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E-FILING SYSTEM REQUIREMENTS DESIGN

SAKPATENTI (Georgian National Intellectual Property Center)

FINAL

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USAID ECONOMIC PROSPERITY INITIATIVE (EPI)

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DELOITTE CONSULTING LLP

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DATA

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Name of Component: Business Enabling Environment

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ABSTRACT

The purpose of the present report is to summarize activities, performed within the scope of the Short-Term Technical Assistance assignment, intended to provide requirements for development of e-filing System for the Georgian National Intellectual Property Center "Sakpatenti." The scope of this consultancy was to develop the specifications of business requirements in relation to the identified future processes related to Sakpatenti's application system.

The report includes brief summary of finding and deliverables, provides recommendation for implementation of the e-filing system, as well as outlines identified risk and obstacles, anticipated to arise during development stage. Document outlines deviations from schedule of progress and the scope of assignment as well as provides reasons for deviations.

Brief summary of content and scope of delivered document is also provided.

ABBREVIATIONS

EFS	Electronic Filing System
IPR	Intellectual Property Rights
EPI	Economic Prosperity Initiative
BPR	Business Process Reengineering
WIPO	World Intellectual Property Organization
IP	Intellectual Property
EU	European Union

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I. EXECUTIVE SUMMARY

Consultancy was intended to assist Sakpatenti, Georgia's National Intellectual Property Center, in the creation of an electronic filing-system for its trademark, copyright, and patent applications by designing the e-filing system requirements specification document to be used for further system development and implementation. The objective of the consultancy was to collect and define the business functional and technical requirements specifications of the Sakpatenti and prepare system requirements specification document for the new electronic filing application.

Sakpateni has requested EPI's assistance to convert its paper-based registries into fully Electronic Filing System (EFS) with a Web-based interface that actively uses electronic signatures or other similar technologies to protect users. Sakpatenti's request envisions four phases: 1) Feasibility study; 2) business analysis/software specifications; 3) development and deployment; 4) postproject support. As part of the process to build the EFS, Consultancy was intended to help Sakpatenti to examine the requirements-gathering approach that currently comprise its application and registration system to optimize and streamline those processes prior to designing the EFS.

The following **methodology** was adopted and utilized during assignment and corresponding activities were performed.

Analysis of Documents. Objective of analysis of documents was to understand clearly existing Georgian and international legislative and procedural framework, especially in slice of identification of changes, proposed by business process reengineering experts. Another objective of document analysis was to prepare interview questionnaire for Sakpatenti's management and staff. In the inception stage of the assignment, several documents, reflecting existing operations of Sakpatenti, as well as legislation (Georgian and international), regulation functioning of Sakpatenti were analyzed.

Analysis of Existing Capacities. Objective of analysis was to realize and understand readiness of Sakpatenti implement proposed change from both organizational and automation point of view. In the inception stage, existing capacities (human, technical, hardware and infrastructure, information system), as well as plans to expand/reduce capacities were analyzed.

Mapping of Processes and Operations. Objectives of detailed mapping of processes were to expand and decompose high-level optimized flows, proposed by the business process reengineering Experts to low-level activities, to systemize and unify proposed flows, determine similar subprocesses and activities, to formalize simple steps, common for all processes, as well as to adjust questionnaires for interviews and focus groups. Maps of optimized processes, prepared during the previous stage of the TA were analyzed, expanded, formalized, and documented.

Interviews. In-depth face-to-face and group interviews were a key methodological tool utilized for assignment. Interviews were aimed to identify and understand needs in changes and automation, as well as to separate actual needs form participants' wishes. The overall picture figured out form interviews has created a base for requirements, provided in the delivered document. **Requirements Gathering Form** was adopted in this stage.

Focus Groups. Objective of organization of Focus Groups was to understand general opinion, needs, and wishes, as well as general readiness of both key external customers of Sakpatent's services (patent attorneys, companies, and natural persons) and Sakpatenti's top management. Another objective was to moderate open discussion and force participants to formulate common view regarding key issues of the system, such as usability, payment system, level of automation and interaction, etc. Focus group with most active customers and focus group with Sakpatent's top management were conducted.

The following **observations** were detected during assignment:

Readiness: Overall readiness of Sakpatenti's management and staff to transform operations to the paperless process was observed. Sakpatenti's management is even ready to implement some significant changes in legislation and regulations to utilize advantages of a fully electronic process in the best way. However, internal staff generally prefer to keep existing software for internal processes, but some additions and changes in if some changes in interfaces are implemented. Readiness of external users to transform to paperless process was observed, especially from representatives of large legal entities, registering Intellectial Properties (IPs) on regular basis. However, some resistance from the patent attorney's side regarding flexibility of the system was also identified.

Existing Software. Sakpatenti's internal process is already automated and existing system provides well-established functionality for electronic proceeding. Option to develop only external part of the system (eFiling portal) and integrate it into the existing system was recognized, considered, and discussed with Sakpatenti's Information Technology (IT) staff and management. However, because of utilization of poor technologies option to develop only external processing without modification of the internal system will require effort, almost equivalent to development of a new internal system.

Technical Infrastructure. Sakpatenti owns quite outdated hardware resources. Sakpatenti is going to update servers (servers are already purchased and installation is in progress), but data storages, as well as back-up capacity is rather poor. There is no server center infrastructure and no infrastructure satisfying widely accepted standards and requirements is planned to be established in the new building. This could create significant problems in the future, when servers' capacity will be enhanced. Correspondingly, no back-up infrastructure is planned to be implemented.

Human Capacity. The average age can be estimated as above 40. However, the general observation is that staff have enough computer literacy to operate through automated work places.

Scale of the System. It was identified, that the overall scale of the system is much larger than recognized before detailed investigation of the system. The process is quite complicated and allows almost unrestricted opportunity to interrupt the process from the external users' side. Most of interventions (external requests) require changes in deadlines of processing raise payment liabilities and could cause significant changes in processing. This potentially may complicate development of the system, as well significantly extend time for its implementation.

Existing Processes and Regulations. Existing business processes are not systemized, formalized, and unified. However, the main observation is that actually all processes could be fully unified and portions (steps) of processes and operations could differ only by a standard set of parameters, as well as input information and output forms/templates.

The following **obstacles and risks** were identified:

- **Organizational Gaps**. Business processes are chaotic, nonsystemized, and poorly documented (especially internal procedures). Information flow is unclear and there is no strict separation of responsibilities. The schedule of processing deadlines (both internal and external), as well as fee schedules are not unified. This potentially could increase complexity of the system and correspondingly could increase time of development and implementation.
- **Nonsystemized** approach to processing of external requests may create significant risk to successful implementation of the system. Some additional effort aimed to unify requests, processes, and operations sufficiently will be required on the next step.
- **Biased Attitude of Internal Users.** Existence of information system potentially could create some obstacles during deployment of the system.
- **Low Computer Literacy** of some category of external participants may create some obstacles for full transformation of external processing to electronic format.
- **Resistance from Patent Attorneys** side could create additional obstacle for implementation of the system. It is recommended to prohibit paper-based operations for this category of external users.
- **Scale and Development Time frame.** The scale of the system together with restricted time frame for development of the system potentially will create significant risk for development and implementation.

The summary of **recommendations** is provided below:

- It is highly recommended to conduct organizational performance assessment, as well as implement steps toward arrangement and optimization of business processes and procedures.
- Processes together with deadlines and fees schedules should be formalized and unified. Structured operation manual is recommended to be provided and restructured and systemized processes are recommended to be implemented before deployment of the information system.
- Sakpatenti should keep paper-based processing for some particular period of time. At the same time, it is recommended to increase fees for paper-based processing, which could potentially make faster the process of transformation.
- It is recommended to prohibit paper-based operations for some categories of external users, especially for patent attorneys. It could be also recommended to remove eventually paper-based agreements. Electronic agreements concept (if finally accepted) should be reflected in legislation.
- It is recommended to review overall scope of the system, prioritize tasks, and develop the system by consequent implementation of different portions of the system.
- It is not recommended to consider integration of external eFiling to the existing system. Search engine could be utilized as an interim solution until it is realized in the new system.
- It is highly recommended to develop detailed functional/technical requirement documents in the initial stage of the product development.

- To reduce cost of development of the system, it is proposed to utilize single external interface for external users and front office (chancellery) staff.
- It is recommended to simulate as much functionality of the existing system (from interfaces point of view) as possible.
- Workflow management is highly recommended to be implemented in the new system, especially on the background of not fully optimized and less arranged business processes.
- It is strongly recommended to simulate comprehensive search engine in the new system. Some portion of the engine should be available for external users.
- It is highly recommended to build international (WIPO) classifiers in the new system
- It is recommended to consider outsourcing of data center for hosting and maintenance of the system.
- In the case if decision to establish own infrastructure is made, it is highly recommended to keep existing server platforms and technologies in place.

II. APPENDICES

A. BACKGROUND

B. METHODOLOGY

C. FINDINGS

D. RECOMMENDATIONS

E. ADDITIONAL INFORMATION

A. BACKGROUND

OBJECTIVE OF CONSULTANCY

Consultancy was intended to assist Sakpatenti, Georgia's state intellectual property center, in the creation of an electronic filing system for its trademark, copyright, and patent applications by designing the e-filing system requirements specification document to be used for further system development and implementation.

The objective of the consultancy was to collect and define the business functional and technical requirements specifications of the Sakpatenti and prepare system requirements specification document for the new electronic filing application.

PROBLEM STATEMENT

Georgia has long been a member of WIPO and World Trade Organization, and is also a member of all basic conventions administered by WIPO. Though there are some nonconforming provisions, Georgia's IPR-related legislation is generally based on standard international requirements and EU legislation. In 2005, significant amendments were made to IPR legislation according to which IPR protection system was further harmonized with EU legislation and requirements of the agreement on Trade-Related Aspects of Intellectual Property Rights. The government organizations that address IPR in Georgia are Sakpatenti (Georgia's independent Patent Trademark Agency), Customs Department of the Revenue Service, investigators, prosecutors, and judges.

Sakpateni has requested EPI's assistance to convert its paper-based registries into fully electronic filing system (EFS) with a Web-Based interface that actively uses electronic signatures or other similar technologies to protect users. Sakpatenti's request envisions four phases: 1) feasibility study; 2) business analysis/software specifications; 3) development and deployment; 4) and post-project support. As part of the process to build the EFS consultancy was intended to help Sakpatenti to examine the requirements-gathering approach that currently comprise its application and registration system to optimize and streamline those processes prior to designing the EFS.

OUTPUTS

The purpose of the consultancy was to develop the specifications of business requirements in relation to the identified future processes related to Sakpatenti's application system. Specifically, the consultancy will create system requirement specification document describing functional and technical requirements for the EFS application development and implementation.

B. METHODOLOGY

ANALYSIS OF DOCUMENTS

OBJECTIVES

Objective of analysis of documents was to understand clearly existing Georgian and international legislative and procedural framework, especially in slice of identification of changes, proposed by business process reengineering experts.

Another objective of document analysis was to prepare interview questionnaire for Sakpatenti's management and staff.

ACTIVITIES

On the inception stage of the assignment, several documents, reflecting existing operations of Sakpatenti, as well as legislation (Georgian and international), regulation functioning of Sakpatenti were analyzed. These documents are:

- Law of Georgia on Design
- Law of Georgia on Copyright and Neighboring Rights
- Patent Law of Georgia
- Trademark Law of Georgia
- Law on Appellations of Origin and Geographical Indications of Goods
- Instruction on Trademark Registration
- Instruction on Design Registration
- Instruction on Registration of Invention and Utility Model
- International Classifiers and Standards, used in IP proceedings:
    - International Classification of goods and services under the Nice Agreement
    - International Classification of the figurative elements of marks under the Vienna Agreement
    - Official Bulletin of the Industrial Property
    - International Patent Classification
    - WIPO STANDARD ST.3
    - WIPO STANDARD ST.60
    - WIPO STANDARD ST.80

ANALYSIS OF EXISTING CAPACITIES

OBJECTIVES

Objective of this analysis was to realize and understand readiness of Sakpatenti implement proposed change from both organizational and automation point of view.

ACTIVITIES

On the inception stage, existing capacities (human, technical – hardware, and infrastructure, information system), as well as plans to expand/reduce capacities were analyzed.

Existing software, as well as opinion of Sakpatenti's staff regarding capacity and functionality of the software, was analyzed in depth. Corresponding findings are reflected in recommendations, attached to the present report. Some key functionalities of existing software, fully satisfying Sakpatenti's needs and requirements, are also reflected in the final document (business requirements).

MAPPING OF PROCESSES AND OPERATIONS

OBJECTIVES

Objectives of detailed mapping of processes was to expand and decompose high-level optimized flows, proposed by the business process reengineering Experts to low-level activities, to systemize and unify proposed flows, determine similar sub-processes and activities, to formalize simple steps, common for all processes, as well as to adjust questionnaires for interviews and focus groups.

ACTIVITIES

Maps of optimized processes, prepared during the previous stage of the TA were analyzed. Processes of all departments were compared and similar sub-processes, activities, and steps were unified and systemized. Common formal procedures, such as approval, acceptance, rejection, etc., were formalized and described.

External requests, allowed to interrupt regular processing were investigated: requests were systemized and grouped. Formal procedures (submission, acceptance, rejection, etc.) were unified and formalized.

More than 50 flow chart diagrams, clarifying processes, were prepared and are provided in the business requirements documents. Flow charts were negotiated with management and confirmed.

IN-DEPTH INTERVIEWS

OBJECTIVES

In-depth face-to-face and group interviews were a key methodological tool, utilized for assignment. Interviews were aimed to identify and understand needs in changes and automation, as well as to separate actual needs form participants' wishes. The overall picture figured out from interviews, has created a base for requirements, provided in the delivered document.

ACTIVITIES

Series of in-depth interviews with Sakpatenti's top and middle-level management (Heads of Departments) were conducted. Face-to-face and group interviews with Sakpatenti's staff were conducted too.

More than 20 interviews with Sakpatenti's Management and 22 employees were conducted. List of audience of interview in provided in **ADDITIONAL INFORMATION** section.

Requirements gathering form, proposed by Delloite was adopted in this stage. Needs and wishes of participants of interviews were documented using above-mentioned form. Finally, compliance matrix, provided in the final requirements document, was prepared using requirements, collected in the requirements gathering form.

FOCUS GROUPS

OBJECTIVES

Objective of organization of focus groups was to understand general opinion, needs, and withes, as well as general readiness of both key external customers of Sakpatent's services (patent attorneys, companies, and natural persons), and Sakpatenti's top management.

Another objective was to moderate open discussion and force participants to formulate common view regarding key issues of the system, such as usability, payment system, level of automation and interaction, etc.

FOCUS GROUP WITH CUSTOMERS

Focus group with most active customers was conducted. The audience of the focus group was represented mainly by patent attorneys, providing both trademark and patents registrations service, and by representatives of companies, actively involved in the registration process (pharmaceutical companies, producers).

Requirements to external interfaces and operability of the system as well as different options for online payments were discussed and common view regarding key issues was identified. Overall readiness of external customers to transform operations to electronic form was identified.

FOCUS GROUP WITH MANAGEMENT

Focus group with Sakpatent's management was conducted. Initially identified and developed concepts of the future system were discussed with management. Some critical changes in proposed concepts was requested and reflected in the final document.

C. FINDINGS

READINNESS

- Overall readiness of Sakpatenti's management and staff to transform operations to the paperless process was observed. Sakpatenti's management is even ready to implement some significant changes in legislation and regulations to utilize advantages of a fully electronic process in the best way.
- It should be mentioned that Sakpatenti's internal process is already automated and existing system provides well-established functionality for electronic proceeding (see existing software). Sakpatenti's staff is quite satisfied with existing functionality and some resistance from their side to implement any fundamental changes was recognized. Internal staff generally prefer to keep existing software for internal processes, but some additions and changes in users interface was required.
- Readiness of external users to transform to paperless process was observed, especially from representatives of large legal entities, registering IPs on regular basis. However, some resistance from the patent attorneys side was identified. Patent attorneys generally are ready and welcome implementation of eFiling system, but attempts to restrict flexibility of the system to keep general power and role of Attorneys was identified.

EXISTING SOFTWARE

It should be mentioned, that Sakpatenti's internal process is already automated and existing system provides well-established functionality for electronic proceeding. The system has a number of features, which are recognized as the most important advantages of the system. This functionality is requested to be implemented in the new system.

Option to develop only external part of the system (eFiling portal) and integrate it into the existing system was recognized, considered, and discussed with Sakpatenti's IT staff and management. However, because of utilization of poor technologies option to develop only external processing without modification of the internal system will require effort, almost equivalent to development of a new internal system.

FLEXIBILITY

- The system is quite flexible from management and administration point of view. It includes strong workflow management subsystem, allowing Sakpatenti to modify quickly any changes in business processes, as well as create new processes and operations.
- However, workflow management process requires involvement of the administrator on the level of query programming, which in some sense restricts flexibility of the system.
- Workflow management is highly recommended to be implemented in the new system, especially on the background of not fully optimized and less arranged business processes.

SEARCH ENGINE

- The system provides functionality of comprehensive contextual search in the Sakpatenti's database, which generally could be mentioned as the most significant advantage of the system. Search has unique set of algorithms, which are properly described.
- The main disadvantage of the search engine is that it is not fully integrated in processing of applications: templates (patterns) for search, as well as search reports are exchanged between experts on paper base.
- It is strongly recommended to implement above-mentioned engine in the new system. Some portion of the engine should be available for external users. Otherwise, this portion of existing software could be utilized for search purposes, but in this case integration issue will be still under doubt.

TECHNOLOGY

- Oracle is used as a data storage and relational database management system and it could be considered as an advantage of the system. It is also recommended to keep this platform for the new system: it will make easier migration of old data into new database, as well as will not require retraining and/or replacement of Sakpatenti IT/administration staff.
- The main disadvantage of the system consists of its architecture. Two-layer application with business logic fully allocated in the interfaces reduces opportunity to integrate system with other application. Option to develop only external processing without modification of the internal system will require effort, almost equivalent to development of a new internal system.

OTHER DISADVANTAGES

- The main disadvantage of the existing system, mentioned by almost all respondents, is its poor interface. However, the architecture of the system provides no opportunity to change (improve) interface easily.
- No international (WIPO) classifiers are integrated into the system, which means that almost all operations, connected to examination of the applications are heavily paper-based (printed classifiers are used for analysis and processing). It is highly recommended to build classifiers in the new system.

TECHNICAL INFRASTRUCTURE

- Sakpatenti owns quite outdated hardware resources. Sakpatenti is going to updates servers (servers are already purchased and installation is in progress), but data storages, as well as back-up capacity is rather poor.
- There is no server center infrastructure and no infrastructure, satisfying widely accepted standards, and requirements is planned to be established in the new building. This could create significant problems in the future, when servers' capacity will be enhanced. Correspondingly, no back-up infrastructure is planned to be implemented.

HUMAN CAPACITY

- The average age can be estimated as above 40. However, the general observation is that staff have enough computer literacy to operate through automated work places.

SCALE OF THE SYSTEM

- It was identified that the overall scale of the system is much larger than recognized before detailed investigation of the system.
- The process is quite complicated and allows almost unrestricted opportunity to interrupt the process from the external users' side. Most of interventions (external requests) require changes in deadlines of processing raise payment liabilities and could cause significant changes in processing. This potentially may complicate development of the system, as well significantly extend time for its implementation.
- Nonsystemized approach to processing of interventions may create significant risk to successful implementation of the system. In the delivered document some systematization, unification and formalization of interventions, as well as systematization and formalization of processing of interventions are proposed and described. However, some operations are still notsystemized and some additional effort aimed to unify requests, processes, and operations sufficiently will be required on the next step.

EXISTING PROCESSES AND REGULATIONS

- Existing business processes are not systemized, formalized, and unified. However, the main observation is (this observation is reflected in the delivered document) that actually all processes could be fully unified and portions (steps) of processes and operations could differ only by a standard set of parameters, as well as input information and output forms/templates.
- It is highly recommended to conduct organizational performance assessment, as well as implement steps toward arrangement and optimization of business processes and procedures.

RISKS AND OBSTACLES

The following risks and obstacle for successful implementation of the system are identified.

- Business processes are chaotic, nonsystemized and poorly documented (especially internal procedures). Information flow is unclear and there is no strict separation of responsibilities. This may create significant risk during implementation of the system.
- The schedule of processing deadlines (both internal and external), as well as fee schedules are not unified. This potentially could increase complexity of the system, and correspondingly could increase time of development and implementation.
- Nonsystemized approach to processing of external requests may create significant risk to successful implementation of the system. Some additional effort aimed to unify requests, processes, and operations sufficiently will be required on the next step.
- Existence of information system potentially could create some obstacles during deployment of the system. It is recommended to utilize as much functionality of the existing system (from interfaces point of view) as possible. Improved and extended

interfaces, at least simulating existing interfaces will significantly reduce risks and obstacles, connected to the change management process.

- Low computer literacy of some category of external participants may create some obstacles for full transformation of external processing to electronic format. Sakpatenti should keep paper-based processing for some particular period of time. At the same time, it is recommended to increase fees for paper-based processing, which could potentially make faster the process of transformation. To reduce cost of development of the system, it is proposed to utilize single external interface for external users and front office (chancellery) staff. Difference between processing could be realized on user rights level. This concept is described in detailed in the delivered document.

- Resistance from patent attorneys side could create additional obstacle for implementation of the system. It is recommended to prohibit paper-based operations for this category of external users. The concept of electronic agreements is introduced in the delivered document. However, document allows submission of scanned documents, confirming representation rights of patent attorneys. It could be recommended to remove eventually paper-based agreements. This potentially will create more freedom for applicants, as well as increase competition between patent attorneys, which finally will reduce their power and increase efficiency of service, provided by them.

- Some data exchange interfaces, proposed in the delivered documents, could not be available for implementation and/or could require additional negotiation with data providers. One such interfaces is interface with banks' information systems when identification of direct bank transfers or cash deposits is required. This does not create significant risk for implementation of the system (identification should be allowed to be processed manually), but reduces flexibility of the system.

- The scale of the system together with restricted time frame for development of the system potentially will create significant risk for development and implementation. It is recommended to review overall scope of the system, prioritize tasks, and develop the consequent implementation of different portions.

DELIVERED SERVICE AND DOCUMENTS

SCOPE OF DOCUMENT AND DEVIATION FROM THE INITIAL SCOPE

Delivered document is a high-level business requirements (BR) document. The document is a formal statement of the application functional and operational requirements. It serves as an agreement between the developer and Sakpatenti. The developers agree to provide the capabilities specified. The client agrees to find the product satisfactory if it provides the capabilities specified in the BR. However, BR document provides minimal requirements to be covered by the system, but requires adjustment and clarifying of details in the next-level documents. It is assumed that the overall scope of the system will not be changed, however, the document allows both insignificant changes/enhancement of functionality.

According to SOW for the present assignment, the functional requirements and technical requirements document were requested to be provided. However, processes, optimized and sketched on the previous step, required formalization, and unification and structuring in order to be successfully implemented in development stage. Development of the business requirements document instead of functional/technical requirements was proposed and agreed with EPI team. Specific functional/technical requirements should be clarified on the initial stage of the product development.

D. RECOMMENDATIONS

ORGANIZATIONAL CHANGES AND DEVELOPMENT

- It is highly recommended to conduct organizational performance assessment, as well as implement steps toward arrangement and optimization of business processes and procedures.
- Processes together with deadlines and fees schedules should be formalized and unified. Structured operation manual is recommended to be provided and restructured and systemized processes are recommended to be implemented before deployment of the information system. This will simplify the change management process.

LAGISLATIVE CHANGES

- Sakpatenti should keep paper-based processing for some particular period of time. At the same time, it is recommended to increase fees for paper-based processing, which could potentially make faster the process of transformation.
- It is recommended to prohibit paper-based operations for some categories of external users, especially for patent attorneys. The concept of electronic agreements is introduced in the delivered document. However, document allows submission of scanned documents, confirming representation rights of patent attorneys. It could be recommended to remove eventually paper-based agreements. This potentially will create more freedom for applicants, as well as increase competition between patent attorneys, which finally will reduce their power and increase efficiency of service, provided by them.
- Electronic agreements concept (if finally accepted) should be reflected in legislation.

SCALE

- It is recommended to review overall scope of the system, prioritize tasks, and develop the system by consequent implementation of different portions of the system.
- Despite the fact that the existing system is quite flexible and could be successfully utilized for internal processing (some improvement if interfaces are required), it is not recommended to consider integration of external eFiling to it. Because of poor architecture, effort required to modify existing system and integrate external services could be compared (from time and cost point of view) to development of absolutely new system. Search engine could be utilized as an interim solution until it is realized in the new system.

IMPLEMENTATION AND MAINTENANCE OF SYSTEM

- To reduce cost of development of the system, it is proposed to utilize single external interface for external users and front office (chancellery) staff.
- It is recommended to utilize as much functionality of the existing system (from interfaces point of view) as possible. Improved and extended interfaces, at least simulating existing interfaces will significantly reduce risks and obstacles, connected to the change management process.

- Workflow management is highly recommended to be implemented in the new system, especially in the background of not fully optimized and less arranged business processes.
- It is strongly recommended to simulate comprehensive search engine in the new system. Some portion of the engine should be available for external users. If not implemented, this portion of existing software could be utilized for search purposes, but in this case integration issue will be still under doubt.
- It is highly recommended to build international (WIPO) classifiers in the new system
- It is recommended to consider outsourcing of data center for hosting and maintenance of the system. It potentially reduces system maintenance costs from both establishment of properly designed and equipped data center and recruitment of high qualified specialists point of view. Utilization of the data center outsourcing will also solve problems of establishment and maintenance of back-up/business continuity infrastructure.
- In the case if decision to establish own infrastructure is made, it is highly recommended to keep existing server platforms and technologies in place. Utilization of this approach will not require retraining and/or replacement of Sakpatenti IT/administration staff.

METHODOLOGICAL NOTES

- Approach is recommended to be utilized and adopted
  - on very early (initial) stage of formulation of requirements to understand overall expectations of stakeholders
  - when requirements for modification/extension of the existing system should be formulated
  - if strictly and clearly described business processes are in place
  - If extended team of analysts and interviewers is available.

E. ADDITIONAL INFORMATION

PARTICIPANTS OF INTERVIEWS

The table below provides a brief outline of audience, involved in the interviews.

HEADING	HEADING
Ms. Ekaterine Egutia	Deputy Chairman of Sakpatenti
Mr. Giorgi Kurdiani	Head of Trademarks and Geographical Indications Department, Head of Department of Finance
Mr. Zviad Matiashvili	Head of Department of Inventions, Design and New Varieties and Breeds
Ms. Elene Kemashvili	Head of Legal and Copyright Law Department
Ms. Ana Gobechia	Head of International Affairs and Project Management Division (inception interview only)
Mr. David Suladze	Developer of existing system
Staff of Department of Trademarks and Geographical Indications Department	Experts, search experts, registrars, total 10 employees
Staff of Department of Inventions, Design and New Varieties and Breeds	Patent experts, design experts, total 5 employees
Staff of Department of Finance	Chief Specialists, total 2 employees
Staff of Legal Department	Secretaries of Appeal, Copyright expert, legal experts, total 5 employees
Staff of IT Division and Web Portal Support Unit	3 employees

Audience of Interviews

COLLABORATORS

The table below provides a brief outline of collaborators, involved in the working process.

HEADING	HEADING
Mr. Sabrina Amjad	Deloitte BPR Consultant
Mr. Malkhaz Nikolashvili	EPI e-Government Manager

Mr. Irakli Demetrashvili	EPI BEE Commercial Law Manager
Mr. Giorgi Jokhadze	Sakpatenti Consultant

ELECTRONIC FILING SYSTEM (EFS) BUSINESS REQUIREMENTS

A copy of the EFS Business Requirements is included in the following pages.

SAKPATENTI

Georgian Intellectual Property Center

Electronic Filing System

(EFS)

BUSINESS REQUIREMENTS

(EFS-BR)

As of December 27, 2011

Tbilisi, December 2011

Document Control

Project	EFS		
Product	EFS – Business Requirements		
Description	Document describes scope of the project, divides project on business processes and presents structural view and functional description of those processes. Document covers processes of four structural units. Requirements are general and should be completed by detailed description of business processes.		
File	EFS-UPFR-EN	No of pages	285

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1 INTRODUCTION

The Business Requirements (BR) is a formal statement of the application functional and operational requirements. It serves as a contract between the developer and the customer for whom the system is being developed. The developers agree to provide the capabilities specified. The client agrees to find the product satisfactory if it provides the capabilities specified in the BR.

BR document provides minimal requirements to be covered by the system, but requires adjustment and clarifying of details in the next level documents. It is assumed that the overall scope of the system will not be changed, however the document allows both insignificant changes/enhancement of functionality. Overall scope of the document and changes thereto are effective upon written approval/signature by Sakpatenti leadership or persons duly designated.

Sections 1 through 6 describe the contents of the UPFR in accordance with the software development life cycle (SDLC). It provides general guidelines for writing requirements.

A brief description of BR functions~~,~~ characteristics, and requirements structure includes the following:

- The BR has the following characteristics:
  - Demonstrates that the application provides value to Sakpatenti in terms of the business objectives and business processes.
  - Contains a complete set of business requirements for the application.
  - The BP is a statement of what the application is to do—not of how it works. The BR does not commit the developers to a design. For that reason, any reference to the use of a specific technology is inappropriate in an UPFR, unless the technology is listed as a system constraint.
- The BR provides the following requirements, where a requirement is defined as a condition the application must meet for the customer to find the application satisfactory. A requirement has the following characteristics:
  - Provides a benefit to the organization. That benefit is directly traceable to the business objectives and business processes of the Sakpatenti.
  - Describes the capabilities the application must provide in business terms.
  - Does not describe how the application provides that capability.
  - Does not describe such design considerations as computer hardware, operating system, and database design.
  - Is stated in unambiguous words. Its meaning is clear and unmistakable.
  - Is verifiable.

1.1 PURPOSE

Sakpatenti carries out the Intellectual Property registration and registered Intellectual Property data management activities. Needs of external communication/services development and internal processing reengineering were identified:

- Public interfaces for services request and communication development

- Application workflow automation system development. Including application space and operations with application, owned by internal and external process participants
- Electronic payment system development. All payments available only on the ground of payment order printed by the front office in response to a service request (also through the front office only)
- Billing system development
- Electronic documents workflow and electronic signature development
- External/internal notifications system development
- Accounts, user and access rights policy and system development
- Search engine development
- Personnel management and administration systems development

The purpose of the project is to develop, optimize and make more efficient the overall process of Sakpatenti cycle by implementation of the full-scale integrated Electronic Filling System, covering all processes related to Intellectual Property operations.

The overall purpose of EFS system is intended to serve:

- Increase internal efficiencies within the Sakpatenti
- Increase quality of service and interaction between the Sakpatenti and its clients

1.2 SCOPE

Full-cycled Electronic Filling System is introduced in this document. The system is intended to provide these functions:

- Applications for IP registration filling and processing:
  - Patents
  - Trademarks
  - Geographical indications
  - Designs
  - Copyrights
- Applications for operations with registered IP filing and processing:
  - Extension of Term of Validity of the IP Registration
  - Reinstatement of Registration
  - Termination of Registration
  - Changes in Name and Addresses
  - Changes in IP
  - Transfer of Rights
  - Issuance of Hardcopies of Documents
  - Issuance of Extract (Electronic and Certified) from the Register
- Virtual Deposit Accounts functionality
- Search Engine functionality
- Human Resource management (in the longer term)
- Administration system (in the longer term)

The system shall also have cross-operational functionality, such as:

- Access control
  - Access to the object registers, operations and interfaces is restricted by the user rights policy
- Case management sub-system

  - Application consideration process presents a case in the system, both for IP registration and IP post registration services. The case is closed with the Application satisfactory or rejection. The result of case processing is presented to the Applicant as a result of the Application consideration.
  - Audit Trail. Cases, processed in different sub-systems/modules are logged centrally. Each operation, requiring changes in the IP status, is logged and stored in the unique place. The audit trail system is available to analyze each process, related to IP objects, starting from expression of interest and ended by IP registration/post registration service provision.
- External interfaces / electronic services
  - Every external interest regarding any of above operations is submitted directly in the system with the use of electronic application form, which differs depending on the operation
  - The result of case processing is presented to the external Interested Party through external web interface as a result of the Application consideration
  - Virtual Deposit Accounts service accessible to the registered external system users for payments and funds management
- Accounts sub-system
  - Registered customer account provides the functionality for initiation and management of multiple IP registration and post registration operations
- Data Exchange
  - The system provides functionality to exchange data with Business and Civil Registers for information, provided by the external user, verification (person/legal entity identification)
- Web Publishing
  - The system will have functionality to publish the appropriate information outside of the system.

1.3 POLICY

Business requirements are created on the ground of existing and proposed optimized structure of Sakpatenti and legislation in force. Data exchange services meet the list of external/internal data sources, participating in today's operations. All system services are established and described in this document.

Possible changes and their impact on the system:

- *Changes in the structure of Sakpatenti.* These changes are non-critical and will cause only minor changes in the system (e.g. external/internal data sources).
- *Changes in the legislation in force.* These changes can be both non-critical and critical. Not critical changes will cause only minor changes in the system; critical changes could require the implementation of additional functionality.
- *Data exchange organization through the Data Exchange Agency.* Before the consolidation and normalization of the services, non-critical changes might be needed. Critical changes will be required after the consolidation and normalization of the services.
- *Additional services.* These services could require changes in existing system or additional functionality implementation. Additional data exchange services should be designed and implemented.

1.4 SYSTEM DESCRIPTION

This section provides an overview of the physical system.

1.4.1 System Architecture

The system shall have fully web-based and service oriented three-tier architecture. Information exchange between different layers of the system, as well as different sub-systems and modules shall be organized based on SOAP standards. The system will package functionality as a suite of interoperable services that can be used within multiple separate systems from several business domains.

One business domain is assumed to exist – Core IP Management IS, including both processing of operations and IP Register. Two interfaces – External e-Filing interface and Internal processing – are assumed to exist.

1.4.2 Operating System

End Users: Currently all potential end users of the system are using Windows XP/Vista/7 operating system. No prospective changes in end users environment are under consideration. However, transfer to alternative open platform could not be excluded from consideration, especially on background of legalization issues, actively ongoing on the GoG level. Web-based end-users interfaces requirement could potentially eliminate the risk of changes in the end-user environment.

Internal end-user interfaces are desirable to be fully functional and supported from all most popular browsers (MS Internet Explorer, Opera, Mozilla Firefox, and Google Chrome). MS Internet Explorer is required to be supported for internal end-user interfaces.

External end-user interfaces (electronic services) shall be fully functional and supported from all most popular browsers (MS Internet Explorer, Opera, Mozilla Firefox, and Google Chrome).

1.4.3 Application Languages

Application and interfaces shall be available on the Georgian language. There are no requirements for the multilingual interface.

The system shall allow entering some information in both Georgian and English languages. It generally relates to information, related to international Applications, as well as some information, assumed to be published and/or distributed outside of the internal system (web portal).

1.4.4 Size and Complexity of the System

Currently, there are a total of 120 Sakpatenti employees working in the IP management cycle and located in the head office Sakpatenti in Tbilisi. This amount includes:

- Leadership - 3
- Department of Trademarks and Geographical Indications - 21

- Department of Inventions, Design and New Varieties and Breeds - 33
- Legal and Copyrights Department - 10
- Administrative Department - 10
- Financial Department (including Procurement) – 11
- IT Department – 13
- Publishing and Editorial Division – 9
- Library Sector – 3
- International Affairs and Project Management Division – 6
- Media and PR Division – 3

Expected full or partial relocation of Sakpatenti office to Mtskheta in 2012 could have an undefined effect on organizational structure and location of various units/services. Regardless, relocation has little to no effect where web-based systems are used for operations.

1.4.4.1 External Users (Services Consumers)

The following table provides approximate evaluation of external users. Data for public information resources is not available, however it is not expected that this resources will be overloaded. All external users are assumed to be connected to external application server(s) and external load will not be reflected immediately in the internal system (except Interest Expression Submission electronic service, allowing transferring submitted data to the internal system).

Table 1. External Users (Service Consumers)

	Service	Details	Expected approximate total number of consumers	Expected approximate visits per day
I	***E-Filing Portal***			
1	Information (public) area	Information on registered IP, publications, legislation, fees, news and other useful information.	N/A	Currently there are about 410 visitors per day. However, it is anticipated that number of visitors will increase
2	Application Submission and processing service	Application processing spaces, accessible to all the participants with the tools for performing the appropriate actions in accordance to the process stage.	4500 per year	

3	Operations with Registered IPs Service	Application (for operations with registered IPs) processing spaces, accessible to all the participants with the tools for performing the appropriate actions in accordance to the process stage.	3000 per year	
4	ePayment services	The system of Virtual Deposit Accounts, where funds are cumulated and available for processing (paying for services, provided by Sakpatenti).	N/A	Approximately 85 per day
II	***Data Exchange Web Services***			
	Data exchange through DEA's integration platform (or through direct connection)			
1	Civil Register Agency	External users identification – natural persons	N/A	It is anticipated, that number of data requests from the Civil Register will be about 4 per day, depending on new Natural Person registration in EFS of Sakpatenti requests.
2	Business Register	External users identification – legal entities, patent attorneys	N/A	It is anticipated, that number of data requests from the Business Register will be about 11 per day, depending on new Legal Entities and Patent Attorneys registration in EFS of Sakpatenti requests.

1.4.4.2 Transactions and Data Upload

About 17 transactions per day could be expected. Transaction does not assume transferring of large amount media data and could not potentially create large load. However, the system assumes upload of large media data, such as scanned documents and pictures, which are expected to be stored in the database. Assuming restriction on size of media file, each record could be accompanied by media information. The enterprise transactions will potentially require uploading and storing of larger amount of media files (scanned business plans, financial reporting).

The total amount of records in registers potentially will not exceed 27000 records per year.

1.5 INTENDED AUDIENCE AND READING SUGGESTIONS

The table below lists the intended users, the sections most relevant for each type of user, and the purpose for which the users may utilize the information in this document.

Table 2. Intended Audience

Users	Relevant Sections	Uses
Sakpatenti staff	All	As a tool for communicating the level of detailed Sakpatenti's expects to see in a system design document.
Vendors/Developers	All	As reference material to understand the expectations that

		Sakpatenti has from vendors engaged in EFS design and development activities.

1.6 APPLICABLE DOCUMENTS

Table 3. Applicable Documents

Id	Title	Reference	Version
1	Law of Georgia on Design	http://www.sakpatenti.org.ge/files/Design_Law_e.pdf	
2	Law of Georgia on copyright and neighboring rights	http://www.sakpatenti.org.ge/files/Copyright_Law_e.pdf	
3	Patent Law of Georgia	http://www.sakpatenti.org.ge/files/Patent_Law_e.pdf	
4	Trademark Law of Georgia	http://www.sakpatenti.org.ge/files/Trademark_Law_e.pdf	
5	International Classification of goods and services under the Nice Agreement	http://www.wipo.int/classifications/nivilo/nice	Ninth Edition
6	International Classification of the figurative elements of marks under the Vienna Agreement	http://www.wipo.int/classifications/nivilo/vienna	Sixth Edition
7	Official Bulletin of the Industrial Property	http://www.sakpatenti.org.ge/index.php?lang_id=ENG&sec_id=19	10.09.2010
8	International Patent Classification (IPC)	http://www.wipo.int/classifications/ipc/en/	Strasbourg Agreement 1971
9	WIPO STANDARD ST.3	http://www.wipo.int/standards/en/pdf/03-03-01.pdf	03.2011
10	WIPO STANDARD ST.60	http://www.wipo.int/standards/en/pdf/03-60-01.pdf	12.2008
11	WIPO STANDARD ST.80	http://www.wipo.int/standards/en/pdf/03-80-01.pdf	02.2004

1.7 GLOSSARY

Table 4. Glossary

Acronym/Term	Description
ADB	Account Dashboard
ADT	IP Application Desktop
AVDA	Application Virtual Deposit Account
BR	Business Requirements
CVDA	Customer Virtual Deposit Account
DA	Departments Accounts
EFS	Electronic Filing System
CNA	Change in Name and Address

Acronym/Term	Description
GoG	Government of Georgia
GPoA	General Power of Attorney
IP	Intellectual Property
IPAA	IP Application Account
LE	Legal Entity
NP	Natural Person
PA	Patent Attorney
PC	Passive Customers
PoA	Power of Attorney
RG	Registered Customers
RIPO	Registered IP Object
SDLC	Software Development Life Cycle
TP	Trusted Party
VDA	Virtual Deposit Account

2 ASSUMPTIONS AND CONSTRAINTS

2.1 ASSUMPTIONS

Functional requirements, described in this document, are designed based on the current structure and activities of Sakpatenti. In the event of the changes in this structure or activities, a need of certain functions redesign may occur.

Possible changes mostly apply to:

- Changes in Application consideration workflow
- Changes in Sakpatenti structure, concerning the responsibilities and duties of it personnel
- Additional functions
- Elimination of paper based Applications
- Changes in international classifiers
- Direct integration and data exchange with international databases

2.2 CONSTRAINTS

Functions of three level of priority are described in this document. High priority functionality should be implemented regardless of any factors.

The implementation of medium priority functionality is offered for the optimal system functionality and satisfactory usability.

The implementation of low priority functions is offered for the best system performance and the highest usability.

The implementation of medium and low priority functionality depends on:

- The appropriateness of the function, which should be defined by Sakpatenti
- The cost and time of the implementation

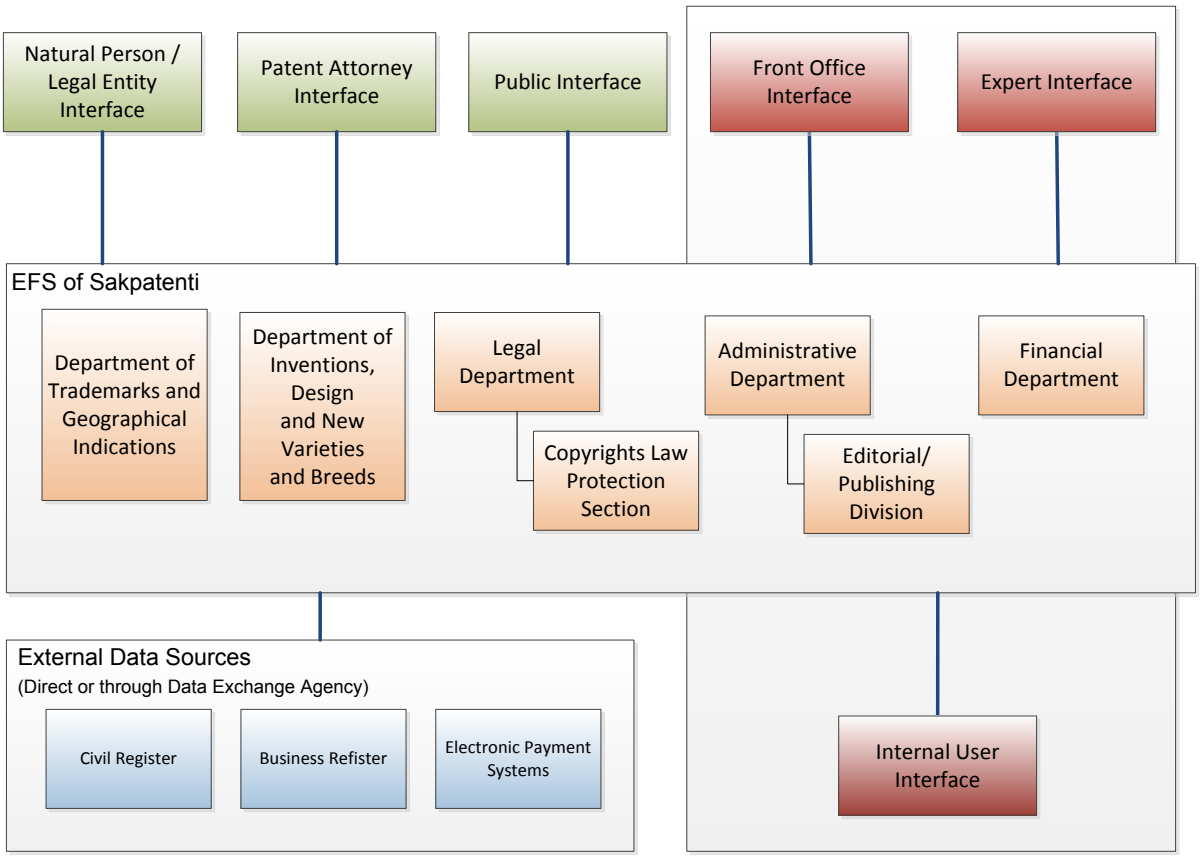
Issues regarding the medium and low priority functions should be decided during the implementation of the system.

