

SIPRE Project
Strengthening Intellectual Property Rights in Egypt

ANNUAL TRAINING PLAN
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Background

The goal of the SIPRE Project is to develop stronger and more effective intellectual property protection in Egypt. A strong intellectual property system requires well-trained personnel to apply and administer its intellectual property laws. A key focus of this Project is to provide training to equip industrial property office employees with the skills needed to carry out their duties in an effective manner.

First-Year Training Priorities

The Project has identified two areas for priority emphasis during the first year:

English-language training for employees of all three industrial property offices, and
training in all areas for employees of the Trademark Office.

English-language training was identified as a first priority of the Project to facilitate later training, improve efficiency and improve the quality of examination. The Trademark Office was selected for priority emphasis because it has the most pressing needs for improvement, and its functions affect all areas of commerce. The examination process is exceedingly slow and cumbersome because employees lack the proficiency to look up English-language words from standard reference works. More importantly, substantive examination suffers as a result of the low level of English-language proficiency.

In addition to training in the English language, Trademark Office and Industrial Designs Office employees will need training in the use of modern office equipment as such equipment is made available. In general, training on new equipment is expected to be provided by the supplier of that equipment. Since the delivery of such equipment is dependent on the completion by the Government of Egypt (GOE) of improvements in the facilities in which those offices are located, some training will be provided in the Trademark Office on existing equipment and in Project offices or at other locations on new equipment destined for the industrial property offices.

Training in substantive aspects of industrial property is also urgently needed. Currently, Trademark Office employees lack a clear understanding of legal principles of trademark examination. This results in a lack of transparency, as employees attempt to exercise their own personal judgment without guidelines to follow. A major effort of the Project will be the development of guidelines for trademark examination. Until these guidelines are developed and accepted, it will not be possible to prepare training materials or conduct a comprehensive training program on substantive examination. Consequently, first-year training efforts will concentrate on mini-courses on specific topics of industrial property and law.

While the Project's first-year training emphasis will be improvements in the skills of Trademark Office employees, the Project will also provide some training on specific topics for the employees of the other industrial property offices and for other persons involved in intellectual property activities. These activities will include seminars and a conference to educate policy makers and potential users of the intellectual property system and build public support for legal reforms.

Training Needs Assessment

As described more fully in the Project's life-of-project training plan, Project staff conducted an extensive training needs assessment which included questionnaires and personal interviews with each employee of all three industrial property offices. These interviews were supplemented by other sources of information, including input from industrial property office managers. Using this information, Project staff identified employees whose duties require some proficiency in English and who expressed some willingness to undertake English-language studies. A priority list of candidates was developed and the list referred to the responsible officials in each ministry for approval. On this basis, 70 industrial property office employees were referred for language testing and course placement at the GOE's Armed Forces Language Institute (AFLI). In the initial screening, 29 out of the 70 persons tested scored zero, with a mean score of 23.6 and median of 28 on a 100-point examination.

In view of the concentration of employees in the lowest levels of training and the AFLI's strict class-size requirements, the AFLI is only able to enroll 50 of these employees in the second quarter of the Project. The final selection of 50 employees was made on the basis of need and interest, with priority assigned to those employees with the lowest level of English-language ability who have the greatest need for English in their current duties, since these employees will need the greatest amount of time to achieve an acceptable level of English. The AFLI has indicated that it can enroll the remaining candidates in subsequent sessions of the program.

With regard to the need for training in the use of modern office equipment and substantive aspects of the administration of the industrial property system, the training needs assessment found a relatively high level of skill and training among the employees of the Patent Office and virtually no such skills or experience among employees of the Industrial Designs Office and

Trademark Office. Further, the lack of proficiency in English was identified as a major impediment to the ability of the Project to provide, and the ability of the employees to benefit from, such training at this time.

English-language training

The Project will offer training to approximately 130 persons from the Patent Office, Trademark Office, and the Industrial Designs Office. These individuals were identified in the training assessment as presently having duties that require the use of English. In a few cases, training will also be offered to individuals whose current duties do not necessarily require the use of English at present but who are expected to need some English-language proficiency within the life of the Project.

Training in English will be offered at the Armed Forces Language Institute. The AFLI was selected after an extensive survey of the facilities available for English-language training. Project staff contacted every English-language school that they were able to identify, and the AFLI was selected from a final list of the best English-language training facilities in the Cairo area. A copy of that final list is attached at page 1 of the Appendix. The AFLI is a modern facility which integrates American-English lectures with time in a modern language laboratory.

The Project will pay for enrollment for one term for each of the employees selected for this training. Upon successful completion of each term, the Project will pay for a succeeding term until the trainee reaches level 12 or the conclusion of the Project, whichever comes first. The AFLI itself has strict rules, with a minimum passing score of 70 for both the midterm and final exam and a maximum of four absences per term. Students who fail to receive the minimum scores are not permitted to proceed to the next course.

