



**Canadian  
Intellectual Property  
Office**

An Agency of  
Industry Canada

**Office de la propriété  
intellectuelle  
du Canada**

Un organisme  
d'Industrie Canada

## Business Plan 2010-2011



**Canada**

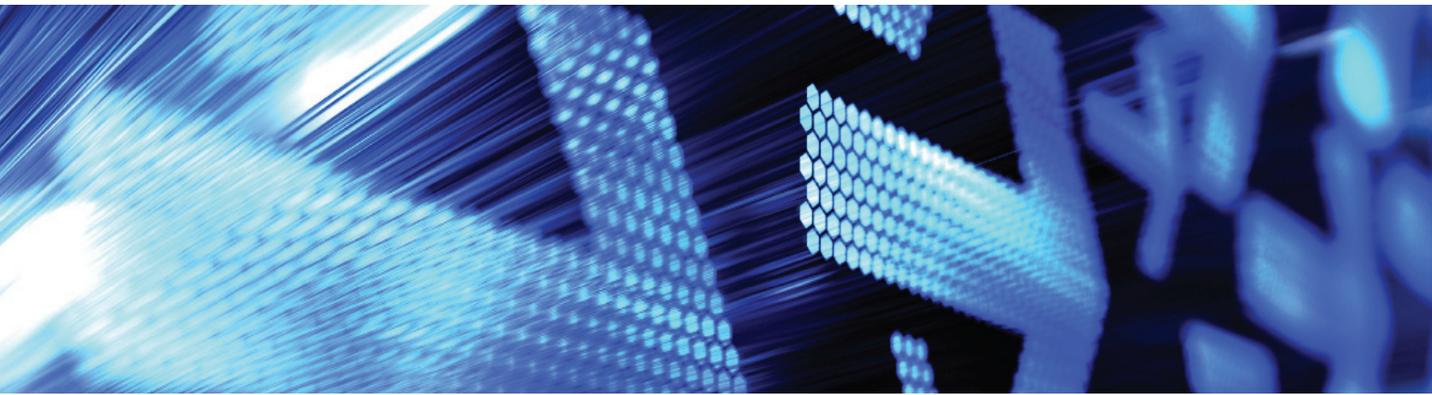
CIPO  OPIC





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Canadian Intellectual Property Office  
**Business Plan 2010–2011**



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# Message from the CEO

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*Our world is a world of ideas in which economic growth and prosperity are ever more closely bound up with innovation. Canada's intellectual property (IP) regime, administered by the Canadian Intellectual Property Office (CIPO), is a gateway through which innovation flows into the economy.*

CIPO spurs Canada's economic development by protecting the value of new ideas so that innovators and society at large derive benefit from them. Regulating and fostering use of Canada's IP system are our core activities.

In our Five-Year Strategic Plan entitled *Moving Forward to Canada's Advantage*, we set out the broader goal of not simply facilitating innovation but also leading it. Our Strategic Plan is a blueprint for pursuing the changes needed within this organization to permit us to fulfill our vision of becoming a leading intellectual property office (IPO) recognized for excellence in our products and services.

Now, in the fourth year of our Strategic Plan, CIPO's Business Plan 2010–2011 translates these broad commitments into specific deliverables for the year ahead. Focusing on our business objectives, it outlines strategies to achieve them. Our Business Plan recognizes the strengths we bring to ongoing operations and the thrust of recent achievements, such as reduced turnaround times (TATs), stronger links with other national IPOs and expanded training and support to staff. It demonstrates how we will build on strong results going forward.

CIPO's progress to date has been made largely in the context of existing ways of organizing and performing our work. However, we now face the dual challenge of plateauing revenues within a highly-competitive international environment. This requires us to re-engineer our approaches to what we do and how we do it. Important changes will take place over coming years through the Enterprise Business Renewal (EBR) initiative. In 2010–2011, we will focus our energies on a few select EBR projects that offer the greatest potential for positive change.





We will introduce and test new ways of conducting our business. We will automate more functions, enable more self-service and electronic payments, and move further away from traditional paper-based processes. The ultimate result will be nimbler and more streamlined client services, business processes and operational systems, often with expanded electronic service components.

These changes will take time. We will undertake them concurrently with daily operations. The quality of our services will not be affected as we work to improve them, and we will maintain close contact with our client community as we pursue this change agenda. Internally, CIPO management will manage change in an open and transparent manner, providing new opportunities for professional growth and development as we move forward.

Every step of the way, CIPO's decisions will reflect our mission and mandate. We will not just facilitate innovation for Canadians and the world, we will be an example of it.

Mary Carman  
Commissioner of Patents,  
Registrar of Trade-marks  
and Chief Executive Officer



# Introduction

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## CIPO's agenda for 2010–2011

CIPO is responsible for granting and registering IP rights in Canada. Our vision is to become a leading IPO recognized for excellence in our products and services, and for strengthening Canada's innovative capacity.