3 CONTEXT

3.1 SYSTEM CONTEXT MODEL

The context diagram represents the entire EFS of Sakpatenti system as a single object or process and identifies the interfaces between the system and external entities.

Figure 1. EFS Context Diagram



As shown in the Figure 1, the EFS of Sakpatenti is accessible through the six main interfaces:

Customer Interface, which is different for

- Natural Persons. NP interface allows existence of only one user with full access rights
- Legal Entities. LE interface allow existence of any number of users with different rights – administrator, having rights to manage the users and profile, authorized users, having rights to sign the information, and regular user, having rights to prepare the information

Patent Attorney Interface. Patent Attorney represents a Natural Person/Legal Entity and has no rights to act on his own interest (be an applicant or owner). PA interface allows existence of any number of users with administrator, authorized user and regular user rights.

Front Office Interface. Front Office accepts the paper based applications and requests from Natural Person/Legal Entity, initiates the appropriate process, communicates with the customer during the processing and reports the result. FO interface allows existence of any number of users with

administrator rights (single user) and authorized users (Sakpatenti staff), submitting applications/requests based on paper applications on behalf of applicants/owners. FO has no rights to submit documents on behalf of Patent Attorney.

Public interface. PI allows non-authorized users to search for information, register account, log-in into account, submit request for extract/appeal for IP and process other operations, available for the third parties.

Expert Interface. Expert's interface allows experts (mainly substantive) to access tasks, assigned for them from both internal environment (as structured currently), and remotely (as planned to be implemented). Experts should be able to access to IP applications, assigned for them for examinations, as well as to process all allowed operations, such as submission of conclusions, indirect communication with Applicants (through request forms and free correspondence form), communication with Sakpatenti's internal office (e.g. requests for search, requests for confirmation of validity of documents, etc.). Expert interface should differ from the Internal User interface. It should not reflect all steps of internal workflow, but should provide remote access to all information and tools, relevant to assigned task (formal, substantive) and Expert's functional area (patents, trademarks, and etc.).

Internal User Interface. Interface allowing internal users of the system (excluding experts), involved in any processes, to perform operations, allowed to be processed by them. Interfaces could differ for different categories of internal users (e.g. Management, Administration, Financial, Registrar, and Legal). Internal interfaces should fully reflect internal workflow process and capabilities. Services, offered by the Sakpatenti are processed in three groups of structural units:

Functional Departments/Units (Department of Trademarks, Department of Inventions, Design and New Varieties and Breeds, Copyrights Law Protection Section of Legal Department) are responsible for IP information consideration, investigations, research as well as for IP Applications processing.

Legal Department (except Copyrights Law Protection Section) is responsible for examination of legal documents and is the owner of Appeal process.

Financial Department is involved in all processes, being processed by Sakpatenti in both passive (controls billing/payment process) and active (generates invoices, confirm bank transactions, process transactions, etc.) modes.

Departments interact during the processing of external applications/requests. The interaction is initiated either by the process or by the responsible Department. The process owner Department is assigned by the system in accordance with the application/request subject.

Two external data sources are connected to EMF of Sakpatenti:

Civil Register – verification of personal information of Natural Persons

Business Register – verification of company information and authorized persons of Legal Entities and Patent Attorneys

3.2 BASIC CONCEPTS AND NOTIONS

3.2.1 Accounts and Objects

Six different spaces, containing the appropriate information, depending on the space purpose can be defined in the EFS of Sakpatenti. Those spaces are:

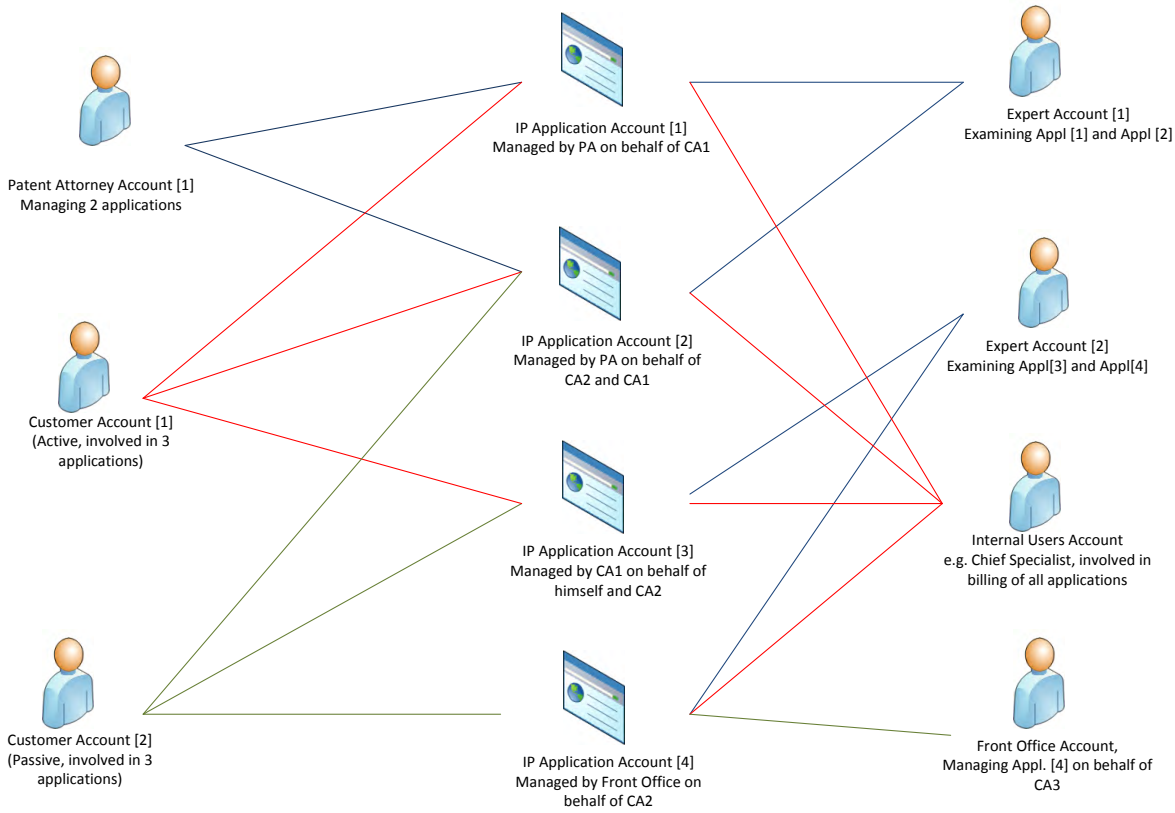
- Customer Account
- Patent Attorney Account
- Front Office Account
- Expert Account
- Internal Account
- IP Application Account

Intellectual property object is an entity, around which all activities of Sakpatenti are built. Four different levels of objects, statically structuring intellectual property, as well as reflecting full lifecycle of objects are as following:

- Object of Protection
- IP Object (Intellectual Property)
- Pending IP Object (Application)
- Registered IP Object

The possible connections of the spaces are shown in Figure 2

Figure 2. Connections of Accounts



The detailed explanation of available connections between the spaces is described in the paragraphs below.

3.2.1.1 Customer Account

Customer is a Legal Entity of Natural Person involved in the any intellectual property related process. Customer can have active account, if it is registered as a user of the EFS, or passive account, if it is mentioned as an applicant/co-applicant (owner/co-owner) of any process, by has no registered user account. Passive account can be activated any time. Activation means assignment of user account in the EFS.

Customer Account (CA) can provide access to a series of IP Applications and/or IP Registered Objects, in which one particular Customer is involved.

Any Legal Entity (LE), Natural Person (NP) can create a Customer Account in the EFS of Sakpatenti. The information, entered by the interested party during the registration is verified through the Public Register (NA) and Business Register (LE, PA).

Customer Account, create by the NP, allows only one user with the administrator rights. Multiple Customer Account users are allowed in accounts, created by the LE or PA. These users can have different rights for operating, granted by the account administrator.

3.2.1.2 Patent Attorney Account

Patent Attorney Account (PAA, PA Account) is a dedicated form of customer account. Patent Attorney account could be created only internally by Sakpatenti when legal entity is registered as a Patent Attorney in Sakpatenti and is allowed (licensed) to perform relevant operations on the Georgian territory.

Patent Attorney account can provide access to a series of Applications and Objects, for which this account is authorized as a representative. Representation rights could be restricted to a series of particular operations. General representation could also be assigned to a particular PA Account.

PA Account could be suspended/disabled if the legal entity loses rights to operate as a PA.

A number of users with different rights could be assigned to one PA Account.

3.2.1.3 Front Office Account

Front Office is a Sakpatenti's internal account, allowing its users to perform on behalf of customers, preferring to communicate with Sakpatenti directly through Service Center. Front Office is allowed to provide full cycle of operations, confirmed by paper-based documents, provided by Customers.

Front office account could be considered as a temporal solution, allowing Sakpatenti to keep both paper-based and electronic communications.

Front Office Account provides access to a series of IP Applications and IP Registered Objects, related to multiple Customers and not assigned to any PA or registered Customer Account.

Front Office Account may have unrestricted number of users (Sakpatenti's personnel), having equal rights to process the operations on behalf of a Customer.

3.2.1.4 Expert Account

Expert is a person, employed or contracted by Sakpatenti, who is responsible for examination of content of IP applications. It is assumed, that Expert is not involved in any administrative/supportive workflow and is responsible only for submission of conclusion for particular case, assigned to him/she.

Expert Account could be assigned by a series of tasks with defined deadlines for submission. Expert Account supposes existence of one unique user, Natural Person, employed or contracted by Sakpatenti. However, it cannot be excluded from consideration, that in the future Expert Account could be considered as an account of a group of users (e.g. some legal entity), authorized to provide expertise/examination service for Sakpatenti.

3.2.1.5 Internal Account

All Sakpatenti's staff, including management, functional and support personnel, should have internal accounts in the system. Internal accounts could be grouped by functional roles (e.g. functional departments, financial, legal). User rights, level of access to information and operation should be defined on the level of users and/or groups of users.

Internal accounts include cross-functional access to different IP Objects and Applications, and are involved in the internal workflow process.

3.2.1.6 IP Application Account

IP Application Account is a series of operations and set of information, related to one particular IP Application (application data, uploaded files and documents, electronic agreements, co-parties accounts, payments, deadlines, notifications, requests for operations, etc.).

Multiple Customer Accounts / PA Accounts can be connected to IP Application Account in case of IP Application submitted by the LE and/or PA representation.

Registered customers are assigned to the IP Account with different rights (co-owners, co-applicants, attorneys). Assigned users have access to IP information and operations according to their rights.

Front office could have access to all accounts, but access to operations should be restricted in the case if Application Account is already managed by any active CA or PAA.

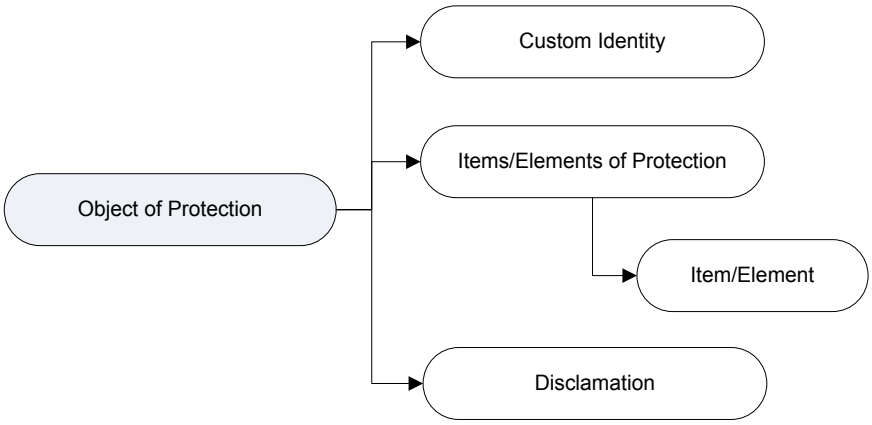
Internal Accounts should have access to multiple IP Application accounts on the level allowed for particular type of account (e.g. billing, legal support, task management, and etc.).

3.2.1.7 Object of Protection

Object of Protection is a set of specific information claimed to be protected by the Georgian and/or International legislation. Set of information, which could be protected, is strictly defined for each particular type of IP and this set varies for different types.

However, the common structure for all types could be identified. This structure is provided on Figure 3.

Figure 3. Object of Protection: Common View



1. **Custom Identity (obligatory).** Each Object could be specified by a set of custom properties, generally having a descriptive nature, such as title of the Object of Protection, classification, full description, and etc.

2. **Items/Elements of Protection (obligatory).** This portion of the object of protection is a set of objects (designs, claims, classes, exemplars) which are a direct subject of protection, when each element is a set of information, describing the content of the element. This section should contain at least one element. Each element could be considered as a separate object of protection (could be separated from the Object, transferred, etc.), properly described and satisfying uniqueness requirements. However, all elements should belong to a single logical unity.
3. **Disclamations (optional).** This is a short textual description of that portion of the Object of Protection, which is not protected.

All Objects should have this top-level structure, but information under standard properties could be different for each particular type of IP.

Object of Protection is a core of all other IP-related object, such as IP Object, IP Application, and Registered IP Object. It should contain only static information, regarding object. It is assumed, that information, placed in the Object of Protection cannot be changed after some milestone of the Object's lifecycle or allows only restricted changes. Any change in the Object of Protection are allowed to be processed within frames of strictly defined procedures.

Structures for deferent IPs are provided in Section *5. FUNCTIONAL REQUIREMENTS FOR IP-SPECIFIC PROCESSES*

3.2.1.8 IP Object

IP Object is a conceptual model of the Intellectual Property, rights for which are either claimed to be protected (pending IP Object), or registered (Registered IP Object).

Structure of the Intellectual Property Object is provided on Figure 4.

Object of Protection creates a basis for the IP Object. Besides of Object, claimed to be protected, IP Object should reflect information regarding entities, claiming for protection of rights / holding rights (**Ownership)**, as well as other entities, involved in creation (**Authorship**) or processing (**Representation**) of the Objects.

The IP Object should also contain descriptive information, which briefly reflects the content of the Object of Protection (**Tags**). This information could be used in different searches, as well as could be used to reflect shortly the content of objects on dashboards.

Identity of the IP Object is a set of numeric, textual or date information, identifying the Object. This information is mandatory to all IP Objects, is classified and could be consequently filled out on different stages of the Object's lifecycle.

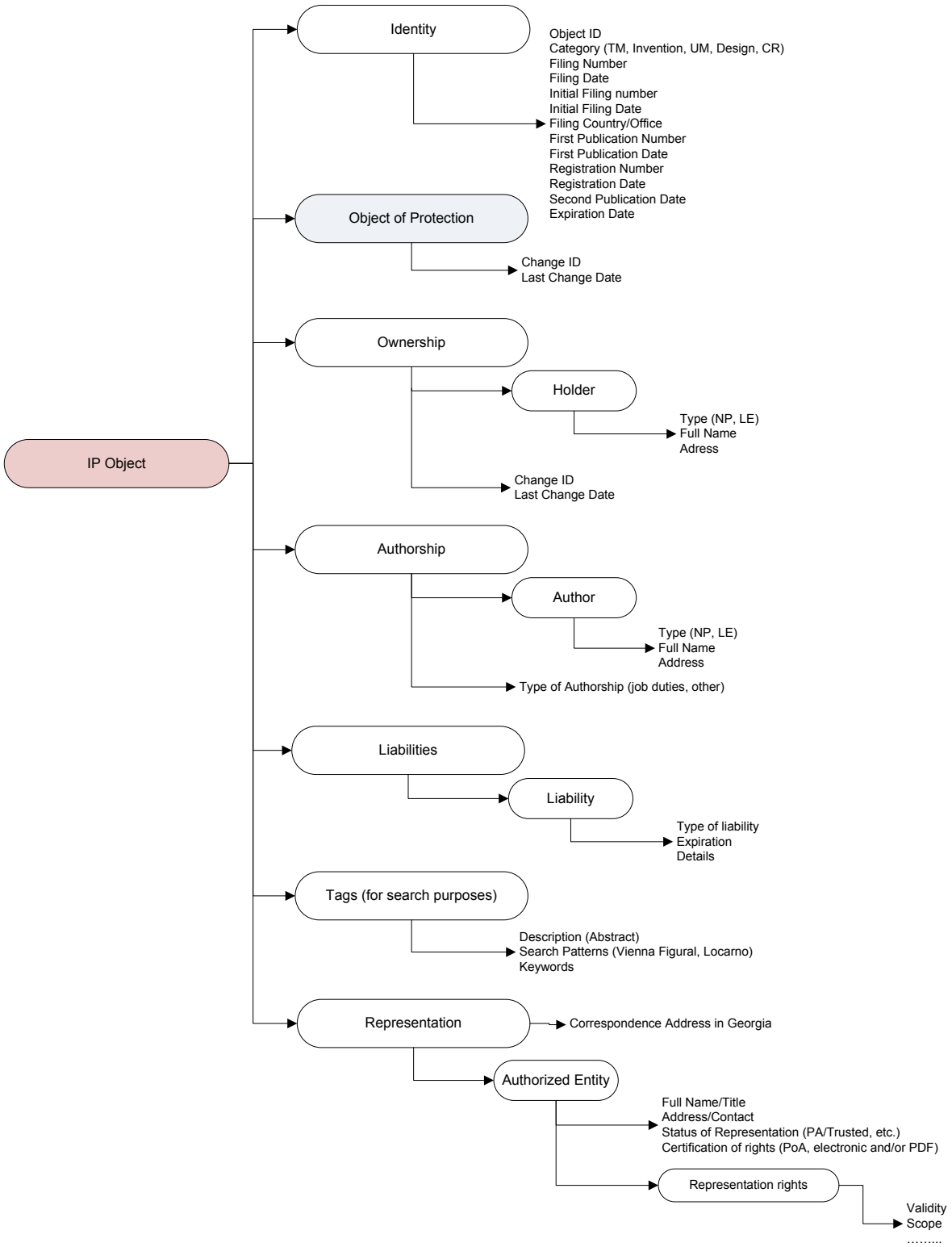
Liability is a set of liabilities, assigned to the object, such as license, lease, collateral agreement, and etc.

Change in IP Object mainly assumes change in ownership and liabilities. It is more common procedure than change in the Object of Protection, but still requires strictly defined procedures, as well as involvement of some level of expertise (mainly legal support, sometimes field expertise).

IP Object also assumes assignment of general representation rights.

All these properties are similar for all types of IPs.

Figure 4. IP Object: Common View



3.2.1.9 IP Application (Pending IP Object)

IP Application is an IP Object, which is pending for registration.

Pending IP Objects should be created when Application for registration of IP is submitted and accepted (Filing Number is assigned). Standard post-registration operations are allowed and accessible from the IP Registered Object space until expired or withdrawn from register.

Multiple Customer Accounts can be connected to one IP Application. All Pending Objects are connected with a Front Office Account. Public data of the pending object should be accessible from the non-authorized interface for Third Parties.

Proceeding of pending objects means step-by-step determination of both Object of Protection and Ownership / Identity information, which is complementary for Object of protection within IP Object. When IP Object under IP Application (pending IP Object) is approved for registration, Registered IP object, containing finally defined IP Object and some information, reflecting some key steps of assignment of registered status, as well as changes in contents and ownership, should be created. Detailed information regarding proceeding of Application should not be transferred to Registered IP object. However, Registered IP Object should be linked to corresponding Application(s) and vice versa.

3.2.1.10 Registered IP Object

Registered IP Object is a set of information related to one particular registered Intellectual Property record (application data, uploaded files and documents, electronic agreements, co-parties accounts, payments, deadlines, notifications, requests for operations, etc.).

Registered IP Objects are created, when registration procedure is completed. Standard post-registration operations are allowed and accessible from the Registered IP Object space until expired or withdrawn from register.

Multiple Customer Accounts can be connected to one IP Registered Object. All IP Registered Objects are connected with a Front Office Account. Public data of the Registered IP object should be accessible from the non-authorized interface for Third Parties.

Terminated/Expired Registered IP object should be assigned by corresponding status and should be available in internal archives, but should not be available for external accounts and users.

3.2.2 Hierarchy of Access Rights and Customers Types

3.2.2.1 Access rights

The rights to perform operations are divided into three categories:

Administrator – the user with the full rights (can add/remove additional users, assign/reassign rights, change profile, customize settings, execute any available operation related to IP Application/IP Registered Object)

Authorized user – the user with the rights to execute any available operation related to IP Application/IP Registered Object

Regular user – the user with the rights to initiate any operation, enter information, upload data, initiate electronic agreements, etc, and with no rights to submit/request information to/from the system

3.2.2.2 Customers types

Several Customers types are presented in ESF of Sakpatenti:

Regular Customer – the customer, participating in IP Registration or IP post-registration operations (connected to IP Application Accounts and/or IP Registered Objects) as a co-owner or co-applicant.

Regular Customer has full rights in IP Application Accounts and/or IP Registered Objects, in case no Trusted User is assigned to the Customer Account and all the co-participants has the same right of Regular Customers.

Regular Customer has limited rights in IP Application Accounts and/or IP Registered Objects, in case Trusted User is assigned to the Customer Account. This customer has no rights to submit/request the information to/from the EFS of Sakpatenti.

Trusted Customer – the customer, acting on behalf of a group of co-owners or co-applicants. One Trusted User can be defined for one IP Application Account and IP Registered Object. The Trusted Customer is appointed/changed/removed on the ground of electronic or paper based agreement between all the co-parties.

In case of single customer, it automatically has the rights of Trusted Customer.

Passive Customer – the co-owner or co-applicant, who has passive (not activated) Customer Account and is connected to IP Application Accounts and/or IP Registered Objects only for information. Passive Customer is not allowed to perform any operations with IP Application/IP Registered Object.

3.2.3 Electronic Agreements

Any document, requiring signature of all parties can be processed as an electronic agreement. Agreements, which are suggested to be signed electronically in EFS of Sakpatenti:

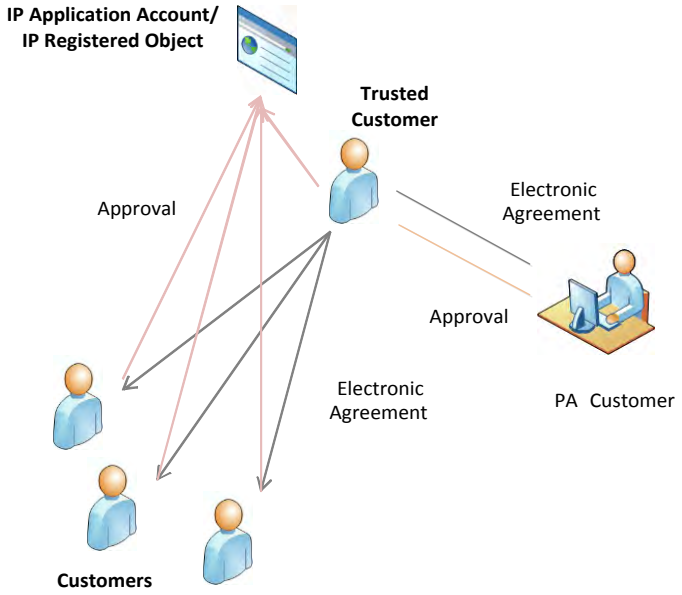
1. Power of Attorney
2. Collective IP applications
3. Transfer of rights (full, partial, Trusted Customer)
4. All other documents provided that physical certification by signature is not required by law or regulations

The system provides standard electronic agreements templates. A document can be edited by the initiating party, and then a request is send to Counterparties for document revision and acceptance.

Electronic agreement does not require submission of scanned hard copies of the documents, but optionally it can be accompanied by uploaded scanned copy.

Electronic agreements do not require the acceptance of Sakpatenti. The moment when agreement becomes in force can differ, depending on agreement subject and process stage, but as a rule it enters into force after the acceptance of all the parties and submission in EFS, otherwise - after the specific process step and this is done automatically by the system.

Figure 5. Submission of Electronic Agreement



Electronic Agreement between a Customer (with the rights of Trusted Customer) and a PA can be initiated by both or the counterparties.

Electronic Agreements between the Customers are initiated by the one of co-applicants/co-owners and accepted by all the parties.

3.2.4 Electronic Documents

Documents, issued by the Sakpatenti (decisions, conclusions, extracts, certificates, amendments), are generated as the official PDF documents. Once generated, official documents are free to be printed out and saved with the use of public links to those documents.

Electronic documents should be identified by unique code or number and **permanent** links (internal/external) to documents should be available.

Hard copies of the issued documents can be requested by the Customer for additional fee.

4 COMMON BUSINESS PROCESSES AND REQUIREMENTS

This section provides a high-level overview of Sakpatenti's processes. Processes and operations are systemized and logically grouped. Section also clarifies details of unified and generalized processes for particular types of Intellectual Property objects, as well as highlights differences between them. However, this section does not provide detailed descriptions of processes, structure of information, and input/output forms and interfaces, which should be detailed in the next level documents.

All requirements and functionalities, described in this section MUST be reflected in the system. In more details, requirements are considered in Section 6. BUSINESS RULES AND GENERAL OPERATIONAL REQUIREMENTS, where requirements and rules are prioritized.

4.1 APPLICATIONS FOR REGISTRATION OF IP

Application for registration of an intellectual property (IP) currently must be submitted in the strictly defined form, signed by an authorized person. Application should be signed either by Applicant(s), or by the Patent Attorney (PA) or any other authorized representative. In the last case, documents, confirming authority of PA/representative should be provided. Other documents, confirming rights, as well as describing property to be protected, are requested to be provided on the paper base.

The system assumes submission of Applications in both electronic and paper based form. Sakpatenti is planning to eliminate paper Application in some period of time.

The following IP objects could be a subject of protection by Sakpatenti:

1. Trademarks
2. Geographical Indications[1]
3. Patents, including
    a. Inventions
    b. Utility Models
4. Design
5. Copyrights
6. New Varieties and Breeds[2]

Sakpatenti is authorized for registration of both local IP objects, and international IPs, requested to be protected on Georgian territory.

The overall process of proceeding of IP Application generally is similar for all types of IPs and differs in deadlines, fees, processing of particular information. Processes could differ in operations, allowed to be requested by Applicants. Not all steps, described below, are required to be processed for all types of IP objects – some steps could be skipped.

This section provides overall unified and systemized picture of the Application processing lifecycle, as well as clarifies overall process for each particular type of application.

[1] This type of IPs is covered briefly in the document and is a subject of adjustment during the following stage.
[2] This type of IPs is not covered in the document

4.1.1 Application Lifecycle

The lifecycle of the submitted Application starts when Application is submitted in the system. However, Application is considered as request for processing of Application until Application request is accepted for consideration and official Application Number and Filling Date are assigned for Application, and Application is assigned by “Received” status. For most of IP processes (all types of IPs except inventions and Utility Models), submission of Application automatically means acceptance of the request - the System processes acceptance automatically. Requests for Application for Inventions and Utility Models require manual initial check and acceptance of Application should be processed manually by Sakpatenti internal user. If Application processing request is rejected, the Application request will not be processed. Application request should be marked as “Declined”.

Application processing could be ended either by “Application Processing Termination” operation, or by “Application Processing Completion” operation. Both operations means completing of processing, but “Termination” means completion of Application without decision (process is ended because of technical gaps – not provided payments or responses on Sakpatenti’s notifications, or incomplete information). “Completion” means that either positive or negative Decision, regarding to request to protect some intellectual property has been made.

Application processing could be renewed after termination or completion.

Application processing could be also terminated based on Applicant’s request to withdraw Application. Once request for withdrawal is submitted and accepted by Sakpatenti, the System should terminate Application processing.

Completed process (with any positive, negative, or partially negative decision) could be appealed either in Sakpatenti or in Court and could be continued based on decision of the Appeal Board or the Court. This process can theoretically continue for an indefinite period of time.

Terminated process could be renewed based on request, submitted by the Applicant. Each process assumes defined period of time after termination, during which it is allowed to submit for renewal. However, Applicant is allowed to ask for renewal any time after termination. If bases for renewal are enough to continue processing, Sakpatenti is allowed to initiate Application renewal process. Terminated process also is allowed be appealed.

Once official deadline for formal renewal request is expired, Application processing should be assigned by “Closed” status and renewal should be available to be requested only via Free Communication form.

Once completed with positive decision Application is finally published, Application processing should be assigned by “Closed” and should be finally locked for any operations.

Process, terminated based on withdrawal request could not be renewed. Once terminated, such process should be assigned by “Closed”.

Processing of Application could be suspended based on:

1. Request to suspend processing, submitted by the Applicant;
2. Any liabilities (payment, document submission), generated in the system and waiting for fulfillment.

In those cases, “Suspended” status should be assigned to process. Otherwise, Application processing should be assigned by “In process” status.

Application’s lifecycle is formally ended once “Closed” status is assigned to the process.

4.1.2 Application Identity

This section provides a brief overview of key identification parameters, which are aimed to identify Application on different stages of processing. The section also provides overview of dates, which are mandatory to be defined for Application.

Rules for assignment of numbers, as well as other mandatory information, are provided in *8.4 IDENTIFICATION OF OBJECTS.*

4.1.2.1 Identification of Applications

During the lifecycle, Application should be uniquely identified by the following identification numbers:

1) **Request Number (Chancellery number)** – A unique serial number, assigned to request for application, which could be used either throughout the lifecycle of the Application, or until Application is assigned by the Registration Number. This number is fully system-generated and could be used only on the system level and/or for internal use.
2) **Filing Number** - Application Registration Number – A unique number assigned to Application on acceptance of the Application Request. Should be assigned by the system either automatically on submission of Application or on confirmation of reception by the Expert (if manual check is required). This number could be utilized for internal use, as well as for communication with Applicant. This number should not be available for third parties.
3) **Application Number** – An official unique number, assigned to Application once acceptance to conduct Substantive Examination is submitted. This number should be available for public (third parties) and allowed to be used for all external (public and private) communications.
4) **First Publication Number** – Number of publication of approved Application in the official Sakpatenti’s Bulletin.
5) **IP Registration Number** – Serial number, assigned to the Object on registration. Could be used for both internal and public references.
6) **IP Certificate/Patent Number** – Serial number of document, corresponding to IP, confirming (certifying) ownership rights.

4.1.2.2 Dates

The following dates should be mandatorily assigned to the Application during its lifecycle. Some dates should be also reflected in IP registration information.

1) **Submission Date** – Date and time of physical submission of the Application request. Is not an official number and could be utilized for internal use only.

2) **Filling Date** – Official date, assigned to Application, from which all next steps are assumed to be counted down. Should be assigned on completion of Application reception stage either automatically, or manually.
3) **Priority Date(s)** – A list of date, assigned to Application on either Formal Examination or Substantive Examination staged. Priority is a date, for which validity of intellectual property object is claimed. Determination of priority dates is specific for each particular type of IPs. Several dates can be assigned to one Application. If protection of multiple objects (several projects, grades, claims, etc.) is required, each item of an object can be assigned a priority date, different from those of other items.
4) **First Publication Date** – Date of the first publication of the Application in the Sakpatenti's official Bulletin.
5) **Registration Date** – Date of registration of IP Object.

Other dates (IP Validity Expiration date, re-registration date, etc. are basically process-specific and should be identified and described for each particular process.)

4.1.3 Application Processing Overview

This section provides overview of the common steps of Application processing lifecycle, which are required to be passed and are common for all IP. The only exception is a Copyright protection applications, processing of which is restricted by three steps.

Processes, specific for particular types of IP objects are provided in the Section *5. FUNCTIONAL REQUIREMENTS FOR IP-SPECIFIC PROCESSES*.

4.1.3.1 Application Processing

Overall lifecycle of Application processing could be divided by six strictly separated steps:

- Step 1: Submission of Application (Initiation)
- Step 2: Formal Examination
- Step 3: Substantive Examination
- Step 4: First Publication
- Step 5: Registration
- Step 6: Final (Second) Publication

Processing of Application could be assigned by a number of statuses:

Initiated – when application is submitted and is registered (assigned by chancellery number). For some types of applications, when acceptance for consideration is assumed to be processed automatically, this stage will be automatically passed and process will be transferred to the next status. If application requires manual check, this stage will be completed either by **termination** of the processing or by transferring process for the next stage.

In progress – Process is assumed to be started if Application is assigned by the filing number. Application processing should be in this status until completion, trmination or suspension status is assigned to the process.

Suspended – Means, that processing of Application is suspended. Suspension means that no operations, except renewal and completion are allowed, all corresponding deadlines (except suspension deadline) are frozen and waiting for renewal.

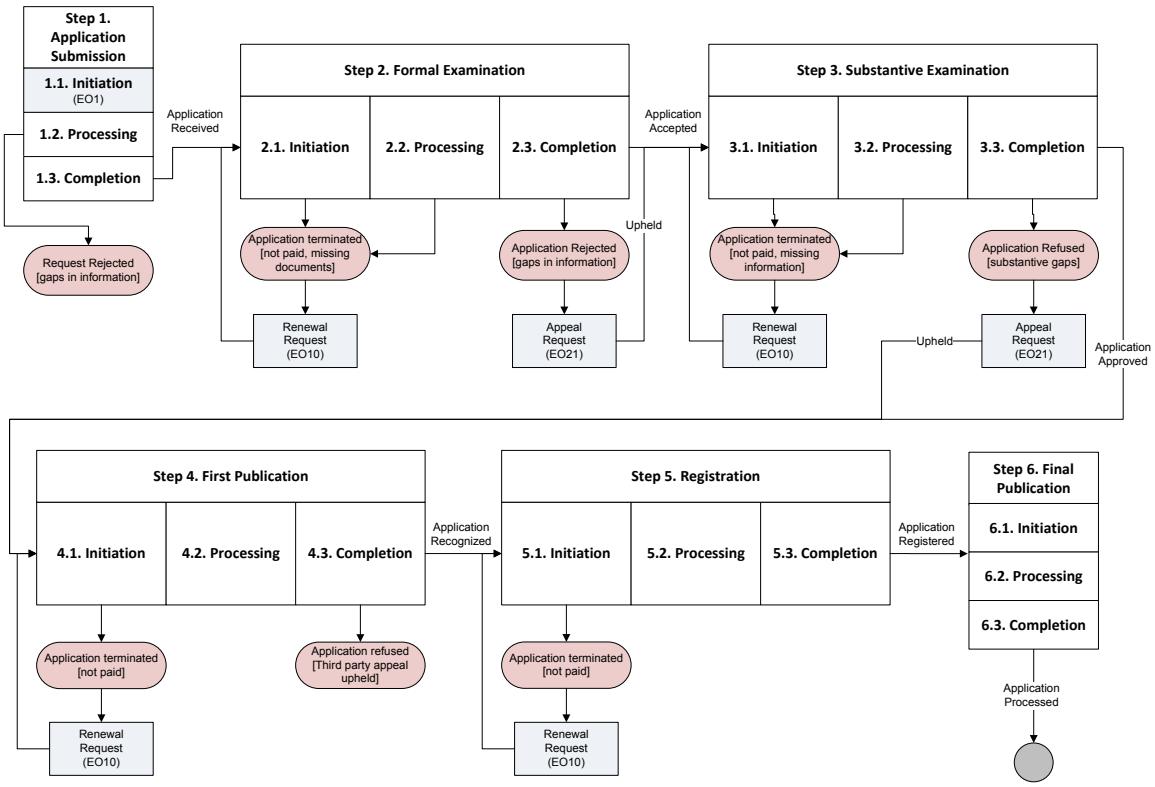
Terminated[3] - Processing is assumed to be terminated when consideration of Application is stoped because of some technical gaps, such as expired deadlines for payment, not-responded request, lack of documents in the package, invalid documents, and etc. Processing also could be terminated based on assignment "Rejected" status to the Application. Terminated process is allowed to be renewed after fulfillment of gaps.

Completed - Processing is assumed to be completed when decision regarding registration of the IP Object, either positive or negative, is finally done. Completed application processing could be renewed based on some external decision (e.g. Appeal, Court decision, and etc.).

Closed – This status completes Application lifecycle. This status could be assigned to the process only in some period of time after termination or completion of processing, when no renewal of processing are allowed/expected. After closing, no operations are allowed.

The overall process (regular) is provided on Figure 6. The process could be terminated on any stage because of both technical (lack of information, not paid bills), and substantive gaps. The process also could be terminated by Applicant, or could be terminated based on Appeal, submitted by the third parties. Not all steps are required for all types of IPs. Processing could be completed only after passing of Substantive Examination Step.

Figure 6. Application Processing: Regular Process



[3] Termination of processing is different from assignment of termination status to Application. Assignment "Terminated" status to application initiates termination of processing.

Steps, requiring internal processing could be divided by three stages: (1) Initiation stage, when some internal and external operations should be processed (information collection and preparation, payment, and etc.), (2) Processing, when information is examined and processed, decisions are made and submitted, and (3) Completion, when decision/processed information is confirmed and information about completion is disseminated to parties.

Process could be interrupted by external requests for additional operations. External request could terminate or suspend process, as well as could influence deadlines of processing of information and generates additional payment liabilities. Some interruption could be caused by additional internal requests, requiring submission of responses from external parties.

Each step/stage could be interrupted only by particular set of requests, allowed to be submitted during this step/stage. Deadlines submitting of requests are strictly defined, but could vary between different types of IPs.

Processing of any step should be completed by changing status of Application. **Application** could be assigned by following statuses (in respect to steps):

1) **Received**

"Received" status could be assigned to submitted Application by the system based on either automatically processed registration process, or after initial manual checking. In both cases, reception of Application should be confirmed by the Supervisor user, owning the process.

See section 4.1.7.1 for detailed description.

2) **Accepted**

"Accepted" status should be assigned to Application after successful (or partially successful) completion of the Formal Examination process. "Accepted" status means that submitted information is provided completely and properly and Application is allowed to be considered on a subject of registration.

See section 4.1.7.2 for detailed description.

3) **Approved**

"Approved" status should be assigned to Application after successful (or partially successful) completion of the Substantive Examination process. "Approved" status means that object of protection is identified and meets all requirements to be registered. However, this object cannot be registered until it is shared with public and no objections to register it (not appealed) are recognized.

Assignment of "Approved" status completes processing of the Application. However, Application processing is in Open status until final registration of the Application.

See section 0 for detailed description.

4) **Recognized**

Once accepted, Application should be published. If no objections against published object are identified during defined period of time (3 months), Application should be assigned by "Recognized" status and Sakpatenti should register IP.

See section 4.1.7.4 for detailed description.

5) Registered

Registration is a fully internal process, during which Object of Protection should be assigned by official registration number and official documents, confirming right and ownership of IP, should be issued. Once registered, Application should be assigned by “Registered” status.

See section 4.1.7.5 for detailed description.

6) Published

Once registration is processed, information on registration should be published. Application should be assigned by “Processed” status and should be followed by Application Processing Closing operation.

See section 4.1.7.6 for detailed description.

7) Terminated

Assignment of “Terminated” status to Application should be initiated by the system if any technical gaps (expiration of deadlines to provide information/payments) are recognized by the system. Executor of the process should be notified and should status should be confirmed by the executor of the process (Functional Department, Financial Department, Legal Department).

If “Terminated” status is confirmed by the executor, the system will initiate the Application Processing Termination operation, which means 1) Preparation and submission of Termination Notification (Executor); 2) Approval of Termination (Head of Department); 3) Processing termination in the system (System).

8) Rejected/Refused

This status is allowed to be assigned to Application when application is rejected based on manual process and decision/conclusion. Both cause ending of processing of Application, but processing is assumed to be ended in different statuses and different continuation/renewal of the process is allowed.

Rejection is based on conclusion, made bases on technical/formal gaps, not related to content of IP and generally requiring no submission of official documents, signed by executives (decree or other), when the base of Refusal should relate to content of the intellectual property, should have well-grounded bases and should be confirmed by official document.

“Refused” status could be assigned only based on negative conclusion, submitted by executor and confirmed by the Supervisor user.

Figure 6 provides an overall picture of points, where the application processing could be terminated or completed.

Termination, Rejection and Refusal, as well as the processes, initiated when status of Application is changed, are provided in Section 2.1.3 in more details.

4.1.3.2 Application Processing Steps Overview

This section provides brief overview of all steps of the Application proceeding process. More detailed descriptions and requirement are provided in sections below.

Step 1: Applications Submission

Application submission is a process, initiated by an external request, forcing initiation of the Application processing. External Applicant fills out the web-based form, uploads required documents and submits Application. Application form is contains ownership/authority information, common for all IPs, description of a claimed object of protection, unique for each type, as well as other information, specific for different IPs.

Paper-based Application should be submitted via Front Office interface on behalf of the Applicant. If paper-based Application is submitted, the Front Office user initiates the process by entering information in the system.

The internal owner of the Submission process is either system, or a functional unit (Trademarks, Patents, or Copyrights), responsible for processing of IP. A Functional Expert, assigned to Application processing, is an *executor* of the stage.

Some IPs (Patents, Utility Models, and Copyrights) requires initial checking of information, provided in the Application form. In this case, the step assumes involvement of internal users in the process and confirmation of receiving has to be processed through user interface. Involvement of the Applicant during the checking process should be also available (responses to required clarifications and/or adjustments).

If initial checking is not required, receiving confirmation has to be processes by the system, without involvement of internal users.

This step could be completed by:

- *Termination* because of lack of information. Application is assigned by "*Terminated*" status. This status is allowed only for IPs, where initial manual checking of submitted information is mandatory.
- *Reception*, which means that there are no gaps; information is provided completely. Application is assigned by "*Received*" status.

Step 2: Formal Examination

Formal examination is aimed to ensure that information and documents, necessary to proceed and consider content of Application (object of protection), are provided completely and properly. This stage is heavily human involved and the system is used mainly as a source of information, as well as a channel of communication with the Applicant and tool to provide conclusion.

Formal examination is almost similar for different types of IPs. Processes differ mainly by deadlines, fees and external requests, allowed to be submitted. This step should be skipped for international application, submitted within conventional agreements (Madrid Protocol, Hague protocol).

The owner of the Formal Examination process is a functional unit (Trademarks, Patents, or Copyrights), responsible for processing of IP. A Formal Expert, assigned to Application processing, is an *executor* of the stage.

This step requires involvement of both internal users (executors) and external users (Applicants). Applicants is required to provide payment for formal examination, confirmation of authority (if applicable), as well as could be required to provide additional and/or missed information.

The Executor (Formal Expert) is responsible for examination of provided information (manual process, system could be used as a source of information) and could request additional information. Executor is responsible to submit decision, which should be confirmed by the Head of Department (owner).

For some types of IP Applications (e.g. Trademarks), Formal Examination step could include Determination of Object of Protection operation (*see Section 4.1.4.1 Determination of the Object of Protection)*.

This step could be completed by:

- *Termination* for technical purposes (payment has not been provided, authority has not been confirmed). Application is assigned by "*Terminated*" status. Terminated application is allowed to be renewed (within 1 month). Assignment of "Terminated" status should force the process of
- *Rejection* because of lack of information or other basis. Application is assigned by "*Rejected*" status. Rejection decision is allowed to be appealed within defined deadlines (within 3 months after decision is made).
- *Acceptance*, which means that there are no technical gaps, and information is provided completely. Application is assigned by "*Accepted*" status. If some restrictions on application's content are made (e.g. declamation, acceptance of only some portion of the object of protection, etc.), this status should be extended by "*Partial*" feature and decision is allowed to be appealed.

Step 3: Substantive Examination

Note 1: This step differs for different types of IPs by deadlines, as well as sets of external operations, allowed to be requested.

