staffing, post-secondary recruitment programs, cross-government hiring programs, student hiring programs and developmental assignments, for greater and faster reach of qualified employees.

Our people outcome #2

CIPO is a learning organization where individual capabilities and organizational leadership are reinforced.

As a learning organization, CIPO is committed to providing all its employees with the training they need to perform their duties, whether they are full-time or part-time and regardless of their group and level. CIPO is also committed to the professional development of its employees to enable them to advance their careers and acquire the skills needed to meet the future needs of CIPO and the Public Service.

In 2009–2010, particular focus will be placed on CIPO's learning framework, with the following objective:

- to develop a learning framework that will guide CIPO management in determining what learning programs and related training initiatives are required to ensure employees have the appropriate skills to address current and future business needs of the organization.

Key 2009–2010 activities in support of people outcome #2

- finalize and begin implementing CIPO's learning framework;
- implement a continuous learning program in the examination sector for Patent Branch;
- provide a customized learning program for CIPO's senior executive members to address results of the Capabilities Assessment Survey; and
- introduce a Java training program to allow employees in Informatics Services to achieve the competencies necessary for future CIPO projects in information technology.

Our people outcome #3

Employees are committed, supportive and involved in their jobs and organization.

The 2008 Employee Engagement Survey identified the key drivers of engagement at CIPO. The organization will build on this knowledge to identify ways to enhance employee commitment.

Key 2009–2010 activities in support of people outcome #3

- develop a suite of activities to establish an environment conducive to increasing employee engagement; and
- begin a pilot process for the telework initiative to facilitate working at home for staff.

Other activities in 2009–2010 in support of people outcomes

CIPO will also research and analyze the possibility of a progressive career path program for examiners in the Trade-marks Branch and Industrial Design Division. In addition, we will create a repository in Trade-marks Branch for the intake and management of curricula vitae that are submitted throughout the year. Patent Branch already has a repository in place, which allows for standardization of hiring practices and eliminates the need for applicants to submit their applications more than once as positions become available.

III. OUR PLAN — STRATEGIC ENABLERS



A. Management and accountability

Financial plan

CIPO's financial management and operational strength continue to grow as it integrates its business, financial and long-term capital planning processes, and maintains a revenue-based budgeting process. The long-term commitment for CIPO is to remain fiscally viable and prudent while building a strong financial framework that responds to the ongoing challenges of service delivery.

However, the current global economic recession will have an impact on CIPO's financial plan for the coming years. While it is extremely difficult to predict the actual impact of the economic downturn on the IP world, past years' analyses of the impact of economic contraction indicates a likely negative impact on CIPO's revenues. The predicted impact could be on revenues for both maintenance fees for patents, and to a lesser extent, on the application fees from all areas. Consequently, revenue forecasts have been reduced (by up to \$9.4 million or 6% in FY 2011–2012) and are now forecast to be at approximately \$145 million annually until 2011–2012.

While revenues are forecast to remain constant, we expect to see continued moderate growth in expenditures to improve the organization's internal production capacity to meet client demands and to cover inflation costs. Over the coming years, we will make strategic investments in our information technology, which will help us respond to increased demands. Moreover, we expect to achieve efficiencies from initiatives such as EBR, which will contribute to limiting expenditure growth. Our decision making in this area will be based on assessments of our return on investment as well as client and organizational impact.

Given the uncertainty of the economic downturn, CIPO will closely monitor the situation and will take appropriate measures with the overall goal of maintaining a sound financial future. CIPO has taken and will continue to take decisions to limit expenditure growth. Focused investments in examination capacity, project management functions and business renewal initiatives will lead to a growth in expenditures of about 5% in 2009–2010, which is lower than in previous fiscal years. CIPO will focus on expenditures that are critical to longer-term efficiencies and stability; expenditure growth will be managed at around 2.5% from 2010–2011 on.

Improving our management practices

CIPO has implemented sound management principles and practices that align with the Government of Canada's management accountability framework. The organization is continually working to enhance its management practices, improve its accountability, and promote strong financial and audit controls that are essential to ensuring rigorous stewardship of funds and value for money.

Over the next several years, we will continue to improve our understanding of CIPO's performance, specifically to better understand the impacts of changes, monitor progress, report improvements, and benchmark ourselves against other IPOs.

Key 2009–2010 activities in support of improved management practices

- finalize performance measures for monitoring the progress in reaching outcomes established in the five-year strategic plan; and
- work on an activity time reporting system that enables all CIPO employees to record their work hours by activity.

We will expand the use of activity-based costing (ABC) information to increase fact-based decision making, and, in particular, leverage our ABC information:

- to develop and track productivity and efficiency;
- to implement our research plan to continue to better understand how the IP system affects the economy; and
- to leverage our economic capacity through joint projects with other IPOs and by sharing this work with IC and other interested organizations.

On the planning side, following an extensive review of our internal planning process completed in 2008, a continuous improvement process mechanism will be put in place.

B. Internal and external communications

CIPO is committed to strong, relevant external and internal communications practices. We will continue to work in close collaboration with like-minded partners at IC and other government departments to ensure that SMEs, the public, key stakeholders and international partners are kept informed of the latest initiatives of interest to them. In addition, CIPO is improving its internal communication practices (identified as a key driver of employee engagement) to ensure staff is kept up-to-date and to maximize employee engagement and job satisfaction.

Key 2009–2010 activities in support of communications

- continue to maximize CIPO's intranet and Internet as the main communications vehicle for employees and clients.