CIPO operates within an IP framework made up of legislation, regulations and office practices.<sup>1</sup> Our 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.

*Our mandate is to deliver high-quality and timely IP products and services to clients, and to increase awareness, knowledge and effective use of IP by Canadians.*

CIPO's deliverables include all phases of dealing with new applications to protect or continue protecting IP rights through patents, trade-marks, copyrights, industrial designs and integrated circuit topographies. They include the review of patent applications which have not been granted, trade-mark opposition processes, and communicating with Canadians and stakeholders around the world. They also include policy and research support, in addition to the many enabling services within CIPO that allow the organization to function.

Based on the five strategic directions outlined in our Five-Year Strategic Plan, this year's Business Plan outlines the progress we intend to make. It describes key business and human resources (HR) strategies to achieve concrete results in a rapidly evolving international IP climate.

This document integrates CIPO's Business Plan and Human Resources Plan. The two are intertwined. We understand that our people are key to our business results. It follows then, that business planning must reflect HR realities, while HR planning must reflect the current and future states of our business operations.

<sup>1</sup> For further information on who we are, what we do and the strategic directions that we are pursuing to improve results, we invite Canadians and IP stakeholders to consult our website at [www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca).



# Environmental scan

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## Building on results

The Business Plan 2010–2011 builds on the progress that CIPO has realized since the 2007 launch of the Five-Year Strategic Plan. Specifically, we have:

- reduced TATs;
- significantly reduced the inventory of trade-mark and industrial design applications;
- reduced inventory of patent applications awaiting first examination;
- continued to promote existing Patent Prosecution Highway (PPH) agreements to increase use of this cooperative work arrangement;
- worked to expand our network of PPH partners to benefit Canadians seeking protection in foreign jurisdictions;
- introduced new client self-service choices;
- launched electronic payment options;
- minimized the paperwork needed to support application processes;
- worked with IPOs around the world to harmonize our approaches and procedures;
- streamlined requirements related to Trade-marks Opposition Board (TMOB) proceedings;
- undertaken quality management initiatives;
- improved service standards;<sup>2</sup>
- led actions to modernize some administrative frameworks;
- expanded outreach to broaden IP awareness; and
- implemented other innovations and improvements that respond to priorities identified by clients or that reflect international best practices.

Some improvements to our internal operations and management processes are not visible to clients but nevertheless translate into more efficient operations and better results. Recent annual reports point to progress in our management of finance, HR, information management, risk, and information technology (IT). Feedback from Canadian stakeholders and IPOs we deal with around the world suggests that improvements undertaken since 2007 have been noted.

## Economic trends, internal and external factors

As most of CIPO's business originates from outside Canada, a key factor in business and revenue projections is the expected state of the economy not just in Canada, but internationally.

The Government of Canada summarized its economic projections for 2010–2011 in the 2010 Budget, identifying factors of particular relevance to CIPO planning:

- the global economy has begun to stabilize; and
- the level of uncertainty over medium-term economic prospects remains high.

<sup>2</sup> See Annex A for a description of service commitments.



In this context, CIPO is projecting that 2010–2011 revenues will plateau over 2009–2010 levels due to limited growth in new applications and an expected decline in patent maintenance fees. This revenue plateau will require CIPO to closely control costs.

In the 2010 Budget, the Government of Canada stated that it intends to “bring the budget back to balance” following an aggressive program of economic stimulus. Keeping within the spirit of government priorities, CIPO is taking further measures to reduce operating costs.

Some costs will nevertheless continue to rise, despite our best efforts. We will continue to see increases in certain operational costs, such as salary and benefit commitments as well as the cost of services from other government departments, including HR management, IT, paper mail, translation, installations, banking and legal.

It remains a top priority, however, to continue investing in the IT required to advance the EBR initiative by drawing on the accumulated surplus in the revolving fund.<sup>3</sup> EBR is critical to improving client service and operational efficiencies. It is described more fully in its own section of this document.

## Financial overview

Over the last several years, CIPO has achieved break-even or better financial results while maintaining its ability to make strategic capital investments and improve production capacity. The resulting accumulated surplus in the revolving fund enables CIPO to manage through uncertain economic times.

Indeed, CIPO’s financial forecasts indicate deficits for fiscal year 2010–2011 to 2012–2013, with expenditures expected to exceed revenues by approximately 5 percent. Revenue forecasts for fiscal year 2010–2011 to 2012–2013 take into account the persistent negative impact the global recession has had on IP rights, and the fact that the patent maintenance fee stream is reaching maturity.

Expenditure forecasts are developed by examining both detailed branch/product line requirements and horizontal expenditure trends. These expenditures reflect CIPO’s commitment to meet the growing complexity of IP applications, the impact of globalization, and service improvement initiatives. During the past few years, the largest expenditure growth has occurred in examiner staff salaries and benefits in response to growing client demand.