Note 2: For ***Inventions/Utility Models*** *Substantive Examination is a composite and comprehensive process, partially different from the same process for other IP objects, and which consists of a number of sub-steps, each of which is an independent three-stage process requiring submission of decision. The Invention/Utility Models process in details is provided in Section 5.2.*

Substantive Examination is aimed:

1) To ensure, that the Object of Protection is defined and described properly (Determination of the Object of Protection);
2) To ensure that the claimed object meets requirements to be protected (e.g. is unique, individual, new, useful, and etc.).

Correspondingly, this step conditionally could be divided by two sub-steps:

1) Determination of the Object of Protection;
2) Search (on the subject of uniqueness).

This stage is heavily human involved and the system is used mainly as a source of information, as well as a channel of communication with the Applicant and tool to provide decision. The system should also provide a comprehensive search engine, providing comprehensive tool to search for similarities in information, already registered in the system.

The owner of the Substantive Examination process is a functional department (Trademarks, Patents, or Copyrights), responsible for processing of IP. A Substantive Expert, assigned to Application processing, is an *executor* of this step.

This step requires involvement of both internal users (executors) and external users (Applicants). Applicant is required to provide substantive examination payment, provide additional information (if required).

The Executor (Substantive Expert) is responsible for examination of provided information (manual process, system could be used as a source of information, some analysis tool and tool to submit conclusion). Executor is responsible to submit conclusion, which should be confirmed by the Head of Department and approved by the executive.

This step could be completed by:

- *Termination* for technical purposes (payment/documents has not been provided). Application is assigned by "*Terminated*" status. Terminated application is allowed to be renewed (within 1 month).
- *Refusal* because of substantive non-consistency. Application is assigned by "*Refused*" status. Refusal decision is allowed to be appealed within defined deadlines (within 3 months after decision is made).
- *Approval*, which means that there are no technical and substantive gaps and non-consistency, and Object of Protection is allowed to be registered. Application is assigned by "*Approved*" status. Approved status could also be extended with as "*Partial*", when some restrictions on the Object of Protection are made during the Substantive Exam step. Approval should be confirmed by Decree, allowing IP Application for publication and signed by the executive.

Step 4: First Publication

Note: This step is similar to all types of Applications (where applicable). The difference is in the set of data, to be processed. This step is not applicable for Copyrights.

The main purpose of this step is to share information about IP object to public. All other applications should be published and are not allowed to be registered during 3 months from publication. No operations with Applications are allowed during this stage (except withdrawal). Any other requests could be accepted by Sakpatenti, but are to be reflected only during registration.

Application could be appealed by the third parties. If appeal process is initiated, decision on final registration of IP should be re-considered based on decision of the Appeal Board.

The owner of the First Publication process is a functional department (Trademarks or Patents), responsible for processing of IP, particularly, its registration group (Registrar). A Registrar, assigned to Application processing, is an *executor* of this step. Another co-owner of the process is a Publishing Unit. However, Publishing unit is not involved in processing of information and is only a consumer of information, as well as an executor of a mostly manual process of publication.

If Third Party submits Appeal, the Legal Department becomes involved in the process. The Legal Department is a full owner of the Appeal Process.

This step does not require involvement of external users (Applicants). Applicant is required only to provide publication payment. Applicant is allowed to submit some restricted requests before publication is processed.

Internal executors are responsible for processing information in the system and preparation Application for publication (pre-registration). Publishing Department is responsible for execution of publication (manual).

This step could be completed by:

- *Termination* for technical purposes (payment/documents have not been provided). Application is assigned by "*Terminated*" status. Terminated application is allowed to be renewed (within 1 month).
- *Refusal* as a result of an upheld Third Party Appeal. Application is assigned by "*Refused*" status.
- If no appeals were submitted during the publication period (or appeal(s) has not been upheld), Application should be assigned by "*Recognized*" status and allowed to be registered. If decision on Appeal has been upheld only for a part of IP, status will be extended by "*Partial*" status and only portion of IP will be registered. Completion of this step does not require submission of any decisions. Confirmation of expiration of the publication period should be done by executor to close this stage.

Step 5: Registration

Note: This step is similar to all types of Applications. The difference is in the set of data, to be processed.

This step is aimed to process formal registration of the Intellectual Property object in the database. Ownership of the object should be defined. Official registration number should be assigned to the object and document, certifying ownership rights should be issued.

The full owner of the Registration process is a functional unit (Trademarks, Patents, or Copyrights), responsible for processing of IP, particularly, the registration group (Registrar). A Registrar, assigned to Application processing, is an *executor* of this step.

This step does not require involvement of external users (Applicants). Applicant is required only to provide payment for registration.

Internal executors are responsible for processing information in the system and issuance of documents (Certificates, Annexes).

This step could be completed by:

- *Termination* for technical purposes (payment has not been provided). Application is assigned by "*Terminated*" status. Terminated application is allowed to be renewed.
- *Registration* of the IP object in the IP Register and issuance of Certificate. Registered application should be assigned by "*Registered*" status and automatically allowed for the final publication. No additional decisions are required.

Step 6: Final Publication

Note: This step is similar to all types of Applications (where applicable). The difference is in the set of data, to be processed. This step is not applicable for Copyrights.

This step completes processing of Application and is aimed to share information about registration of rights for IP to public.

The owner of the Final Publication process is a functional unit (Trademarks and Patents), responsible for processing of IP, particularly, the registration group (Registrar). A Registrar, assigned to Application processing, is an *executor* of this step. Another co-owner of the process is a Publishing Department. However, Publishing Unit is not involved in the information processing and is a consumer of information, as well as an executor of a mostly manual process of publication.

This step requires no involvement of external users (Applicants). Internal executor prepares information for publication, and Publishing Unit executes publication of information (manual process).

On completion stage, Application should be assigned by "*Processed*" status and Application processing should be completed.

4.1.3.3 Overview of Standard Staged of Steps

Any step/sub-step is divided by three stages: Initiation, Processing and Completion. Step is assumed to be initiated by the system in response of event, required initiation of the step. Request to initiate process could be accompanied by information, necessary to initiate process.

On completion of each step, notification should be generated and sent to parties, involved in the next step (where applicable). After notification is sent, the step is accounted to be completed and execution of the following step is allowed.

1) Initiation

Initiation stage is aimed to process information, received on initiation of the step. In most cases, this step requires involvement of either internal or external users (e.g. processing of payments, submission of required information, and etc.). This stage could be completed either by system/manual confirmation that provided information is sufficient to start processing or by system/manual termination of the step if requirements are not fulfilled. If step is processed successfully, notification to start the next step should be sent.

2) Processing

Processing stage generally assumes a consequence of internal operations, either manual or by using information system, on completion of which some type of conclusion/decision document is prepared and submitted. This step should be completed once conclusion/decision is submitted. No termination of the process are allowed (exception is the case, when the process has been interrupted by a request for withdrawal and request has been accepted and processed).

3) Completion

On this stage, conclusion/decision, provided on the previous stage, should be considered and decision should be confirmed either automatically by the system or manually, depending on step and process. Type of confirmation (receiving, acceptance, approval, etc.) also depends on step and particular process. Application status should be changed on completion of this stage.

Confirmation should be completed by issuance of some electronic document, signed either digitally or electronically. Issuance of paper based document is also allowed. The level of authorization depends on particular type of confirmation.

Once (1) decision is confirmed, (2) document is issued and (3) status of Application is changes, the system/user should generate notification, which should be sent to parties, involved in the process. When notification is sent, the step is accounted to be completed.

4.1.3.4 Concept of External Request

Applicants are able to request for different operations, as well as for changes in provided information and processing any time until processing of Application is completed. Requests could be classified as follows:

1) Common/IP Specific

Some requests are applicable for all types of Applications, when others are specific for particular IPs and could be submitted only in some particular cases

2) Payment Obligations

Some requests could cause arising of payment obligations; other requests are free of charge and require no payments.

3) Influence of Processing

All requests could be grouped as follows:

Group 1: Requests causing changes in processing/deadlines; submission of such requests could suspense process of extend/reduce time of processing;

Group 2: Requests on response of internal requests; generally, deadlines for response are strictly defined and internal process is suspended until response is received;

Group 3: Requests for operations, which do not cause existing processing, but initiate new independent process/sub-process.

4) Availability

Some operations are restricted in time and are allowed to be submitted only during some particular stages (e.g. request for acceleration, change in priority date, extension of deadlines, and etc.). Other operations could be submitted any time and there are no restrictions.

5) Subject of Requests

Generally, requests related to IP registration applications and already registered IP objects are different and require different internal processing. However, some requests could be applicable for both IP Registration Applications and Registered IP Objects. For example, change in authority is one example of requests, applicable for both applications and registered objects, and must be processed in similar way for both subjects.

This section covers external requests, applicable for IP registration Applications. Requests, applicable for registered IP objects are covered in *Section 4.2.*

All requests are subjects for acceptance from Sakpatenti side. Applicant should be notified about reception of request, acceptance, and processing of the request. Request should be processed by the owner of the stage, during which request was submitted. If executor is assigned to Application (step/stage executor) execution of request should be processed by the assigned executor. Otherwise, the owner of request (Functional Department (TM, Patent, and Copyright), Legal Department, and Department of Finance) should be responsible for assigning an executor and processing of the request.

4.1.4 Key System and Internal Operations

4.1.4.1 Determination of the Object of Protection

Determination of the Object of Protection is one of key processes, which is a part of processing of any Application. This sub-process is a sequence of steps, aimed to define and approve finally the Object, which is claimed to be protected. This process is specific for each particular type of IP objects. Steps, specific for different types of IPs are described in details in corresponding sections. This section provides overview of steps, applicable for all types of IPs.

Determination of the Object of Protection is allowed to be initiated and processed on different stages of Application processing. For Trademarks, Geographical Indications and Copyrights this operation should be completed on the Formal Examination step, when Inventions, Utility Models and Designs assumes Determination on the stage of the Substantive Examination.

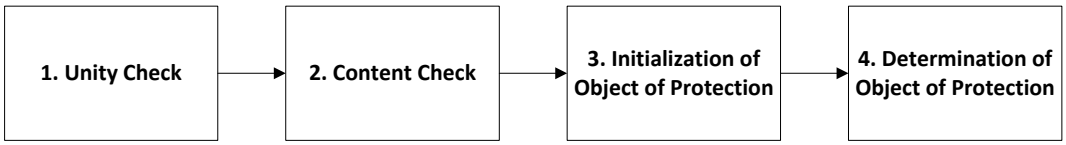
In both cases, Determination of the Object of Protection should be completed before initiation of contextual search (deposition in the case of Copyrights).

Determination of the Object could be started only when all documents, necessary to process Application are formally submitted and checked and no additional information is required to define the content of the Object.

Completion of determination means that all properties of the object, including its elements (items) are properly described and certified by documents, as well as priorities are assigned. Determined object should be confirmed / approved by the Supervisor. If object is defined during the Formal Examination stage, confirmation of the object could be processed on the stage of acceptance of the

Formal Examination conclusion (Determined object is a part of conclusion). In the case, when object should be defined during the Substantive Examination step and the next step (search) should be initiated, Determination of the object requires special confirmation from the Supervisor side.

Determination could be formally divided by four contextual steps. However, obligation to pass all steps, as well as consequence of steps is not strictly defined and is specific for each particular type of IP.



1. **Unity Check**

Unity check means formal check of all claimed elements on subject to belonging to one logical group. Unity check could be completed by confirmation/rejection of unity by assigning one logical classifier to a number of claimed objects (Inventions, Utility Models, Design, Copyrights), of by confirming, that several classifiers, assigned to a single objects are applicable for it (Trademarks).

If single element (item) is claimed for a single class, no unity check is required.

2. **Content Check**

Content check is aimed to ensure that information, describing Object of Protection is provided properly. This is mainly manual process and generally could be combined with unity check. This step generally requires active involvement of both parties (internal and external) in communication process – the content should be adjusted and clarified, no technical and contextual mistakes should be recognized. On this stage, Expert is allowed to require for correction of contextual/technical mistakes. If corrections are provided properly, the object will be initialized. If no response is provided, this could be a basis for termination of the Application. If response is provided with gaps, this could become a basis for rejection or partial rejection of the Application. No confirmations are generally required.

3. **Initialization of the Object of Protection**

This phase generally require no involvement of the external party. If object is described properly, Determination of the Object could be completed after confirmation of the Object. Otherwise, all inconsistencies should be eliminated from the object by an internal user (Expert) and structured object should be confirmed by the supervisor.

4. **Determination of the Object of Protection**

The object is considered to be finally determined, if it is properly structured and classified, no inconsistency exists in its content, and priority date(s) is (are) assigned to the Object or/and its elements (items).

On this stage, the system should generate priority date(s) according to information, submitted and accepted during previous stages. Assigned priorities should be available to Expert and the Expert should be able to confirm priorities. Some restricted functionality to make traceable changes should be provided to the Expert.

Assignment of priority date(s) completes determination of the object of protection. Determined object should be accepted by the Supervisor ether as completion of the Formal Examination step, or as allowance to continue the process (search).

If any changes in the object are made by Expert (elimination of exceptional items) and, as result, partial rejection is initiated, the Applicant should be notified about processed changes. Otherwise, processing could be continued without dissemination of any additional external electronic documents.

4.1.4.2 Termination of Processing

Termination of processing could be initiated any time by assigning either “Terminated” or “Rejected” status to Application. Termination could also be initiated by external request for withdrawal of Application, as well as should be allowed to be initiated fully manually by the Executor.

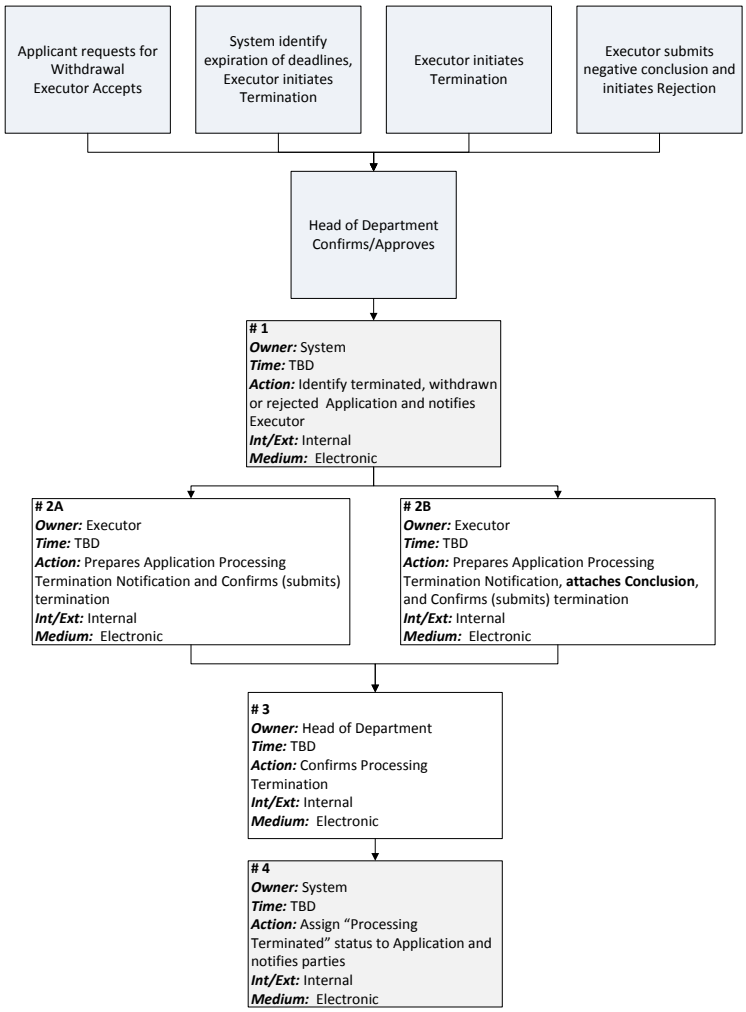
Termination of processing should be prepared and executed by the Executor of the current stage and confirmed by the Head of Department.

Preparation step depends on event, initiated Termination. System termination (Termination (cancellation) of Application because of gaps (no payment/no response), as well as withdrawal) requires only preparation of notification and confirmation. Rejection and manual termination should be accompanied by some conclusion/motivation document, which should be attached to notification. Notification could be required to be signed by the Head of Department for these cases (at least by digital signature or facsimile).

To complete termination of processing, the system should assign “Terminated” to the process and should disseminate corresponding notifications together with accompanied documents (conclusion, motivation) to parties.

Figure 7 provides the overall picture of Application processing termination operation’s steps.

Figure 7. Termination of Processing



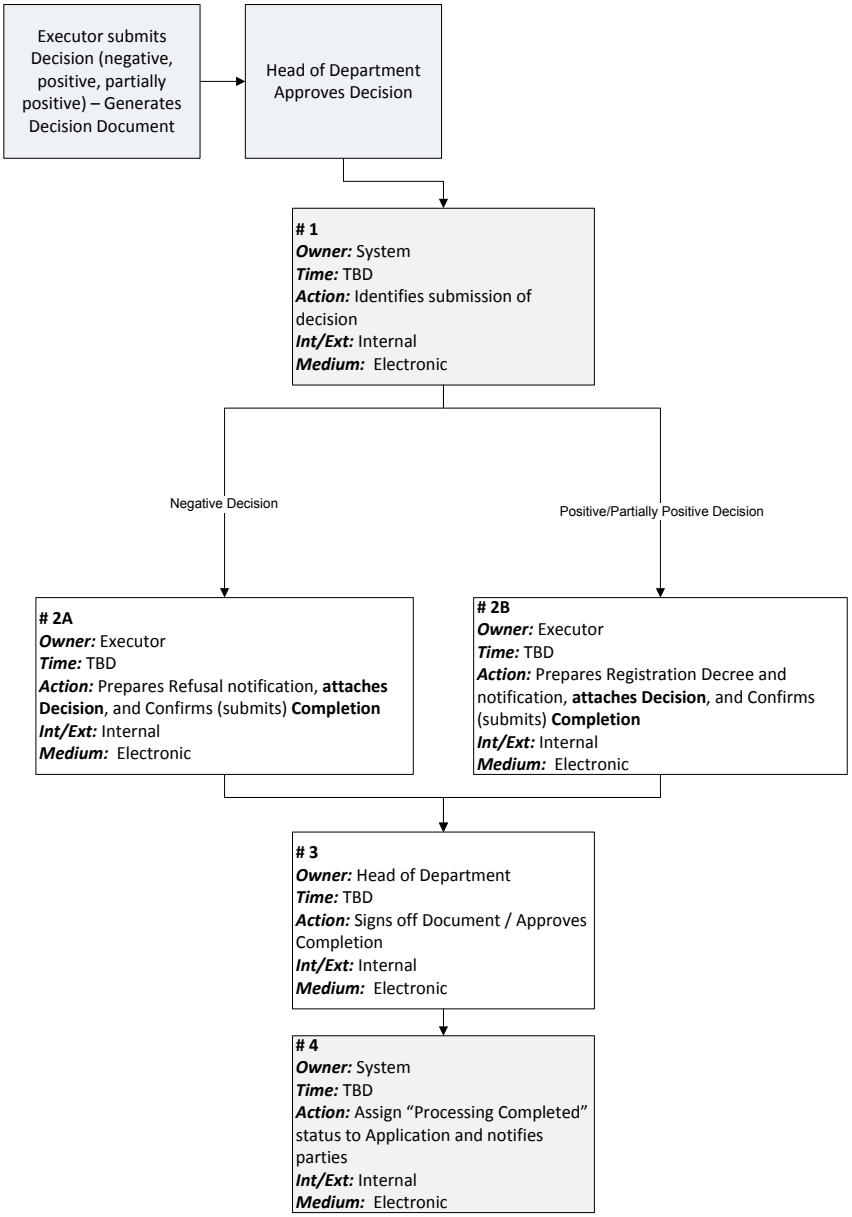
4.1.4.3 Completion of Processing

Completion of processing means that some decision to register IP is made and submitted. Decision could be negative (IP does not satisfy requirements and could not be registered), positive (IP satisfies requirements and is allowed to be registered), or partially positive (only part of IP satisfies requirements and is allowed be registered). There no principle differences between processing of the second and the third decisions. It is assumed, that portion of IP, allowed to be registered, is defined (Object of Protection), and processing (publication, registration) will be continued for defined object. The only difference is that in the case of partially positive decision, notification should contain explanation of bases for elimination of some portion of IP.

Completion should be approved/signed off by the Supervisor (Decree) and Completion Notification (either positive or negative) together with approved Decision Document, should be delivered to parties.

Figure 8 provides the overall picture of Application processing termination operation's steps.

Figure 8. Completion of Processing



4.1.4.4 Closing of Processing

Closing of Application Processing is a system process, which should be finally confirmed by the owner of the processing (Functional Department). Closing of processing could be initiated only after termination or completion of the process.

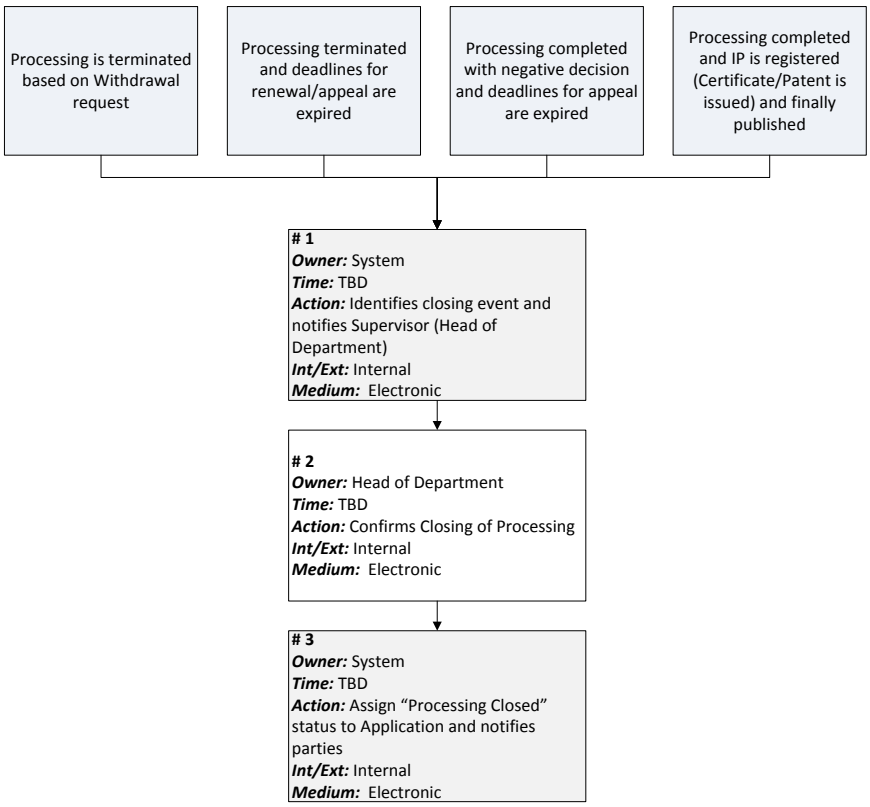
The system should identify condition to initiate closing. Conditions to close processing are:

- Processing has been terminated and deadlines to submit renewal request ("Terminated (Cancelled)" Application) or Appeal ("Rejected" Application) are expired;
- Processing has been terminated based on Withdrawal request. No Renewal is allowed in this case and closing should be processed immediately on termination;
- Processing has been completed based on negative decision and deadlines for submission of Appeal are expired;

– Processing has been completed with positive or partially positive decision and IP has been registered and finally published.

Figure 9 provides the overall picture steps, required to be passed to close Application processing.

Figure 9. Closing of Application Processing



Closing should be initiated by the system. Owner of the process (Head of Department) should be notified and should be able to confirm closing. Once confirmed, the process should be assigned by "Closed" status and no external/internal operation could be requested/processed.

The Closed process theoretically is allowed to be renewed based on Applicant's request (sent via Free Communication Form) only manually by the Supervisor (the Supervisor should be allowed to renew the process). Decision on renewal should be made based on internal consideration of purposes of renewal and renewal should be confirmed by the Executive user.

4.1.4.5 Suspension/Renewal of Processing

Application processing deadlines, as well as deadlines for processing of each particular step, generally are defined and fixed. However, processing could be interrupted by different events, requiring of suspension of processing. Suspension of processing means, that no operations are allowed except operations, causing renewal of the process or its termination. Suspension also means, that countdown of deadlines is stopped until the process is renewed. Once the process is renewed, countdown of deadlines should be continued from the point of interruption (suspension).

On suspension of the process, Application should be assigned by "Processing Suspended" status.

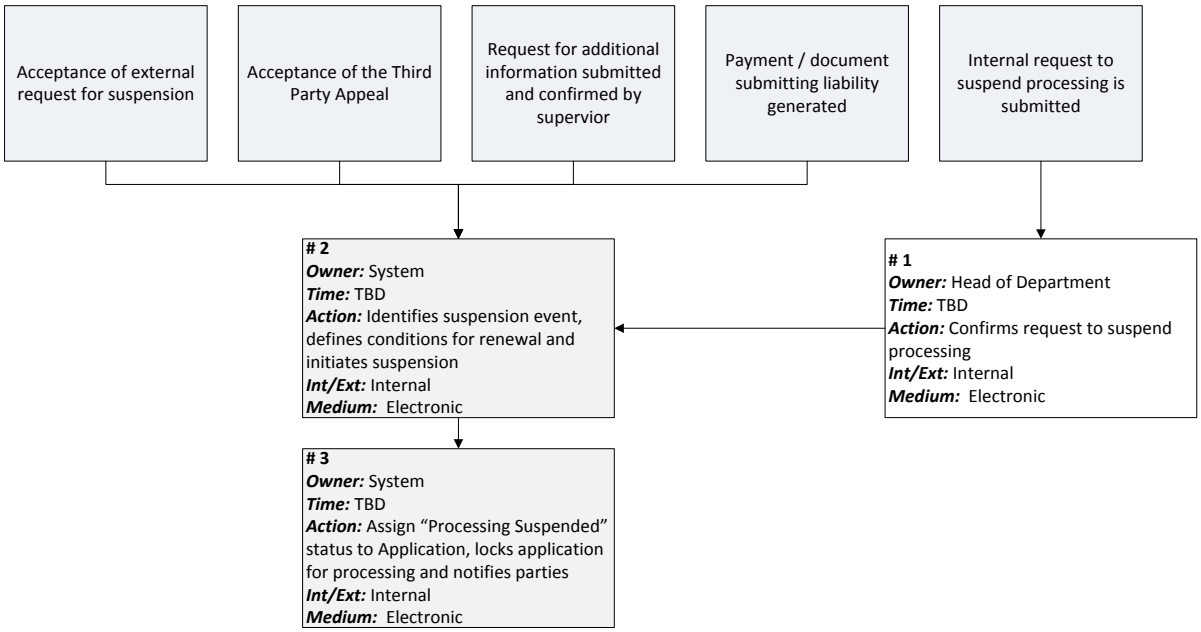
Processing should be in suspended mode if any liabilities (payment, document submission) are generated and fixed in the system. Once liabilities are fulfilled, the process should be renewed.

Suspension of the process should be initiated in response of the following event:

- Accepted request for suspension from the external party – suspension period should be defined according to request.
- Accepted request for appeal from the third party – processing could be renewed manually based on decision of appeal;
- Internal request to provide additional information / fulfill gaps (liability to provide information are generated) – processing should be renewed as soon as information (response) is submitted;
- Accepted request for processing of operation (if payment liabilities are generated) – processing should be renewed as soon as payment is provided;
- Manual suspension from internal party – in response on any other unclassified event, requiring temporal suspension of processing.

Figure 10 provides the overall picture of initiation and processing of Application processing suspension operation.

Figure 10. Suspension of Processing

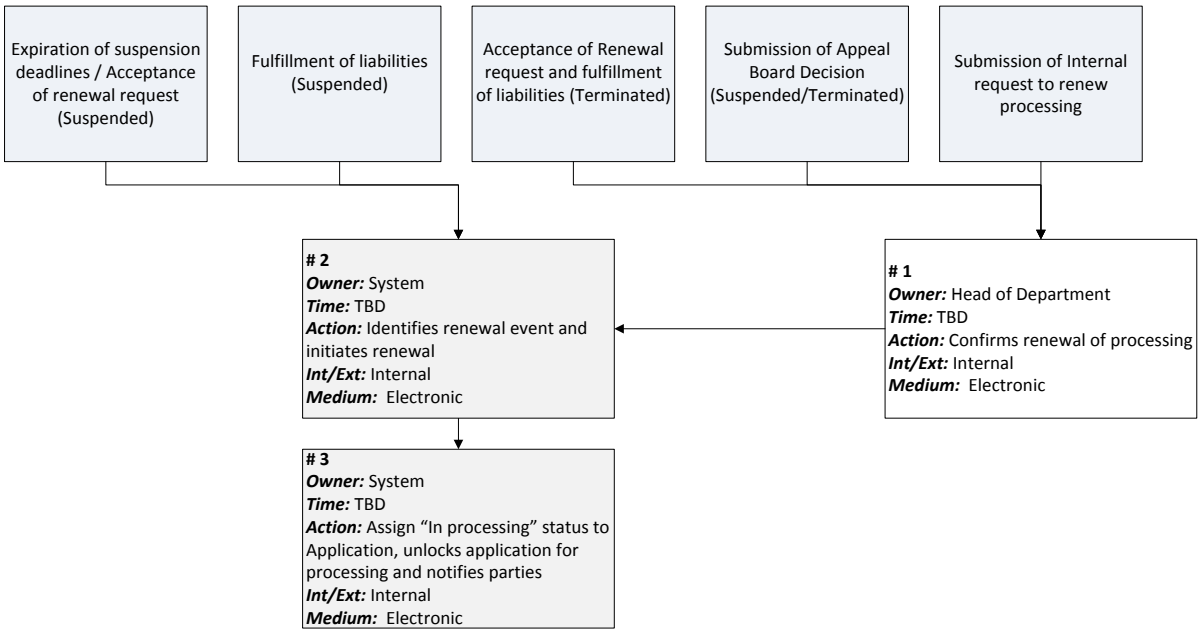


Initiation of Renewal of the suspended processing could be processed either by the system automatically (e.g. suspension term is expired, liabilities are fulfilled – response/payment provided, appeal completed), or by the internal user manually. Processing could also be renewed based on external request to renew suspended process prior term for suspension is expired.

Terminated process is also allowed to be renewed in response on accepted request from external party to renew, as well as based on decision of the Appeal Board. Terminated processing is allowed to be renewed manually, e.g. based on decision of Court, or other unclassified events.

Figure 11 provides the overall picture of initiation and processing of Application processing suspension operation.

Figure 11. Renewal of Processing



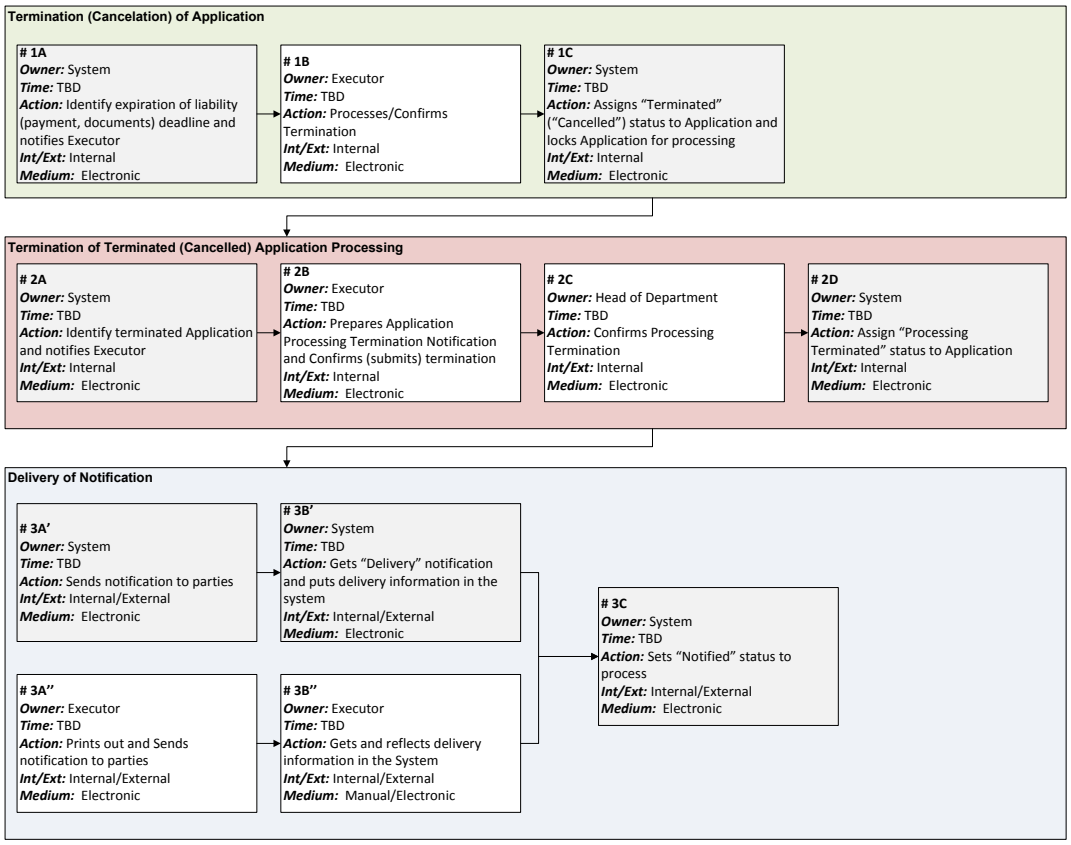
Suspended process is allowed to be terminated. Termination should be initiated if corresponding event occurs, e.g. if deadlines for fulfilling liabilities/response are expired, appeal decision requires termination, and etc.

4.1.4.6 Termination (Cancellation) of Application

Termination (Cancellation) of Application differs from processing termination operation. Application Termination (Cancellation) does not assume automatic end of the process; it changes only status of Application and could be followed by processing termination (if confirmed). Application should be assigned "Terminated" status on completion of Termination (Cancellation). Application Termination process should be automatically followed by the Processing Termination operation.

Figure 12 provides the flow of Application Termination (Cancellation) operation, as well as steps, which follow it.

Figure 12. Termination (Cancellation) of Application



 # 1A

Application Termination (Cancellation) could be initiated automatically when external deadlines to cover some liability (payment, submission of document/information, response) are expired and expiration of deadlines is recognized by the system.

 # 1B

Executor of the current stage of processing (generally an Expert, assigned for Application) should get notification about initiated termination (cancellation) and should be able to confirm termination.

However, expiration of deadlines does not always mean automatic termination of processing and in some cases the Expert is allowed to act on his/her own opinion (subjective of regulated by procedures). The Expert should be able to submit rejection of Application Termination (Cancellation). In this case the process will be continued and deadlines for not fulfilled liabilities will be continued or cancelled[4]. Notification, explaining basis for termination should be generated automatically in this case and requires no involvement of the Executor.

[4] For example, if payment is not provided in time and deadlines are expired, the Applicant could provide explanation for violation of obligations via free correspondence form (it could be even technical problems with bank transaction) and the Chief Specialist should be allowed to take it into account and allow Applicant to fulfill gap in closest time by manual extending of deadlines. Another example is obligation to submit some documents, confirming rights to use name of cultural objects in trademarks. Request to provide the document (liability) could be submitted during the Formal Examination, but could be allowed to be submitted on Substantive Examination stage.

 # 1C

Once termination is confirmed, the system should assign “Terminated” status to Application and should initiate “Processing Termination” operation (2), which should be followed by dissemination of notification (3).

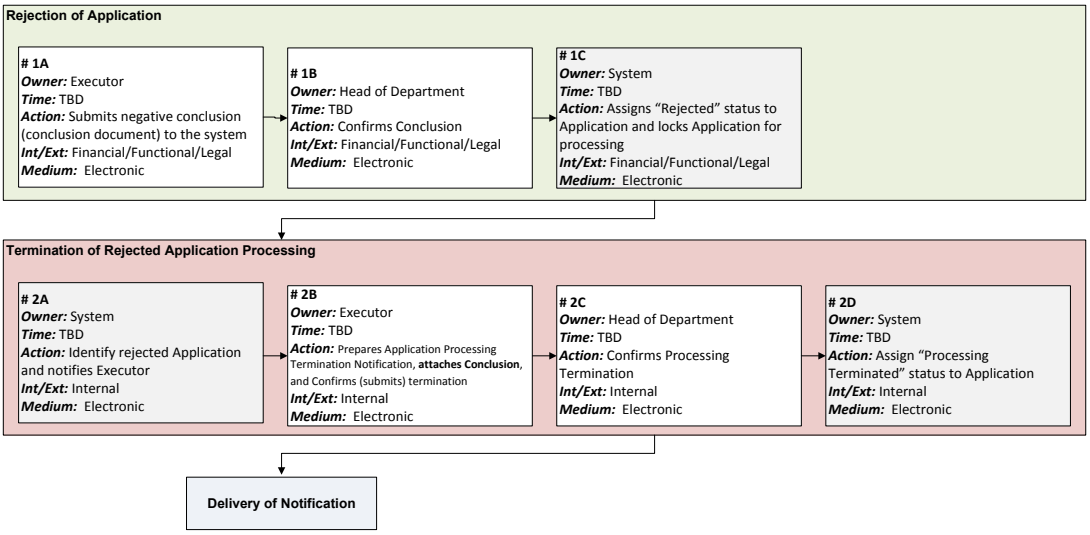
4.1.4.7 Rejection of Application

Rejection of Application means that some conclusion, requiring confirmation from supervisor, has been made by the Executor (e.g. provided documents cannot are not acceptable). In this case, conclusion document should be prepared by the Executor and should be confirmed by the Supervisor. Confirmation of a negative conclusion should initiate assignment of “Rejected” status to the Application and Termination of Processing should be initiated.

Conclusion document should be attached to the Processing Termination Notification as a basis for termination. Processing, terminated based on Rejection of Application is not allowed to be renewed, but conclusion could be appealed.

Figure 13 provides the overall picture of Rejection of Application, followed by termination of processing.

Figure 13. Rejection of Application



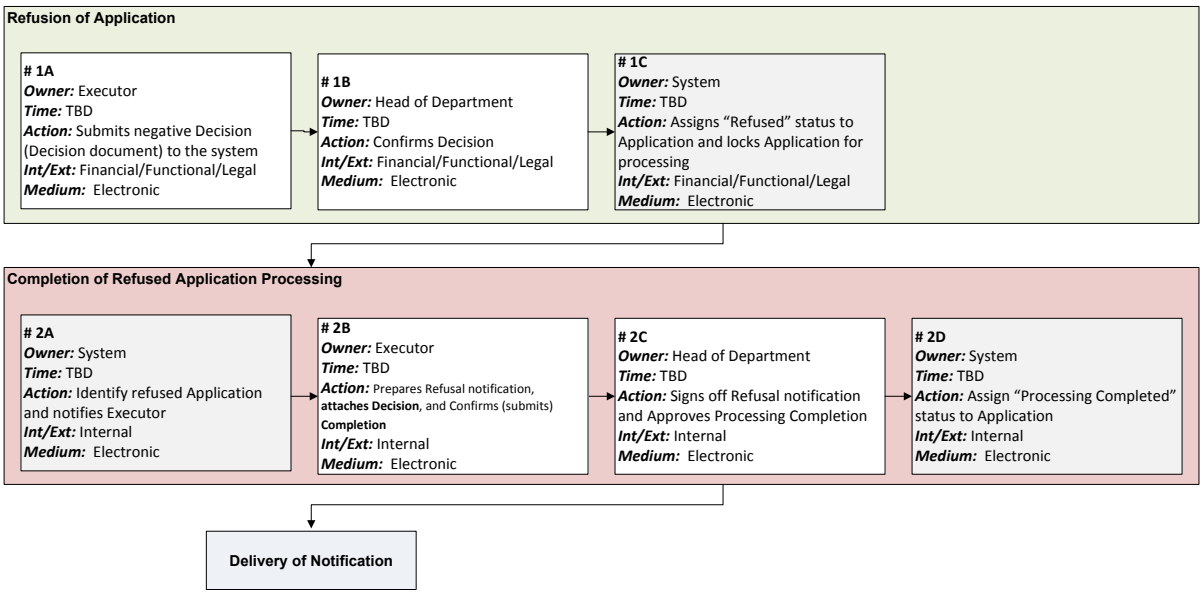
4.1.4.8 Refusal of Application

Refusal of Application means that some conclusion, requiring final decision and confirmation from supervisor, has been made by the Executor (e.g. content of the Object could not be protected). In this case, conclusion document should be prepared by the Executor and should be confirmed by the Supervisor. Decision document should be prepared (either by executor or by other internal user), confirmed (signed off) by Supervisor. Submission of a negative decision should initiate assignment of “Refused” status to the Application and Termination of Processing should be initiated.

Conclusion and Decision documents should be attached to the Refusal Notification as a basis for termination. Processing, terminated based on Refusal of Application is not allowed to be renewed, but decision could be appealed.

Figure 13 provides the overall picture of Refusal of Application, followed by termination of processing.

Figure 14. Refusal of Application



4.1.4.9 Acceptance/Rejection of External Request

Most of external requests, including request to process Application for IP, should be accepted by Sakpatenti side before processing. Some requests could be accepted automatically by the System. Other requests should pass manual checking and are allowed to be processed only after acceptance.

If request needs payment of fees, payment liability and Electronic Invoice should be generated as soon as request is accepted. Processing of request should start as soon payment for processing are paid.

If Executor is assigned for processing of Application, any external request should be assigned to Executor automatically and Executor is responsible for acceptance/rejection of the request.

If operation requires submission of documents, the Executor should be able to request for adjustment of information/submission of additional documents. Additional communication with Applicant via Free Communication Form is also allowed.

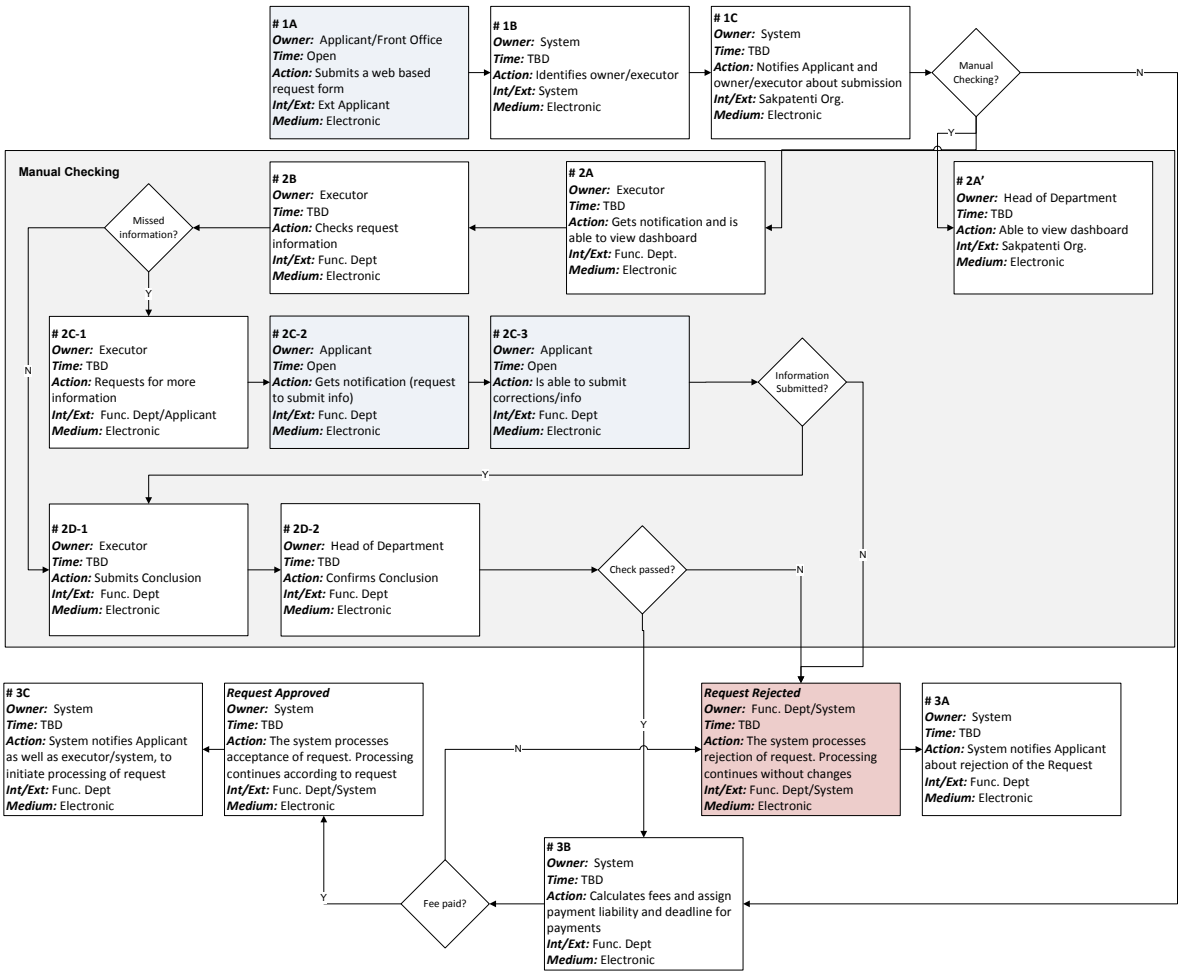
Applicant is responsible to provide feedback in response to request for adjustments. If documents are not provided or are provided with gaps, Executor should be able to reject request. Rejected request will not be processed.