Individuals who participate in the English-language training will be enrolled in regularly-scheduled terms of the AFLI. AFLI classes meet three times per week, for periods of three hours each, after normal GOE working hours. Three terms of about two months' duration are scheduled to begin before the end of the first year of the Project: November 2, 1996 - January 9, 1997; February 15, 1997 - April 24, 1997; May 10, 1997 - July 17, 1997. The cost to enroll each employee in one term of the training course is 90 L.E.

A list of the Project's nominees is provided at pages 2 - 7 of the Appendix. The list of actual participants in the first session is attached at pages 8 - 9 of the Appendix. This list of actual participants was determined on the basis of the approval of the pertinent offices, the interest of the candidates, the ability of the AFLI to accept beginning students, and the test scores of the applicants, with preference being given to those with the lowest scores and to employees of the Trademark and Industrial Designs Offices.

The Project will continue to offer this training opportunity to qualified employees (i.e., employees who have not achieved level 12 on the AFLI scale, who need English language to

perform their current or anticipated duties, and who are enrolling in a first course under the Project or who have successfully completed the preceding course) for the third and fourth quarters of the first year of the Project. This training opportunity will be open to new employees as well as those current employees who are not able to take part in the first training session.

Other English-language training activities:

In addition to offering organized training courses in the English language, the Project will provide training on specialized English terms and continuing education activities to support the efforts of employees who are studying English. Project staff have identified several areas in which specialized training would be of immediate use. Beginning in the second quarter of the first year, Project staff will design and conduct a series of mini-courses to provide employees with a knowledge of Arabic and English equivalents for terms which are in common use in the industrial property offices. One of the mini-courses will result in a translation into Arabic of forms which are available only in English but are routinely used by the Industrial Designs Office staff, who are not proficient in English and therefore perform their duties in a rote manner. The Project will prepare materials for these courses, which will be offered as soon as the Project's training facility can be completed.

Employees who study English or any other foreign language need opportunities to use their new knowledge in order to maximize their retention and facility with that language. The Project will organize a seminar series and discussion group where employees can meet outside work hours to hear English-language lectures on topics of interest and hold discussions in English about those topics. While some of the topics will be oriented toward industrial property, other topics will be covered as well in order to assure both that the series reflects the interests of its participants and also to expand the breadth of the employees' vocabularies. The Project will make a conference room available for this purpose and provide such support as may be needed. It is hoped that this group will become independent and self-sustaining by the end of the Project. This effort will also begin as soon as the Project's training facility can be made available.

Other training activities will also be conducted which will both improve employees' knowledge of English and also contribute to their understanding of substantive intellectual property issues. These are discussed below under Intellectual Property Training.

Substantive training in industrial property

Industrial property training is needed for employees of all three industrial property offices. Generally, this type of training emphasizes instruction in the application of technical, legal rules for the examination of marks, industrial designs, and patent applications. Since Egypt does not have such rules, the Project will develop guidelines for the examination of marks, patent applications, and industrial designs. Until such guidelines are developed and, preferably, adopted by the Ministries, it will not be possible to undertake the major part of substantive training in industrial property.

In the first year of the Project, the Project will design and conduct a series of mini-courses on various subjects related to the activities of the industrial property offices. These mini-courses will address practical issues of industrial property facing employees on a day-to-day basis as well as such subjects as Egyptian intellectual property law and international standards of intellectual property protection. These mini-courses will principally address issues of trademark and industrial designs law and practice. Since employees of the Trademark and Industrial Designs Offices have had essentially no substantive training, these mini-courses will serve as a vehicle to introduce the employees to concepts in intellectual property law and practice, as well as offering opportunities for employees to become more proficient in English and in the performance of their current duties. Project staff will begin preparation of the materials for use in these mini-courses in the third quarter of the first year. However, the delivery of the training will depend on the availability of the Project's training facility.

It is anticipated that mini-courses will be arranged around such topics as the following:

- Classification of Marks
- Classification Manual for Industrial Designs
- Forms used in the examination of industrial designs
- Requirements of Industrial Property Treaties to which Egypt is a party
- Geographical Designations
- "Formalities" related to American companies

The mini-courses will principally be designed and conducted by the Project's full-time industrial property staff, but other persons may provide lectures from time to time. Courses will typically emphasize some very practical aspect of the examination of trademarks and industrial designs with a secondary purpose of developing an understanding of the importance of industrial property in assisting in Egypt's economic development.

One of the first major activities of the Project in the area of legal assistance will be the development of a set of guidelines for the examination of marks. This effort is expected to require several weeks to months of effort on the part of the industrial property staff, in addition to participation by the COP and various consultants. When these guidelines are available, the Project will design a training program on the application of these guidelines. Training is projected to begin in the last quarter of Year 1, provided that guidelines are accepted by the end of the third quarter.