We continue to address economic uncertainty and the lingering impacts of the global recession through prudent fiscal management and a consolidated effort to limit and manage growth. CIPO is committed to vigilantly monitoring budgets, forecasts and actuals for both revenues and expenditures. Process improvements, increased internal operational controls and investments in IT capital will support the achievement of operational efficiencies and will amplify our capacity to meet client expectations.

<sup>3</sup> As an SOA, CIPO manages a revolving fund fully financed by user fees. The revolving fund is an ongoing funding authority for revenue re-spending 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.



# Human resources overview

The need for cost containment, combined with the slowing demand for IP services as an impact of recession, preclude further employment growth at this time. This is in marked contrast to the aggressive expansion of capacity in recent years, which was driven by client demand.<sup>4</sup>

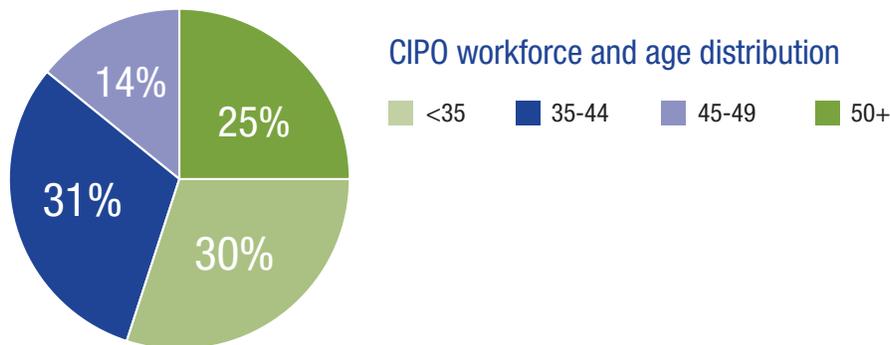
Consequently, CIPO expects to shift HR emphasis from the recruitment and training of new employees to retention and development of those who are with us already.

We want to ensure not only that we have the right people in the right positions, but that our talented and highly skilled workforce sees a future here. This objective drives our focus on providing professional learning and development opportunities and continued attention to other issues identified in the 2008 Employee Engagement Survey, such as improving communications between employees and managers.

Demand for learning and development is spurred by the size of the under 44 cohort, which represents 61 percent of the workforce (see demographic highlights below). Similarly, learning and development is an organizational imperative. This is a consequence of the numbers of people in senior positions eligible for retirement or imminently expected to retire, which creates a need for effective competency and capacity building, succession planning, mentoring and talent management. Initiatives in these areas, as well as our approach to change management will be discussed in the *Our people* section of this document, along with our overarching Learning and Development Program.

## Demographic highlights

**Employees:** In 2009–2010, CIPO’s workforce stood at 1095, including indeterminate, term and casual employees, and students.



**Average age:** The average age of CIPO’s workforce is 41.1 years compared to the Industry Canada (IC) average of 43.8 years<sup>5</sup> However, 25 percent of CIPO’s workforce is 50 years of age and over. In addition, 45 percent of the executive category, EX equivalent and EX minus 1 groups are 50 years old and over.

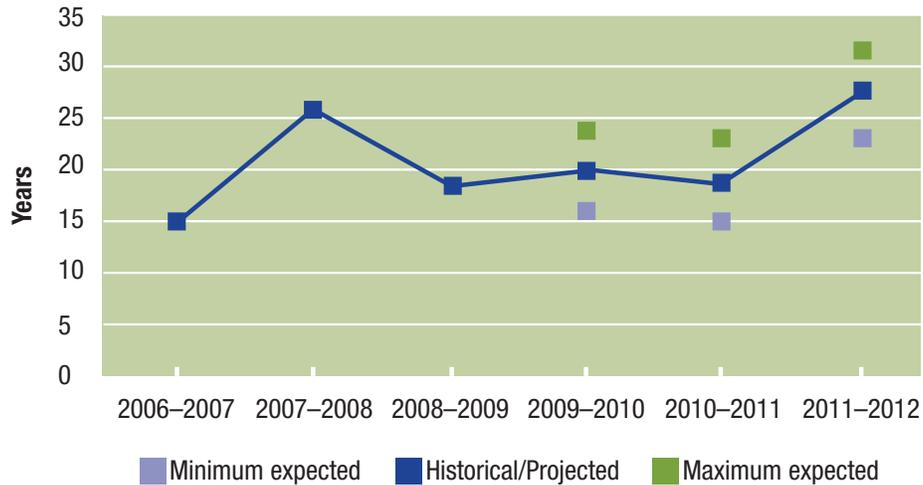
<sup>4</sup> To respond to increased demand for IP products and services, CIPO’s workforce grew from 654 employees in 2001 to 1055 employees in 2008 (an increase of over 61 percent).