If information is provided properly and request could be considered / processed, the Executor should be able to accept request.

Both rejection and acceptance should be confirmed by the Head of Department (supervisor).

Figure 15 provides an overall picture of submission of the external request. Once accepted, the request should be processed either by executor, assigned as owner of the request, or by the System, if request needs no involvement of an internal user (depends on request).

Figure 15. Submission of Request



4.1.4.10 Confirmation

Confirmation is a one-step operation, assumed to be assigned ether by executor (IP Expert, Legal Expert, or Chief Specialist) or Supervisor (Head of Department). Confirmation could be also assigned to the executive user (Chairman, Deputy Chairman).

If any operation (submitted information, document, or request) needs confirmation, the confirmation allows process to be continued. Otherwise (Decline is processed), the previous step is required to be repeated.

For example, if draft of an outbound document (form, conclusion, or decision) is submitted by the Expert and requires confirmation of the Head of Department, confirmation means that document (information, conclusion, or decision) is acceptable and could be processed (sent, submitted, prepared for signing off, and etc.). If declined, document (form, conclusion, or decision) should be reviewed, adjusted and submitted again.

Some Decline operations should not require re-passing of the previous step (e.g. declining of external requests). In this case, declined request should initiate continuation of the process with negative decision (termination, rejection, etc).

Confirmation does not mean completion of the step or stage. It just allows process to be continued. No changes in the status of Application are assumed.

4.1.4.11 Acceptance

Acceptance operation means that some positive conclusion has been made and confirmed, corresponding documents are prepared and confirmed, and the process should be allowed to be continued. Acceptance is aimed to process confirmed conclusion in the system and should be followed by change is status of Application.

Generally, operations, requiring formal check and conclusion (legitimacy of documents, properly submitted information, and etc.) need to be accepted.

Acceptance assumes completion of some step/stage of the Application processing and initiation of the next step. Internal users should be notified about acceptance and the next step of processing will be initiated.

Acceptance generally does not require notification of the External party (no external documents/notifications are required to be sent). External party should be just informed about positive completion of some step. However, in some cases (e.g. if conclusion is partially positive) the external party should be notified about portion, accepted to be processed. In this case, outbound notification should be sent and should include official electronic document (signed off), reflecting conclusion. Delivery of notification should be reflected in the system (partial acceptance could be a source of appeal). In this case, step/stage is considered to be completed as soon as delivery notification is received by the system.

4.1.4.12 Approval of Decision

Approval operation means that some decision (positive or negative) has been made and confirmed, corresponding documents are prepared and confirmed, and the process should be continued based on decision. Approval is aimed to process confirmed decision in the system and initiate continuation of the process based on decision. Approval should be followed by change is status of Application.

Generally, operations, requiring substantive (content) check and decision (is novelty, is unique, is individual, and etc.) need to be approved.

Approval assumes completion of some step/stage of the Application processing and initiation of the next step. Internal users should be notified about approval and the next step of processing will be initiated based on decision.

Approval requires notification of the External party. The external party should be notified about decision, outbound notification should be sent and should include official electronic document (signed off), reflecting decision. Delivery of notification should be reflected in the system (any decision could be a source of appeal). In this case, step/stage is considered to be completed as soon as delivery notification is received by the system.

In addition, Approval requires issuance of official document (e.g. Decree), allowing or not allowing continuation of processing. This document should be prepared on Acceptance stage and confirmed by the officials, assumed to sign off document. Issued electronic document should be distributed internally, as well as should be attached to outbound notification.

4.1.4.13 Assignment of Priority Date(s)

Priority date is a one of the key parameters, assigned to application. Priority date is considered a date from which IP validity should be examined. As default, Application submission date is assumed to be a Priority Date. As an alternative, the Applicant could request to recognize conventional priority date (priority, recognized out of Georgia), or date of exhibition, when IP object first was presented to public. Priority date could be assigned to the Application as a whole, as well as for each particular item of the Object of Protection.

Assignment of priority means that Application has an official status, which is recognizable (internationally recognizable Application No is assigned to Application) and Application could be used out of Georgia as a document, confirming rights to pretend on protection of IP. Priority dates are also aimed be used in Search process: content of the Object should be investigated in different databases only for IP objects, claimed and/or registered prior to priority dates. No search for object, claimed/registered after priority dates is required.

Priority date, as well as procedure of its assignment, are regulated by international conventions and are different for different type of IPs. Priority date could be assigned to Application during either Formal or Substantive examination stages, and before search for content of the Object of Protection is started.

One key approach is applicable for all types of Applications: if claimed priority is not confirmed by documents, certifying claim for priority, the date of filling of the Application should be assigned as a Priority Date.

4.1.4.14 Request for Additional (Missed) Information

Requests for additional information could be submitted by the Executor during processing of Application. Request could be submitted either via request template or via Free Communication Form.

Request, submitted via Request Template should be confirmed by the Head of Department. Confirmed request should be sent to Applicant. Once request is submitted, the system should suspend processing of Application and deadlines to submit response are assigned to the Applicant.

Request, submitted via Free Communication Form generally does not require approval/confirmation by the Head of Department, but should be available for him/her from the dashboard. Such requests do not require submission of mandatory response within defined deadline. Requests, containing obligations to submit/provide information or payment within defined deadlines, should be submitted via Request Template.

4.1.4.15 Processing of Changes

Change in Application are allowed to be processed by ether external users (Applicant, front office), or by internal executors. Applicant is allowed to submit changes either in response on Sakpatenti's request or by his/her initiative, independently from the process.

The following changes are allowed:

1. Change in Name and Address
2. Change in authority (representative)
3. Change in ownership
4. Minor changes in the Object of Protection
5. Minor corrections

First three types of changes (1 -3) should be requested via special request forms. Last two types (4 - 5) should be submitted as an "Adjusted Version" of the Application.

Changes, submitted by the Applicant could or could not be a subject of additional fees. It depends on stage, when request is submitted, as well as type of changes (correction/adjustments). Changes submitted in response of Sakpatenti's request generally are not a subject for additional payment. Request to provide payment should be generated on the stage of acceptance of request.

Internal party could initiate changes based on decision of Appeal Board or if response from Applicant is not provided and some items of the Object of Protection should be eliminated. Such changes could not be charged. Only changes in the content of Object of Protection (4 – 5) are allowed to be submitted by the internal users.

Externally submitted changes should be confirmed (see section *4.1.4.9. Acceptance/Rejection of External Request*). Once request is confirmed and paid, the system should provide changes automatically. Previous version of the Application should be stored in historical data and should be traceable.

Changes, submitted internally by executors should be confirmed by supervisors. Once request is confirmed and paid, the system should provide changes automatically. Previous version of the Application should be stored in historical data and should be traceable.

4.1.4.16 Division and Consolidation of Applications

Both Division and Consolidation of Applications are quite complicated operations and need additional investigation and description. The present document provides overview of steps, which should be performed.

Application could be *divided* based on the following criteria:

1) Division of the Object of Protection by a number of different Objects because of inconsistency of the content. No changes in ownership are requested.
2) Division of the Object of Protection between owners of the Object. Object should be also divided by a number of independent objects.

Division of the Objects means initiation of a number of new Applications. *Applicant is responsible for submission of new Applications and reflecting changes (eliminating of separated items) in the*

existing one. Each Application should be processed from the step where division takes place. All new Application should be assigned by the same filling date, but new Application numbers should be generated. Once division is processed, processing of each Application should be continued independently. The system should provide functionality to track division – it should be possible to find information on origin of all applications.

Applications could be *consolidated* based on the following criteria:

1) Consolidation of a number of independent objects, satisfying some unity requirements, under single ownership. In this case both consolidation of objects of protection and owners are allowed.

Consolidation means consolidation of information in one Application. *New Application, reflecting consolidation should be submitted by one of Applicant. Documents, confirming agreement of other Applicants (if applicable) should be provided. New Application should be assigned by filing date of the last submitted original application*. New application should pass full cycle of Application processing.

The system should provide functionality to track consolidation – it should be possible to find information on origin of the single application.

Physical consolidation/division should be processed by the External User (see section *4.1.5.6 Request for Division/Consolidation of Applications*. Internal user should be able to confirm request(s) and initiate/continue processing of new Application(s).

4.1.4.17 Free Correspondence Communication

Free communication channel should be provided in the system and should be available for both Applicants and internal users via Free Communication Form. Free Communication Form means the e-mail composing similar form, providing functionality to prepare and submit notification/message, as well as attach documents. The form should provide option to either select subject of the message from the predefined list of subjects (type of requests), or could be provided as an independent line.

The form should provide functionality to connect request with particular stages/events/notifications by automatic reflection of corresponding information in the subject line (Re: mark, number of Application, etc.), as well as logical connection of events.

The form should not contain “Recipients” line. Correspondence, submitted internally for particular Application, should be delivered automatically to all external users, involved in the process, as well as should be automatically available for preview for supervisors (similar to CC function). Correspondence, submitted externally, should be delivered to owner of the particular request (if subject of request is selected from the predefined list and is not connected to particular step) and should be accepted by the owner. Once accepted, the request should be delivered to Executor, assigned for particular step. If Executor is not assigned, the supervisor should be able to assign executor for request (similar to Forward functionality).

If message is sent in response of Executor’s request, it should be delivered to the Executor automatically and should be also available for Supervisor for preview.

Both internal and external users should be able to submit “reply” correspondence for the received message/notification.

Request, submitted internally via Free Correspondence Form should not require mandatory submission of reply (the system should not initiate termination of the process if feedback is not submitted).

Free correspondence communication should be fully traceable and searchable. The system should prohibit any party to remove/delete messages.

Messages should be available for both external and internal users on their dashboards, and should be grouped to reflect connection between messages. External users should be notified about delivery of requests, submitted via Free Correspondence form, through SMS messages. Applicant should also receive corresponding e-mail messages, reflecting full content of requests, including attachments.

Both internal and external requests (messages) are considered as delivered as soon as delivery notification is received by the system.

4.1.5 Overview of External Requests

This section provides a brief overview of external operations and requests, which are allowed to be submitted/processed on different stages of the Application lifecycle. This section is followed by description of requests, specific for particular IP processed.

The requests below could be submitted during processing of Application. Submission of request could either interrupt processing (if changes in information, deadlines, and etc. are requested), or could be processed without interruption (e.g. issuance of documents). The below requests are applicable for all processes (are allowed to be requested for any type of IP Application). Parameters of requests (information, deadlines, fees, and etc.) are specific for different types of IPs. Requests are described in *Section 6.*

Figure 15 provides an overall picture of submission of the external request. Involvement of an Applicant to the process is reflected on the diagram.

4.1.5.1 Submission of Application (EO1)

This is a request, forcing initiation of the processing. Request, as well as a process of acceptance of Application Request is provided in section *4.1.7.1 Application Submission*.

4.1.5.2 Request for Acceleration (EO3)

Acceleration procedure means that the process is requested to be processed in short period of time: 3 days for formal examination, 15 days to submit missed information and 7 days to process substantive examination. Acceleration could be requested prior formal examination process is started (during initiation of the examination). Acceleration could be requested on submission of application. In this case, Application will be considered in defined short deadlines. If fee for Acceleration are not paid, request will be terminated an Application will be considered in regular deadlines. Acceleration could be a subject of cancellation. Acceleration is allowed only for Trademark and Industrial Design applications.

4.1.5.3 Request for Change in Priority (EO4)

See *4.1.4.13 Assignment of Priority* for more details.

Applicant could request for conventional priority both on submission of Application, and after submission and prior Priority Date is assigned to Application. Request for conventional priority should be accompanied by relevant documents, confirming rights.

Request for conventional priority is a subject of charges and significantly changes deadlines of both processing and submission of documents. If fees are not paid and/or documents are not submitted, Application filing date will be assigned to Application as a Priority Date.

4.1.5.4 Requests for Extension of Documents Submission Deadline (EO5)

Applicant is allowed to extend deadlines for submission of documents. Extension is allowed to be requested prior deadlines for submission are expired. Extension should be confirmed by Sakpatenti (Functional Department). Extension is a subject of charges and forces change is application processing.

4.1.5.5 Request for Changes/Amendments in Application (EO7)

Request for Changes in Application could be submitted any time during application processing. Applicant is allowed to submit changes either in response on Sakpatenti's request or by his/her initiative, independently from the process. The following changes are allowed be requested

1. Change in Name and Address
2. Change in authority (representative)
3. Change in ownership
4. Minor changes in the Object of Protection
5. Minor corrections

First three types of changes (1 -3) should be requested via special request forms and procedures. Last two types (4 -5) should be submitted as an "Adjusted Version" of the Application. The system should provide functionality to submit significant changes as an adjusted version of Application, where only field, allowed for change for particular request will be available for editing and changes will be highlighted in the new version of Application.

Request for changes is a subject of acceptance from the Sakpatenti's side (see section *4.1.4.9. Acceptance/Rejection of External Request*). The request should be submitted and provided as shown on Figure 15.

If Applicant submits request for change in response on Sakpatenti's request, he/she should be able to connect submitted changes to the request.

Changes, submitted by the Applicant could or could not be a subject of additional fees. It depends on stage, when request is submitted, as well as type of changes (correction/adjustments). Changes submitted in response of Sakpatenti's request generally are not a subject for additional payment. Request to provide payment should be generated on the stage of acceptance of request.

Once request is confirmed, the Applicant should get notification about acceptance of the request with attached Draft Electronic Invoice document (if applicable). Status of the request should be reflected on Applicant's dashboard and Applicant should be able to pay fees. Once request is confirmed and paid, the system should provide changes automatically. Previous version of the Application should be stored in historical data and should be traceable. Applicant should be notified about processing of changes.

Change in Name and Address should be processed by submitting changes in the Applicant profile. If Applicant owns/manage several Applications or registered IP objects, he/she should be able to select objects, where changes should be processed. Electronic invoice should be generated based on number of objects, where changes are required.

Change in authority (representative) should be processed either fully electronically (new electronic agreements should be signed off) or by submitting of a copy of the document, confirming authority.

4.1.5.6 Request for Division/Consolidation of Applications

Division of the Objects means initiation of a number of new Applications. Applicant is responsible for submission of new Applications and reflecting changes (eliminating of separated items) in the existing one.

Application could be *divided* based on the following criteria:

1) Division of the Object of Protection by a number of different Objects because of inconsistency of the content. No changes in ownership are requested.

   In this case, the Applicant should be offered to set desired number of Applications and distribute items of the Object of Protection between applications. Submission of request will generated new Application objects, processing of which will be continued independently.

2) Division of the Object of Protection between owners of the Object. Object should be also divided by a number of independent objects.

Applications could be *consolidated* based on the following criteria:

1) Consolidation of a number of independent objects, satisfying some unity requirements, under single ownership. In this case both consolidation of objects of protection and owners are allowed.

Consolidation means consolidation of information in one Application. *New Application, reflecting consolidation should be submitted by one of Applicant. Documents, confirming agreement of other Applicants (if applicable) should be provided. New Application should be assigned by filing date of the last submitted original application*. New application should pass full cycle of Application processing.

The system should provide functionality to track consolidation – it should be possible to find information on origin of the single application.

4.1.5.7 Request for Suspension of Processing (EO9)

Applicant is allowed to request suspension of Application processing for particular period of time. Total allowed period of suspension, as well as minimal suspension period, and number of allowed suspension requests, are defined for each particular process and should be controlled by the system.

Suspension is a subject of charges. Suspension could not be allowed if extension of deadlines is requested and executed.

4.1.5.8 Request for Renewal of Terminated Application (EO10)

Applicant is allowed to request renewal of the processing of Application if processing has been terminated because of not-fulfilled obligations (payment, document submission). Renewal is allowed to be submitted within strictly defined deadlines after termination. Deadlines should be countdown from the moment of delivery of the termination notification. Request is allowed to be processed if all obligations are fulfilled (payment/information provided) and penalty payment is paid.

4.1.5.9 Request for Withdrawal of Application (EO11)

Withdrawal of Application is allowed to be submitted any time prior registration of IP object. Withdrawal is free of charges. As a result of execution of the request, Application should be permanently terminated (no renewal is allowed).

4.1.5.10 Request for Issuance of Certified Hardcopy of Application (EO12)[5]

Request could be submitted any time after Application is accepted (an official Application number is assigned). Request is a subject of charges. Request does not influence processing of Application.

4.1.5.11 Request for Appeal – First Party (Applicant) (EO21)

Applicant is allowed to submit Appeal if Application has been rejected/refused by Sakpatenti as a result of technical/substantive gaps. Appeal is allowed to be submitted within strictly defined deadlines after rejection/refusal. Deadlines should be counted from the moment of delivery of the rejection/refusal notification. Default deadline is defined as 3 months after rejection/refusal. However, this deadline could be change as a result of changes in regulations (should be customizable). Request will be processed if payment for Appeal is provided. For more information see *4.3.2 Processing of Appeals.*

4.1.5.12 Request for Appeal – Third Party (EO22)

Third Party is allowed to submit Appeal within 3 months after Application is published (deadlines should be counted from the date of publication). However, this deadline could be change as a result

[5] This operation could be fully eliminated from electronic filing system. The printable version of the filled out Application will be available on the eFiling portal via the public link.

of changes in regulations (should be customizable). Request will be processed if payment for Appeal is provided. For more information see *4.3.2 Processing of Appeals.*

4.1.5.13 Request for Postponement Payment Deadline (EO26)

Applicant is allowed to request for Postponement of payment deadlines. Request is a subject of acceptance from the Department of Finance. If request has not been accepted, payment should be provided within defined deadlines. Otherwise, deadlines for payment will be extended in response of the request. For more information see *4.4 BILLING AND PROCESSING OF PAYMENTS*.

4.1.5.14 Request for Issuance of the Minute of the Appeal Trial (EO28)

All parties (first party, third party) are allowed to request for Trial Minute document. This request is free of charge, is allowed to be requested any time after notification about issuance of the minute is distributed. For more information see *4.3.2 Processing of Appeals.*

4.1.5.15 Free Correspondence Requests (EO29)

Any other non-classified requests are allowed to be submitted by the Applicant via the Free Correspondence form. All requests are subjects of acceptance from Sakpatenti side and should be addressed to current owner of the Application processing (owner of step/stage). Free Correspondence requests should be executed internally (if accepted). If request has not been accepted, response on request should be sent to Applicant via e-mail/free correspondence communication channel.

See also *4.1.4.17 Free Correspondence Communication*.

4.1.5.16 Submission of Required Additional Information (EO6)

Additional information should be submitted by the Applicant in response of request of Sakpatenti to submit above mentioned information. Submission is free of charges. Deadlines for submission are defined as 1 month according to Administrative Code of Georgia. However this deadline could vary depending on type of Application, application processing stage and type (e.g. if accelerated this deadline is 15 days), according to internal regulations of Sakpatenti.

4.1.5.17 Submission for Counter-Appeal (EO23)

If Third Party Appeal is submitted and approved for processing, the Applicant is allowed to submit counter-appeal. This request is free of charges and is allowed to be submitted prior the trial date. For more information see *4.3.2 Processing of Appeals.*

4.1.5.18 Proceeding of Payments on response of Sakpatenti's Request (EO24) and Proceeding of Payment for Existing Payment Liability (EO25)

Execution of both operations is similar. Both should be executed based on Draft Electronic Invoice, generated and available for Applicant. The difference consists in a way, how Electronic Invoice is

generated. In the first case, EI is generated internally, by the Department of Finance and become available for Applicant once generated. In the second case, EI is generated by the system in response to request, submitted by Applicant. Operations are applicable for both Application and registered IP Objects. In more details, operations are described in *4.4 BILLING AND PROCESSING OF PAYMENTS*.

4.1.6 Overview of Process-Specific External Requests

This section describes external requests, which are specific for particular types of IPs, and respectively are applicable only for Applications for registration of such type of IPs.

4.1.6.1 Request for Postponement of Publication (EO8)

Applicant is allowed to request for Postponement of publication of the Design for some certain period of time (time is restricted by 30 months). Postponement could be requested both on submission of Application and after submission. Submission of request should be allowed before decision on registration is made. Request is a subject of additional charges.

4.1.6.2 Request to Transform Utility Model Application to Invention Application (EO30) and Request to Transform Invention Application to Utility Model Application (EO31)

Application for Registration of Utility Model is allowed to be transformed to Invention application any time prior initiation of contextual search. Transformation requires payment of additional fees. Request for transformation should be available in the interface. Internally, this process should be processed manually by re-assigning type for the IP Object.

Application for Registration of Invention is also allowed to be transformed to Utility Model application any time prior initiation of contextual search. Transformation requires payment of additional fees. Request for transformation should be available in the interface. Internally, this process should be processed manually by re-assigning type for the IP Object.

4.1.6.3 Request for Anonymity (EO32)

Applicant (Invention/Utility Model) is allowed to request for Anonymity of publication. In this case, the name and address of Applicant (Holder) will not be shared with public. Applicant is allowed to request sharing of his/her name any time, both during processing and after registration. Anonymity could be requested both on submission of Application and after submission. Submission of request should be allowed before decision on registration is made. Request is a subject of additional charges.

4.1.7 Steps of Application Processing

4.1.7.1 Application Submission

Application Submission process could be initiated by any Natural Person or Legal Entity, acting in his/her own interest or on behalf of other NPs or LEs. The internal owner of the Submission process is either the system (if no additional manual checking is required), or a functional department (Trademarks, Patents, or Copyrights), responsible for processing of IP. The System and the Functional Expert, assigned to Application processing, are *executors* of the stage.

The overall flows of operations, as well as involvement of external parties, are shown on the figure below *(Figure 16)*.

Figure 16. Step 1: Submission of Application – Involvement of External Requests

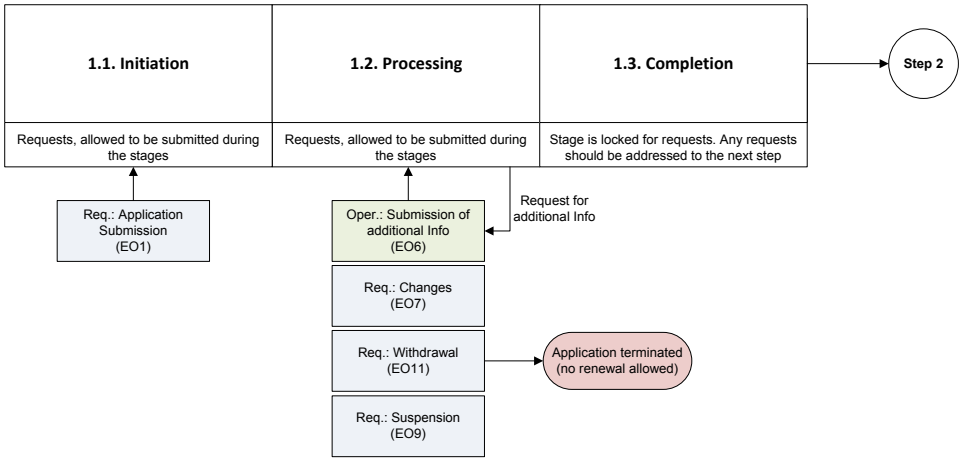
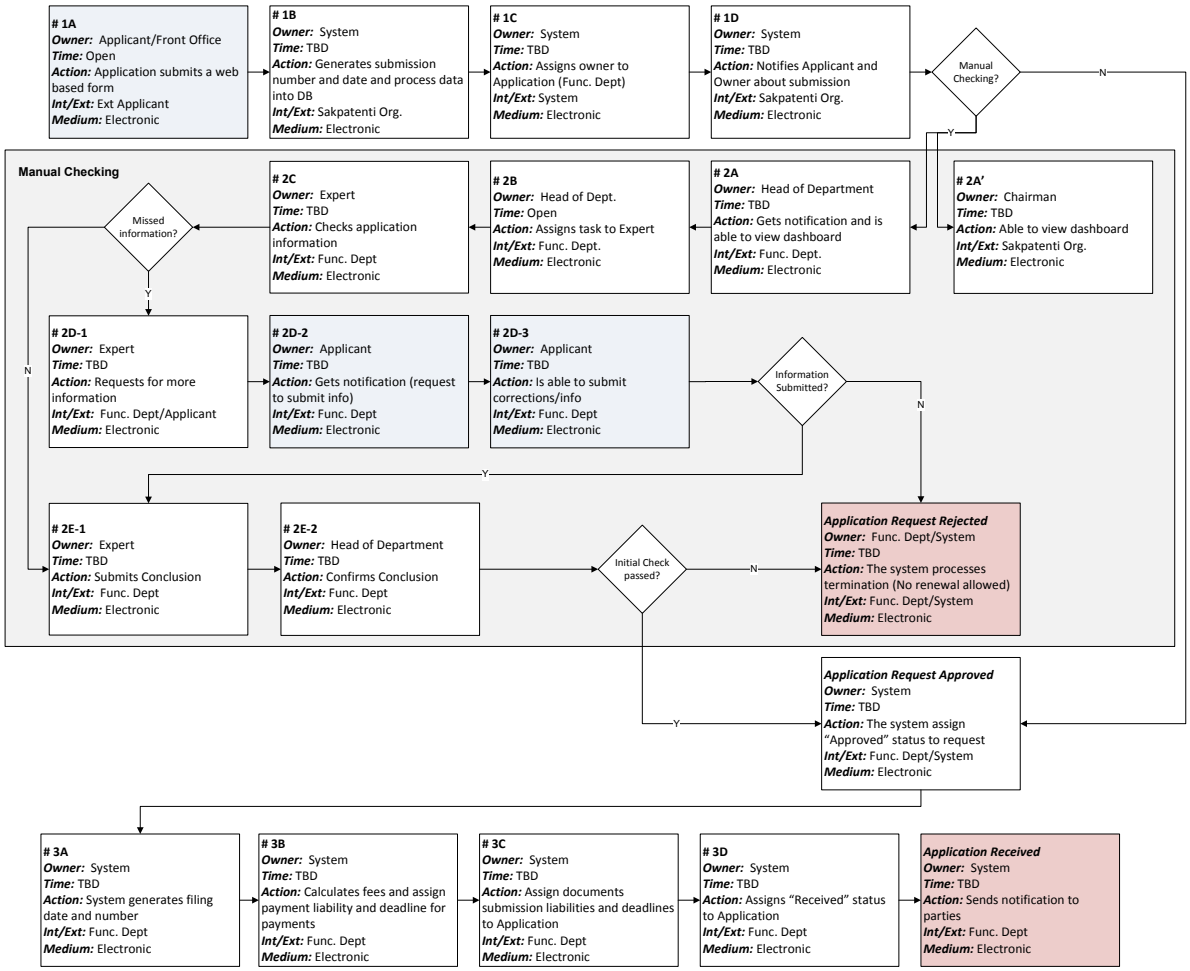


Figure 17 provides the flow of operations related to the Application Submission step. This picture is applicable for all types of Applications. The second stage (Manual Checking) is skipped for Trademarks, Geographical Indications, Design and Copyrights and is mandatory for all types of Patents (Inventions, Utility Models).

Figure 17. Step 1: Submission of Application – Operations Flow



Initiation

Application submission is a process, initiated by an external request, forcing initiation of the Application processing. External Applicant fills out the web-based form, uploads required documents and submits Application.

 # 1A

Application could be submitted either via e-filling interface or on paper basis. If paper-based Application is submitted, the Front Office user initiates the process by entering information in the system.

Application forms are different for different types of IPs. However, there is mandatory/optional information, which should be submitted for most types of Application. This information is:

- Applicant(s) identity: Name, Address (including international country code, ST.3 standard), identification codes (personal ID/registration ID) – field are common for all Applications;
- Contact information, such as phone numbers, e-mails, local correspondence address, etc.;
- List of persons, involved in IP object, if applicable (designers, inventors, etc.);

- Request to accelerate procedure (not applicable for patents and utility models);
- Type of priority (filling date/conventional), accompanied by documents, certifying rights;
- Details of IP (description, samples, parameters, etc) – are different for different types, samples, accompanied by documents, media files, etc.;
- Units (classes, articles, etc.) – are different for different types of IP;
- Representative authority (Patent Attorney, or other, if applicable), accompanied by document, certifying authority, as well as certificate of succession, if applicable etc;
- Translation of documents, submitted in language, other than Georgian;
- Other IP-specific information, such as connection to job responsibilities, etc.
- Other IP-specific requests, such as request to postpone publication (for designs), request for anonymity (patents);

If information/documents are marked as mandatory, submission of the Form should not be allowed without submission of this information. Other information should be allowed to be skipped and submitted later within defined deadlines.

All application forms (excluding Patent/Utility Model Applications) should contain option to request for Processing of Border Protection Measures. If this option is selected, this process (see 4.2.5 Request for Processing of Border Protection Measures (EO34)) will be initiated automatically upon registration of the IP Object without any additional intervention of the Applicant.

 # 1B

The system should generate serial number for Application and assign submission date/time to Application. Once number and date are generated, the system should process submitted information into DB.

 # 1C

The system should identify an owner of the Application (Functional Department) and assign owner to it. Owner should be assigned as follows:

- Trademarks and Geographical Indications – Trademarks and Geographical Indications Department
- Patents (Inventions, Utility Models) and Industrial Design - Inventions, Design and New Varieties and Breeds Department
- Copyrights - Copyrights Law Protection Section of the Legal Department

 # 1D

The step is accounted to be initiated when all parties (internal/external) are notified about submission. Notification, confirming submitting of Application, should be provided to Applicant, should contain serial submission number, submission date and time, as well as should replicate (when applicable) submitted information and should provide the list of submitted and skipped documents.

On this stage, the system should identify whether manual checking is required. The following step should be processed accordingly.

Processing

Application submission could be processed either by the system, or manually, by the functional expert, assigned by the Head of Department. Functional expert is assumed to be involved, if particular type of IP requires manual initial checking of submitted information.

For Application Submission, processing stage could be considered as an Acceptance of the request for consideration of Application. If no manual checking is required, acceptance should be processed automatically by the system. Otherwise, acceptance should be processed manually.

If no involvement of internal users is required, the system should process information automatically and completion stage should be executed once information is stored in the Database, and the system is notified about processing.

Initial checking is mandatory for Applications for registration of patents (inventions/utility models).

 # 2A

If Application requires manual initial checking, the Head of Department, assigned as an owner of the Application, should be able to view information on his/her dashboard.

 # 2A'

The executives of Sakpatenti should be able to view request on their dashboards, as well as should be able to preview/print out/download information.

Application details should be available for the executives throughout Application processing lifecycle.

Executives should be able to leave comments on application any time during processing and comments should be available for internal owners of the Application.

Executives also should be able to communicate with internal owners/executors via internal communication channels.

If operation requires involvement of executives (approval, signing out, etc.) executive should be able to view task and process operation.

 # 2B

Head of Department should be able to assign task to conduct initial checking to an Expert. Head of Department should be able to task load for each expert to make decision about assignment of the task.

This function should be available to be delegated to other internal user (e.g. Department Head Assistant, Senior Expert, etc.).

 # 2C

Expert should be notified about assigned task, should be able to view submitted information on his/her dashboard, as well as should be able to download/preview information.

Notification should be sent to Expert via e-mail, as well as should appear as a pop-up window on logging into the system. Newly submitted/assigned tasks should also be highlighted on the dashboard.

The Expert assigned for the initial check will not automatically be assigned for the Formal Examination stage. The Expert is an executor of only initial checking.

Expert should be able to sort, group, filter and search information on his/her dashboard. The basic information (Serial number, Title, submission date, and etc.) should be reflected on the dashboard.

The expert should be able to enter the Application processing form by clicking the application title in the task list. The application processing form shall contain full information, submitted by the applicant, as well as application submission number and marks.

 # 2D-1

If some information is missed, the Expert should be able to request for additional information by submitting the web-based request. The Expert should be able to generate request's template by checking missed/incorrect/not-recognizable information in the application form. Expert should be able to provide comments.

Once request template is generated, the Expert should be able to submit request for information. Deadlines for response should be defined on submission of request. On submission, the request notifications should be sent to Applicant via SMS (short notification) and e-mail (notification with attached request document).

 # 2D-2

Request for information, as well as response, should be also available on dashboard of Head of Department and Executives dashboards.

The request is accounted to be delivered as soon as delivery notification (either SMS or e-mail) is received by the system. Request should also appear on Applicant's dashboard. Applicant should be notified about gaps in information, as well as about deadlines to fulfill gaps.

 # 2D-3

Applicant should be able to submit response on the request (*see EO2. Submission of Mandatory Information).*

If submission/resubmission of documents is requested, the Applicant should be able to upload files and submit response. If any clarifications are required, the free text form should be available for the Applicant. If corrections of provided information are required, the Expert should be able to make changes in the Application form and submit new version of Application (adjusted Application).

As an alternative corrected information could be provided via free correspondence/ free text form. However, this form of communication reduces capacity of the system to track changes, and consequently, is less preferable.

 # 2E-1

If information is submitted, the Expert should be notified about delivery of response and should be able to view response on his/her dashboard, as well as preview provided information.

The system should provide functionality to compare versions of Application. Updated/added information should be highlighted/marked. The system is desired to provide functionality to compare updated information to previous version(s) of the same information (field).

Based on information, provided initially and in response or request (if provided), the Expert should be able to submit decision (Request Accepted/Request Rejected). The system should generate Decision template and Expert should be able to add comment to the document.

 # 2E-2

The Head of Department should be notified about submitted decision. Decision should be available of his/her dashboard. Department Head should be able to preview information and submit confirmation of Decision.

The Head of Department should also be able to ask for changes in decision and the Expert should be able to provide requested changes. Clarification of decision should be processed through internal communication channel, available in the system.

Once confirmation of decision is processed, the system should assign status to the Application request:

- "Request Rejected" status in the case of negative decision, and
- "Request Accepted" status in the case of positive decision

If requested information has not been submitted, the Application request should be assigned by "Request Rejected" status automatically.

If negative decision is submitted ("Request Rejected" status), the system should initiate Application termination process. Applicant should be notified about termination – negative decision and termination notification should be sent to Applicant and Application should be terminated.

If manual initial check is not required, neither external Applicant not internal users should be involved in the process. The system should assign "Request Accepted" status automatically.

Completion

 # 3A

When status is assigned to Application, the system should assign registration number and filling date to the Application. Registration number should be assigned according to accepted standards (see *8.4. IDENTIFICATION OF OBJECTS*).

Filling date should be assigned according to internal procedure as follows:

- If no manual check is required, Application submission date should be assigned as a filling date;
- If manual check is required and conducted, Application submission date should be assigned to filling date if no additional information has been required. In the case of patents, if update of Claims and/or description was required, date of submission of updated versions of above mentioned documents should be assigned.

 # 3B

The system should calculate fees for the following step (Formal Examination) according to schedule, assigned to particular IP and taking account additional requirements (acceleration, convention propriety). The system should generates payment liability to Application (according to calculated fees), as well as assign deadlines for payment.

 # 3C

The system should analyze the list of submitted documents and assign document submission liabilities and deadlines according to type of requested IP.

 # 3D

Once liabilities are defined, the system should assign “Received” status to the Application.

The system should also generate and send Reception Notification to the Applicant. Internal party (owner of the Application) should also be notified. Reception notification should contain information about generated payment liabilities (Draft Electronic Invoice) and document submission liabilities (List of Documents to be submitted). Both payment and document submission liabilities should be accompanied by information about deadlines for fulfilling liability.

The step is assumed to be completed when payment/document submission liabilities are defined and notification is sent to all parties, involved in the process.

4.1.7.2 Formal Examination

The Formal Examination step is a second phase of consideration of Application. It assumes manual rechecking of submitted documents and technical examination of content (mechanical mistakes, missed and/or incorrect information, mistakes in specifications, unreadable documents, etc.). The process is mostly manual.

This stage is mandatory for all types of Applications. However, this step could be skipped for Conventional International applications. For International invention applications, this step is mandatory.

Internal processing of this step could differ for different IPs (different deadlines for processing, for extension, suspension, and submission of mandatory information). However, the following general rules are in place:

1) The Formal Examination process should be allowed to be started only after payment and document liabilities are fulfilled. If any document submission liabilities exist, the process is not allowed to be started before documents are submitted.
2) Experts could require submission of additional information. If information has not been provided within defined deadlines, termination of Application should be initiated.
3) If documents have been provided, but some gaps still exist, Expert could request submission of document once more. Number of additional requests is not generally restricted and depends on Expert’s opinion.
4) Three types of conclusion could be provided
    - Formal check passed
    - Formal check passed partially
    - Formal check not passed
5) Conclusion, as well as termination, should be confirmed by the Head of Department and both should be distributed to all internal/external parties. Respectively, the following statuses could be assigned to Application
    - Terminated – terminated could be renewed on Applicant’s request, submitted within defined deadlines.

- Rejected – if Application has been rejected, the Applicant should be able to request for Appeal within defined deadlines (3 month after delivery of notification)
- Accepted (with exclusions) – rejected part could be appealed. Processing of Application should be continued for the accepted part. The next step (substantive examination) should be initiated.
- Accepted – Processing of Application should be continued. The next step (substantive examination) should be initiated.

Depending on the particular IP object, almost all external requests are allowed to be submitted on this stage. Acceleration request is not available for Patents and Copyrights (Inventions/Utility Models) Applications.

Figure 18 provides an overall picture of external requests, allowed to be submitted during the Formal Examination Step.

Figure 18. Step 2: Formal Examination – Involvement of External Requests

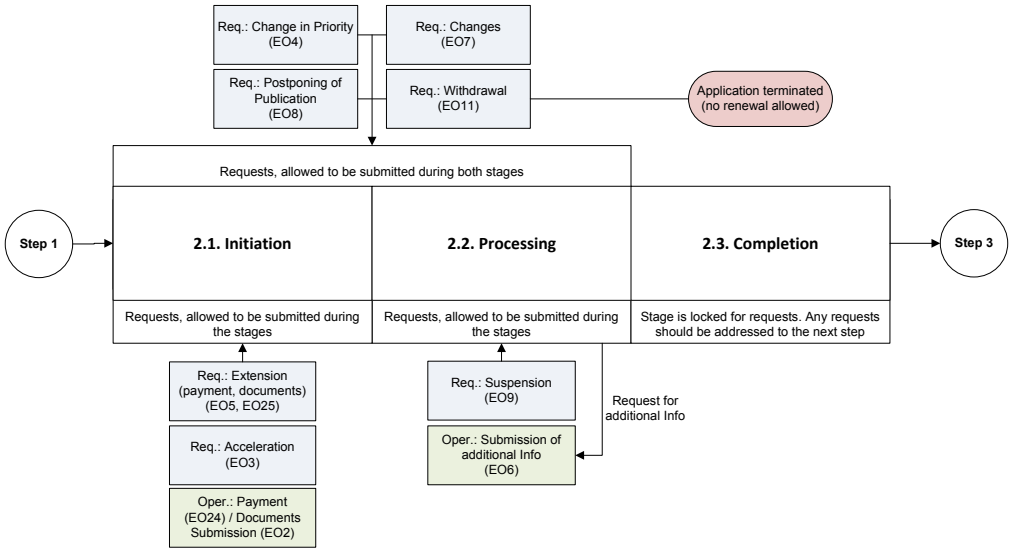
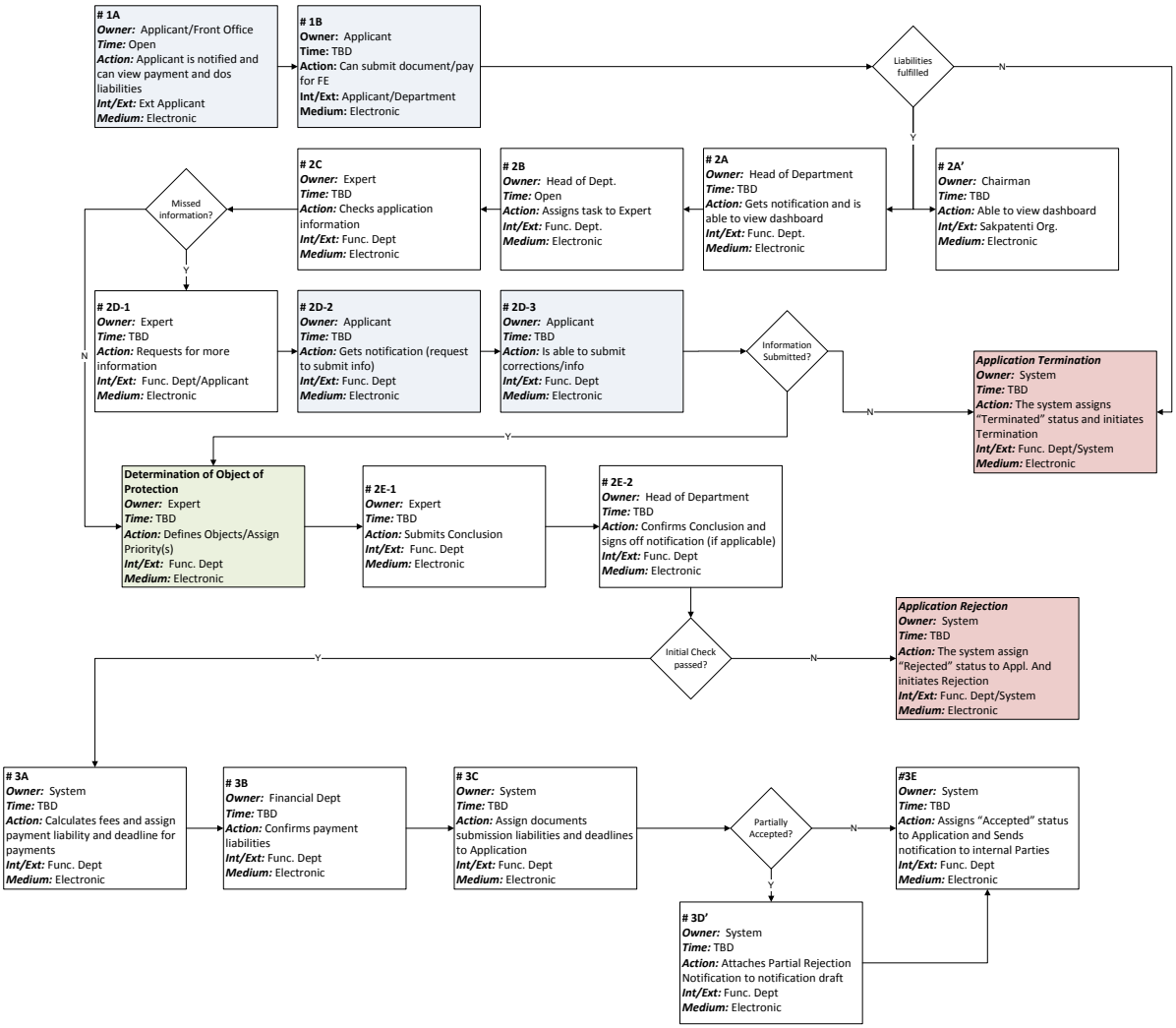


Figure 19 provides the flow of operations related to the Formal Examination step. This picture is applicable for all types of Applications. Determination of Object of Protection should be skipped for Design, Inventions, and Utility Models.