C. Information and technology

Information management (IM) and information technology (IT) systems are critical elements in managing the sheer volume of IP transactions and information, and in the delivery of our plan for world-class e-services.

Our IT focus is to maintain current IT operational systems and support the EBO to ensure delivery of the right information at the right time.

Key 2009–2010 activities in support of IT

- integrate the EBO's portfolio of projects, as they become available, into the IT plan to ensure appropriate IT support is available;
- continue to work with IC's Chief Information Office (CIO) to share IT expertise and processes in Project Management Office portfolio management; and
- align CIPO's architectural documentation to meet the requirements of CIO's new architectural initiative.

We are now placing a renewed emphasis on IM to ensure compliance with Treasury Board directives on IM roles and responsibilities, as well as supporting the EBO.

Key 2009–2010 activities in support of IM

- develop an IM strategy and action plan; and
- implement retention and disposition authorities and schedules for CIPO information holdings.

IV. CONCLUSION

Responding to clients' needs



The Canadian business community faces many challenges during this global economic downturn. Recessionary fears and financial uncertainties could have a major impact on economic development and business innovation in the coming months and years.

Rather than seeing the present economic environment as an obstacle to expanding IP services, CIPO will grasp this opportunity to improve its services to Canadian entrepreneurs and inventors, and to renew its outreach in support of Canada's economic development. CIPO will continue to promote IP rights and encourage innovation and business growth in Canada. The organization will focus on its EBR program in its steadfast commitment to high-quality and timely service, expand its e-business services to enable clients with more and better tools to interact securely with CIPO online, and renew its focus on outreach and awareness of IP rights and services.

APPENDIX A — CLIENT SERVICE STANDARDS

Service standard description	Expected performance over time	
	Year 1 2009–2010	Longer term
Patent Branch		
Examination — TATs Percentage of inventory of applications with a request for examination waiting for a first office action	Results by March 31, 2010 are: 80% of applications with a request for examination will be waiting for a first substantive office action less than (by specialty): <ul style="list-style-type: none"> • Biotechnology — 24 months • Electrical — 33 months • Mechanical — 18 months • Organic chemistry — 21 months • General chemistry — 21 months 	80% of applications with a request for examination will be waiting for a first office action less than 18 months (by specialty): <ul style="list-style-type: none"> • Biotechnology — by 2011–2012 • Electrical — by 2012–2013 • Mechanical — maintained • Organic chemistry — by 2010–2011 • General chemistry — by 2010–2011
Patent Appeal Board		
Patents and Industrial designs Oral hearing date	by March 31, 2010: oral hearing for applications referred to the PAB before January 2008	within 18 months of receiving the file at the PAB
Decision issued	by March 31, 2010: 80% of applications referred to the PAB before January 2008	the latest of 6 months from hearing or 24 months of receiving the file at the PAB
Trade-marks Branch		
Approve acceptable applications or issue first examination reports	within 6.5 months	within 4 months
Respond to client correspondence received subsequent to a first action	within 4 months of receiving correspondence	within 2 months of receiving correspondence

Trade-marks Opposition Board		
Oral hearing date		
Opposition	within 14 months of receipt of request (no postponements)	within 14 months of receipt of request (no postponements)
Section 45	within 18 months of receipt of request	within 14 months of receipt of request
Decisions issued		
Non-hearing Opposition	within 11 months of file being ready for decision	within 11 months of file being ready for decision
Non-hearing Section 45	within 13 months of file being ready for decision	within 11 months of file being ready for decision
Industrial Design Division		
Issue filing certificate or issue report indicating industrial design application is incomplete	within 3 weeks of receipt of application	when application is received electronically: within 1 week of receipt of application when application is received by mail: within 3 weeks of receipt of application
Examine application to assess the registrability of the design; allow the design or issue first examiner's report	within 9 months of receipt of application	within 7 months of receipt of application
Copyright Office		
Register a copyright and issue a certificate		
for applications received by mail	within 7 working days of receipt of application and fees	within 7 working days of receipt of application and fees
for applications filed electronically	within 5 working days of receipt of application and fees	within 5 working days of receipt of application and fees
Register a grant of interest and issue a certificate for a copyright	within 12 working days of receipt of application and fees	within 12 working days of receipt of application and fees

Client Service Centre (Information Branch)		
<i>The Client Service Centre's business hours are from 8:30 a.m. to 4:30 p.m. from Monday to Friday, statutory holidays are excluded.</i>	<i>requests are processed within standards 90 % of the time</i>	<i>requests are processed within standards 90% of the time</i>
Respond to telephone enquiries or voice mail	immediately upon receipt or call will be returned within 24 hours	immediately upon receipt or call will be returned within 24 hours
Respond to general correspondence, email and fax request	within 48 hours upon receipt in the Client Service Centre	within 48 hours upon receipt in the Client Service Centre
Provide access to an information officer (on site)	within 10 minutes of request	within 10 minutes of request
Send intellectual property publications	publications will be mailed with 48 hours	publications will be mailed with 48 hours
Reproduction and Sales Section (Information Branch)		
<i>The Client Service Centre's business hours are from 8:30 a.m. to 4:30 p.m. from Monday to Friday, statutory holidays are excluded.</i>	<i>requests are processed within standards 90% of the time</i>	<i>requests are processed within standards 90% of the time</i>
Send photocopies of patent, trade-mark and copyright documents in paper or electronic form	within 72 hours from receipt of request and with proof of payment	within 72 hours from receipt of request and with proof of payment
Send certified copies of patent, trade-mark and copyright documents in paper form	within 72 hours from receipt of request and with proof of payment	within 72 hours from receipt of request and with proof of payment