<sup>5</sup> Source: Industry Canada, Human Resources Annual Performance Report 2008–2009



## Retirement eligibility

In fiscal year 2010–2011, 5.5 percent of employees will be eligible to retire compared to 9 percent for employees at IC. Yet, based on historical trends, the actual rate of retirement at CIPO is predicted to be approximately 1.8 percent compared with 3.4 percent for IC. In fiscal year 2011–2012, the proportion of employees eligible to retire will reach 6.7 percent for CIPO and 10.2 percent for IC while the actual rate of retirement is predicted to be approximately 2.6 percent for CIPO and 3.9 percent for IC.



**Official languages:** 55 percent of CIPO employees indicated English as their first official language while 45 percent indicated French.

**Bilingualism:** As of March 31, 2009, among those employees who were in positions with a bilingual requirement, 93.4 percent met their linguistic profile, 1.1 percent did not, and 5.5 percent had incomplete results.

**Employment equity groups:** Most recent data indicate the following representation:

- **Women** account for 53.3 percent of the workforce compared with a workforce availability (WFA) of 51.8 percent;
- **Aboriginal peoples** account for 1.7 percent of the workforce compared with a WFA of 1.9 percent;
- **Persons with disabilities** account for 3.5 percent of the workforce compared with a WFA of 4 percent;
- **Visible minorities** account for 13.3 percent of the workforce compared with a WFA of 11.1 percent.

This data shows modest incremental increases in employment equity representation over 2009–2010.



# Enterprise Business Renewal: Achieving our strategic goals

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*Enterprise Business Renewal (EBR) will continue to be fundamental to the CIPO corporate agenda in 2010–2011. Through EBR, CIPO is working to make client services and internal processes more efficient and effective. Coordinated projects under EBR focus on the transformation of our operational processes, the interfaces through which clients deal with us, our business applications and our IT infrastructure.<sup>6</sup>*

EBR will put the tools, processes and technologies in place to:

- increase client self-sufficiency and satisfaction;
- integrate our business functions;
- improve internal processing tools;
- move away from paper-based processes;
- enhance our ability to share information across CIPO; and
- meet expected outcomes and results in CIPO's strategic directions.

The EBR initiative will help us drive CIPO forward to be one of the leading IPOs. We will be closely managing EBR during 2010–2011 to focus on the initiatives that are most likely to generate optimal results for CIPO clients and internal operations. We are managing risk and using a solid policy framework to guide choices, with effective project management to keep EBR initiatives on track and on budget. Once fully implemented, we would expect to see significantly higher take-up in our e-services, improvements in client satisfaction, reduced TATs in responding to client requests, and savings accrued from reductions in overhead costs associated with paper-based management.

<sup>6</sup> More information on EBR is available at <http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr01576.html>



# Improvement of enabling and support services

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CIPO strives to improve in all management areas. However, management pays particular attention to strategic objectives that can impact CIPO's capacity to fulfill its obligations, commitments and priorities, and provide a high potential for long-term strategic and operational benefits. Some of these areas are described below.

**New model for information management** — CIPO's new information management strategy will help organize and structure CIPO's information holdings, allow easier search and retrieval, build awareness, and provide governance while paving the way to future phases when processes and standards will be established to support employees and prepare for enabling technologies. The retention and disposition program supporting the lifecycle of information will contribute to storage efficiencies.

**Resource Centre** — The Resource Centre will continue its efforts to improve service delivery and make employees more self-sufficient by virtualizing services and introducing new tools. This complements CIPO's commitment to EBR as it helps to pave the way for CIPO operations that become much less dependent on paper records.

**Enhanced policy and research contributions** — We have acted on the need to assess and update the policies that guide us in discharging our operational and administrative responsibilities. This will be particularly important as we move forward on EBR. The EBR initiative will benefit from an updated regulatory framework and will require continued policy attention. Strengthened research support will provide the analysis needed as well as improve the breadth of the performance information to shape sound policy choices. As an example, research was undertaken to support the modernization of the trade-mark regime, including joining the Madrid Protocol and making administrative improvements in trade-mark opposition processes.

**Management practices** — Decision making on management practice improvements will continue to be based on an assessment of return on investment as well as client and organizational impact. CIPO has implemented sound management principles and practices that align with the Government of Canada's management accountability framework. We are continually working to enhance management practices, improve accountability, and promote strong financial and audit controls essential to ensuring rigorous stewardship of funds and value for money.

Examples of enhancements include the introduction of Activity-Based Costing and an online Activity Time Reporting System (ATRS). ATRS is not an employee tracking system, but rather a powerful financial tool. Working in tandem, these systems enable us to analyze and better understand the real cost of business activities and transactions. The organization has also established a process to report performance against its Strategic Plan. As part of CIPO's effort in perfecting its integrated planning and reporting cycle, these performance results provided specific detail areas of improvement and assisted in the priority setting exercise in the organization.



# Progress on CIPO's five strategic directions

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*CIPO's Five-Year Strategic Plan<sup>7</sup> identifies five strategic directions for action:*

- *client services*
- *outreach*
- *IP administrative framework*
- *international activities*
- *our people*

In this section, we outline how CIPO plans to achieve progress and concrete results in each of these five strategic directions in 2010–2011.