Figure 19. Step 2: Formal Examination – Operation Flow



Initiation

 # 1A

Once Application reception is confirmed and payment liabilities for the Formal Examination step is generated, Applicant should get notification, containing confirmation of reception, assigned filing number and date, as well as should be informed about obligation to pay fees (should receive Draft Electronic Invoice) and submit missed (skipped) documents and/or information. Deadlines to fulfill liabilities should be provided to Applicant.

 # 1B

Applicant should be able to see Draft Electronic Invoice on his/her dashboard and should be able to submit (process) payment. Applicant should also be able to submit requested information.

Applicant should also be able to request for extension of deadlines (both for payment and for submission of missed information), as well as should be able to ask for suspension of processing. Suspension is not allowed if extension of deadlines is requested and accepted.

Once deadlines for fulfillment of liabilities are expired, the system should lock Application for processing and should initiate Application Termination.

Processing

 # 2A, 2A'

Once liabilities are fulfilled, the System should unlock Application for processing and should notify internal parties.

Executive management and Head of Department, owning the process, should be notified about fulfillment of liabilities. Information should be available on their dashboard and should be marked as "new" for some particular period of time.

 # 2B

Head of Department should be able to assign task to any Formal Expert. Head of Department should be able to view load of task for each particular Expert. If expert is overloaded, the system should notify Head of Department that selected resource is overloaded[6].

It also should be possible to assign task to the Expert before liabilities are fulfilled. In this case, the Expert should be able to view assigned task, but should not be allowed to process any decision in the system.

 # 2C

Expert should get access to full information, attached to the Application. The Expert should be able to preview, download and print out provided information and files. Information should be provided in the form of the Checklist and Expert should be able to mark particular field/document or group of information as "complete" or "incomplete". The Expert should also be able to add comments, related to each particular item or to a group of items.

 # 2D-1

If some information is marked as "incomplete" the Expert should be able to submit request for more information (see *4.1.4.14*). Request should not be allowed if no information is marked as "incomplete". The Expert should be able to generate Request Notification form the predefined template, add comments/edit notification and then submit request to the system. Request should be accepted by the Supervisor (no signature is required).

If Applicant has no electronic account, the Expert should be able to print out document (notification). In this case, notification should be signed off by the Head of Department and delivery of notification should be reflected in the system manually.

 # 2D-2, 2D-3

[6] This is low priority requirement. Resources management tool is desired, but is not critical because of relatively small staff and sufficient time to process any operation. If provided, some algorithm to calculate load of Experts should be implemented. Currently, Expert is considered as an internal employee, responsible to operate on fulltime basis. However, Sakpatenti consider option to transform involvement of Experts on the case-by-case basis. In this case, Experts should be able to access the system from outside (external access). If this approach is implemented, the issue of Experts' load management, as well as overall resource management, could become critical.

The Applicant should be notified about submitted request and deadlines to provide response should be defined. Deadlines for response generally are defined as 1 month from delivery of notification. However, this parameter should be sufficiently flexible and customizable. Delivery date and time should be fixed in the system and countdown of deadlines should start from the next calendar date.

The Applicant should get short SMS notification, as well as should be get full-text notification via e-mail and should be able to view request on his/her dashboard.

Notification is considered as delivered, if delivery notification is received from the external system.

The Applicant should be able to response on the request either via special form, of by using Free Communication Form interface. Delivery of response should be confirmed by the system automatically.

Once deadlines for submission are expired, Application should be locked for operations and the system should initiate Application Termination operation.

Note: *If information is provided incompletely, the Expert should be able to request for missed information once more. Number of request generally is not restricted. The only restriction is a deadline to process Formal Examination. If deadlines for processing are expired, Application should be locked for such requests and the Expert should be asked to submit conclusion based on existing information. If expert decides, that there are no more reason to communicate with an Applicant, he/she is allowed to continue Examination and submit conclusion based on existing incomplete information. Request for missed information should be submitted at least once. As an alternative, the Expert should be able to submit request via Free Communication Form. Such requests should not require mandatory submission of response, should be traceable. This approach is applicable for almost all step/stages and operations, assuming submission of external information and allowing internal party to ask for fulfillment of gaps in information. From this point forward it is assumed, that multiple trials are allowed (if other is not required).*

Once information is provided (or no information was missed initially), the Expert should be notified and should be able to process next steps.

Determination of the Object of Protection

If processing requires Determination of the Object of Protection during the Formal Examination step (e.g. Trademarks), the object should be determined and priority(s) should be defined and assigned to Application (see *4.1.4.1*). Otherwise, this step should be skipped and processed on the Substantive Examination Step.

 # 2-E1

Based on response, provided by the Applicant, the Expert should be able to recheck information by assigning “complete” status to items, previously marked as “incomplete”. The Expert should be able to generate and submit conclusion. Three types of conclusions should be available

Three types of conclusion could be provided

- Formal check passed
- Formal check passed partially
- Formal check not passed

Passing of the formal check should be allowed to be submitted if no items are marked as “incomplete”. If no items are marked as “incomplete” submission of negative conclusion should be prohibited.

If the negative conclusion case, the Expert should be able to select purposes of negative conclusion from the predefined list. Multiple selections should be available.

The Expert should be able to generate conclusion notification from the predefined template. Processed statuses should be automatically reflected.

In the case of negative and partial positive conclusion, the Expert should be able to generate Rejection/Partial Rejection notification draft from the predefined template and document should be attached to conclusion.

 # 2E-2

Conclusion should be confirmed by the Head of Department. Head of Department should be able to ask for adjustments in conclusion and the Expert should be allowed to process adjustments and re-submit the form.

Completion

If negative conclusion is submitted, the system should assign “Rejected” status to Application and should initiate Application Rejection process (see *4.1.4.7*).

 # 3A

If positive or partially positive conclusion is submitted and confirmed, the system should generate payment liability for the next step (Substantive Examination) according to the Fee Schedule, which is in use for the current Application. Fee should be calculated taking into account the Object, defined during the step (if applicable; relevant to Trademarks, Geographical Indications, and Copyrights).

 # 3B

Department of Finance should be notified about generated liabilities and Chief Specialist, assigned to Application, should confirm it.

 # 3C

Once liability is confirmed, the system should assign payment liability to the Application, as well as should define deadlines for payment. Draft Electronic Invoice should be generated and available for distribution.

If any document submission liabilities are in force (e.g. positive conclusion is submitted, but some document is not provided (is allowed to be provided during the next step), this liability should be re-assigned to Application and deadlines for submission should be defined. This functionality is applicable for Trademark processing, where submission of confirmation from e.g. Ministry of Culture is allowed to be postponed for the Substantive Examination step.

 # 3D

If Application is accepted partially, the Applicant should be notified about portion of Application, rejected for consideration. Partial Rejection document should be attached to notification.

No special external notifications are required in the case of positive conclusion.

 # 3E

The system should assign “Accepted” status to Application and should notify parties about completion of the Formal Examination step. Internal parties, involved in the process, should be notifies by e-mail and should be able to see corresponding information on their dashboard.

The Applicant should be also notified. Draft Electronic Invoice should be attached to notification. In the case of rejection of the portion of Application, Partial Rejection document should be attached to notification. Applicant should get SMS notification, as well as should be notified via e-mail.

4.1.7.3 Substantive Examination

The Substantive Examination step is a third phase of consideration of Application. It assumes mainly manual rechecking of the content of the Object of Protection. Determination of the Object could also be processed on this step (Invention, Utility Models, and Design).

This stage is mandatory for all types of Applications. In the case of Copyright Application, this step is substituted by Deposition of the Work.

Substantive Examination is aimed:

1) To ensure, that the Object of Protection is defined and described properly (Determination of the Object of Protection);
2) To ensure that the claimed object meets requirements to be protected (e.g. is unique, individual, new, useful, and etc.).

Correspondingly, this step conditionally could be divided by two sub-steps:

1) Determination of the Object of Protection (if object has not been defined during the Formal Examination step);
2) Search (on the subject of uniqueness).

Internal processing of this step could differ for different IPs (different deadlines for processing, for extension, suspension, and submission of mandatory information). However, the following general rules are in place:

1) The Substantive Examination process should be allowed to be started only after payment and document liabilities (if applicable) are fulfilled. If any document submission liabilities exist, the process is not allowed to be started before documents are submitted. Otherwise, Application should be terminated.
2) Experts could require submission of additional information during any phase of this step. If information has not been provided within defined deadlines, termination of Application should be initiated.
3) If documents have been provided, but some gaps still exist, Expert could request submission of document once more. Number of additional requests is not generally restricted and depends on Expert’s opinion.
4) Final Decision should be submitted and confirmed. Three types of decisions could be provided
    - Object meets requirements and could be registered

- Only portion of the Object meets requirements and this portion could be registered
- Object does not meet requirements and Application should be refused.

5) Decision, as well as termination, should be confirmed by the Head of Department and both should be distributed to all internal/external parties. Respectively, the following statuses could be assigned to Application
   - Terminated – terminated could be renewed on Applicant's request, submitted within defined deadlines.
   - Refused – if Application has been rejected, the Applicant should be able to request for Appeal within defined deadlines (3 month after delivery of notification)
   - Approved (with exclusions) – refused part could be appealed. Processing of Application should be continued for the approved portion. The next step (First Publication) should be initiated.
   - Approved – Processing of Application should be continued. The next step (First Publication) should be initiated.

Depending on the particular IP object, only restricted external requests are allowed to be submitted on this stage. Figure 20Figure 18 provides an overall picture of external requests, allowed to be submitted during the Substantive Examination Step (not applicable for Copyright Applications).

Figure 20. Step 3: Substantive Examination – Involvement of External Requests

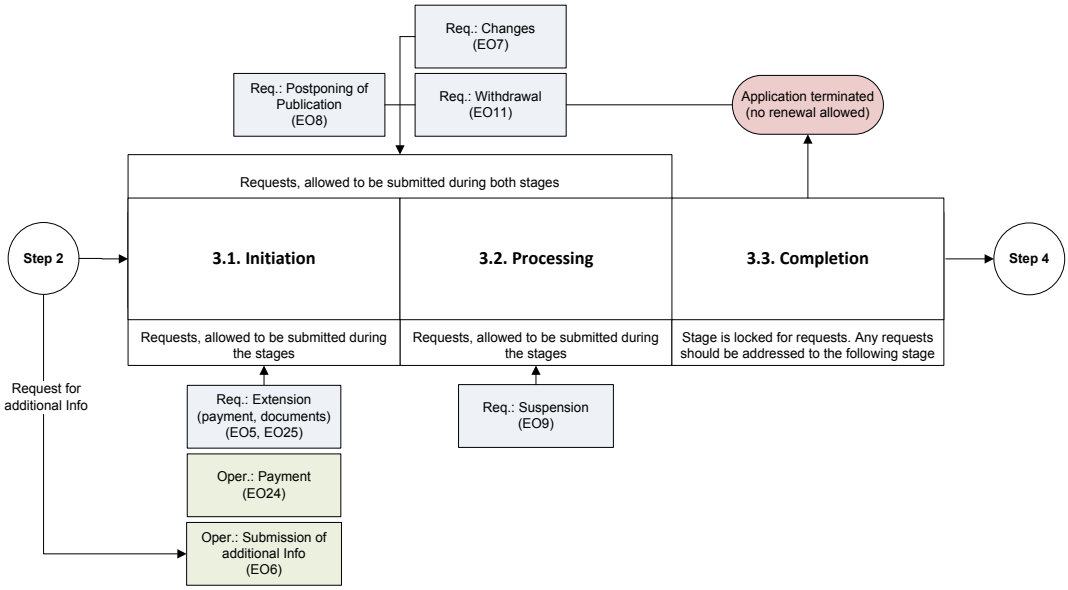
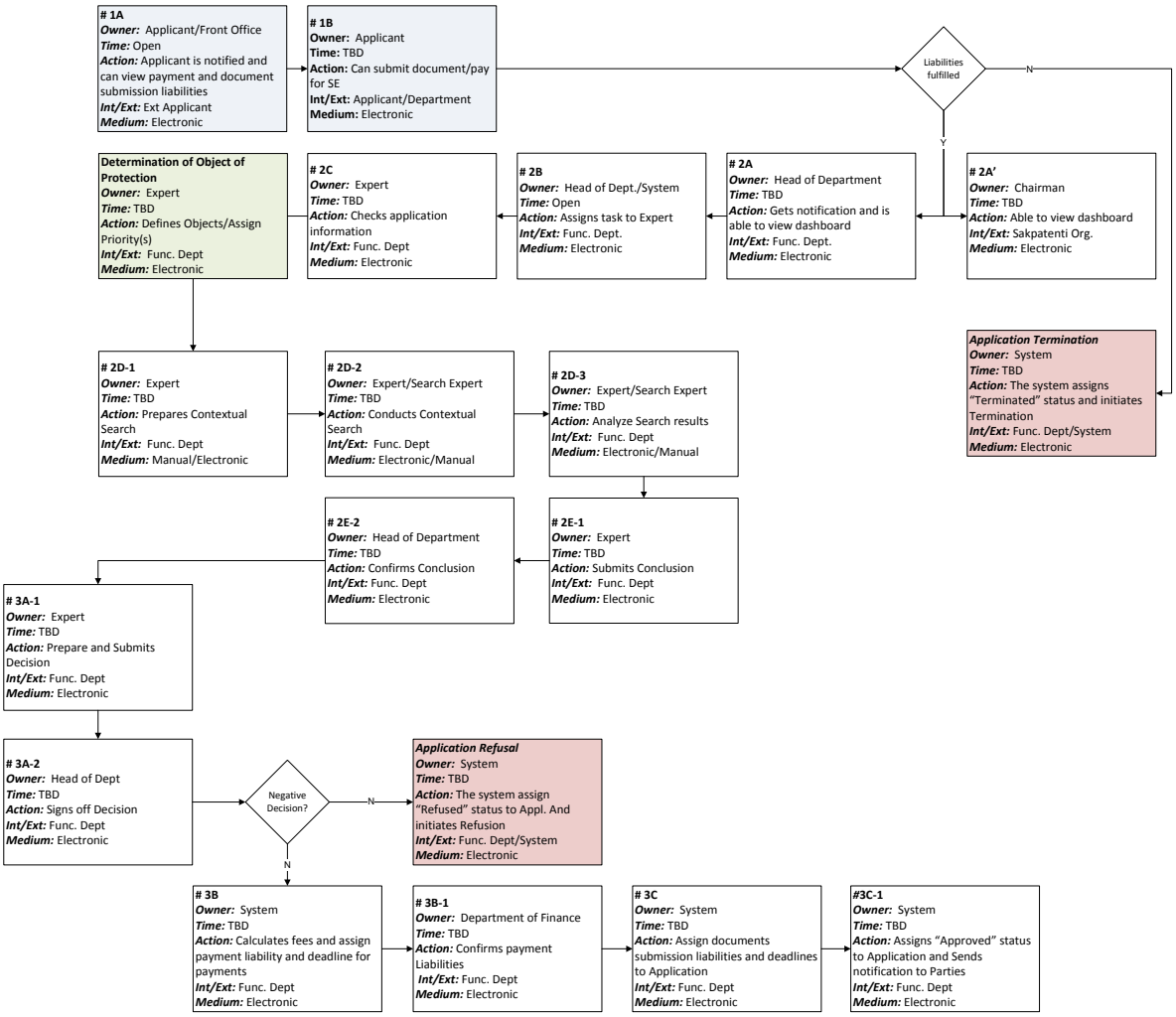


Figure 21 provides the flow of operations related to the Substantive Examination step. This picture is applicable for all types of Applications. Determination of Object of Protection should be processed for Design, Inventions and Utility Models.

Figure 21. Step 3: Substantive Examination – Operation Flow



Initiation

 # 1A

Once passing of the formal examination step is confirmed and payment liabilities for the Substantive Examination step is generated, Applicant should get notification, containing confirmation of acceptance, as well as should be informed about obligation to pay fees (should receive Draft Electronic Invoice) and submit missed (skipped) documents and/or information. Deadlines to fulfill liabilities should be provided to Applicant.

 # 1B

Applicant should be able to see Draft Electronic Invoice on his/her dashboard and should be able to submit (process) payment. Applicant should also be able to submit requested information.

Applicant should also be able to request for extension of deadlines (both for payment and for submission of missed information), as well as should be able to ask for suspension of processing. Suspension is not allowed if extension of deadlines is requested and accepted.

Once deadlines for fulfillment of liabilities are expired, the system should lock Application for processing and should initiate Application Termination.

Processing

 # 2A, 2A'

Once liabilities are fulfilled, the System should unlock Application for processing and should notify internal parties.

Executive management and Head of Department, owning the process, should be notified about fulfillment of liabilities. Information should be available on their dashboard and should be marked as "new" for some particular period of time.

 # 2B

Head of Department should be able to assign task to any Substantive Expert. Head of Department should be able to view load of task for each particular Expert. If expert is overloaded, the system should notify Head of Department that selected resource is overloaded.

Option to re-assign automatically the Formal Expert (responsible for Application) to the Substantive Examination, should be provided.

It also should be possible to assign task to the Expert before liabilities are fulfilled. In this case, the Expert should be able to view assigned task, but should not be allowed to process any decision in the system.

 # 2C

Expert should get access to full information, attached to the Application. The Expert should be able to preview, download and print out provided information and files. Information should be provided in the form of the Checklist and Expert should be able to mark particular field/document or group of information as "complete" or "incomplete". The Expert should also be able to add comments, related to each particular item or to a group of items.

Determination of the Object of Protection

If processing requires Determination of the Object of Protection during the Substantive Examination step (e.g. Inventions, Utility Models, and Designs), the object should be determined and priority(s) should be defined and assigned to Application (see *4.1.4.1*). Otherwise, this step should be already processed on the Formal Examination Step. In more details, Determination process is described in sections, corresponding to each particular IP process (*see 5. FUNCTIONAL REQUIREMENTS FOR IP-SPECIFIC PROCESSES*).

Once object is determined either on Formal of Substantive Examination step, the Expert should conduct contextual search of the Object of Protection on subject of relevance to IP requirements (novelty, uniqueness, inventiveness, individuality, and etc.). The search process is specific for each particular type of IPs, requires different approaches, utilization of different type of search patterns, as well as search involves the use of different various sources of information – internal or/and external. Search process in details is described for each particular type of process in corresponding sections process (*see 5. FUNCTIONAL REQUIREMENTS FOR IP-SPECIFIC PROCESSES*). Some type of internal searches could be realized in the system, but others, especially search in international

databases, is a fully manual process and the issue of integration of such searches could be consider in the following steps of development (enhancement) of the system.

Search step is not applicable for the Copyright and Geographical Indications applications.

 # 2D-1

The Expert should be able to prepare search, which means manual investigation of provided information and determination of some set of search patterns. In some cases (e.g. for Trademarks), when search is assumed to be conducted in internal database and special Search Experts are assumed to be involved in the process, search patterns should be submitted to the system. In other cases, this process could be done fully manually, without any utilization of the system.

 # 2D-2

Search preparation should be followed by the Contextual Search phase. Search could be conducted either using internal resources (Sakpatenti database), or could require utilization of external electronic and paper-based resources. Search should be completed by submission of a Search Report. Expert should be able to prepare search report, using some predefined templates, specific for each particular process. Depending on process, Search report may be required to be shared with Applicant (Inventions, Utility Models). In this case, Search report should be confirmed by Supervisor, and active communication with the Applicant (request to provide feedback/make changes) could be required.

In other cases, submission of search reports requires no involvement of external parties, as well as any confirmation from the Supervisor side.

 # 2D-3

Search should be followed by Analysis of search results phase. This phase generally is fully manual and means final analysis and comparison of the content of Application to results of search. On this stage the level of relevancy of the Object of Protection to requirement, sufficient to register IP should be defined. On this stage, active communication with the Applicant could be required.

 # 2E-1

Based on search results and analysis, the Expert should be able to prepare and submit conclusion about relevancy of claimed Object to requirement of particular IP class. The Expert should be able to use predefined templates to generate Conclusion Document. For Inventions and Utility Models, this step could be followed by additional consideration (if some controversy of finding exists).

 # 2E-2

Conclusion finally should be confirmed by the Head of Department.

Completion

 # 3A-1

Based on conclusion, the Expert should be able to submit final decision. The Expert should be able to generate Decision Document from some predefined template and submit decision, attached with the document.

 # 3A-2

The Head of Department should approve decision and sign off the Document (either electronic or printed-out paper-based one). The Head of Department should be able to ask Expert to adjust Decision Document and the Expert should be able to adjust document and re-submit decision.

If negative decision is submitted, the system should assign “Refused” status to Application and should initiate Application Refusal process (see *4.1.4.8*).

 # 3B

If positive or partially positive decision is submitted and confirmed, the system should generate payment liability for the next step (Publication) according to the Fee Schedule, which is in use for the current Application. Fee should be calculated taking into account the Object, defined during the step.

 # 3B-1

Department of Finance should be notified about generated liabilities and Chief Specialist, assigned to Application, should confirm it.

 # 3C

Once liability is confirmed, the system should assign payment liability to the Application, as well as should define deadlines for payment. Draft Electronic Invoice should be generated and available for distribution.

 # 3C-1

The system should assign “Approved” status to Application and should notify parties about completion of the Substantive Examination step. Internal parties, involved in the process, should be notifies by e-mail and should be able to see corresponding information on their dashboard.

Both Approval and Refusal assumes preparation and signing off Decree, allowing Application for publication (see *4.1.4.12. Approval of Decision* and *4.1.4.8. Refusal of Application* for more details).

The Applicant should be also notified. Decision document and Draft Electronic Invoice should be attached to notification. Applicant should get SMS notification, as well as should be notified via e-mail.

4.1.7.4 First Publication

The main purpose of this step is to share information about IP object to public. All other applications should be published and are not allowed to be registered during 3 months after publication. No operations with Applications are allowed during this stage (except withdrawal). Any other requests could be accepted by Sakpatenti, but are to be reflected only during registration.

This step could be considered as a pre-registration of the IP Object. Information, mandatory for registration, should be processed and pre-registered status should be assigned to the Object.

This step is similar to all types of Applications (where applicable). The difference is in the set of data, to be processed. This step is not applicable for Copyright applications.

Published Application is allowed to be appealed by the third parties. If appeal process is initiated, decision on final registration of IP should be re-considered based on decision of the Appeal Board.

The functional department (Trademarks or Patents) responsible for processing of IP is also responsible for processing of this step. The step should be processed by the registration group (Registrar). A Registrar, assigned to Application processing, is an *executor* of this step. Another co-owner of the process is a Publishing Unit. However, Publishing unit is not involved in the information processing and is a consumer of information, as well as an executor of a mostly manual process of publication.

If Third Party submits Appeal, processing of Application should be suspended until decision on appeal is not made and reflected in the system. If Appeal is upheld, this step should be terminated and Application Refusal should be initiated. Registration (pre-registration) of the Object should be cancelled. Otherwise (both rejection and partial approval of Appeal) should initiate continuation of the process for the portion of the Object, allowed to be registered.

This step does not require involvement of external users (Applicants). Applicant is required only to provide payment for publication. Applicant is allowed to submit some restricted requests before publication is processed.

Internal executors are responsible for processing information in the system and preparation Application for publication (pre-registration). Publishing Unit is responsible for execution of publication (manual).

This step could be completed by:

- *Termination* for technical purposes (payment/documents have not been provided). Application is assigned by "*Terminated*" status. Terminated application is allowed to be renewed (within 1 month).
- *Refusal* as a result of an upheld Third Party Appeal. Application is assigned by "*Refused*" status.
- If no appeals were submitted during the publication period (or appeal(s) has not been upheld), Application should be assigned by "*Recognized*" status and allowed to be registered. If decision on Appeal has been upheld only for a part of IP, status will be extended by "*with exclusions*" and only portion of IP will be registered. Completion of this step does not require submission of any decisions. Confirmation of expiration of the publication period should be done by executor to close this stage.

Only restricted external requests are allowed to be submitted on this stage. Figure 22Figure 18 provides an overall picture of external requests, allowed to be submitted during the Publication step (not applicable for Copyright Applications).

Figure 22. Step 4: First Publication– Involvement of External Requests

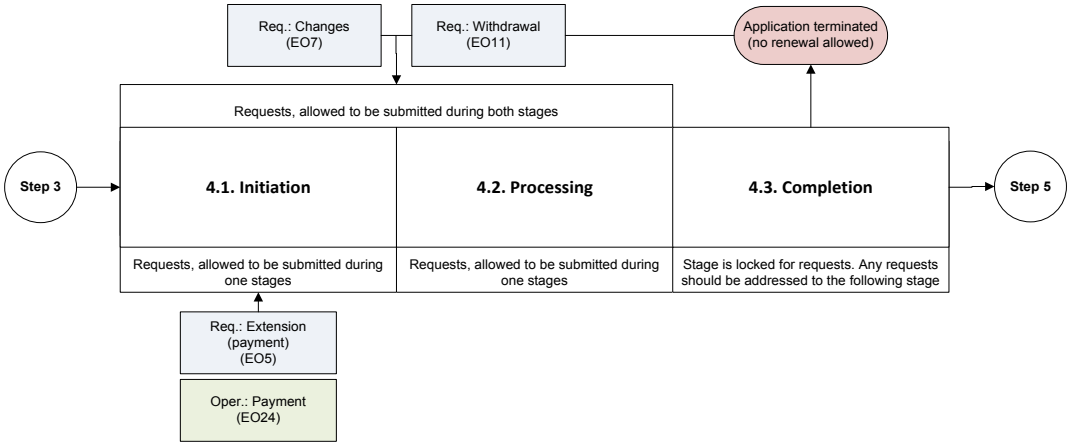
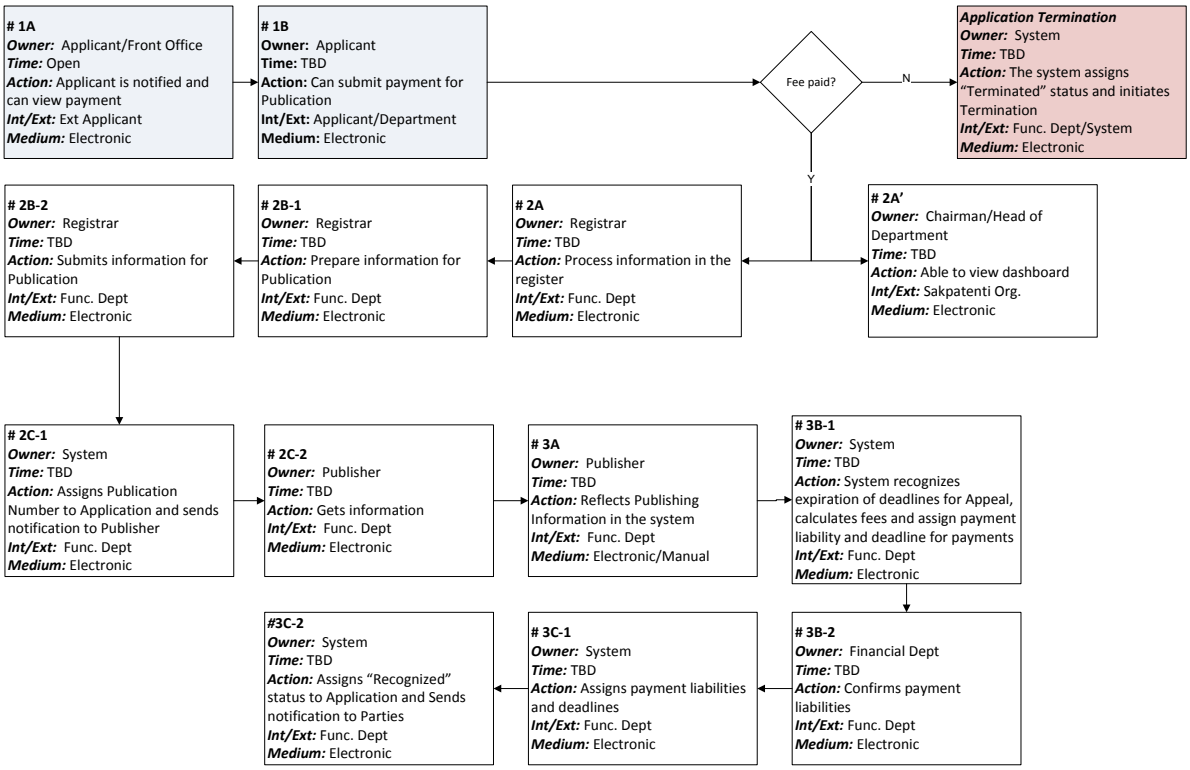


Figure 23 provides the flow of operations related to the First Publication step. This picture is applicable for all types of Applications, except Copyrights.

Figure 23. Step 4: First Publication– Operation Flow



Initiation

 # 1A

Once Application reception is confirmed and payment liabilities for the Publication step is generated, Applicant should get notification, containing decision, as well as should be informed about obligations to pay fees (should receive Draft Electronic Invoice). Deadlines to fulfill liabilities should be provided to Applicant.

 # 1B

Applicant should be able to see Draft Electronic Invoice on his/her dashboard and should be able to submit (process) payment. Applicant should also be able to request for extension of payment deadlines, as well as should be able to ask for suspension of processing. Suspension is not allowed if extension of deadlines is requested and accepted.

Once deadlines for fulfillment of liabilities are expired, the system should lock Application for processing and should initiate Application Termination.

Processing

 # 2A, 2A'

Once liabilities are fulfilled, the System should unlock Application for processing and should notify internal parties.

The Registrar is responsible to process and fix information in the system. The following information is mandatory to be processed:

1) Application filing number
2) Application filing date
3) Initial Application number
4) Initial Application filing date
5) Country(Office) of registration of initial Application (country code)
6) Full name and address of the Holder of Trademark
7) *Object of Protection (IP specific information)*
8) Representation (full name/title and address)
9) Request number (chancellery number)
10) List of unprotected elements (disclaims) if applicable.

On initiation of Registration, the system should open registration form and all above mentioned information should be automatically placed in the system.

The Registrar should be able to recheck information and confirm registration of record. The system should automatically assign pre-registration (record) number to record (pre-registration number is interim number and will not is aimed to be used only for internal purposes).

No changes in information are allowed. If any changes are required by Applicant, changes should be reflected in record only after completion of the Publication Step (on registration of the Object).

 # 2B-1

The registrar should separate information, required to be published and should be able to prepare publication notification, containing complete information, including international codes for published information.

The following information should be published:

1) Application filing number
2) Application filing date
3) Initial Application number
4) Initial Application filing date

5) Full name and address of Applicant
6) *Object of Protection (IP specific information)*

 # 2B- 2

Prepared information should be submitted. The Registrar should be able to change and resubmit information if any minor mistakes are identified.

 # 2C-1

Once publication information is submitted, the system should assign First Publication Number to Application and should send notification to Publishing unit about submitted information.

 # 2C-2

Publishing Unit should be notified about request for publication. User, responsible for reception of information, should get notification via e-mail, including attached information, which should be published. Notification and publishable information should be also available on his/her dashboard.

Information should be provided to publishing staff for publication (manually).

Completion

 # 3A

Once application is published, User, responsible for publication, should be able to confirm Application publication in the system. Publication date, as well as number of Bulletin, where Application is published, should be submitted.

Once publication is fixed in the system, the system should calculate deadlines for expiration of the First Publication period (3 months). Parties should be notified about publication.

 # 3B-1

On expiration of deadlines for Appeal (publication period), the system should generate payment liability and payment deadlines (registration fee, if applicable).

 # 3B-2

Department of Finance should be notified about generated liabilities and Chief Specialist, assigned to Application, should confirm it.

 # 3C-1

Once liability is confirmed, the system should assign payment liability to the Application, as well as should define deadlines for payment. Draft Electronic Invoice should be generated and available for distribution.

 # 3C-1

The system should assign “Recognized” status to Application and should notify parties about completion of the Publication Period. Internal parties, involved in the process, should be notifies by e-mail and should be able to see corresponding information on their dashboard.

4.1.7.5 Registration

This step is aimed to process formal registration of the Intellectual Property object in the database. Ownership of the object should be defined. Official registration number and registration date should be assigned to the object and document, certifying ownership rights should be issued.

This step is similar to all types of Applications. The difference is in the set of data, to be processed

The full owner of the Registration process is a functional unit (Trademarks, Patents, or Copyrights), responsible for processing of IP, particularly, the registration group (Registrar). A Registrar, assigned to Application processing, is an *executor* of this step.

This step does not require involvement of external users (Applicants). Applicant is required only to provide payment for publication.

Internal executors are responsible for processing information in the system and issuance of documents (Certificates, Annexes).

This step could be completed by:

- *Termination* for technical purposes (payment has not been provided). Application is assigned by "*Terminated*" status. Terminated application is allowed to be renewed (within 1 month).
- *Registration* of the IP object in the IP Register and issuance of Certificate. Registered application should be assigned by "*Registered*" status and automatically allowed for the final publication. No additional decisions are required.

Only restricted external requests are allowed to be submitted on this stage. Figure 24 provides an overall picture of external requests, allowed to be submitted during the Registration step.

Figure 24. Step 5: Registration – Involvement of External Requests

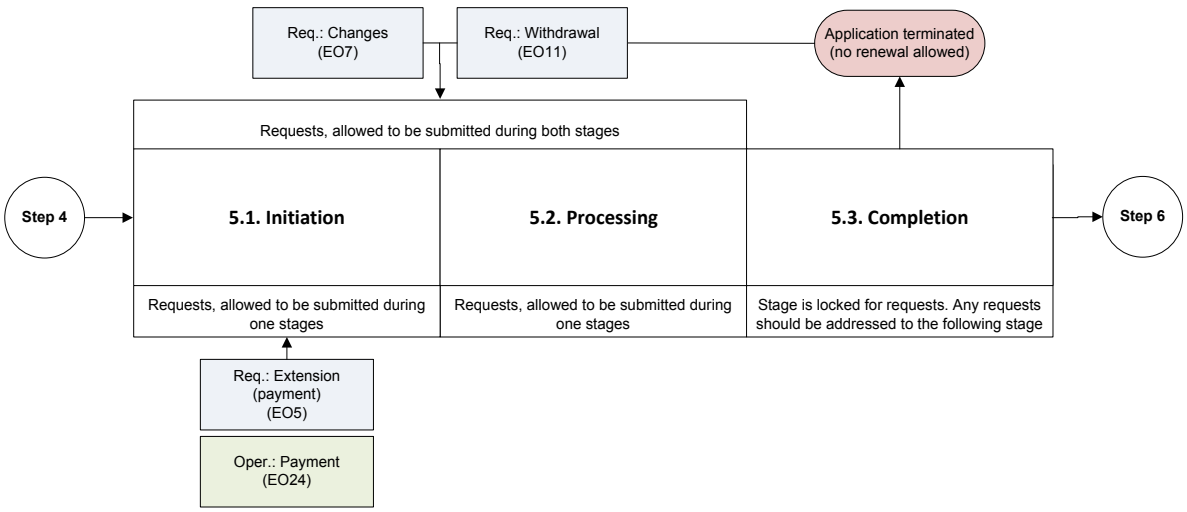
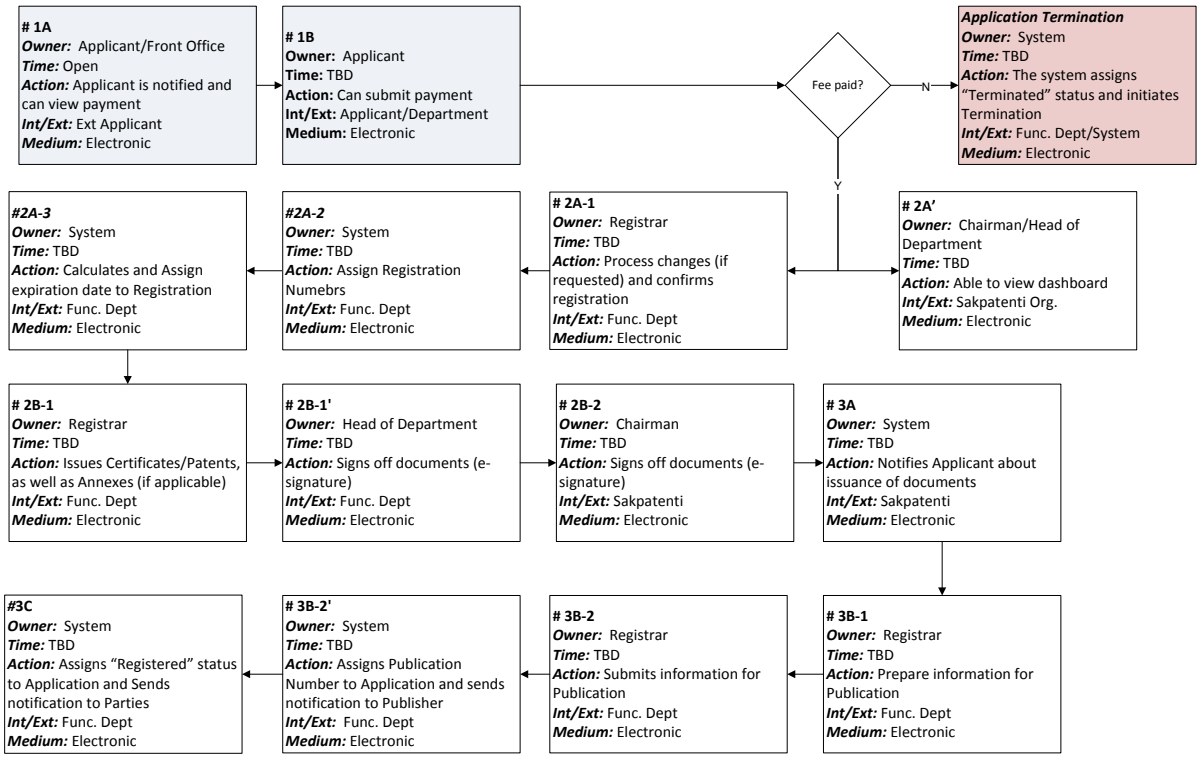


Figure 25 provides the flow of operations related to the Registration step. This picture is applicable for all types of Applications.

Figure 25. Step 5: Registration – Operation Flow



Initiation

 # 1A

Once Application reception is confirmed and payment liabilities for the Registration step is generated, Applicant should get notification, containing decision, as well as should be informed about obligations to pay fees (should receive Draft Electronic Invoice). Deadlines to fulfill liabilities should be provided to Applicant.

 # 1B

Applicant should be able to see Draft Electronic Invoice on his/her dashboard and should be able to submit (process) payment. Applicant should also be able to request for extension of payment deadlines, as well as should be able to ask for suspension of processing. Suspension is not allowed if extension of deadlines is requested and accepted.

Once deadlines for fulfillment of liabilities are expired, the system should lock Application for processing and should initiate Application Termination.

Processing

 # 2A'

Once liabilities are fulfilled, the System should unlock Application for processing and should notify internal parties.

Executive management and Head of Department, owning the process, should be notified about fulfillment of liabilities. Information should be available on their dashboard and should be marked as "new" for some particular period of time.

 # 2A-1

If any changes in Application are required during Publication stage, the Registrar should be able to process changes in registered record and should be able to submit registration for the record.

 # 2A-2

Once registration is submitted, the system should generate registration number and registration date and should assign this number to the record. The record should be marked as registered.

The following information, regarding the IP should be fixed in the system:

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date
6) Initial Application number
7) Initial Application filing date
8) Country(Office) of registration of initial Application (country code)
9) Full name and address of the Holder of Trademark
10) *Object of Protection (IP specific information)*
11) Representation (full name/title and address)
12) Request number (chancellery number)
13) List of unprotected elements (disclaims) if applicable.

 # 2A-3

The system should calculate and assign registration expiration date according to rules, assigned to particular type of IP.

 # 2B-1

The Registrar should be able to prepare drafts of official documents, certifying rights on IP object from predefined templates (Certificates, Patents, and Annexes). Templates for both Electronic and Hardcopy documents should be available.

Registrar should be able to print-out document if issuance of the Hardcopies is requested.

Registrar should be able to confirm issuance of electronic documents. Both – electronic and hardcopy Drafts should be available in the system after confirmation.

 # 2B-1'

Head of Department should confirm issuance of electronic documents.

 # 2B-2

Chairman of Sakpatenti should be notified about issuance of documents and should be able to signs off electronic documents using electronic signature. Signing off documents should be reflected in the system.

Completion

 # 3A

Applicant should be notified about processed registration and issuance of documents. Applicant should get link to the electronic documents. If issuance of hardcopies is required, Applicant should be notified about date for which hardcopy will be ready for pick up.

 # 3A-1

The registrar should separate information, required to be published and should be able to prepare publication notification, containing complete information, including international codes for published information.

If no changes in Application data were processed after the First Publication, the Second Publication should contain:

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date

If changes in the Application were processed from the First Publication and prior to registration, the Second Publication in addition should contain information on changes – changed information should be reflected in the publication.

 # 3A-2

Prepared information should be submitted. The Registrar should be able to change and resubmit information if any minor mistakes are identified.

 # 3B

Once publication information is submitted, the system should assign Final Publication Number to Application and should send notification to Publishing unit about submitted information.

#3C

The system should assign “Registered” status to Application and should send completion notification to internal parties.

4.1.7.6 Final (Second) Publication

This step completes processing of Application and is aimed to share information about registration of rights for IP to public. This step is similar to all types of Applications (where applicable). The difference is in the set of data, to be processed. This step is not applicable for Copyrights.

The owner of the Final Publication process is a functional unit (Trademarks and Patents), responsible for processing of IP, particularly, the registration group (Registrar). A Registrar, assigned to Application processing, is an *executor* of this step. Another co-owner of the process is a Publishing Department. However, Publishing Unit is not involved in the information processing and is a consumer of information, as well as an executor of a mostly manual process of publication.

This step requires no involvement of external users (Applicants). Internal executor prepares information for publication, and Publishing Unit executes publication of information (manual process).

On completion stage, Application should be assigned by "*Processed*" status and Application processing should be closed.

No external requests are allowed to be submitted on this stage.

Figure 26. Step 5: Final (Second) Publication - Operation Flow

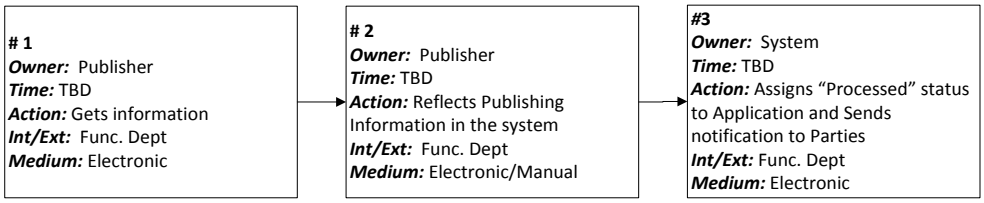


Figure 26 provides the flow of operations related to the Registration step. This picture is applicable for all types of Applications.

Initiation

 # 1

Publishing Unit should be notified about request for publication. User, responsible for reception of information, should get notification via e-mail, including attached information, which should be published. Notification and publishable information should be also available on his/her dashboard.

Information should be provided to publishing staff for publication (manually).

Processing

 # 2

Once application is published, User, responsible for publication, should be able to confirm publication in the system. Publication date, as well as number of Bulletin, where information is published, should be submitted.

Completion

 # 3

Once publication is reflected in the system, "Processed" status should be assigned to the Application and Completion of Application processing should be initiated. Parties should be notified about completion of processing.

4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS

Once IP Object is registered as a property, several transactions with registered objects are allowed to be requested and processed. Request for processing transaction could be submitted through web interface either from eFiling portal, or via Front Office interface (if submitted on paper). There are no discrepancies between processing of request for different types of IPs. Requests for change could not be processed for Copyrights.

Request forms, as well processing could differ only any changes in the content of the Object of Protection is desired. All other requests should be submitted and processed by using the same Application Forms and internal operations.