It is not anticipated that guidelines would be completed for industrial designs or patents during the first year, as changes are required in the legal regime before it would be appropriate to provide such guidelines. At present, it does not appear that legal reforms in the patent law will be carried out within the first year of the Project, and no training is foreseen in substantive examination of patents in the first year. In the event that such reforms were carried out, however, the Project would consider accelerating the development of guidelines and training materials for

patents so as to be able to support these important legal reforms. Patent Office employees have already received a significant amount of training on substantive issues of patent law and practice, such as documentation and examination, and this training will be adequate unless the proposed patent law is adopted.

The Project will translate all training materials into Arabic and will arrange for interpretation where needed. Where possible, curriculum materials will be drawn from actual industrial property files. The Project will create re-usable training materials where feasible, at least for those topics where the needed expertise is relatively rare, for use in future training sessions. The development of such materials is subject to obtaining USAID approval where required.

Training on the use of modern office equipment

Employees of the Patent Office have reasonable familiarity with the use of modern office equipment, at least at a level that enables them to use such equipment to carry out their present duties. Employees of the Trademark Office and the Industrial Designs Office have limited access to such equipment and little or no familiarity with it in most cases. In the Trademark Office, employees have access to a computer provided under the auspices of the World Intellectual Property Organization for use in searching marks. Only a few persons currently have training in the use of such equipment or need it at present.

In the second quarter, the Project will offer training on the use of electric typewriters that have been secured for the use of the Trademark and Industrial Designs Offices. This training will be offered to employees whose current duties involve typing or whose duties are expected to include typing. As additional items are secured for the use of the Project, similar training will be made available. In many cases, training will be offered in the Project Offices, and the items delivered thereafter, possibly followed by training by the vendors after the equipment is installed.

The most extensive area for training will be on the use of equipment such as scanners, fax machines, and computers for use in the modernization of the Trademark Office and Industrial Designs Office. The Project expects to undertake this modernization effort, and therefore the training that would be required to enable employees to take part in the modernization effort, during the last half of the first year. The precise details of this training will be further developed in the automation plan which is expected to result from a study of the computer needs of the industrial property offices. The timing of such training will also depend on whether it is possible to secure the Ministry's cooperation and arrange for improvements to the facilities and delivery of equipment during the anticipated time frame.

Once the modernization of the Trademark Office and Industrial Designs Office has begun, additional training will be needed to enable employees to use the new system for examination and file maintenance. Employees will be trained in recording and retrieving information, and it is anticipated that special courses will be provided for a limited number of employees in word processing and the use of other computer programs. .

Participant training

The Project has limited plans for participant training, and those employees who are in greatest need of such training currently lack adequate English to benefit from the programs that are available. It is anticipated that the Project may propose one to two persons for the Visiting Scholars Program or other participant training as early as the end of the first year of the Project.

Training for Other Persons

While the emphasis of the Project will be training for employees of the industrial property offices, some training is needed for other persons who are involved in the administration of Egypt's intellectual property laws. In the last quarter of the first year, the Project will organize a conference for businesses, attorneys and agents, and the general public on the topic of intellectual property and business development. In addition, Project staff will prepare a series of papers on various topics related to standards of intellectual property protection. These papers will form the basis for seminars and public appearances before bar associations and trade groups and in academic settings.

As guidelines are adopted by the various agencies, the Project will begin to develop further guidelines for use by judges and court experts in deciding intellectual property cases. As those enforcement guidelines are adopted, the Project will develop training programs for attorneys and industrial property agents, judges, and court experts. The Project will coordinate with the Ministry of Justice on training for judges and experts and with various bar associations on training for agents and attorneys. In addition, the Project will coordinate its efforts with other organizations involved in delivering technical assistance to the court system. The timing of such training will depend in large part on whether guidelines are adopted by the various ministries in time to allow Project staff to prepare training materials and schedule training sessions, as well as on the interest of the Ministry of Justice in such a program. It is anticipated that these efforts will begin during the last quarter of the first year or early in the second year of the Contract.

Training Assistance

The principal emphasis of training activities is the direct provision of training to participants, whether industrial property office employees or agents, judges, or experts. In some cases, the goals of the Project can be better achieved by assisting others in the development of training materials. Upon request, Project staff will assist representatives of the ministries in the preparation of lectures and informational materials which those officials may wish to use to educate their own staff and the relevant public. Project staff will also make themselves available to provide such lectures for bar associations and similar organizations on an ad hoc basis. The Project expects to have at least three such lectures prepared by the end of the first year.

Training of Trainers

Part of the overall philosophy of this Project is the need to provide assistance which will, at a minimum, be sustained after the end of the technical assistance project and, preferably, that will encourage continued development of the offices receiving assistance even after that assistance terminates. The Project's plans to develop cost-effective methods to sustain the development of human resources are described more fully in the life-of-contract training plan. The principal ways in which this commitment will be expressed in the first year of the Project will be the identification of individuals with commitment and leadership ability for further training and the development of re-usable training materials. With the approval of the pertinent offices, additional training opportunities will be made available to persons who appear to have the potential to become trainers themselves. These training opportunities may take the form of nomination for participation in specific training courses or the opportunity to work closely with Project staff (including expatriate consultants) on specific topics related to their duties or duties they appear likely to assume.