## Client services

CIPO has made substantial progress in enhancing services, with a clear emphasis on addressing client priorities. We have identified ways to improve services by modernizing and streamlining processes for our clients and staff. We have identified how IT can make it easier for clients to connect with us and for our employees to carry out their responsibilities.

### **Client service outcomes:**

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

Our direction is to introduce or expand existing automated services to reduce administrative obligations on clients but at the same time ensure that relevant information is collected. Our goal is to deliver faster, more efficient service with consistently high quality. While some improvements will depend on making changes to the IP administrative framework, there is much we can do in terms of existing processes and tools.

<sup>7</sup> Available at <http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr01282.html>



Some of our initiatives will produce visible impacts for clients and stakeholders. In 2010–2011:

- A new initiative will allow clients to request electronically an extension of time at the examination stage of trade-mark applications.
- Clients will be able to e-file their statements of opposition and extensions for delivery time with TMOB. They will also be able to file evidence by fax, as a first step towards electronic filing of evidence. At full implementation, this will eventually accelerate the trade-mark opposition process for new cases, while speeding progress on existing inventory.
- E-services for industrial design registration maintenance will be reintroduced with improvements. This will benefit all industrial design clients, particularly the 90 percent who are from outside Canada. This will also reduce the paperwork burden on clients and CIPO.
- We will launch a project to process trade-mark examiners' correspondence electronically. This will shorten response times and reduce clerical work and paper use.
- We will make it possible for clients to make electronic payments from the deposit accounts that many keep with us.
- Clients will benefit from an enhanced search capacity for three of our web databases: the Patents Database, the Trade-marks Database, and the Industrial Designs Database.<sup>8</sup>
- We will make it easier for the owner of an IP right to record an assignment or a transfer of that right to a new owner.
- The Patent Appeal Board will continue to reduce case inventory and improve communication with applicants as it finds ways to accelerate processes.

In some cases, results will only be visible to clients in 2011–2012 or soon after:

- We intend to put technical foundations in place to get us closer to our goal of a single CIPO portal. We see the portal as an eventual single point of access to CIPO for all online transactions, rather than the range of individual paper and online processes and databases in use now.
- We will continue to identify necessary changes to the internal rules and processes for each of our programs, so that we can move to the single client database that the portal will require. This will improve case management, enable more automation of core CIPO processes, and give our clients more capacity to deal with us online.



- A study of our financial management processes will tell us how we can improve the integration of information across our operational system. This will be critical as we move to placing financial tools on the portal, such as e-payments, and it will support stronger financial management.
- CIPO operates on a revolving fund and thus revenues from fees must cover the costs of doing business. As the financial overview underlines, much has changed since 2004 when our current fee structure was put in place. Fees need to be reviewed in light of efficiencies already achieved, and process and IT improvements in the pipeline. In addition, we need to ensure alignment with the cost of providing services and account for the impact of future e-services, as well as modernized IP legislation and regulations. While we had originally expected to start this process in 2008, the recession led to a decision to wait until marketplace stability was regained. Extensive consultation will take place before any decisions are made.
- CIPO receives roughly 800 000 pieces of paper mail annually; significant strides have been made to reduce TATs for processing paper mail particularly in the Patent Branch. CIPO clients will benefit from these improvements as well as from new, streamlined processes under study.
- Individuals, companies and organizations filing patent applications will benefit as we continue our quality management program and roll out new improvements to our search tools.

## Outreach

CIPO has an important role to play in helping Canadians understand the importance of IP to the country's economic objectives. Increasing Canadians' awareness, knowledge and effective use of IP is a mandated responsibility. The management and exploitation of innovative knowledge can be a decisive determinant of business success and growth. We want Canada's small and medium-sized enterprises (SMEs) and new start-ups to use the IP system to propel domestic and international success.

In 2009–2010, we introduced new initiatives to increase awareness among SMEs and the education sector.

Our planned activities for 2010–2011 will continue to focus on increasing awareness, knowledge and effective use of the IP system and IP information among SMEs and the education sector.



### **Outreach outcomes:**

- Canadian SMEs have gained competitive advantage through the effective use of IP assets and information.
- 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 outreach initiatives for 2010–2011 include:

- obtain and synthesize exploitable information on SME use of and needs for IP to help design the outreach strategy and plans;
- expand uptake of our IP case studies initiative with universities and colleges;
- continue our training initiatives with the Department of Foreign Affairs and International Trade and explore opportunities for other partnerships; and
- enhance marketing capacity and tools to better support outreach initiatives, such as the Outreach website redesign.

## **IP administrative framework**

### **IP administrative framework outcomes:**

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

The IP administrative framework consists of legislation and regulations. It serves as a guide for people seeking IP rights protection, and outlines how CIPO must administer its processes. Many of our commitments to improved client service and more efficient and cost-effective operations are contingent on a modernized administrative framework. A strong,

modern and internationally competitive IP framework is vital to Canada's competitiveness. It will reduce barriers to innovation and to registering and protecting IP in Canada, and will ensure that CIPO fulfills its role as a valuable part of the country's infrastructure by boosting economic growth and aiding development.