This section provides brief overview of different steps of processing of transactions/operations. In more details (including input forms), transactions should be described in the next level documents.

4.2.1 Submission of Requests

Request for transactions should be available for Holders of IPs. Representative users should also be allowed to submit requests. Submission forms should be available on-line for each particular type of IP. Holders (Applicants) should be able to select desired transaction from the list, fill out on-line form and submit request.

All requests for Transactions are a subject of confirmation (acceptance) from Sakpatenti side, as well as are subject for charges.

Requests for the following transactions could be submitted:

1) Request for Extension of Term of Validity of the IP Registration (EO13)
2) Request for Reinstatement of Registration (EO14)
3) Request for Cancellation of Registration (EO15)
4) Request for Changes in Name and Addresses (EO16)
5) Request for Changes in the Object of protection (EO17)
6) Request for Transfer of Rights (EO18)
7) Request for Issuance of Hardcopies of Documents (EO19)
8) Request for Processing of Border Protection Measures (EO34)

The following requests are allowed to be submitted by the Third Party:

1) Request for Issuance of Extract (Electronic and Certified) from the Register (EO20)
2) Request of Issuance of Copy of Exemplar, deposited in Sakpatenti (Copyrights). This request is allowed to be submitted only by Holders of Copyright and by the Court (EO32).

4.2.2 Internal Owners of Processing

Requests for issuance of hardcopies of documents, as well as requests for change in the content of the Object of Protections should be automatically addressed to Functional Department (Trademarks, Patents), when requests for any type of transfer of rights (permanent, temporal), as well as for Cancellation of Registration, Reinstatement of Registrations, as well as requests for Extension of Terms of Validity, should be owned by the Legal Department and Functional Department is involved in the process only as a Registrar. Functional Department should register changes in the Register, issue documents, and process information for publishing. Departments could also be involved in the process based on request from the owner to re-check information (e.g. Functional Department could be requested by the Legal Department to re-check content, and vice versa.

4.2.3 Acceptance of Requests

The process of acceptance of request is pretty similar to one, described for requests, allowed to be submitted during Application processing (see *4.1.4.9 Acceptance/Rejection of External Request*). The only difference between processes for Applications and IPs is that requests for transactions are

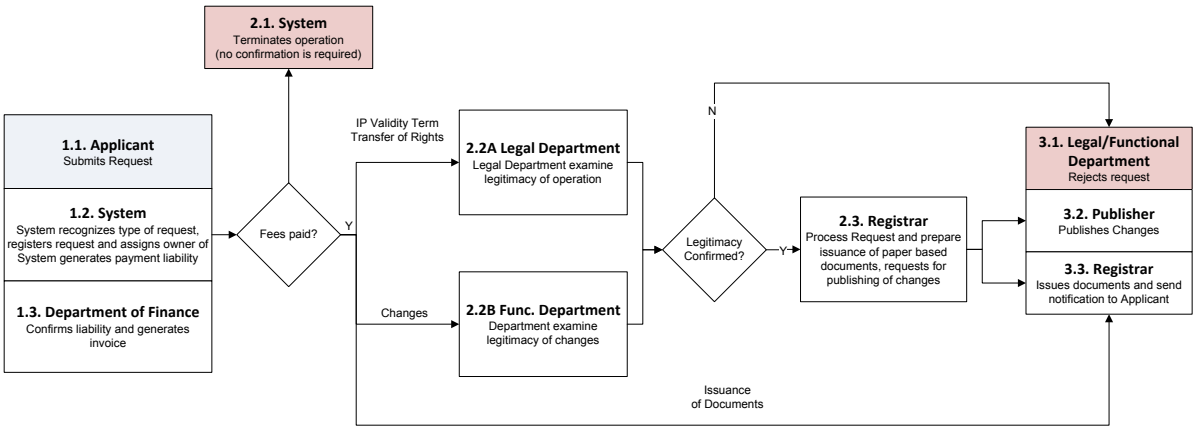
allowed to be submitted any time after registration and before expiration of the Object. Once the object is expired, only requests for Reinstatement could be submitted.

4.2.4 Processing of Requests

Figure 27 provides an overall picture of the requests processing, as well as involvement of internal units in the process. Figure 28 provides the flow of operations, which should be processed by the Functional Department. Involvement of the Legal Department is provided in *Section 4.3.3. Operations with Registered IP Objects*. Involvement of the Department of Finance in details is described in Section *4.4.4 Processing of External Requests*.

Registration of changes and process of publishing is similar to processes of registration and publication of the Application registration and publication processes (see *4.1.7.5* and *4.1.7.6*).

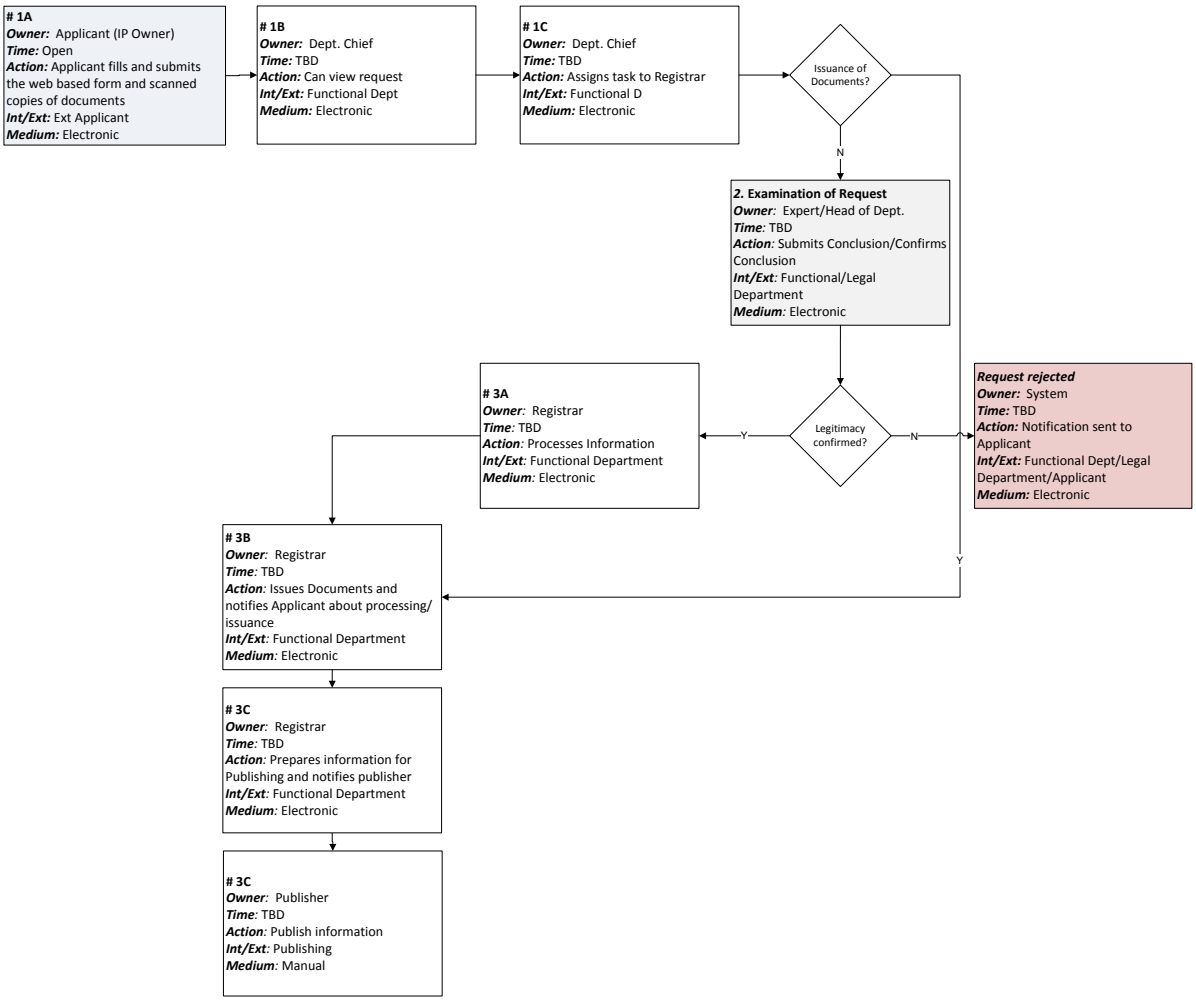
Figure 27. Processing of Request for Operation with Registered IP Object



The Legal Department is an owner of all requests, except requests for issuance of hardcopies of documents and changes in the Object of Protection content. The Legal Department/Functional is responsible for examination of legitimacy of the request and must provide decision to initiate execution. If there is no basis founded for rejection of the request, the Legal/Functional Department transfers execution of the request to Registrar, who is responsible for all other steps (processing and publication of changes).

The Registrar is responsible for execution of the request (1) if request requires no involvement of the Legal Department (EO19 – EO20), or (2) if request has been examined by the Legal/Functional Department and has been confirmed for processing.

Figure 28. Processing of Request for Operation with IP Object



The Request for Processing of Border Protection Measures (EO34) should be executed without involvement of Registrar. Legal Department could be involved in the process if any confirmation of legal aspects is needed. Processing of request differs from processing of other registered IP Objects related applications and execution of request is described below.

4.2.5 Request for Processing of Border Protection Measures (EO34)

Request for Processing of Border Protection Measures could be submitted only by the owners of Trademarks, Geographical Indicators (currently, only Government of Georgia) and Copyrights, as well as their representatives. Request should be submitted by filing corresponding application form. Application should be accompanied by representation documents (if applicable). Application could also be accompanied by additional information (documental, graphical, etc.), which could be useful for Customs officers to identify object of protection. Service is free of charge. Application submission interface should be available from the private web interface. If applicant (owner or representative) has no user status in the system, he/she should register in the eFiling system to submit Application.

Request to process Border Measure could also accompany an Application for registration of Trademark, GI, or Copyright (see. 4.1 APPLICATIONS FOR REGISTRATION OF IP). In this case, request

should be stored in the system and should be automatically initiated upon registration of the Object (if positive decision was made).

Submitted application should be automatically accepted by the system (no additional manual acceptance from Sakpatenti side is required) and registered. Application registration number should be assigned to the Application and a corresponding notification should be sent to the Applicant.

Functional department (TM and GI, or Copyrights) is full owner of the process. Legal Department could be involved in the process if any confirmation of legitimacy of submitted documents becomes needed. Upon registration of the application, the application should appear on the Department Head's dashboard and Department Head should be able to assign the task to an executor of the process.

The owner of the process should execute application and make decision within 5 working days after registration of the application or initiation of task (in the case when request was submitted together with application for registration of the Object). If any gaps in documentation were recognized, the executor of the process could request submission of additional documents, adjustments or clarifications by assigning deadlines for submission of the response. If response is not received within defined deadlines, the Application will be automatically terminated.

If response/clarifications are received (or not required), Sakpatenti's expert submits decision and prepares the Decree document using some pre-defined template. Decision should be approved by the head of department.

The system should provide functionality to define validity of approved protection. According to current regulation, protection validity should be defined as 2 years after approval. However, this parameter should be customizable. In the case, if validity of the IP registration is to be expired before 2 year protection, expiration date of the IP registration should be assigned the validity of the period of the IP REGISTRATION (for example trade mark registration is 10 years if the border measure protection is requested on the 9th year of protection, protection will be granted for only one year)

After approval of decision (either positive or negative), the Applicant should be notified (via e-mail, SMS notification). Notification should be accompanied by the signed copy of the document.

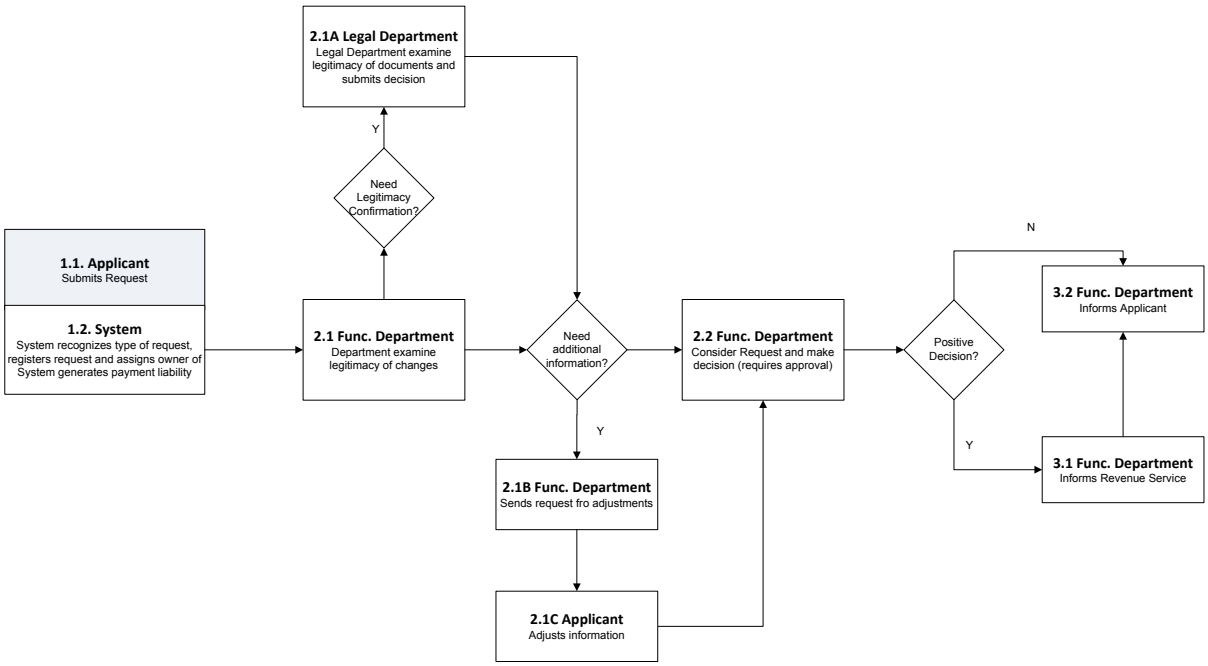
If negative decision is made, only Applicant should be notified. In the case of the positive decision, both Applicant and Revenue Service should be notified and all relevant information, including description and visual presentation of the object, as well as all additional information, provided by the Applicant, should become available for the Revenue Service (Customs Department).

List of objects, processed for the border protection measures, should be published on the public website automatically. Objects, already registered for the Border Protection cannot be requested for the Border Protection. The system should not process request for protection already protected objects.

Applicant should be able to withdraw request any time prior decision is made. Owner of the IP Object should be able to request for cancelation of the protection.

The overall process flow is provided on Figure 29.

Figure 29. Execution of Application for Processing of Border Protection Measures



Information Exchange with the Revenue Service (Customs Department)

Upon positive decision about processing of Border protection measure, the system should notify Customs Department (e-mail should be dedicated). E-mail notification should be accompanied by the decision document and all additional attached materials.

The web-based interface (private) should be available for the Customs Department users. The interface should contain structured (by IP type, date) dashboard of objects, approved for the Border protection measures. Information should be easily searchable, sortable and filterable. Records should contain descriptive information on the IP object (as registered in Sakpatenti database), including information on ownership, category, class, representations, textual and visual description. Record should also be accompanied by information, corresponding to the Border Protection, such as decision document, date of assignment of protection date, expiration date. All additional documents (textual descriptions, graphic file) should be available from the dashboard.

The data exchange interface, providing on-line access to above mentioned information through web service, should be available for the Revenue Service. Realization of this interface, as well as realization of the web-based dashboard should be additionally negotiated and agreed with the Revenue Service.

4.3 LEGAL DEPARTMENT PROCESSES

Legal Department could be involved in any process, being processed by Sakpatenti, and requiring submission and examination of legal documents. In operations, related to registered IP Objects, such as transfer of rights, the Legal Department is involved in mandatory basis. Other operations, related

to both IP registration Applications, and registered IP objects, could require additional examination from legal point of view and could be requested during the process.

The Legal Department is an owner of Appeal processing. If Appeal request is submitted, the Legal Department is responsible for processing of all operations, related to it.

4.3.1 Support for Application Processing

The Legal Department could be involved in the IP Application process both on mandatory and on call basis.

On mandatory basis, the Legal Department is involved only in processing of Appeals. Legal Department is a full owner of this process from the moment of initiation of Appeal (submission of Application) until decision is made and submitted to the system. Processing of Appeals is provided in 4.3.2.

Legal Department could also be involved in examination of Power of Attorneys and other documents, if legitimacy of documents is under doubt and examination is requested by owners of Application process (Functional Departments).

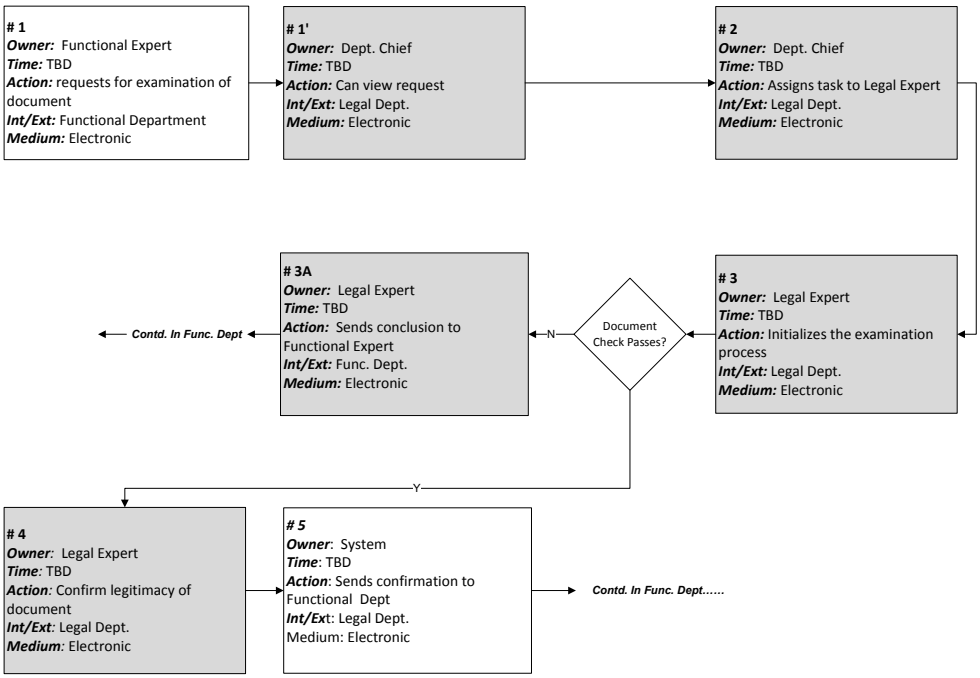
Legal Department is involved in this process on-call basis.

Legal Department should have access to full information, related to IP registration Application, and stored in the system. Legal Department should have read-only access to information (should not be allowed to make changes).

Taking into account, that all Application related information is fully accessible for the Legal Department staff, involvement of Department could be organized though internal communication channels.

However, if document needs official confirmation from the Legal Department, the Functional Department should be able to initiate request for examination of the document(s) on any stage of Application processing. Request should reflect Application number and should contain the list of documents, to be examined. Figure 30 provides flow of operations, related to document(s) examination process.

Figure 30. Confirmation of Legitimacy of Document(s)



 # 1

Functional Department should be able to initiate request for examination of the document(s) on any stage of Application processing. Request should reflect Application number and should contain the list of documents, to be examined (confirmed).

 # 1'

Head of Legal Department should be able to see the list of requests for confirmation on his/her Dashboard. Head of Legal Department should be able to preview details of requests, as well as preview all documents, requested to be confirmed.

 # 2

Head of Legal Department should be able to assign task for any Legal Expert. Assigned Expert is an owner of all next operations. The Head of Legal Department should be able to re-assign task to another expert. The Head of Department should be able to assign deadlines for processing of request. Head of Department should be able to monitor both fulfillment of the task, and deadlines. Tasks should be highlighted if expired and/or are close to expiration.

Head of Legal Department should be able to extend deadlines for processing of task.

 # 3

Legal Expert should be able to see the list of tasks, assigned to him/her.

Once task is assigned, the Legal Expert should be able to see assigned task on his/her Dashboard. Paid and waiting for payment requests should be separated. Expert should be able to preview details of requests, and preview all documents, requested to be examined, as well as other documents available in the system and related to requested IP Application.

Expert should be able to view deadlines for processing, assigned for the task. If processing deadlines are expired, Expert should not be able to process request.

Expert should be able to preview and print out all scanned documents, attached to the request.

 # 3A

If gaps in documents are identified, the Expert should be able to submit conclusion to the system and send notification to functional Department Expert, containing summary of identified gaps. The basis for negative conclusion should be selected from predefined list of bases (Missed documents, not-readable copy of document). Legal Expert should also be able to add comments to conclusion. Legal Expert should also be able to request additional information. For example, Legal Expert could request for originals of submitted documents. Standard requests should be available from a predefined list. Any additional requests could be provided as a comment to conclusion.

Once conclusion is submitted, notification should be sent to functional Expert and request should be processed within functional Department.

If negative conclusion is submitted, functional Expert should be able request for additional legal expertise after technical gaps according to Legal Expert recommendations are completed (if necessary).

 # 4

If no gaps in documents are identified, the Legal Expert should be able to confirm legitimacy of documents through interface (dashboard).

Once confirmation is submitted, notification should be sent to a functional Expert, assigned for the task, as well as to Head of legal Department. Confirmed requests should be marked as completed tasks on both Legal Expert and Heal of Legal Department dashboards. Confirmed requests should be allowed for the next processing within functional Department.

As an alternative to the process, described above, the Head of Department should be able to assign Legal Expert to IP Application after submission of Application on initial stage. In this case, assigned Legal Expert will be responsible for any confirmations, related to assigned Application and document examination process will be initialized without involvement of the Head of the Legal Department. Head of Legal Department should be able to monitor both requests and their processing. The Head of Legal Department should be also able to re-assign Legal Expert to IP Application any time prior completion of the Application process.

4.3.2 Processing of Appeals

There are two general types of Appeals, which could be initiated.

The first type of appeals is Appeal, generated by the IP registration Applicant on any negative or partially negative decision from the Sakpatenti side. This type of Appeals could be generated if

- Application has been terminated (on formal examination or substantive examination stage);

- Application has been accepted partially (on formal examination or substantive examination stage).

The second type of appeals is Third Party Appeal, generated by any third party, not involved in the Application process. Third Party Appeal is allowed to be submitted during three month from Application first publication date.

4.3.2.1 Processing of Appeal (Internal Processes)

The processing of Appeal should be initiated in response to request for Appeal, submitted externally (through Customer, public or Front Office interface. Application is not allowed to be submitted out of deadlines, defined for Appeal. Therefore, if Appeal request is registered by the system, the processing of the request is accounted to be started.

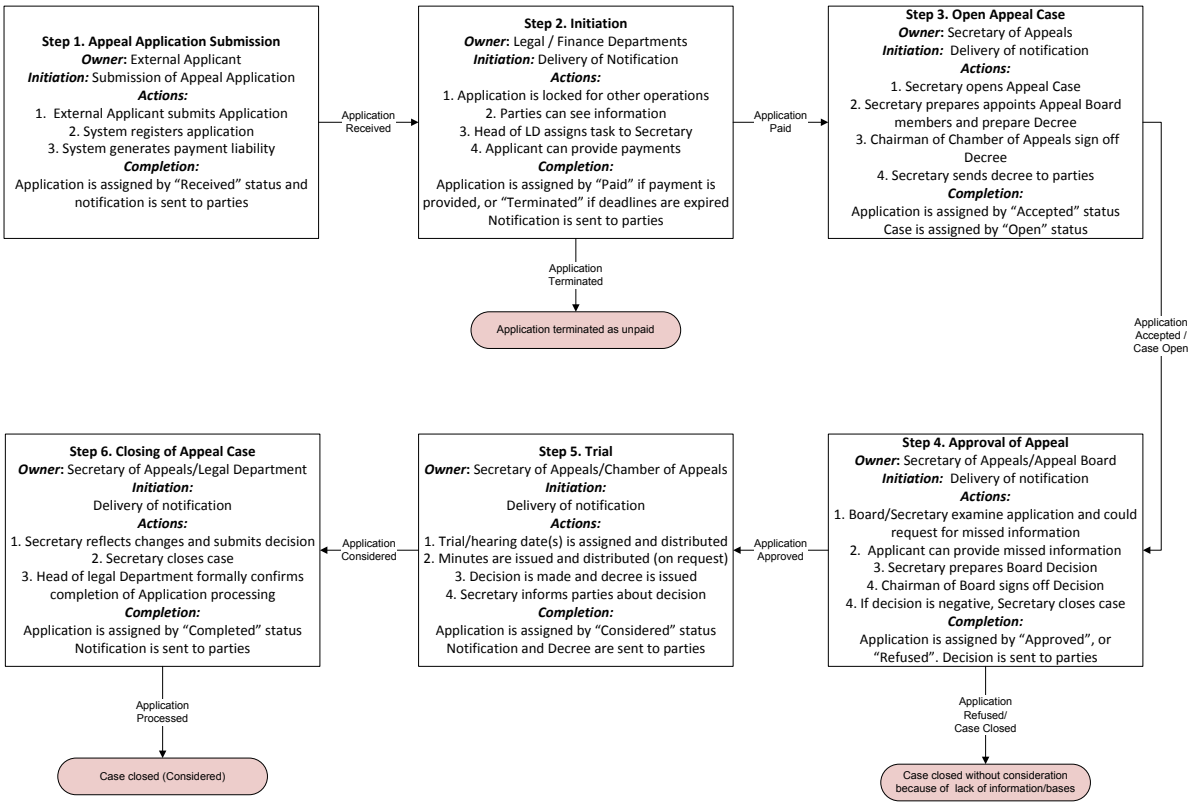
The Legal Department is an owner of the process. The appeal processing requires involvement of the Applicant (both as Appeal Applicant and Counterparty in the Third Party Appeal Case), and Third Party Applicant (Third Party Appeal Case). The Appeal Board should be assigned if case for appeal is opened. The Appeal Board consists from three members, not necessarily belonging to the Legal Department, as well as the Chairman of the Appeal Board Chamber (Chairman of Sakpatenti or person, temporarily executing Chairman's responsibilities).

The Appeal process could be divided by six steps, which should be executed consequently:

- Appeal Application Submission
- Pre-Initiation of Appeal Case
- Initiation of Appeal Case
- Approval of Appeal
- Trial
- Completion of Appeal Case

Figure 31 provides overall pictures of consequence of steps of the Appeal process. The points of termination are also provided.

Figure 31. Steps of Appeal Process



There are no principle differences between Applicant's appeal and Third Party Appeal. In the Third Party Appeal case, the Legal Department is required to notify the owner of Application (Counterparty) about initiated process and send him request to submit Counter-Appeal Application. If Counter-Appeal Application is submitted, the Legal Department is responsible for dissemination of the document.

Rejection (termination) of request should be initiated and processed automatically by the system if payment for Appeal Applications has not been provided (Department of Finance is assumed to be an owner of rejection).

Appeal cases are allowed to be closed with one of the following statuses:

- Closed without consideration: if the Appeal has not been considered (1) because of missed information, (2) because of lack of purposes, (3) because of requested cancellation of the process. In this case, decision should not be issued.
- Closed with consideration: if trial/hearing(s) was appointed and decision is issued.

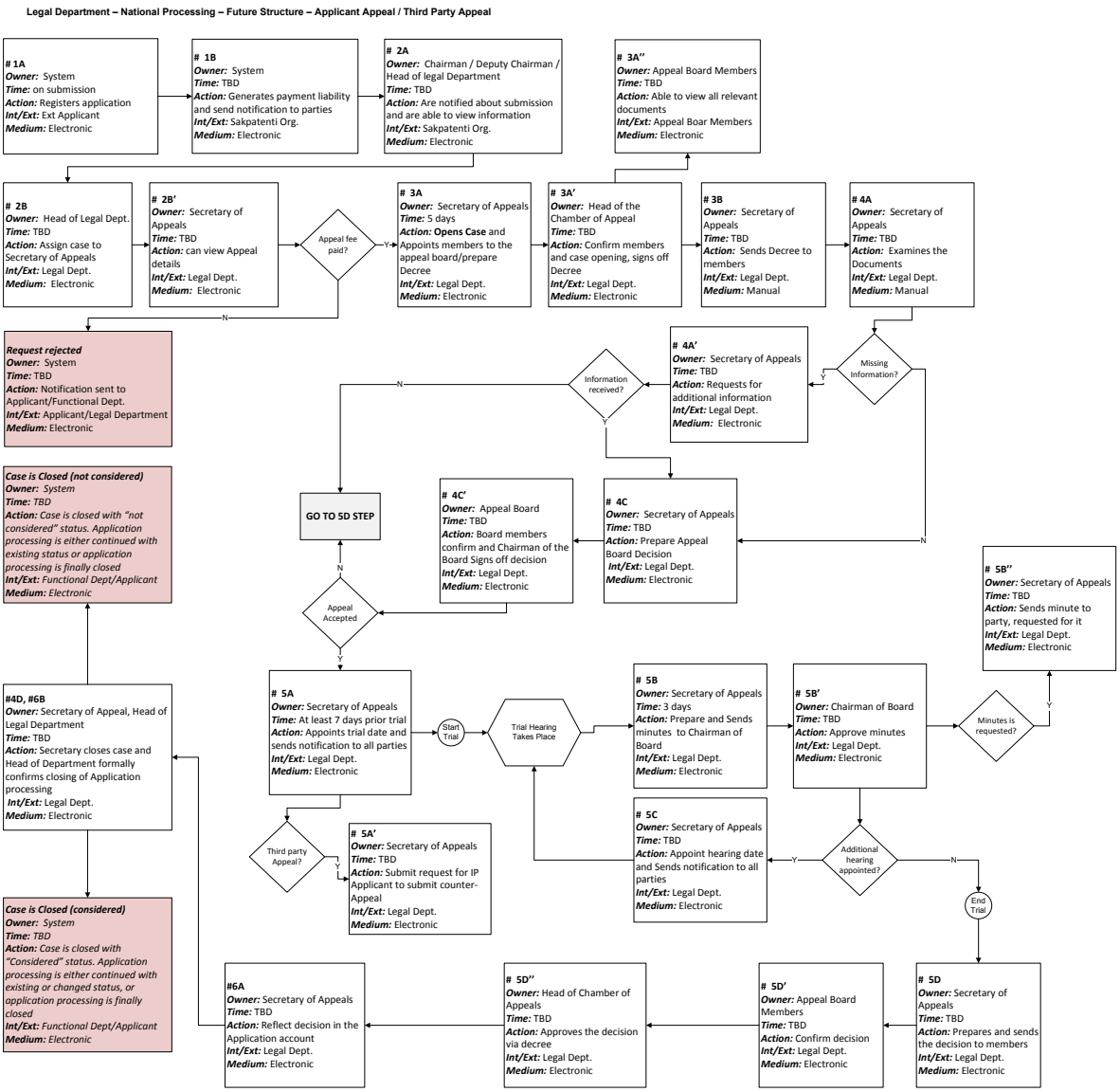
Applicant's Appeal and Third Party Appeal differ by decisions, allowed to be assigned. However, for both cases allowed decision could be summarized as:

- Decisions, causing completion of the Application Processing
- If Applicant's Appeal on full termination is not upheld
- If Third Party Appeal is upheld fully
- Decisions, causing continuation of the process without changes
- If Applicant's Appeal on full termination of Application is upheld
- If Third Party Appeal is not upheld

- Decisions, causing continuation of the process with changes
- If Applicant's Appeal is requested for partial termination (partially negative decision) and/or Appeal is upheld partially
- If Third Party Appeal is upheld partially.

Overall Appeal Processing is provided on Figure 32. The figure provides the overall flow of internal operations, as well as the picture of involvement of the Legal Department in the Process.

Figure 32. Legal Department: Processing of Application for Appeal



Processing of the following four external requests are not reflected on the diagram:

- Request for **Cancellation** of Appeal Application and
- Request for **Suspension** of processing of Appeal
- Request for **Postponement** of Hearing
- Request to process Appeal **without Hearing**

It is assumed, that the first two operations are allowed to be requested any time (no limitation and strict procedures exist) prior decision is made via Free Correspondence Form.

The third and fourth requests could be requested prior hearing takes place.

Requests are assumed to be considered by the Legal Department and decision is assumed to be initiated manually (request termination, extension of deadline, assigning new date for trial/hearing, and etc.). Legal Department's users should be able to initiate above mentioned operations in response of cancellation/suspension requests, as well as postpone hearing date or process decision without issuance of Minute (if processing without hearing is requested).

If cancellation is requested prior Appeal Case is open, Appeal request should be terminated. Otherwise, the case should be closed without consideration.

In description below, it is assumed, that all communications (internal and external) are electronic. However, the process should support for paper-based communications too.

Any documents, submitted on paper, are assumed to be provided to the system through Front Office interface, so there are no differences. However, feedback from the Sakpatenti side is assumed to be provided on paper basis.

The owner of processes/operations should be able to recognize paper-based process. The system should provide functionality to print out any document/notification, which should be sent to external users.

Internal users should be able to reflect the following events:

- Paper document has been sent (date/letter number should be provided)
- Paper document has been delivered (including delivery date)
- Paper document has been returned to Sakpatenti (including receiving date)

The system should be able to recognize delivery of document, processed manually, to initiate next steps.

Step #1: Appeal Application Submission

Initiation

Step is accounted to be initiated if Appeal Application is submitted by the External Applicant (Application owner or Third Party).

 # 1A

On submission of Application, the system should post information in the internal DB, assign serial number (registration number) and request submission date to the Appeal Application. The countdown of deadlines for consideration should begin from this assigned submission date.

 # 1B

Once Appeal Application is registered in the system, the system should generate payment liability for Application, as well as define deadlines for payment.

Completion

On completion of the Step, Appeal Application should be assigned by "Received" status and the step is accounted to be completed if relevant notifications are sent to both Appeal Applicant and Sakpatenti (Management, Legal Department).

The document, confirming receiving of Application, reflecting received information/documents, registration number and date of receiving Application, as well as providing information on payment liabilities and payment deadlines should be sent to the Appeal Applicant. Notification should be also accompanied by the Draft Invoice document.

Notification, reflecting basic information about Appeal Application should be sent to Top management and Head of legal Department.

Notification, reflecting information on generated payment liabilities and deadlines should be sent to Department of Finance.

Step #2: Initiation of Application Processing

Initiation

This stage should be initiated automatically when notifications on delivery of information to both the Legal Department and Appeal Applicant are received by the system.

If application is submitted out of working hours, countdown of internal deadlines should be started from the next working day.

 # 2A

Management of Sakpatenti (Chairman and Deputy Chairman), as well as the Head of Legal Department should be notified about submission via e-mail.

Once Application for Appeal is submitted and registered in the system, the relevant information should appear on the Sakpatenti's top management users' dashboard. Information should reflect basic parameters of the Appeal (IP Application, submission date, application form), as well as status of the Appeal Application. This information must be updated if any changes are processed. Users should be able to view detailed information about Appeal.

Information on Appeal Application should also be reflected on the Legal Department Head's dashboard. Head of Legal Department should be able to preview and print out detailed information, including Application and attached documents, as well as should be able to preview full history of IP Application, for which Appeal has been submitted, and print out summary of IP Application (short annotation).

#2B

Head of Legal Department should be able to assign task to any Secretary of Appeals, who will be considered as an owner of all next operations, related to the Appeal.

Department Head should also be able to re-assign task to other Secretary.

 # 2B'

After the task is assigned, the Secretary should be informed (notified) about assigned task, as well as should be able to view information on his/her dashboard. Information should reflect basic parameters of the Appeal (IP Application, submission date, application form), as well as status of the Appeal Application. This information must be updated if any changes are processed. Secretary should be able to preview and print out detailed information, including Application and attached documents, as well as should be able to preview full history of IP Application, for which Appeal has been submitted, and print out summary of IP Application (short annotation).

No operations are allowed until payment for Application is provided.

Completion

The Step is accounted to be completed if ether

- Payment for Appeal is provided.
- Deadline for payment is expired.

If payment for Appeal is provided, Application should be assigned by “Paid” status and Application should be allowed for the next step.

If deadline for payment is expired, the system should assign “terminated” status to Application and should initiate Application termination process. If request is submitted for terminated Application (negative decision), the system should initiate final closing of Application processing. Otherwise (Appeal is submitted for partially negative decision), the status of Application should be restored (processing should be resumed) and Application should be allowed for the next operations without any changes.

Applicant / Management should be notified about change in Appeal Application’s status.

Department of Finance should be notified about processed payment.

Secretary of Appeals should be notified about processed payment.

Note: This step could not be completed is no executor (Secretary of Appeals) is assigned to the Application.

Step #3: Initiation of Appeal Case

This stage should be completed within 5 working days after payment for Appeal is provided.

Initiation

This step should be initiated automatically when Secretary of Appeals becomes notified about completion of the previous stage (Application payment has been provided). Notification is accounted to be delivered, when the system receives delivery notification.

Initiation of Appeal Case is a fully internal process, which could be processed only if Pre-initiation stage is completed (request is not terminated).

 # 3A

The Secretary of Appeals should be able to open Appeal Case. After case is opened, the system should assign Case number to Appeal.

Opening of the Case should require appointment of the Appeal Board Members. Secretary should be able to select three users from the list of users, allowed to be appointed as an Appeal Board Member. Secretary also should be able to mark one of Board Members as a Chairman of the Board. Secretary should be able to re-assign members if required.

Secretary should be able to prepare Decree, confirming of appointment of the Appeal Board.

The Chairman of Sakpatenti should be automatically assigned as a Head of the Chamber of Appeals.

 # 3A’

After case is open and Appeal Boar Members are assigned, the Head of the Chamber of Appeal should be informed, should be able to preview information/documents, as well as should be able to confirm or reject the Appeal Board and opening of the case.

If the Board member(s) is rejected, the Secretary of Appeal should be informed and should be able to re-assign Board Members.

After the Case and the Appeal Board are confirmed, the Case should be assigned by the "Open" status and allowed for the next operations.

 # 3A''

Once the Case and the Appeal Board members are confirmed, Appeal Board Members should be gained by rights to view Appeal information on their dashboard, as well as preview and print out information/documents.

Appeal Board Members should be also included in the list of parties – recipients of Appeal-related communications.

 # 3B

The Secretary should be able to send notification about initiation of the Appeal case to all parties. Decree document should be attached to the notification.

Completion

The Step is accounted to be completed if notification about decision is sent to all parties, including External in internal users.

Step #4: Approval of the Appeal

Application for Appeal is a subject for Approval by the Chamber of Appeals. Application should be examined by the Secretary and Board of Appeal for substantive gaps (basis for initiation of the trial).

Approval Stage could be completed either by Approval decision, or by decision to reject request for Appeal. In this case, the Appeal will be assigned by "Not-considered" status and Appeal case will be closed.

This stage also allows Applicant to request for both cancellation and suspension of processing.

This stage should be completed within 10 working days after Decree on appointment of Appeal Board is issued. If additional information/clarification is requested, processing of the Step should be suspended until response from Applicant is received.

Initiation

This stage should be initiated automatically if Appeal Case is opened and notification is delivered to recipients (Applicant, Appeal Board Members, and Executives).

 # 4A

The Secretary of Appeals should be able to examine information, attached to Appeal, as well as should have full access to information/documents of Application, for which Appeal is submitted.

 # 4A'

If some information is missed or requires clarifications, the Secretary of Appeal should be able to requests for additional information/adjustments, as well as should be able to preview information, provided by Appeal Applicant in response of request.

If gaps are identified, but information is not provided or is provided incompletely, the Secretary should be able to initiate closing of the case (*see # 4D)*.

 # 4B

If no technical gaps exist, Appeal Board members should be able to examine Appeal application for lack of bases for initiation of the trial. Appeal Board members should be able to provide comments and conclusions regarding content of the Appeal application.

 # 4C

Based on comments and conclusions, provided by Appeal Board members, as well as taking into consideration documents, provided/not provided by the Applicant, Secretary should be able to prepare Appeal Board Decision (both positive or negative) using template. If decision is negative (Appeal is not accepted), the Secretary should be able to select reason for rejection from predefined list of reasons. Selection of multiple reasons should be allowed.

Once a draft of Decision is created, the documents should be distributed to Appeal Board Members and the Head of the Chamber of Appeals.

 # 4C'

The Appeal Board members should be able to preview prepared document, as well as all other information/documents relevant to Appeal/IP Application.

The Chairman of the Appeal Board should also be able to edit prepared document and save changes.

The Chairman of the Appeal Board should be able to reject document and request for changes (return document for edition).

The Chairman of the Appeal Board should be able to approve and sign off prepared document.

 # 4D, #4D'

If negative decision has been made, the Secretary should be able to initiate closing of the case.

Once case is closed, the Heal of the Legal Department should be notified about closing of the Appeal Case without consideration. The Head of the Legal Department should be able to confirm formally closing of the case.

Completion

This step is completed, when decision on approval of Appeal is submitted to the system.

One of two decisions should be submitted and relevant statuses should be assigned to Appeal Application:

- Approved – in this case Application is allowed for trial and trial process will be appointed
- Rejected (without consideration) – if rejected, Appeal Case should be closed and Appeal Application should be terminated.

In the case of rejection (Appeal Case is closed and confirmed) Appeal Application should be assigned by “Processed without consideration” status. If request was submitted for terminated Application (negative decision), the system should initiate final closing of IP Registration Application processing. Otherwise (Appeal is submitted for partially negative decision or by the Third Party), the status of Application should be restored (processing should be resumed) and Application should be allowed for the next operations without any changes.

The Step is accounted to be completed if notification about decision is sent to all parties, including External in internal users.

Step #5: Trial

Initiation

This stage should be initiated automatically if Appeal Case is approved (Decision is submitted) and notification is delivered to recipients (Applicant, Appeal Board Members, and Management).

 # 5A

The Secretary of Appeals should be able to assign the day of trial (first hearing). The Secretary should be able to do it by using calendar.

Trial date should not be allowed to be appointed earlier than seven days from the day when date is appointed.

If request to process Appeal without Hearing is submitted, the Secretary should be able to start preparation of the Draft of Decision document without appointment of the Hearing.

Once trial (hearing) date is appointed, The Secretary of Appeal should be able to prepare and send notification about appointed trial to all parties. Notification should be sent via e-mail, as well as should appear on dashboards of parties.

The Secretary should be able to change the trial date (postpone), as well as should have functionality to appoint additional trial (hearing).

If Postponement of the hearing date is requested, the Secretary should be able (1) to postpone hearing date or (2) leave hearing date unchanged. In both cases, the Secretary should be able to notify parties about decision.

5A’

If Third Party Appeal takes place, the counterparty (owner of IP Application) should be notified about initiated process.

The counterparty should be added to the list of parties (recipients), and should receive all notifications, addressed to external parties.

The Secretary of Appeals should be able to notify counterparty about initiated process, as well as should be able to request submission of a Counter-Appeal form.

The Secretary of Appeal also should be able to view information, provided by the counterparty.

 # 5B

Once trial (hearing) is processed, the Secretary of Appeals should be able to prepare a draft minute of the trial (hearing). Secretary of Appeal should be able to make any changes in the document prior submission.

Once minute is prepared, the Secretary of Appeal should be able to send the minute to the Chairman of the Appeal Board.

Appeal Board Members, as well as the Head of the Chamber of Appeals, should be able to view draft.

 # 5B'

The Chairman of the Appeal Board should be able to approve/sign off the prepared document. Chairman of Board should also be able to reject document (request changes in the document), as well as should be able to edit document.

After minute is approved (signed off), all parties should be notified about completion of minute and internal parties should get access to the document/receive document by e-mail.

 # 5B''

Any external party is allowed to request minute of the trial (hearing). The Secretary of Appeals should be able to see request for minute on his/her dashboard.

The Secretary of Appeal should be able to share document with external party, requesting document (if external party has an electronic account). The Secretary should also be able to send document via e-mail (if applicable).

The Secretary should also be able to print out document, if document is required to be provided on paper base.

 # 5C

If additional hearing is required (and reflected in the minute), the Secretary of Appeal should be able to appoint additional Hearing date. Notification about additional Hearing should be sent to all parties (*see #5A).*

 # 5D

Once trial is completed (decision is made), the Secretary of Appeal should be able to prepare decision and related decree projects. All Appeal Board Members (only decision), as well as Head of Chamber of Appeals (both decision and decree), should be able to preview documents and provide comments.

 # 5D'

Once documents are submitted, the Appeal Board members should be able to see prepared decision document on their dashboard.

The Appeal Board members should be able to accept submitted document. The Appeal Board members should not be allowed to reject decision document (only consensus decision is applicable), however, if they do not agree with decision or with some part of decision, they should be able to leave comments, reflecting their opinion.

 # 5D''

Once decision document is approved, the Chairman of the Chamber of Appeals should receive notification about approval of the Decision document.

The Chairman of the Chamber should be able to approve provided Decision document. To approve the Decision document, the Chairman of Chamber should sign off the decree document, draft of which should be provided by the Secretary of Appeal. Head of the Chamber should be able to request changes in document and decree document should be unlocked for changes for the Secretary. Head of Chamber also should be able to make changes in the draft document.

The Chairman of the Chamber should be able to sign Decree document. Signing off the Decree automatically should initiate approval of Decision Document.

Completion

The stage is accounted to be completed automatically when decision, submitted to the system, is approved by the Chairman of the Chamber of Appeals together with signed Decree.

Notification about Decision should be sent to all parties.

Once Decision is submitted, the Appeal Application should be assigned by “Considered” status.

The step is assumed to be completed when notification about decision and accompanied documents are sent to parties, including external parties.

Step #6: Closing Appeal Case

Initiation

The process of Appeal Closing should be initiated by the system when decision delivery information (automatic or manual) is received and reflected in the system.

 # 6A

Secretary of Appeals should be able to reflect changes (if required) in accordance with Decision of the Trial. Secretary should have full rights of executor to reflect changes.

 # 6B, 6B’

After changes are reflected, the Secretary of Appeal should initiate closing of the Appeal Case.

Secretary should have access to the Application Desktop to process changes in the Application.

Once case is closed, the Heal of the Legal Department should be notified about closing of the Appeal Case as a result of consideration. The Head of the Legal Department should be able to confirm formally closing of the case.

Completing

After changes are submitted, internal parties, involved in the Application process should be notified.

The system should send notifications to all internal parties and changes should be reflected on their dashboards.

The stage is accounted to be completed when Appeal Closing operation is confirmed by the Head of the Legal Department. As a result of operation, the Appeal is closed with “Processed” status and the system initiates the following steps according to decision, assigned to the Case:

Negative decision

- If IP registration application has “terminated” status (negative decision on formal/substantive examination stage), application processing should be finally closed
- If application has been rejected partially, application processing should be continued without changes
- If the Third Party Appeal takes place, application processing should be continued without changes

Positive decision

- Changes according to decision should be reflected in the system and processing of Application should be resumed
- If Third Party Appeal takes place,) termination of the IP registration application should be initiated.

4.3.2.2 Applicant’s Appeal (External Processes)

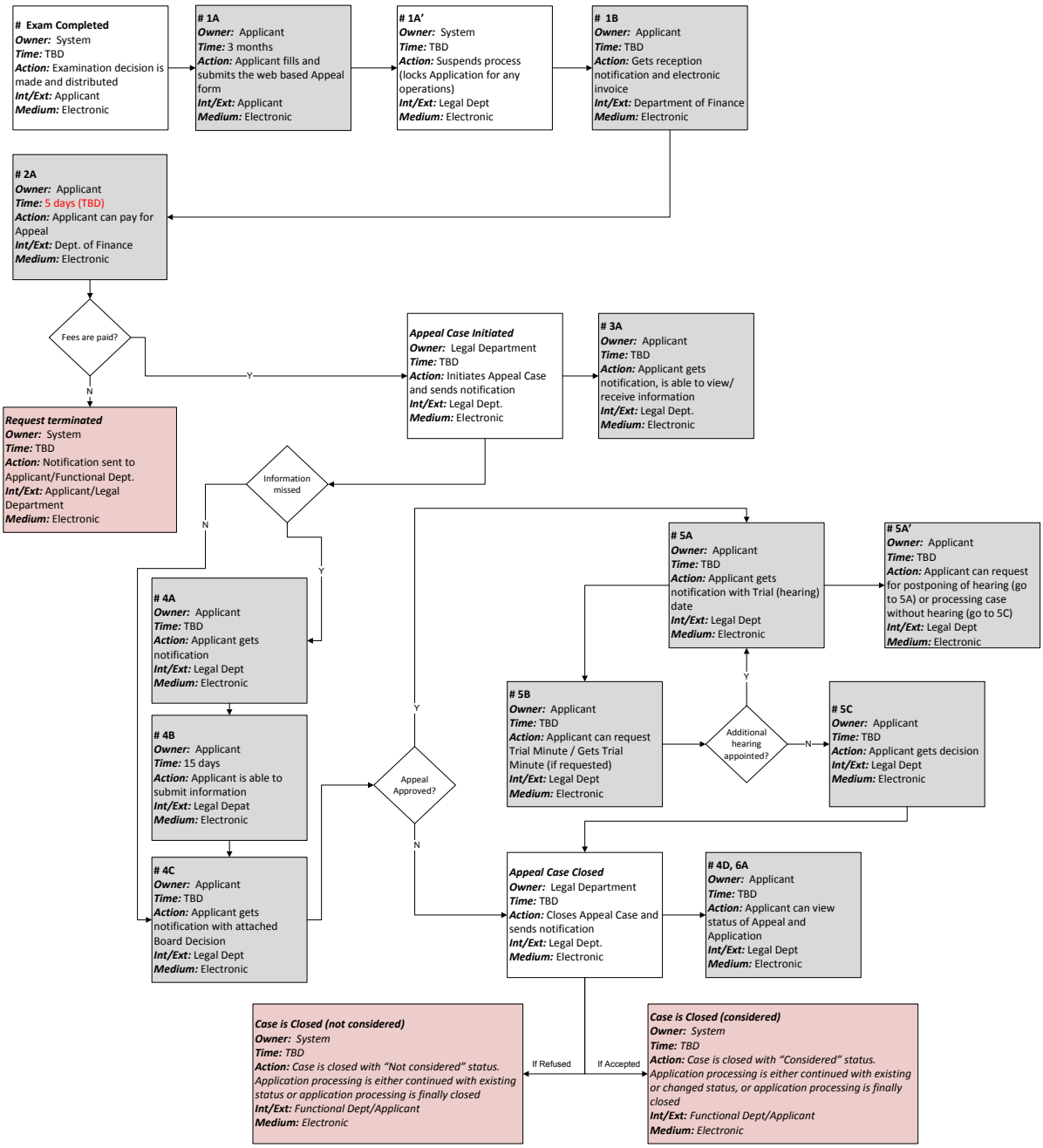
Appeal could be initiated in response of Sakpatenti’s decision on both Formal and Substantive examination stages. Request for Appeal becomes available as decision is made and reflected in the system and should be disabled after deadlines for submission are expired.

Figure 33 provides flow of operations related to submission and processing of Appeal request by the Applicant. This diagram reflects involvement of Applicant in the process and does not reflect in details operations, processed internally. Internal processes are described in the following section of the document.

Four operations (**Cancellation** of request, request for **Suspension** of processing of Appeal, **Postponement** of hearing, request to **Process Trial without Hearing**) are not reflected on the diagram. It is assumed, that first two operations are allowed to be required any time (no limitation and strict procedures exist) prior decision is made. Last two (Postponement and W/O Hearing) could be submitted any time prior the date of hearing.

It is assumed, that all operations could be requested by the Applicant any time prior decision is made via Free Correspondence Form. Request will be considered by the Legal Department and decision is assumed to be processed internally (terminate request, extend deadline, postpone trial hearing, and etc). Relevant changes will be reflected on the Applicant’s dashboard. Applicant will also be notified about changes, made in response to his/her request.

Figure 33. Applicant: Submission and Processing of Appeal



Step #1: Appeal Application Submission

Initiation

This step could be initiated by Applicant in response of Sakpatenti's decision.

If Application has been fully terminated, the processing of the system is stopped, but Application is available during three months from **termination notification delivery** date for submission of request for appeal of decision.

If Application has not been terminated, but has been accepted partially (e.g. with declamation, for restricted number of classes or designs, request for priority date has not been satisfied, and etc.),

the Applicant has rights to submit request for Appeal during three months from **decision notification delivery** date.

So, both negative and positive decision should allow Applicant to submit Appeal within about mentioned three months. As three months are expired, submission of Appeal should be locked by the system.

 # 1A

Appeal Application submission procedure is strictly defined and requires submission of the Appeal Application Form. Appeal is accounted to be initiated as request for Appeal is submitted. Applicant is allowed to submit any documents, which are (by his/her opinion) important for the case.

 # 2A'

If Appeal Application is submitted for partially negative decision (Application has not "terminated" status), processing of the Application should be suspended until appeal case is closed. All operation regarding Application should be locked. The Application will be unlocked for operations if (1) request for Appeal is terminated, (2) Appeal is cancelled by the Applicant, (3) Appeal case is completed and decision allows further operations.

Related operation should be initiated by the system. After changes in the system are made, all parties of the Application processing should be notified.

 # 1B

On submission, Appeal Applicant should get notification, confirming reception of Application. Electronic Invoice should be attached to notification.

Completion

The step is completed when application for appeal is registered in the system and Applicant is notified.

The system assign request submission date to the Appeal Application and the countdown of deadlines for consideration begins from this assigned submission date.

Step #2: Initiation of Appeal Application Processing

Legal department should be notified about request for Appeal. Pre-initiation of Appeal Case requires payment for Appeal Application, as well as initiates suspension of Application processing (if required).

Deadlines for completing of pre-initiation stage should be defined (preliminary deadline is 5 days). If conditions for completing are not satisfied within deadline, the system should initiate **Request termination process**.

Initiation

This stage should be initiated automatically on submission of Application for Appeal and registering request in the system.

 # 2A

On submission of Application, the Electronic invoice for payment should be generated by the system and available for the Applicant. The deadline for payment should be defined (preliminary, 5 calendar days from submission) and processing for payment

If fee for Appeal is paid, the Legal department (owner of the process) should be notified and allowed to initiate Appeal Case.

Completion

This stage should be completed automatically by the system when:

- Fees for Appeal are processed. This event should initiate the following step
- Deadline for payment is expired. This event should initiate termination of request. If request was submitted for terminated Application (negative decision), the system should initiate final closing of Application processing. Otherwise (Appeal is submitted for partially negative decision), the status of Application should be restored (processing should be resumed) and Application should be allowed for the next operations without any changes.

Step #3: Initiation of Appeal Case

Initiation

Initiation of Appeal Case is a fully internal process, which could be processed only if Pre-initiation stage is completed (request is not terminated). If Appeal Case is initiated, the Appeal Application request should be assigned by “Accepted” status.

 # 3A

The Appeal case should be initiated by the Legal Department. Appeal case is allowed to be initiated only if fees for Appeal are paid by the Applicant. On initiation of the Appeal Case, the Applicant should be notified about initiation of the case. Decree, confirming appointment of the Appeal Board should be attached to notification. Applicant and should be able to see all information, related to the Case on his/her dashboard, gets notifications, as well as to process operations, allowed for the Appeal processing.

Completion

This stage should be completed when notification about initiation of the Appeal Case is accounted to be delivered to the Applicant.

Step #4: Approval of Appeal

This stage should be processed internally, but Applicant could become involved in the process.

 # 4A

If some information is missed or is incomplete (formal gaps), Legal department could request for submission of missed information. Applicant should be notified about gaps in the Application, as well as about deadlines to complete gaps. Applicant should be able to view request on his/her dashboard.

 # 4B

Applicant should be able to submit a response for the request from his/her interface. Submission of response should be allowed only within deadlines, defined for response.

Applicant should also be allowed to request for suspension of the Appeal Case processing.

 # 4C

Decision of Approval should be made by the Appeal Board. If information is missed or lack of bases or inconsistency are recognized negative decision will be made. After decision on Approval is made, Applicant receives notification about decision (Appeal is approved for trial / refused for lack of bases, missed information or inconsistency).

 # 4D

If Appeal is refused, the Legal Department will close the Case and Applicant should be notified about refusal. Decision should be attached to notification.

Completion

This stage should be completed manually. Decision should be submitted by the Legal Department.

Based on information, provided by the Applicant, the Legal Department should made decision. If decision is positive (**Appeal Approved**), the Stage should be followed by the Trial Stage. Otherwise, the Appeal case will be closed with “not considered” status.

If Appeal case is closed, the system should continue processing as following:

- If Appeal request is submitted for fully negative decision (Application has “terminated” status), then the Application processing should be finally closed by the system.
- Otherwise (Appeal is submitted for partially negative decision), processing of Application will be resumed with status, assigned on the previous stage (no changes will be made and status of Application will be resumed).

Step #5: Trial

Initiation

If Appeal is accepted the Legal Department initiates the Trial Process. The trial process should be initiated by issuance of the document (Decree), as well as by appointment of the trial date (first hearing)

 # 5A

Applicant can see trial date on his/her dashboard, as well as any modification regarding to trial (hearing) date (e.g. Postponement). Applicant can also see the status of hearing (upcoming/held).

If additional trial (hearing) is appointed, this information should be reflected on the Applicant dashboard.

 # 5A’

Applicant should be able to request for Postponement of the hearing, as well as should be able to ask for processing without hearing. Both requests should be sent via Free Correspondence Form.

 # 5B

If status of trial (hearing) is “held”, the Applicant should be able to request for Trial minutes, which should be available for him/her after the request is submitted and processed by the Sakpatenti (*The issue to provide minute automatically should be considered).*

#5C

The Applicant should be notified about decision of the trial. The signed document should be sent to Applicant by e-mail. Notification about decision should be also sent to Applicant by SMS. Applicant should also be able to view document from his/her dashboard.

Decision and Decree documents should be attached to notification.

The notification is accounted to be received by the Applicant when delivery response is received from Service Provider system (either e-mail, or mobile communication).

Completion

The stage is accounted to be completed automatically when decision, submitted to the system, is approved by the Chairman of the Chamber of Appeals and disseminated to Applicant (no delivery confirmation is necessary).

Step #6: Closing Appeal Case

Initiation

The process of Appeal Closing should be initiated by the system when decision delivery information (automatic or manual) is received and reflected in the system.

Legal department is responsible for processing or required changes in the system, as well as for assigning relevant status for the Appeal Case (“Close Case”).

 # 6A

Applicant should be able to view all changes, made by the Legal Department on his/her dashboard. Applicant should get notification about closing the Appeal Case, reflecting the decision delivery date. This notification should have official document status and should be available through public link (to be presented for third parties).

Completing

The stage is accounted to be completed when Appeal Closing operation is processed. As a result of operation, the Appeal is closed with “considered” status and the system initiates the following steps according to decision, assigned to the Case:

- Negative decision
- If application has “terminated” status (negative decision on examination stage), application processing is finally closed
- If application was rejected partially, application processing should be continued without changes
- Positive decision
- Changes according to decision should be reflected in the system and processing of Application should be resumed

4.3.2.3 Third Party Appeal (External Processes)

Third Party Appeal could be initiated in response of publication of the IP Application in Sakpatenti's informational resources. Request for Appeal becomes available as Application is published and should be disabled after deadlines for submission are expired.

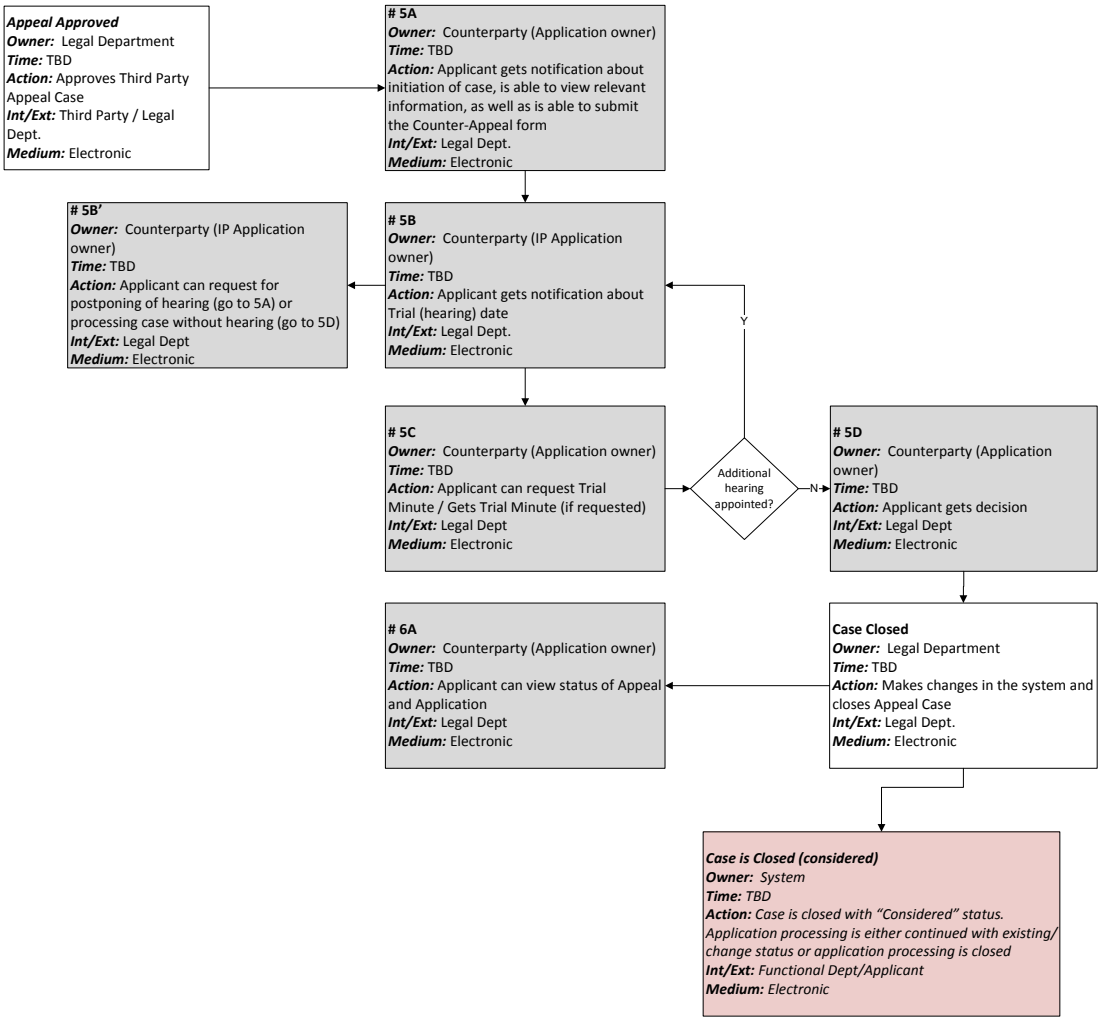
Submission and processing of the Third Party Appeal is similar to submission and processing of the Applicant's Appeal except the following issues:

- Third Party Appeal is allowed to be processed without creating of permanent Customer account in the System. For registered customers, submission/processing of the third party appeal is similar to submission/processing of the Applicant's appeal. If Appeal is submitted by paper application, the Front Office must process electronic operations on behalf of Applicants. Not registered Customers should be allowed to submit electronic requests for Appeal and information/communication with Sakpatenti should be available for them via external interface, protected by Appeal ID and temporal PIN code, provided on submission of Application. As alternative, registration in the system as a mandatory requirement for submission of Appeal could be considered. In this case, no principal differences exit, except availability of request.
- The counterparty is assumed to be involved in the process on after Appeal is approved by the Legal department and have similar rights and privileges as party, submitted request for Appeal. In addition, counterparty is assumed to get notification from Sakpatenti about initiation of Appeal process (Open Appeal Case), as well as should be offered to submit the Counter-Appeal Form within deadlines (prior to trial date). Counterparty is also allowed to view all relevant information, is assumed to get notifications, as well as is allowed to request for Trial minutes.
- Another difference consists in different processing of Appeal Board decision.
- Decision is negative (Third Party Appeal is rejected). In this case, the process should be resumed without changes (only change in deadlines could be applicable) and Applicant should be allowed to continue following up the process.
- Decision is positive or partially positive (Third Party Appeal is upheld)
- If positive decision assumes termination of Application, the Application should be terminated and closed for any operations.
- If partial decision is made, the Legal Department is responsible for processing of changes in Application, the Application processing should be resumed to modified Application and Applicant should be allowed to continue following up the process.

Figure 33 reflects the full flow of operations for the Third Party Appeal's Applicant side. No principal changes between First Party and Third Party appeals exist.

Figure 34 provides the flow of operations for the Counterparty of the Third Party Appeal. The numbering is kept in accordance to numbering provided in Figure 33.

Figure 34. Involvement of the Counterparty in the Third Party Appeal Process



 # 5A

The counterparty of the Appeal (owner of Application) should get notification about initiation of the third-party appeal case. The Applicant should be informed about details of the request, as well as should have access to Third Party Application.

The Applicant should be able to submit the counter-appeal form, as well as any additional documents, useful for the Appeal Board. The counter-appeal is allowed to be submitted prior the trial date. Applicant should be informed about the trial date 7 days prior hearing (as date is appointed), as well as about any changes (Postponement, suspension, additional hearing). Submitted counter-appeal should be distributed to all parties automatically and should be appear on dashboards of all participants.

Applicant should be allowed to submit request for Postponement/suspension via Free Correspondence Form prior decision is made. Requests are subject of acceptance from the Legal Department side.

If Application is terminated as a result of Appeal, Applicant should be informed and no operations for Application should be allowed. Otherwise (Appeal is rejected/partially accepted), Applicant

should be informed about decision, should be able to view changes (if those have been made) and is able to continue following up Application processing.

4.3.3 Operations with Registered IP Objects

4.3.3.1 Transfer of Rights and Changes in Name/Address

The Legal Department is involved in the processes, connected to the registered IP objects, such as transfer of rights for IP objects (permanent or temporal), as well as changes in Names and Addresses of IP owners. Involvement of the Legal Department in the process is shown on *Figure 27.* The Legal Department is an owner of all requests, except requests for issuance of hardcopies of documents. The Legal Department is responsible for examination of legitimacy of request and must provide decision to initiate execution. If there is no basis founded for rejection of the request, the Legal Department transfers execution of the request to Registrar, who is responsible for all other steps (processing and publication of changes).

The list of operations, in which the Legal Department is involved, is as follows:

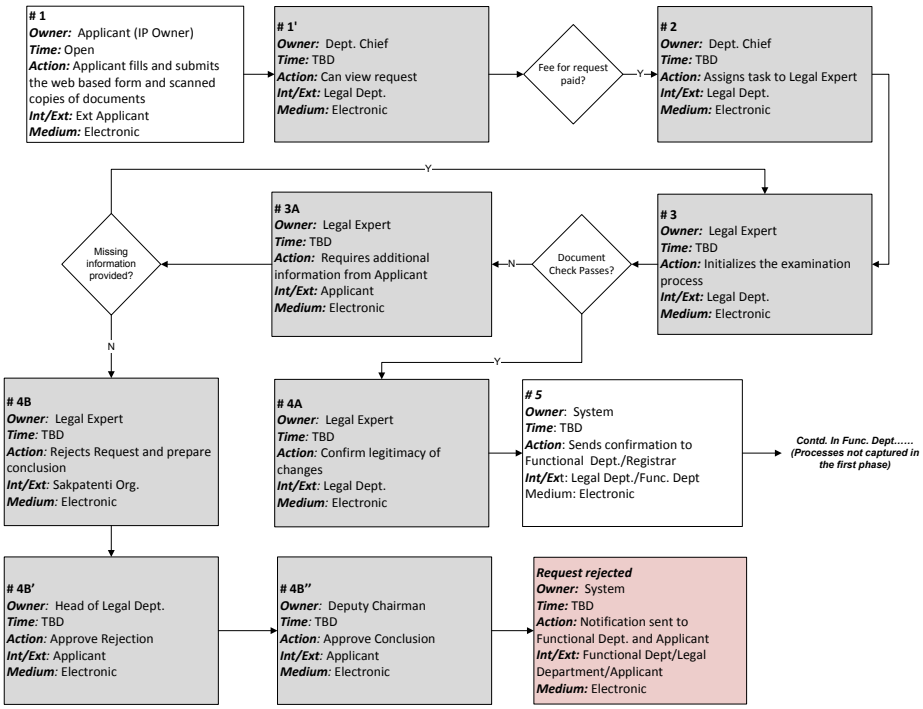
- Change in name and address
- Renewal of rights (Extension of Terms of Validity)
- Reinstatement of Registration
- Division of rights
- Permanent transfer of rights
- Change in co-ownership
- License Agreements
- Collateral Agreements
- Other transaction, allowed to be proceeded (e.g. transfer of rights based on bequest, etc)

Legal Department should have access to full information, related to Registered IP Objects, and stored in the system. Legal Department should have read-only access to information (should not be allowed to make changes).

Legal Department is not an owner of the above processes (processes are owned by Functional Departments/Registrars) and is involved in the process as a confirmator of operations.

Legal Department should be mandatorily involved in all above mentioned processes. No processes are allowed to be processed without confirmation of the Legal Department. Involvement of the Legal Department is provided on Figure 35.

Figure 35. Involvement of the Legal Department in Operations with Registered IPs



 # 1'

Head of Legal Department should be able to see the list of requests for processing of operations with IP objects on his/her Dashboard. Paid and waiting for payment requests should be separated. Head of Legal Department should be able to preview details of requests, as well as preview all documents, available in the system and related to requested IP object. If deadline for payment is expired, request should disappear.

 # 2

Head of Legal Department should be able to assign task for any Legal Expert. Assigned Expert is an owner of all next operations. The Head of Legal Department should be able to re-assign task to another expert. The Head of Department should be able to assign deadlines for processing of request. Head of Department should be able to monitor both fulfillment of the task, and deadlines. Tasks should be highlighted if expired and/or are close to expiration.

Head of Legal Department should be able to extend deadlines for processing of task.

 # 3

Legal Expert should be able to see the list of tasks, assigned to him/her.

Once task is assigned, the Legal Expert should be able to see assigned task on his/her Dashboard. Paid and waiting for payment requests should be separated. Expert should be able to preview details of requests, as well as preview all documents, available in the system and related to requested IP object. If deadline for payment is expired, request should disappear from Expert's dashboard.

Expert should be able to view deadlines for processing, assigned for the task. If processing deadlines are expired, Expert should not be able to process request.

Expert should be able to preview and print out all scanned documents, attached to the request.

 # 3A

If gaps in documents are identified, the Expert should be able to submit conclusion to the system and send notification to functional Department Expert, containing summary of identified gaps. The basis for negative conclusion should be selected from predefined list of bases (Missed documents, not-readable copy of document). Legal Expert should also be able to add comments to conclusion. Legal Expert should also be able to request additional information. For example, Legal Expert could request for originals of submitted documents. Standard requests should be available from a predefined list. Any additional requests could be provided as a comment to conclusion.

Once conclusion is submitted, notification should be sent to functional Expert and request should be processed within the Functional Department.

 # 4A

If no gaps in documents are identified, the Legal Expert should be able to confirm legitimacy of documents through interface (dashboard).

Once confirmation is submitted, notification should be sent to a functional Expert, assigned for the task, as well as to Head of legal Department. Confirmed requests should be marked as completed tasks on both Legal Expert and Heal of Legal Department dashboards. Confirmed requests should be allowed for the next processing within functional Department.

#4B

If negative conclusion is submitted (legitimacy of documents/operations is not confirmed), the Legal Department (Legal Expert) should submit negative decision to the system, as well as provide the draft of conclusion document.

#4B'

Conclusion should be accepted by the Head of the Legal Department. Head of Legal Department should be able to make changes in document before acceptance, as well as ad comments to the document.

#4B''

Conclusion should be approved by the Deputy Chairman of Sakpatenti. Once Approval is submitted, request should be assigned by "Rejected" status and Rejection notification should be sent to Applicant. Notification about rejection should be also sent to Registrar.

4.3.3.2 Involvement in Other IP Object - Related Operations

Legal Department could also be involved in examination of Power of Attorneys and other documents, if legitimacy of documents is under doubt and examination is requested by owners of another process (Functional Departments).

Legal Department is involved in this process on-call basis. Taking into account, that all Application/IP Object related information is fully accessible for the Legal Department staff, involvement of Department could be organized though internal communication channels.

However, if document needs official confirmation from the Legal Department, the Functional Department should be able to initiate request, initiating the process, similar to one described in 4.3.3.1.

4.4 BILLING AND PROCESSING OF PAYMENTS

Department of Finance is involved in all processes, being processed by Sakpatenti in both passive (controls billing/payment process) and active (generates invoices, confirm bank transactions, process transactions, etc.) modes.

The billing/payment system is based on the following notions:

- **Payment liability** – liability to pay defined amount of fees, fixed in USD, in defined period of time. Initiation (external, internal) of any operation, requiring payment of fees, should generate payment liability. Payment liability should be connected to either Customer of Application account. Payment liability should be removed as payment is done.
- **Electronic Invoice** – is an electronic document, connected to payment liability and reflecting details of payment. Electronic Invoice is in force until deadline for payment is expired. The Draft Electronic invoice document, reflecting payable amount in GEL and deadlines for payment, should be generated on request for operation (internal or external). The final version of document, useful for accounting purposes and reflecting amount in both USD and GEL, should be generated on payment is processed.
- **Electronic Payment Order** – is an electronic form, generated by the system in response of Customer's request to process payment for Electronic Invoice. Electronic Payment Order reflects payable amount, converted to GEL according to current exchange rate, set in the system. Electronic Payment Order is in force within the working day when it was generated (until used exchange rate is applicable). Electronic Payment Order provides functionality to process payment from virtual deposit account. After payment is done, both final version of Electronic Invoice (USD/GEL amount), as well as document, confirming payment should be generated.
- **Virtual Deposit Account** – the system electronic account, connected to either Customer Account or Application Account, where funds are cumulated and available for processing. VDA reflects current amount of funds, transferred to Sakpatenti's any bank account on behalf of Customer/Application and available for processing (reflected as Sakpatenti's liability to Customer/Application). There are two types of VDAs – Customer Virtual Deposit Account (CVDA), connected to Customer's account and identified by Customer ID, and multiuser Application Virtual Deposit Account (AVDA), connected to particular Application and identified by Application ID.

The following general rules are used for billing/payment system:

- Two different fee schedules should be available in the systems: schedule for electronic services and schedule for paper-based services. Operations, processed via Front Office interface (assumed to be submitted on paper) should be charged according to the paper-based operations fee schedule.
- Initiation of any request, either internal or external, requiring payment of fees, should initiate the system process, generating payment liability and electronic invoice and sending notification to all parties of the operation

- If payment is done (processed manually or electronically), the system removes liabilities, debits VDA (except direct payments), and send notification to all parties involved in the operation
- Particular operations could require reimbursement of funds if positive decision has not be made (Application/Request has not been accepted/approved for subsequent steps. In addition, particular requests are allowed to be cancelled by Applicant. In all cases, the Department of Finance could be required to return funds to Customer/Application VDA. Therefore, funds processed for operations should be marked as “blocked” until operation is processed (decision is made) and locked (virtually) for transferring from Sakpatenti advance bank accounts to its operational bank accounts. Funds should be returned to Customer/Application VDA is operation has not been processed (liability should be assigned to Sakpatenti), or should be unlocked for transfer.
- Electronic payments could be processed only from VDAs (except third parties’ requests)
- Payments for Application’s operations could be processed only from AVDA. AVDA could not be used for other operations
- Payments for other requests (IP objects) could be processed only from CVDA. CVDA could not be used for Application
- Funds, transferred to Sakpatenti bank account on behalf of Customer/Application should be cumulated on VDA automatically, without involvement of Department of Finance. If transfer is not recognized by the system, the Department of Finance is allowed to confirm transactions (reflect funds on VDA).
- Transfer from CVDA to AVDA is allowed for Customer and should be processed automatically without involvement of Finance Department[7]
- Any electronic payments, initiated from electronic interface, should be processed from VDA without involvement of the Department of Finance
- Only Department of Finance is allowed to generate financial liability

Department of Finance is involved in the following processes:

- Confirms bank statement if transaction cannot be recognized by the system (not-identified transactions)
- Initiates payment liabilities for processing of interim stages of the Application process, requested by system of experts (substantive exam, publication, registration, additional payments, requested by experts)
- If payment liability is generated in response of Customer’s request, the Department of Finance is involved as a monitoring entity
- Processes paper-based operations
- Confirms requests for extension of payment deadlines
- Owns, confirms and process requests for reimbursement of funds
- Can manually notify customers about upcoming payment deadlines
- Monitor and control funds on Sakpatenti’s accounts

[7] Automatic confirmation of transfers, processed through “hard” bank transaction (cash deposit, cash transfer processed by bank’s operator) is a subject of negotiation with banks. If banks will not be willing or ready to provide automatic confirmation service, confirmation should be processed manually by Financial Department.

4.4.1 Clearing Banks and Advance Accounts

Currently four commercial banks (TBC, Bank Republic, Bank of Georgia and Cartu Bank) are serving Sakpatenti as clearing banks. Accounts, allowing transfer of advance payments (advance accounts), are separated from basic operational bank accounts. Customers are required to transfer funds to advance accounts to any of above mentioned banks.

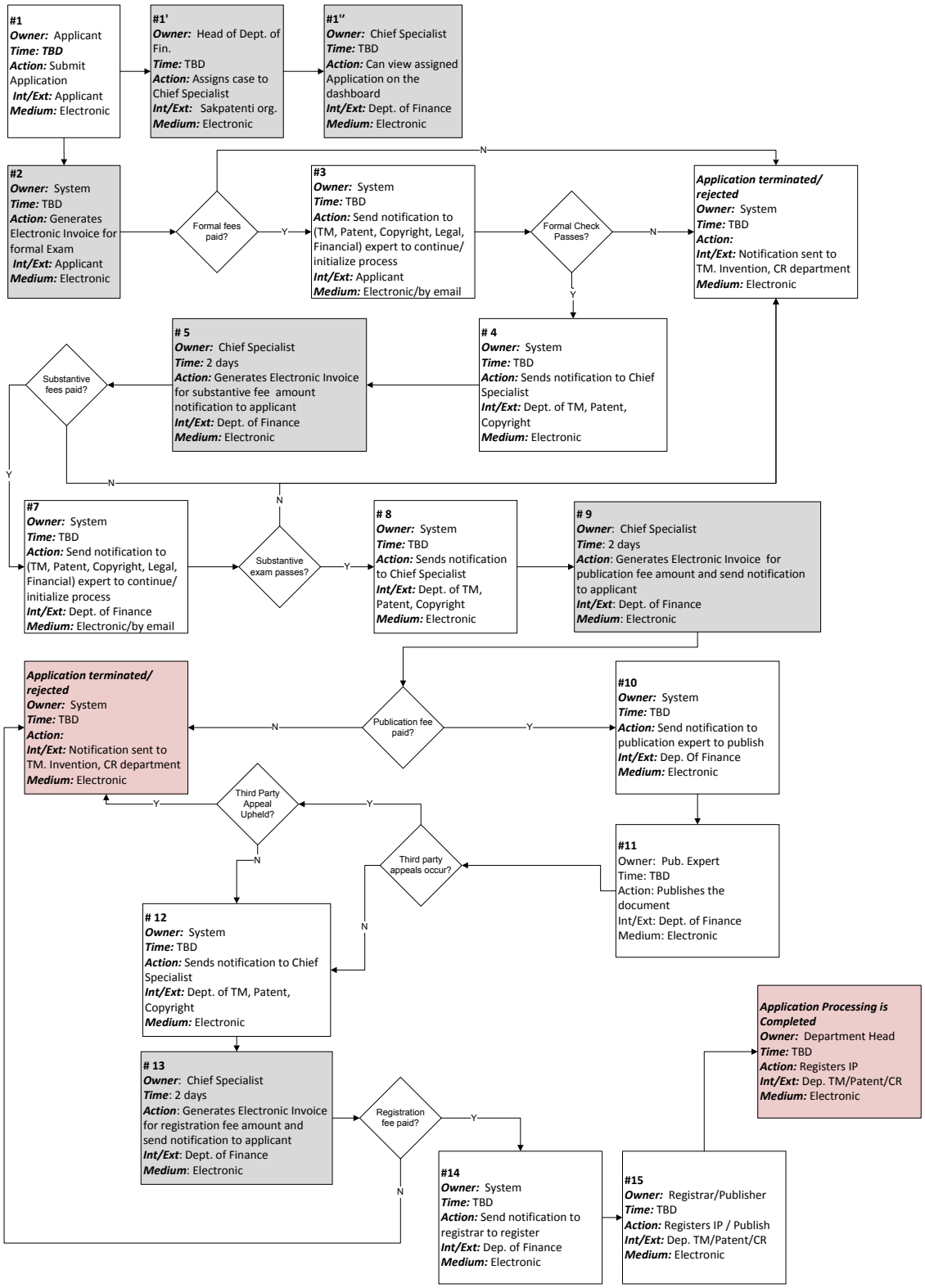
The system should provide functionality to add/remove clearing bank by change in parameters. Payment system should be connected to all clearing banks via data exchange interfaces.

Only two operations – Transfer funds to CVDA/AVDA and Reimbursement of Free Funds from CVDA are directly connected to Banks' information systems. Processing of payments within the system should not be connected to particular bank account and should be processed virtually through Virtual Deposit Accounts system. Funds, available on Sakpatenti's account should also be consolidated in one virtual account.

4.4.2 Application Processing

Figure 36 provides a diagram for full cycle of Application processing. The highlighted boxes indicate involvement of the Department of Finance. The diagram assumes that the process is not interrupted by any additional requests, requiring payment of fees, such as changes in Application, extension of deadlines, appeals, issuance of additional documents, expert's requests for additional payments, and etc. Involvement of the Department of Finance is such additional external/internal processes, if initiated, is provided on following diagrams.

Figure 36. Department of Finance: Application Processing



4.4.3 Internal Generation of Electronic Invoices

Processing of some operations may lead to additional payment obligations (e.g. determination of extra claims). In these cases, the system should control all events, allowed to generate new

obligation. Completion of such process should initiate re-checking of obligations and if extra obligations appear, the system should notify the Department of Finance about the event.

Chief Specialist, assigned to Application/request should be able to generate payment liability based on extra obligation, appeared in the system. Internally generated Payment liability should be confirmed by the Head of the Department of Finance. Head of Department should be notified about liability and should be able to confirm/decline submitted amount.

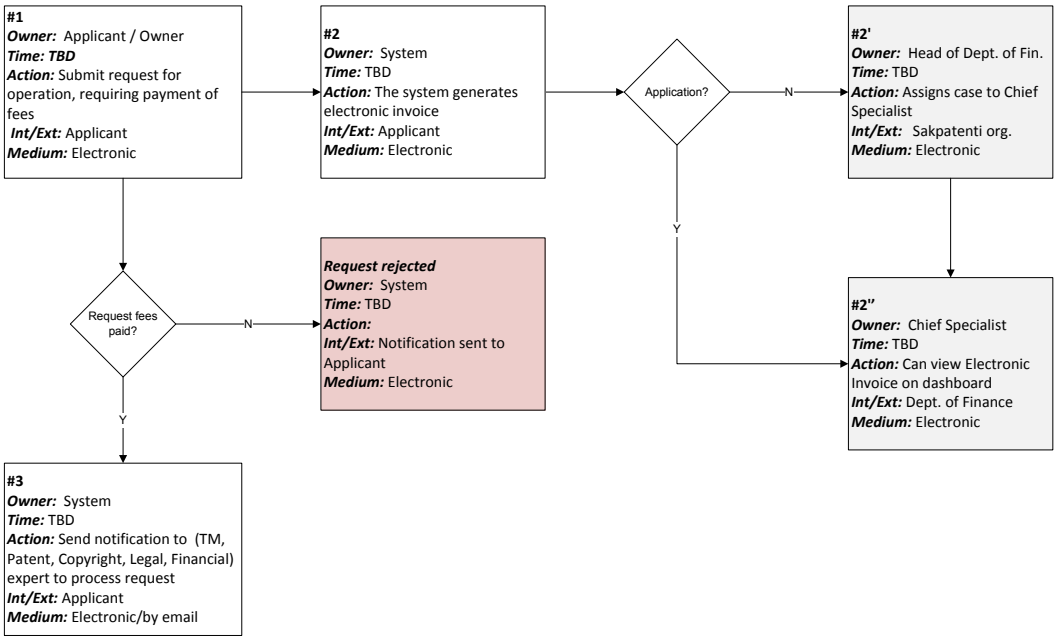
Once liability is confirmed, payment liabilities should be assigned to Application and the Applicant should be notified. Payment deadline should be defined and assigned to liability. Draft Electronic Invoice should be generated and attached to payment notification. Draft Electronic invoice should become available for Applicant on his/her dashboard and Applicant should be able to pay for liability within defined deadlines.

4.4.4 Processing of External Requests

The below diagrams provide the picture of involvement of the Department of Finance in different operations, initiated externally. It is assumed, that for any processes, related to Application processing, the Chief Specialist is already assigned for Application, including Appeals, by the Head of Department on initiation of Application proceeding process. Otherwise (for operations, related to registered IP objects), in addition, the Chief Specialist should be assigned for the task.

Figure 37 provides a diagram of involvement of the Department of Finance in processing of any external requests, initiated electronically and related to either Application or registered IP.

Figure 37. Department of Finance: Processing of electronic external requests (Applications / Registered IP objects / Appeals)



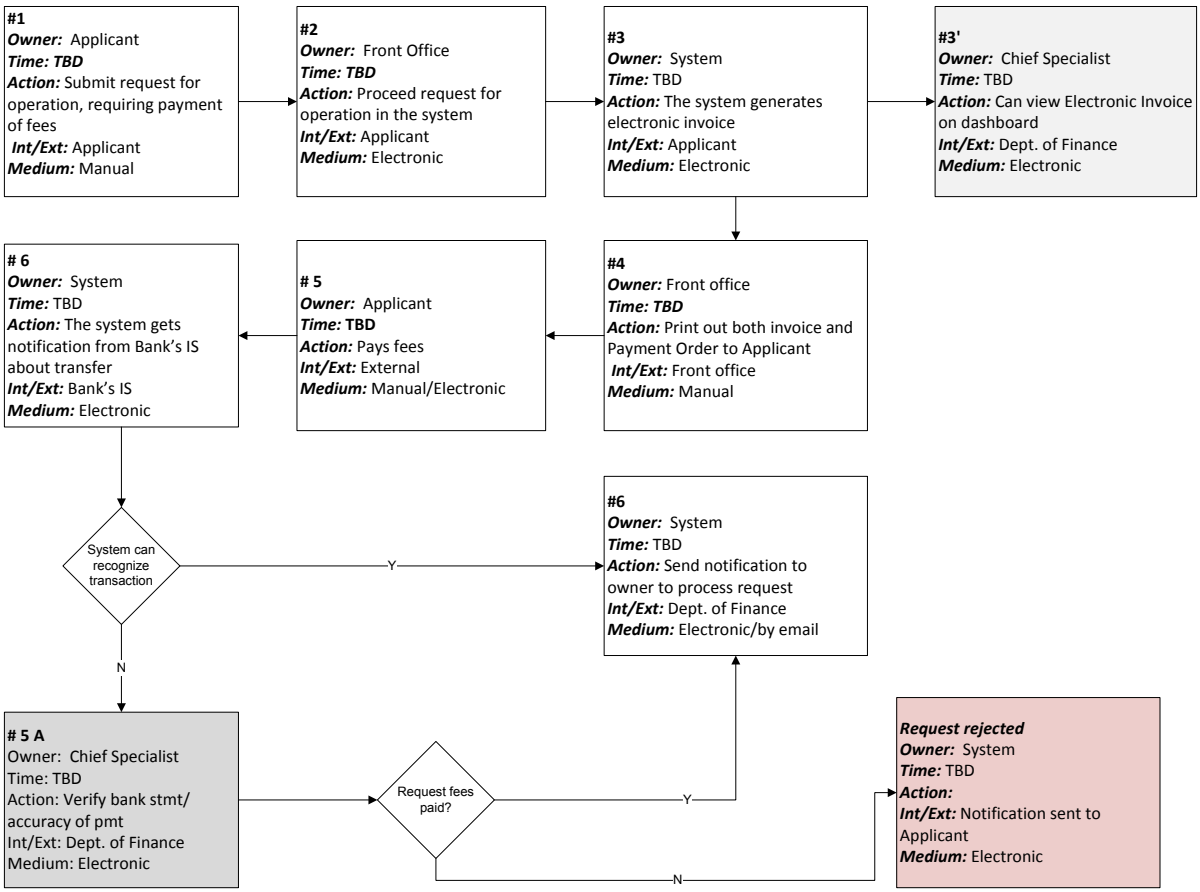
Customers (Applicants/Owners/Third parties), having no electronic accounts, are allowed to submit requests on paper basis. In this case, the Front Office users should initiate request via front office

interface. Submission of request generates payment liability and Electronic Invoice, which should be printed out and provided to Customer together with Payment Order. Customers could pay for invoice using any available mechanism, such as cash deposit, bank transfer, payment terminal, internet banking and other.