Our general direction in 2010–2011 is to work with our partners in IC, and with central agencies of the Government of Canada and Parliament to bring about changes to legislation and regulations that will advance the modernization initiatives already underway.

Some of our administrative framework initiatives will focus on implementing changes that have already been approved or will involve further consultation.

- Proposed amendments to the *Patent Rules* dealing with minor legalities and procedural issues raised by the Standing Joint Committee for the Scrutiny of Regulations and to reduce the administrative burden for applicants will come into force on October 1, 2010.
- Consultations will take place on proposed amendments to the *Patent Rules* that would modernize, simplify and clarify CIPO's processes associated with the review by the Commissioner of Patents of a patent application that has been rejected in a final action as well as make minor changes to clarify the re-examination process.
- We will pursue changes to the *Patent Rules* and *Trade-marks Regulations* that would provide more flexibility and efficiencies in the administration of the qualifying examination for patent agents and trade-mark agents, and harmonize the eligibility requirements to sit for the qualifying examinations.
- We will pursue patent regulatory amendments to accelerate the review of patent applications related to environmental “green” technologies in order to expedite their commercialization. This would reflect what other industrialized countries are doing to foster investment, and facilitate technology development and application.
- We will move forward with proposed amendments to the *Trade-marks Regulations* to modernize and simplify the administration of the trade-mark opposition regime. If approved, the amendments would improve internal processes and administration of Trade-marks Opposition Board files, reduce time between the filing of an opposition by a third party and the issuance of a final decision, and permit the electronic filing of evidence and the serving of documents by facsimile.
- We will review comments received on possible changes to the *Patent Rules* to safeguard applicants' rights in situations where those rights might be expunged otherwise. The proposed amendments, which would provide more flexibility on issues such as who can pay a fee and how an abandoned application can be reinstated, require significant IT development and will be prioritized accordingly.



Other initiatives will centre on consultations that are at early stages or changes that may be the focus of initial consideration, depending on the status of other commitments such as the Government's proposed amendment of the *Copyright Act*.

- We will continue efforts to modernize the *Trade-marks Act*, which has been largely untouched since 1954. We will build on consultations in 2009–2010 that drew out initial stakeholder views on how we can remove administrative burdens and enable simpler, more automated administrative processes that are harmonized with those of other major jurisdictions where Canadians seek trade-mark protection.
- We will conduct an analysis of aspects of Canada's industrial design policy as a possible first step towards changes to the legislative framework, which has not been substantially amended since 1993. Similar initial steps may be taken to consider updates to the *Patent Act* that would support a modernized administrative framework and act on Canada's international commitments.

## International activities

CIPO's mandate and most of our activities have a domestic focus. However, numerous treaties and international IP agreements affect CIPO, as does the World Intellectual Property Organization (WIPO). CIPO represents Canada at WIPO and in the IP work of groups such as Asia-Pacific Economic Cooperation (APEC), as well as through an array of bilateral and multilateral efforts with other IPOs.

Given the need to make strategic choices among the many opportunities for CIPO to engage with other IPOs and other stakeholders, we implemented an international framework in 2009–2010. It clarifies CIPO priorities for international attention, including our technical assistance activities with developing countries. The framework is designed to achieve four outcomes:

- CIPO's procedures and administrative frameworks are strengthened and improved;
- improved international and national IP regimes protect and promote IP rights;
- key international IP institutions and fora focus on shared priorities; and
- participating IPOs apply knowledge acquired and information received during workshops and technical assistance activities.

### **International outcomes:**

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



Our general direction in 2010–2011 is to build on our ongoing international responsibilities such as managing Canada’s involvement in the work and meetings of WIPO, the APEC Intellectual Property Rights’ Expert Group and other IP-related groups. We will continue to build links to other IPOs, principally among industrialized economies, to share best practices and work toward harmonizing processes. Under our international framework:

- We will work closely with partners in the Vancouver Group (Canada, Australia and the United Kingdom) and through other groups to share expertise in order to improve speed and quality of service as well as to identify opportunities to harmonize individual IPO practices.
- Canadian leadership will be in evidence as senior CIPO officials chair key meetings such as the plenary and working group of Group B+ (a group of industrialized economy IPOs that discuss shared agendas for improved services and processes).
- We will enhance relations with key developing country IPOs primarily through development and delivery of the CIPO/WIPO Workshop on the Application of Management Techniques in the Delivery of IP Services.

## Our people

### Focus on workforce retention

CIPO recognizes that our people are critical to successful business results.

As noted in the environmental scan, we face a changing HR environment. The focus in past years on recruitment and training of new staff to achieve inventory reductions and meet client demand is giving way to a new focus on retention of our highly skilled workforce through expanded professional development opportunities and other enhancements.

During 2010–2011, we will act on the HR challenges identified in the environmental scan.

### Competency and capacity building

CIPO is committed to understanding and acting on the needs of the highly specialized knowledge workers who deliver direct services central to our mandate.

CIPO’s retention approach will focus on creating opportunities for existing staff to develop the broader skills and experience they need to keep pace with a changing workplace, achieve personal development goals and fill emerging organizational gaps.

#### Our people outcomes:

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





*These approaches are part of an ongoing management focus on aligning training goals and opportunities for development with CIPO's business goals. They will enable CIPO to continue building a workplace where people succeed by broadening their skills and experience.*

### Succession planning

Our HR overview identifies the imminent retirement or attainment of retirement eligibility of a significant number of senior CIPO executives as an emerging HR challenge. To address this challenge, senior management will undertake to equip the next generation of CIPO leaders with the executive leadership training they will require to be effective in senior positions at the helm of the organization.

In 2009–2010, the senior management team benefited from the opportunity to upgrade their knowledge and skills through Executive Leadership Training. Inspired by this experience, a similar training program will be offered more broadly.

### Mentoring

In most organizations, newly recruited managers face a learning curve. Organizations often assume that by virtue of their status and experience they will require little support in negotiating the challenges they face in their new roles. Experience tells us otherwise. Borrowing a page from lessons learned in other forward-looking corporations, CIPO is instituting a mentoring system for new managers. This will see each new manager paired to a more senior member of the management team to whom he or she is not a direct report. Benefits will include acceleration of adaptation to organizational culture and practices as well as sharing of institutional memory and knowledge transfer.



## Change management

In line with branch reorganizations and the changes that will eventually emerge through EBR, there will be a greater requirement among middle managers for the “soft” leadership skills needed to effectively manage the people side of change. Skills required in this context, including one-on-one communications and coaching, are not typically associated with the operational requirements of a regulatory operation. To address this need, we intend to deliver change management training to managers to support them in their role as the first point of contact with employees when dealing with the people side of change.

## Branch initiatives

CIPO’s larger branches will continue to create opportunities for people to shift to special project assignments from operational roles such as patent or trade-mark examiners.

Individual branches will clarify career progression opportunities and may establish new positions in response to specific operational challenges that offer development opportunities.

We will likely see a shift in some branches to training aimed at improved practices and quality challenges for more experienced staff in line with individual learning plans and branch or corporate priorities.

Through branch reorganizations, there are likely to be more opportunities for clerical and administrative staff to gain more diverse skills and experience.

## Learning and development

To be leaders in innovation, we need to be a learning organization.

CIPO encourages and supports personal and professional development for all its employees and delivers a number of programs and services through Learning, Development and Recognition Programs. These include: the Official Languages Development Program, Language Coaching, Mandatory Training, Corporate Learning Activities, and the New Employee Orientation Program.

Much progress has been made over the last year through the automation of the Learning Plan and the ability to provide learning data expeditiously. As a result, corporate learning opportunities are identified and approved much earlier. CIPO will continue to improve on its systems to provide employees a seamless process.

As our vision statement emphasizes, CIPO is committed to being recognized as a leading IPO. We also know we can do more to strengthen Canada’s innovative capacity by continuing to build a workplace that fosters professional development, integrity, fairness, respect, efficiency, trust, quality, and continuous improvement.



# Conclusion

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CIPO's Business Plan 2010–2011 reflects our continuing commitment to implement the strategic directions outlined in our Five-Year Strategic Plan. It demonstrates our capacity to adjust to a rapidly changing operating context, and to remain competitive in an ever more competitive global environment. We will learn from the lessons of others as we adapt and innovate to meet the demands and expectations of our clients and stakeholders in a fast-changing world.

*We have demonstrated strong results — we will build on them going forward.*



## Annex A — CIPO 2010–2011 Service commitments

| Patents                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                         |             |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Service *                                                                                                                                   | Commitment                                                                                                                                                                                                                                                                                                                                                              | Expectation |
| Issue filing date                                                                                                                           | within 4 weeks upon receipt of application that meets filing requirements including fees                                                                                                                                                                                                                                                                                | 90%         |
| Issue confirmation date of national entry for Patent Cooperation Treaty (PCT) applications                                                  | within 8 weeks upon receipt of application that meets entry requirements including fees                                                                                                                                                                                                                                                                                 | 90%         |
| Provide first action (allowance or first substantive report) – Patent Prosecution Highway (PPH)                                             | upon receipt of a complete request for PPH: <ul style="list-style-type: none"> <li>• within 3 months for every discipline</li> </ul>                                                                                                                                                                                                                                    | 90%         |
| Provide an International Search Report and Written Opinion or a No Search Report and Written Opinion – International Search Authority (ISA) | upon receipt of request for ISA: <ul style="list-style-type: none"> <li>• the later of 3 months from receiving search copy or 9 months from the priority date, in all disciplines</li> </ul>                                                                                                                                                                            | 90%         |
| Provide an International Preliminary Report on Patentability (IPRP) – International Preliminary Examining Authority (IPEA)                  | upon receipt of request for IPEA: <ul style="list-style-type: none"> <li>• the later of 6 months from receipt of a complete demand or 28 months from the priority date, in all disciplines</li> </ul>                                                                                                                                                                   | 90%         |
| Examination – TATs<br><br>Percentage of inventory of applications with a request for examination waiting for a first office action          | 80% of applications with a request for examination will be waiting for a first substantive office action less than (by discipline): <ul style="list-style-type: none"> <li>• Biotechnology – 24 months</li> <li>• Electrical – 32 months</li> <li>• Mechanical – 18 months</li> <li>• Organic chemistry – 18 months</li> <li>• General chemistry – 21 months</li> </ul> |             |
| Issue ownership registration (grant or assignment)                                                                                          | within 6 weeks upon receipt of request and fees                                                                                                                                                                                                                                                                                                                         | 90%         |



| <b>Patent Appeal Board**</b> |                                                                      |                    |
|------------------------------|----------------------------------------------------------------------|--------------------|
| <b>Service</b>               | <b>Commitment</b>                                                    | <b>Expectation</b> |
| Schedule hearing date        | for applications referred to Patent Appeal Board before January 2009 | 90%                |
| Issue decision               | for applications referred to Patent Appeal Board before April 2008   | 90%                |

\*\*The Patent Appeal Board is responsible for both patent and industrial design appeals.

| <b>Trade-marks</b>                                                     |                                                                                                             |                    |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Service</b>                                                         | <b>Commitment</b>                                                                                           | <b>Expectation</b> |
| Issue filing date                                                      | within 4 business days upon receipt of electronic application that meets filing requirements including fees | 90%                |
|                                                                        | within 7 business days upon receipt of paper application that meets filing requirements including fees      | 90%                |
| Provide first action (approval or issue examiner's report)             | within 4.5 months from filing date                                                                          | 90%                |
| Respond to client correspondence received subsequent to a first action | within 4 months upon receipt of correspondence                                                              | 90%                |
|                                                                        | immediately upon electronic registration                                                                    | 100%               |
| Register a trade-mark                                                  | within 25 business days upon receipt of paper request and fees                                              | 90%                |

| <b>Trade-marks Opposition Board</b> |                                                                        |                    |
|-------------------------------------|------------------------------------------------------------------------|--------------------|
| <b>Service</b>                      | <b>Commitment</b>                                                      | <b>Expectation</b> |
| Schedule hearing date               | within 14 months upon receipt of request (Opposition)                  | 90%                |
|                                     | within 14 months upon receipt of request (Section 45)                  | 90%                |
| Issue decision                      | within 12 months upon referral for a non-hearing decision (Opposition) | 90%                |
|                                     | within 12 months upon referral for a non-hearing decision (Section 45) | 90%                |
|                                     | within 4 months following hearing date (Opposition)                    | 90%                |
|                                     | within 4 months following hearing date (Section 45)                    | 90%                |



| <b>Industrial Designs</b>                                  |                                                                           |                    |
|------------------------------------------------------------|---------------------------------------------------------------------------|--------------------|
| <b>Service</b>                                             | <b>Commitment</b>                                                         | <b>Expectation</b> |
| Issue filing date                                          | within 3 weeks upon receipt of application that meets filing requirements | 90%                |
| Provide first action (register or issue examiner's report) | within 8 months from filing date and receipt of fees                      | 90%                |

| <b>Copyrights</b>    |                                                                                                             |                    |
|----------------------|-------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Service</b>       | <b>Commitment</b>                                                                                           | <b>Expectation</b> |
| Register a copyright | within 5 business days upon receipt of electronic application that meets filing requirements including fees | 90%                |
|                      | within 7 business days upon receipt of paper application that meets filing requirements including fees      | 90%                |

| <b>Information Branch – Client Service Centre</b>                 |                                                                                                                                                 |                    |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Service</b>                                                    | <b>Commitment</b>                                                                                                                               | <b>Expectation</b> |
| Respond to general enquiries                                      | within 24 hours upon receipt by telephone                                                                                                       | 90%                |
|                                                                   | within 48 hours upon receipt by mail, email or fax                                                                                              | 90%                |
| Provide access to an on-site information officer                  | within 10 minutes upon receipt of request                                                                                                       | 90%                |
| Send CIPO publications                                            | by mail within 48 hours upon receipt of request                                                                                                 | 90%                |
| Send patent, trade-mark, copyright or industrial design documents | by mail or electronically (only patent documents are available electronically) within 72 hours upon receipt of request and fees for photocopies | 90%                |
|                                                                   | by mail within 72 hours upon receipt of request and fees for certified copies                                                                   | 90%                |

\* The Client Service Centre's business hours are from 8:30 a.m. to 5:00 p.m. from Monday to Friday; statutory holidays are excluded.