If the System can recognize transaction (subject line was provided properly, or payment was done via electronic payment resources), payment should be reflected in the system immediately after receiving electronic notification from the bank IS. If transaction is not recognized (is highlighted as unpaid on the Chief Specialist dashboard), the Chief specialist, assigned for the task, should be able to confirm payment manually.

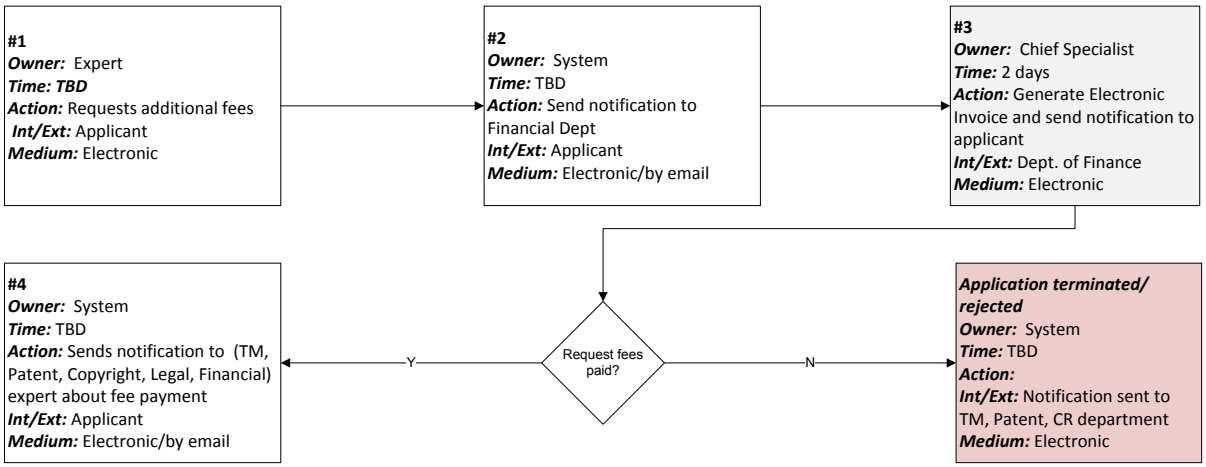
Figure 38 provides the flow of operations if request has been submitted via Front Office interface. The Department of Finance is involved in the process only if not-recognized transaction is identified by the system or Department of Finance is informed about transaction, not reflected in the system and should be processed manually.

Figure 38. Department of Finance: Processing of paper based external requests (Applications / Registered IP objects / Appeals)



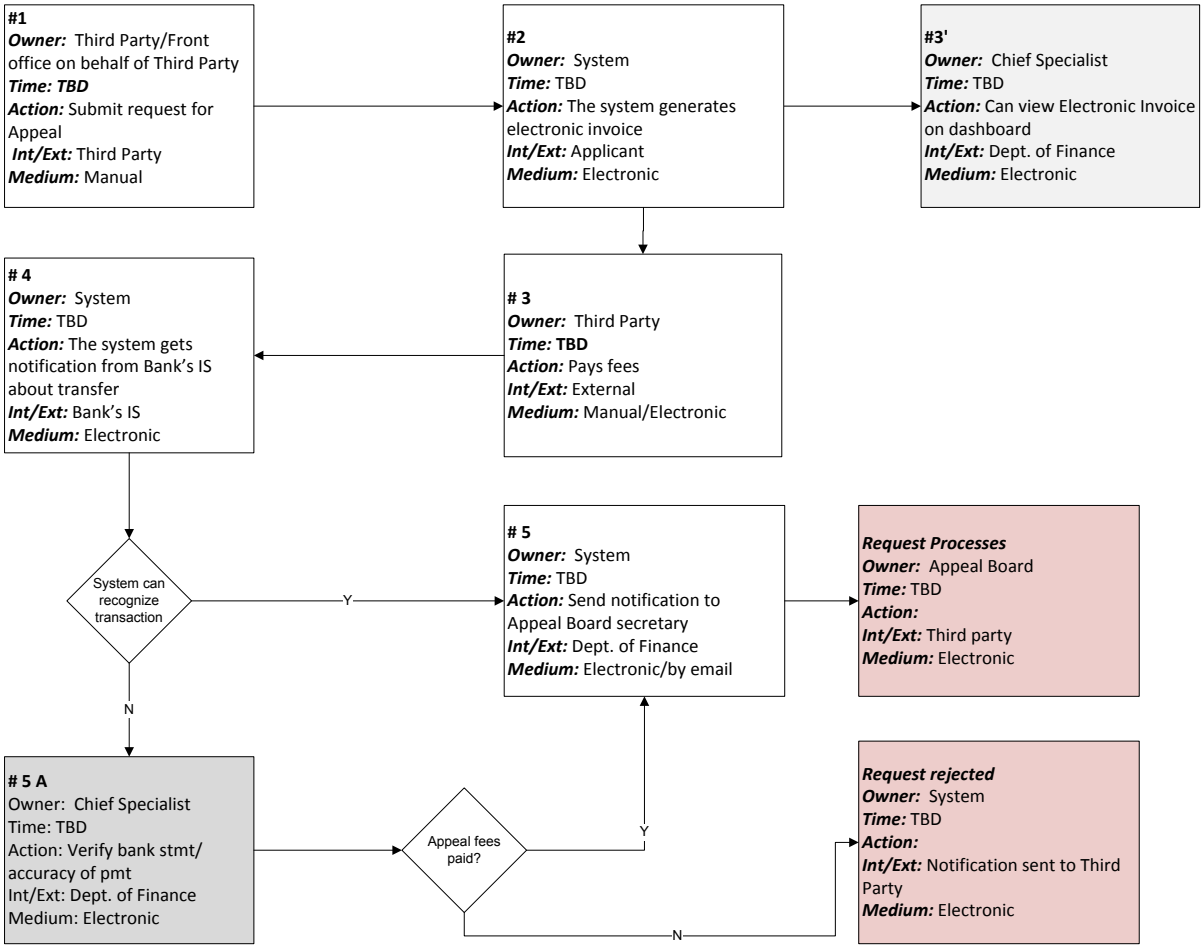
Some internal procedures (e.g. examination) could create need to request for additional payment (e.g. if new application process is initiated internally in the case of splitting existing Application). In such cases expert, processing Application could require for additional fees to be charged. If such need arises, Expert (or other executor) could submit request. The system sends notification to Department of Finance and the last generates payment liability and Electronic invoice to Application.

Figure 39. Department of Finance: Processing of Internal Requests (Application processing)



The Third party could submit Appeals either electronically, or through the Front Office. If Third Party has a Customer Account, than the payment process should be processed fully automatically. Otherwise, involvement of the Department of Finance could become necessary if transaction is failed to be recognized. Figure 40 provides flow of operations for Third Party Appeal.

Figure 40. Department of Finance: Processing of the Third Party Appeal



4.4.5 Transferring Funds to Virtual Deposit Account

Registered Customer should provide any payments through Virtual Deposit Account, either Customer, or Application. Payment could be processed within amounts, available on virtual deposit accounts. Information about funds, available on Customers account should be available from Customer Account Dashboard, when funds, available of Application VDA should be available from Application Desktop. Virtual deposit accounts should reflect amounts in GEL.

Customer should be able to fill VDA (both Customer, and Application) through any of the following transactions:

- Directly from interface via on-line payment system
- By depositing cash on Sakpatenti bank account
- By bank transfer
- Via payment terminals, internet banking, or other payment systems.

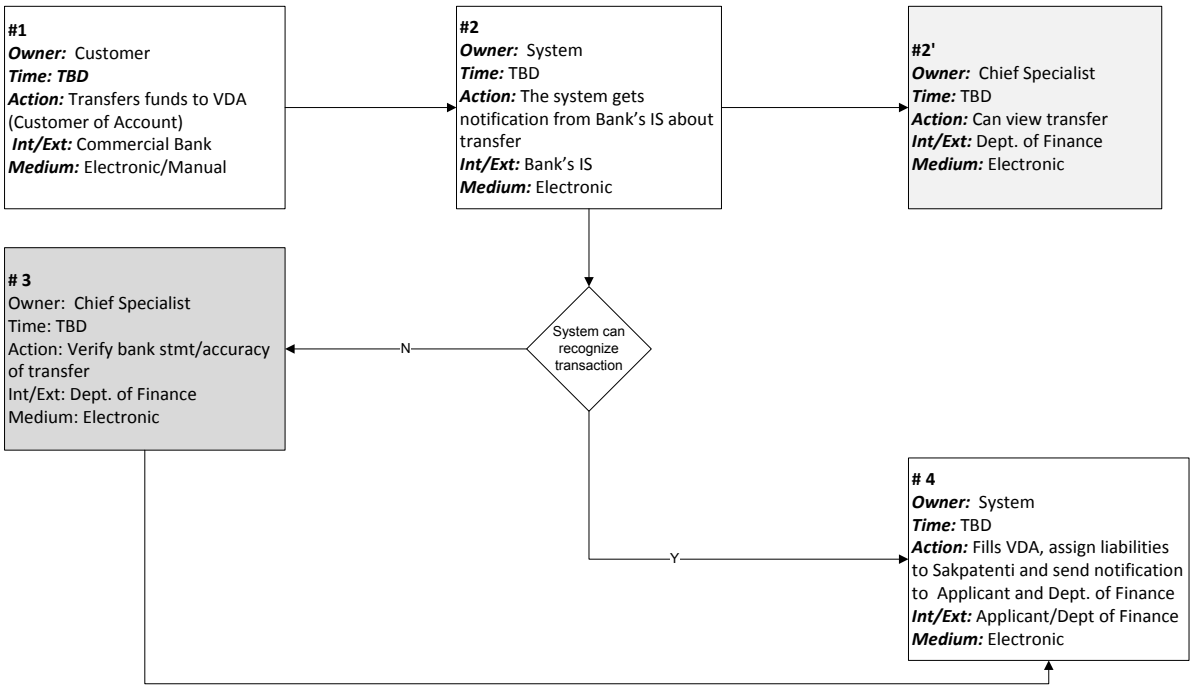
Amount of funds, allowed to be transferred to VDA (both CVDA and AVDA) account should be restricted by the system. Maximum amount, allowed to be available on CVDA/AVDA should be a customizable parameter. Exceeding amount should be highlighted in the system and is a subject of manual response of Department of Finance. Only allowed amounts could be recognized.

Funds, transferred using 1 and 4 methods should be received by the system automatically through data exchange interface, should be automatically recognized (strictly defined set of parameters should identify transaction), and automatically reflected on VDA.

The Customer should be provided by detailed transaction parameters (e.g. printable Payment Order) to process 2 and 3 transfers. Transactions should be received by the System automatically through data exchange interface with commercial banks, automatically recognized and reflected in VDA. However, the system should provide functionality (Department of Finance interface) to process transaction, occasionally did not recognized by the system[8]. To eliminate any inconvenience, connected to direct transfers and depositing of cash, the system should provide interface, in which Applicant will be able to submit transaction parameters (details of Payment Order) into the system.

Figure 41 provides flow of operations, following any transfer to Sakpatenti bank account.

Figure 41. Department of Finance: Processing of Transfer of funds to Virtual Deposit Account



Depositing funds on Virtual Deposit Account should be reflected as liability (advance payment) on the Sakpatenti account. If transaction is recognized, crediting VDA and assignment liabilities to

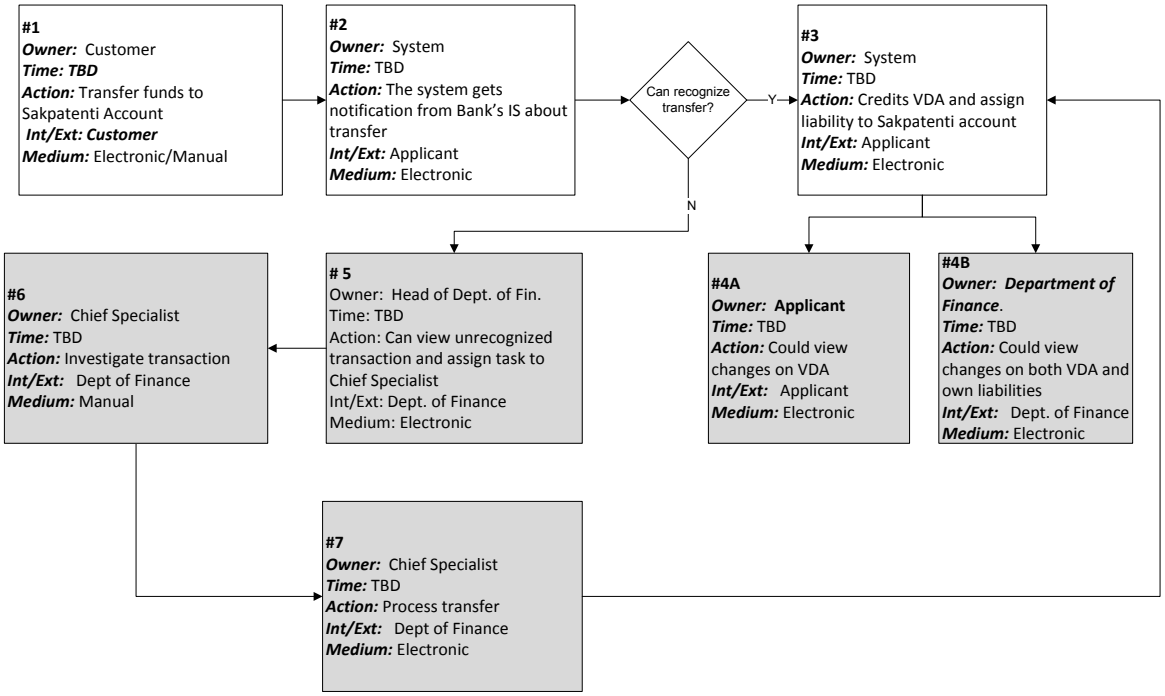
[8] Automatic recognition of funds, transferred to bank account via bank transfers or depositing of cash is a subject of negotiation with Commercial Banks. Implementation of this service generally needs particular customization from Banks' side, and could be a subject of additional charges. The system should provide functionality to process such payments manually and automatic recognition may be implemented later. Payments, provided via any electronic payment system, could be easily recognized using standard web service interfaces, provided by Banks.

Sakpatenti should be processed automatically. Otherwise, involvement of Department of Finance should be requested.

The Head of Department of Finance should be able to view the list of transfers, failed to be recognized by the system on his/her dashboard. Head of Department should be able to assign task to a Chief Specialist for manual investigation. After investigation of failure is completed, the Chief Specialist should be able to process transfer by assigning Virtual Deposit Account to transaction. After processing, relevant amount should be reflected on the Customer/Application VDA.

Figure 42 provides a flow of operations, both system and human-involved, which follow transfer to Sakpatenti's bank account.

Figure 42. Processing of Bank Transfer



Processing of payment should remove liability from Sakpatenti's funds, which should be reflected in VDA (VDA should be debited, external interface) and Sakpatenti liabilities dashboard (liability should be reduced, Dept. of Finance interface).

Transfer funds between Customer and Application VDAs is not connected to any bank transaction and does not require involvement of the Department of Finance. Transfers between Virtual Deposit Accounts debits one account and credits the second. On Sakpatenti side, this transaction forces changes in liabilities parameters, but does not affect total amount of liability.

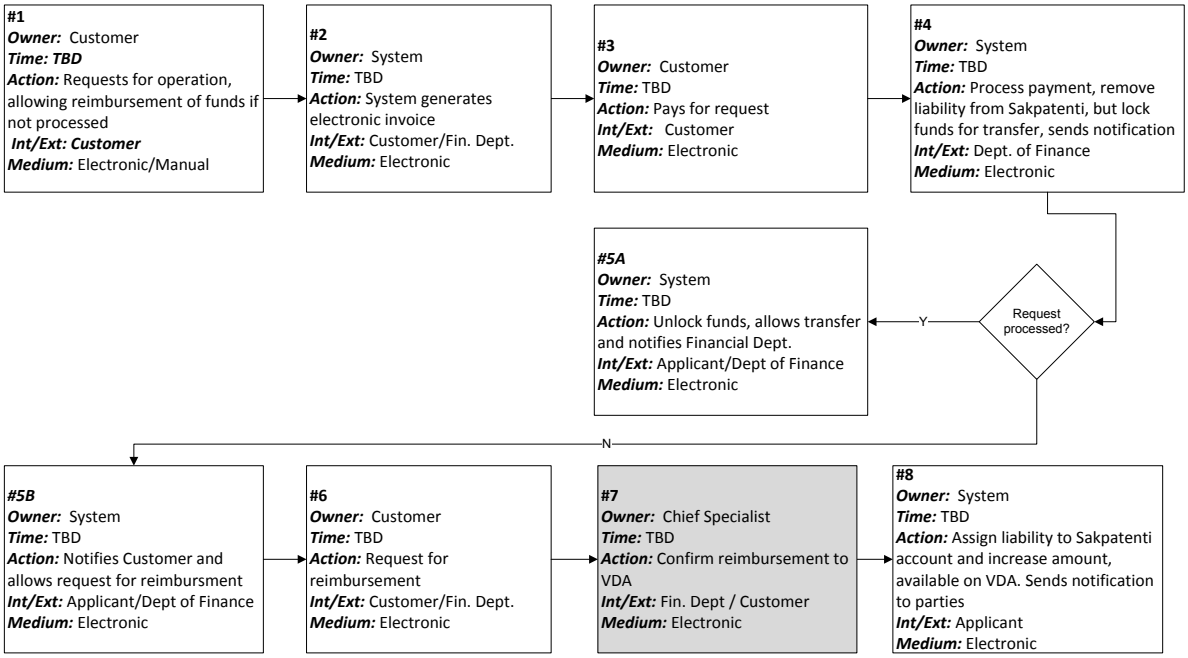
4.4.6 Reimbursement of Processed Payments

Particular operations could require reimbursement of funds if positive decision has not be made (Application/Request has not been accepted/approved for subsequent steps. In addition, particular requests are allowed to be cancelled by Applicant. In all cases, the Department of Finance could be required to return funds to Customer/Application VDA. Therefore, funds processed for operations

should be marked as “blocked” until operation is processed (decision is made) and locked (virtually) for transferring from Sakpatenti advance bank accounts to its operational bank accounts. Funds should be returned to Customer/Application VDA is operation has not been processed (liability should be assigned to Sakpatenti), or should be unlocked for transfer (operation is processed).

Blocking/unblocking of funds should be available both automatically (where applicable and strictly defined), or manually, if the procedure of reimbursement of funds for particular operation is not clearly defined (e.g. only portion of payment should be unblocked) and requires involvement of the Finance Department. Partial reimbursement should be available.

Figure 43. Department of Finance: Reimbursement of funds from Sakpatenti account to Customer/Application Virtual Deposit Account



4.4.7 Reimbursement of Free Funds

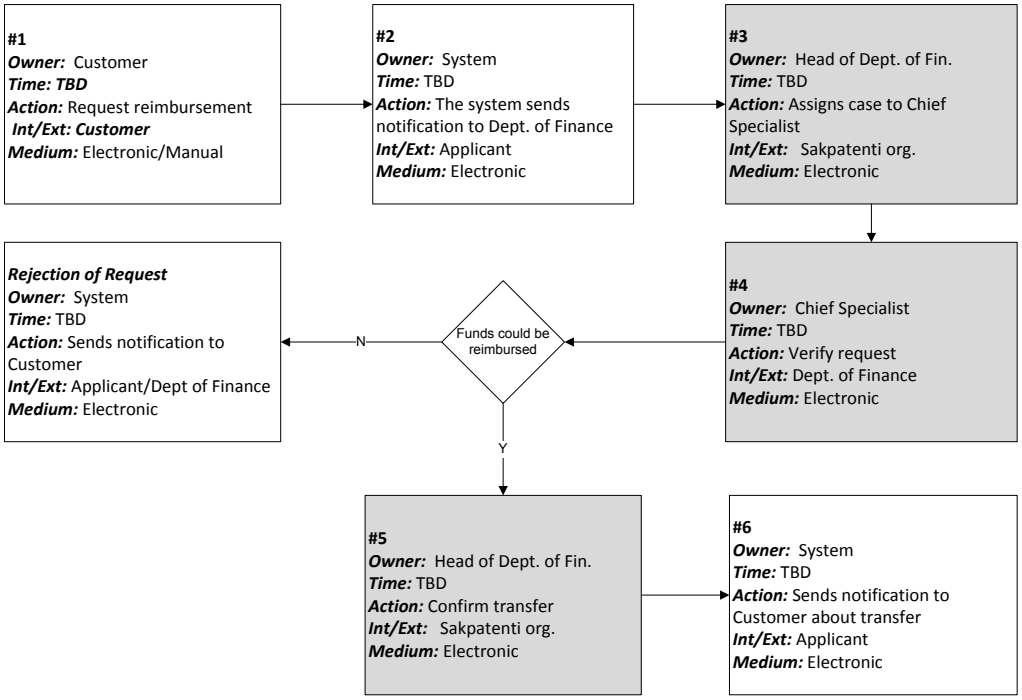
Customer could request for reimbursement of unused funds. Reimbursement of funds could be requested only from Customer Virtual Deposit Account. If Application processing is completed, unused funds should be transferred automatically from Application Virtual Deposit Account to CVDA of the Trusted Customer.

Funds from CVDA could be reimbursed based on decision of the Department of Finance. Decision could depend on amount of Customer’s payment liabilities.

Decision on reimbursement, as well as amount to be reimbursed, should be submitted to the system by Department of Finance.

Figure 44 provides a picture of involvement of the Department of Finances in the reimbursement process.

Figure 44. Department of Finance: Reimbursement of funds from Customer Virtual Deposit Account

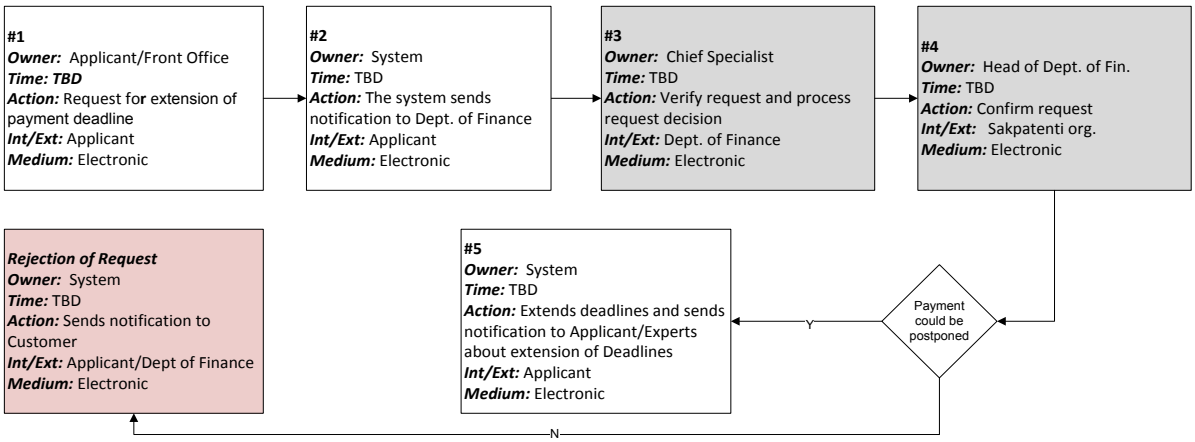


4.4.8 Extension of Payment Deadlines

Applicant could submit (electronically or manually) request for extension of payment deadlines. Electronic request should be allowed to be submitted only prior deadline for payment is expired. Request for extension is a subject for acceptance from Sakpatenti side.

Figure 45 provides the flow of operations, following Applicant's request to extend deadlines for payment.

Figure 45. Department of Finance: Processing of payment Deadline Extension Request



4.4.9 Processing of Payments for Service (Electronic)

Electronic payments for services should be processed from Virtual Deposit Account. Request for service/operation (external/internal) initiates generation and assignment of liabilities to VDA and generates Electronic Invoice, which should be sent to all parties of the process (customer(s), functional departments, Department of Finance).

Applicant should be able to generate electronic Payment Order form and pay for service by debiting funds from VDA (either Customer or Application).

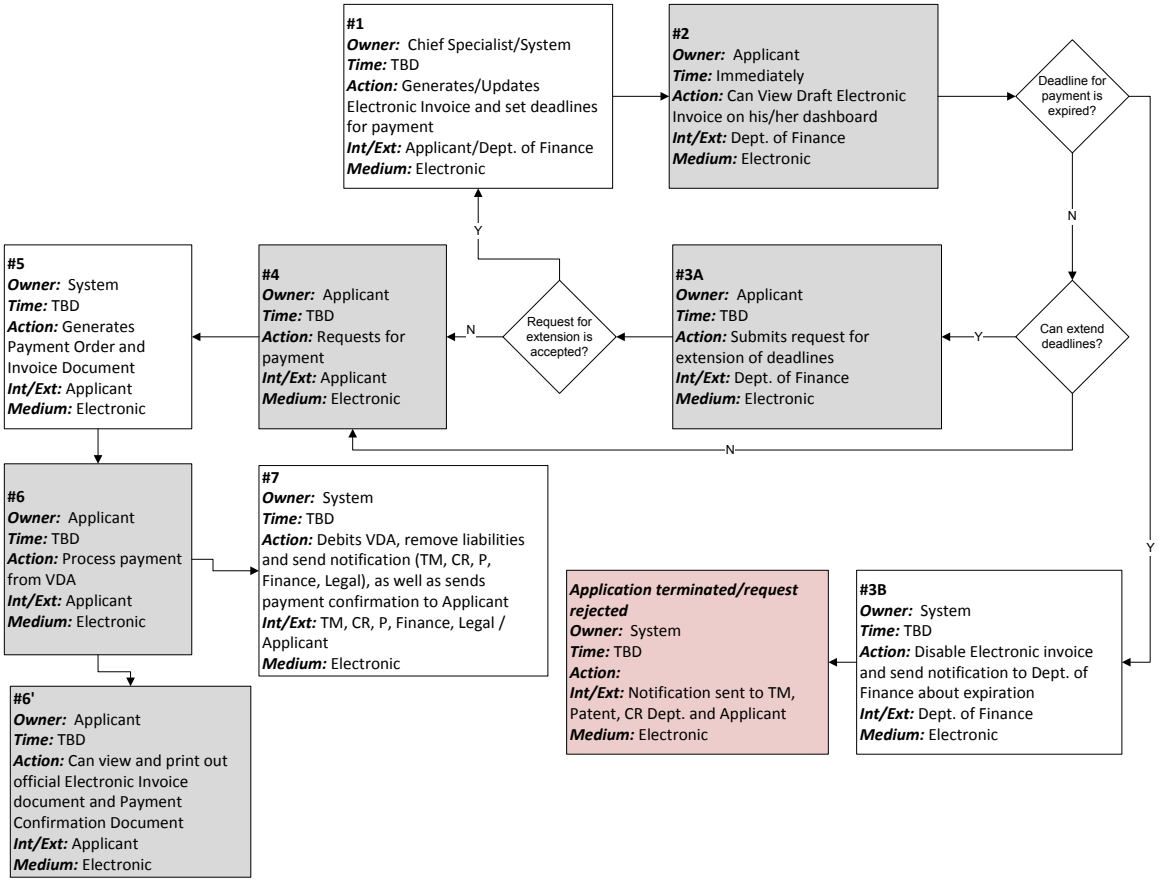
If operation is a subject for charge, after request for operation is submitted, the system should generate payment liability in the system. Electronic invoice should be generated based on payment liability. Electronic Invoice should reflect payable amount, calculated in USD (Draft Electronic Invoice). When request for payment is submitted, the system should also generate the final version of Electronic Invoice, reflecting payable amount in USD and GEL, as well as exchange rate, used for conversion.

Electronic Invoices could also be generated through requests, generated by internal processes, requiring payment for up-coming operation (e.g. Formal Exam completion - positive decision - should generate Electronic Invoice for processing of Substantive Exam). Internally generated Electronic Invoice should be available for Customer from dashboards

Electronic Invoice should be accompanied by Process Payment operation, creating electronic Payment Order. Managing users should be able to request for payment processing. On request to process payment, both final Electronic Invoice (reflecting amount in GEL and useful for accounting purposes) and Electronic Payment Order should be generated. Payable amount should be recalculated in GEL using USD/GEL exchange rate, fixed in the system and actual for the moment of payment. After payment is done, the system should also generate electronic documents, confirming payment and useful for accounting purposes.

Applicants are allowed submitting request for extension of deadline before payment deadline is expired. Extension of deadline is a subject of acceptance by Department of Finance. If payment is not done before deadlines are expired, the system initiates Application termination process or automatically rejects request for service.

Figure 46. Applicant: Processing of Payments for Services



5 FUNCTIONAL REQUIREMENTS FOR IP-SPECIFIC PROCESSES

This section provides details of processing of Applications for registration of particular types of intellectual property object. Description of processing is focused on details, featured for particular IPs, as well as on discrepancies of IP-specific processes from general ones, described in section *4 COMMON BUSINESS PROCESSES AND REQUIREMENTS.*

All requirements and functionalities, described in this section MUST be reflected in the system. In more details, requirements are considered in Section 6. BUSINESS RULES AND GENERAL OPERATIONAL REQUIREMENTS, where requirements and rules are prioritized.

5.1 TRADEMARKS AND GEOGRAPHICAL INDICATIONS

The *Law of Georgia on Trademarks* regulates relations arising in connection with the registration and protection of trademarks, service marks and collective marks and the use of such marks. *Instruction on Trademark Registration* and *Schedules of Fees for Trademarks* currently regulate procedures, deadlines and payments for operations, related to submission, processing and registration of Inventions and Utility Models.

The Law of Georgia on Appellations of Origin and Geographical Indications of Goods regulates the basis for the protection of appellations of origin and geographical indications in Georgia. The Low is applicable with respect to wines, wine brandies, mineral waters, cheese, as well as to with the geographical place, specification of the borders of a geographical place, registration of relevant appellations of origin and control of their use.

The Department of Trademarks and Geographical Indications is an owner of the processing of Trademarks and Geographical Indications. Department structure includes special Search Unit, which is responsible for conducting contextual search. Registrars (Registration Unit) are responsible for processing of Registration, submission information for publication, as well as for processing of post-registration operation, such as transfer of rights, extension of validity, issuance of certified documents, and etc.

5.1.1 Trademarks

A trademark is a sign or combination of signs that may be represented graphically and is capable of distinguishing the goods or services or both of one undertaking from those of other undertakings.

The sign may be a word or words, including proper names, letters, figures, sounds, a design or a three-dimensional figure, including the shape of goods or their wrapping and also other packaging, including colors or combination of colors.

5.1.1.1 Object of Protection

Trademark Object consists from the following elements:

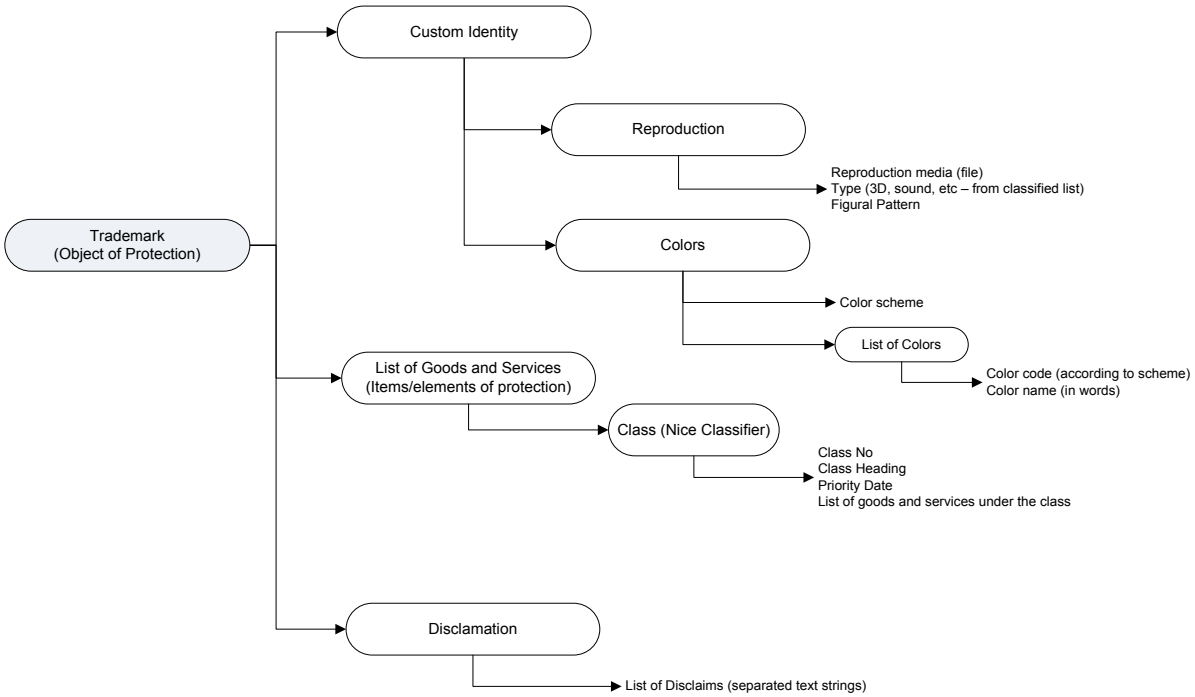
1) *Items (elements) of protection* - List of Goods and Services under Nice Agreement (Header Classes according to Nice classifier), each containing

a. Class ID (number)
b. Header of the class (short text description)
c. Priority date (date, used mainly for determination of the element's validity)
d. List of goods/services under the header class (list of short text strings, identifying particular good/services under protection of the TM)

2) Reproduction of the Mark, including
   a. Reproduction media (media, such as image, sound, and etc.)
   b. Type (flat, 3D, sound, etc)
3) Colors
   a. Color scheme (color scheme, used for description – RGB, CMYC, 16-color matrix, etc.)
   b. List of colors under protection (color or mix of colors, used in the TM, classified according to the color scheme)
4) Disclamation
   a. List of disclaims – portion of the Trademark, not protected by the Object (list of short text strings, describing part(s) of TM, on which protection is not extended)

Figure 47 provides outline of the Object of Protection under the Trademark protection determination.

Figure 47. Object of Protection: Trademark



Trademark Object in addition contains Description of the Mark (Tags), as well as Ownership and Authority properties. *Authorship* is not applicable for TM objects.

5.1.1.2 Application Submission

Submission of Application Form

Applicants are requested to submit Application Form for Registration of Trademark. Initial version of application is allowed to be submitted in English. In this case, the Applicant is required to provide translation of Application in defined period of time. Otherwise, Application will not be examined (will be terminated).

Besides common fields (Full name and address of the applicant, local correspondence address, representation, and priority, and etc.) the Applicant must fill out additional information, related to the object of protection. The application shall contain information, reflecting the Object of Protection (Trademark) features, which are:

1) Reproduction of the Mark;
2) Description of the Mark;
3) Color(s) of the Mark;
4) The list of the goods and/or services for which the trademark registration is sought.

All the other necessary data may accompany the application upon filing or they may be submitted within **one month** as from the filing date of the Application.

Reproduction of the Mark. The reproduction of the mark can be presented as:

- Picture – the graphical representation of TM
- 3D sign –Representation of a number of views of 3D TM
- Sound – sound file and notes

One TM can be presented in one or more forms. If several forms exist, all forms should be provided a single media file (e.g. views for 3D TMs).

The Applicant should be able to upload media file. Types (extensions) of files, allowed to be uploaded, should be restricted and should reflect type of TM (flat/3D image, sound, etc). Audio (sound) files should be restricted by type and size. Images also should be restricted by types (jpg, gif, png) and size. The Applicant should be offered to provide high quality image for TM (optional) to be used in publication. The system should provide functionality to crop (adjust proportion) image in accordance to requirements. Currently, 8 cm X 8 cm images are allowed. The system should keep proportions upon upload by providing functionality to crop uploaded image.

The system should be able to reduce quality and size of the uploaded picture. Reduced image is to be used by the system in on-screen mode. The original image will be stored in the DB and used for publication.

Description of the Mark. Free text TM description, which should be entered in restricted volume input text field. Description is mandatory on submission stage, but is not an object of protection. It is aimed to reflect content and purpose of registration of the TM and could be used in searches.

Color(s) of the Mark. One or several colors can be defined with the help of color charts (RGB, CMYK, Panton, 16 colors scheme, and etc.) or entered by the Applicant (color code). Interface should provide functionality to select/enter new color, as well as to delete and replace the colors. The color(s) can be defined only if graphical or 3D TM is presented. The field is not mandatory. Color (mix of colors) is an object of protection (if defined).

List of goods and/or services classified according to International Nice Classification. Numbered list of classes of goods and/or services, which containing a standard list of items or concrete list of items, determined by the Applicant.

Number of classes is not generally restricted. Interface should provide functionality to select/enter new class, as well as to delete and replace the class.

Interface should also provide functionality to select whether a standard list of items of a class will be included, or the Applicant will manually choose the particular items of a class. In the letter case, the number of items of the class is not restricted and interface should provide functionality to select/enter new item, as well as to delete and replace the item.

The list of classes and items is mandatory. At least one class should be submitted. The system must block submission of Application if no classes and/or no items in classes are not provided.

Each class should contain Class No and Class Header, selected from the Nice Classification Catalogue. Each header could contain a list of goods/services from the selected header class. Goods and services should be selected using Nice Classification Catalogue. However, Applicant should be able to add goods/services, not included in the classification. Sakpatenti's Expert should check unclassified goods/services for membership in the Header Class.

Documents and files. Uploading of any number of additional documents is allowed. Applicant should be able to upload documents and assign title/short descriptions for them. Such documents are: translations, certification of conventional rights, certification of participating in exhibition, TM graphical, 3D, sound representation, and etc.

File upload should be available in background mode. Multiple upload should be available.

The following documents are allowed to be submitted within 1 month after submitting of Application:

1) Translations, if some documents are submitted in language, different from Georgian;
2) Graphical/sound TM representation;
3) Decree of collective TM registration;
4) Documents proving TM registration extension to Georgia;
5) Any other TM-specific documents.

If conventional/exhibition priority is requested, files, certifying priority, should be submitted within 3 months from submission of application (as well as from request for conventional priority).

Once Application is submitted, submission (request registration) number and date should be assigned to Application.

Initial Checking

The initial check is executed by the system. The presence of mandatory information and files is checked during this step. The file size must exceed 0Kb size.

If any information/document is missing, the system generates a notification, containing the missing information/document title. The Application cannot be submitted until all mandatory data is provided.

Applicant is allowed to make changes (enter/upload missing information) to the Application and repeat submission.

Completion

Application Filling Number and Filling Date should be assigned to Application automatically upon submission. Application Filling Date and Submission Date are the same.

On completion of the Application submission step, fees for the next step (Formal Examination) should be calculated and liability should be assigned. No confirmation of liability form the Sakpatenti side is required. The system should generate Draft Electronic Invoice automatically and send it to Applicant. Fees should be paid on the initiation stage of the Formal Examination step.

Liabilities should be calculated as following:

1) Formal Examination – fixed amount
2) If Convention/Exhibition/International TM registration cancellation priority is selected – increased fixed amount

Payment deadlines should be defined (1 month).

5.1.1.3 Formal Examination

Formal Examination process for TM Application is similar to standard one. Internal deadline for processing of Formal examination is defined as 2 months (if no interruptions/external requests are occurred).

The basic difference from other processes (Inventions/Utility Models and Industrial Design) is that Determination of the Object of Protection (in this case, the claimed classes of goods and services) formally should be completed on the Formal Examination stage. Determination of the Object of Protection should be completed by assigning Priority Date(s) to the Application. The Substantive Examination search includes only preparation and processing of contextual search on a subject of similarity with registered and/or claimed Trademarks.

Another difference consists in allocation of tasks. It is assumed, that Formal and Substantive examinations should be conducted by different Experts. So, it should be possible to assign task for the Expert for Formal and Substantive examinations separately.

Initiation

Once Application is submitted, the Head of Department should be notified and should be able to assign task to any Formal Expert. Notification about assigned task should be delivered to the Formal Expert.

Expert should be notified about assigned task and should be able to preview, download and print out provided information.

The Applicant should be able to pay examination fees. Fees should be paid within one month after submission of Application. The Applicant is also allowed to request for extension of payment.

The Applicant is also obligated to submit documents (if document submission liability is assigned to Application) within above mentioned month. He/she is allowed to request for extension of

documents submission deadlines. If conventional priority is requested, deadlines to submit documents automatically should be extended to 3 months from submission of Application.

The Applicant is allowed to request for suspension of processing. Processing could be suspended no more than 6 times (six 1-month suspension period, total time of suspension should not exceed 6 months). Applicant cannot request for suspension if deadlines for payment or submission of document are extended.

The Applicant is allowed to request acceleration of the procedure, as well as make changes in Application and request for changes in priority.

If documents are not submitted upon expiration of deadlines, the system should initiate Termination (Cancellation) of Application and Termination of Processing.

Processing

Formal examination should be allowed to be processed only if all payment and document submission liabilities are fulfilled (translations, certification, abstract, etc.).

The Formal Expert should get notified about fulfilled liabilities and should be allowed to start examination process.

Open for processing Application should be highlighted on the Expert's dashboard and Expert should be able to enter Application Desktop to process examination.

Interface of the Application the Formal Expert should be separated contextually (Ownership, Representation, Object of Protection, and Priorities). The checklist of mandatory documents should be available for the Expert and the Expert should be able to mark each provided document as acceptable/not acceptable, as well as confirm absence of document if it is not provided. The Expert should also be able to add comments to each particular document.

Expert should also be able to mark each particular section of the Application as acceptable/not acceptable. Expert should be able to add comments to each particular section of the Application.

The Expert should be able to mark each claimed class as acceptable/not acceptable, as well as add comments, reflecting gaps/inconsistency of each particular class.

Expert should be able to request for additional information/clarification/adjustment. The Expert should be able to generate Request Notification Draft from the Template. All comments and negative marks should be respectively placed in the Document. Request should not be allowed for submission if no negative marks/comments are added to information. Once request is submitted, the Head of Department should be notified and should be able to either confirm request, or ask for corrections (decline). Once confirmed, the Request Notification should be sent to the Applicant (via SMS (short notification) and e-mail (notification with attached document). Notification is accounted to be delivered as soon as delivery notification is received by the system. Countdown of response deadlines should be started from the moment of delivery.

If information is requested, processing of Application should be suspended until response is submitted. 2 months are defined for submission. Applicant is allowed to extend deadlines for submission (additional fees should be calculated), as well as request for suspension of processing.

If response is submitted, the Expert should be notified and should be able to recheck Application. Both Changes in Application and response via Free Communication Form are allowed. Changes should be confirmed by the Expert before processed. Applicant should be allowed to request division of the Application in response of Expert's request.

If response is not submitted within deadlines, Application should be terminated. Termination should be initiated automatically and Expert should be able to view/confirm termination. Termination should be accepted by the Head of Department and notification should be sent to Applicant and other parties (internal) of the process.

Determination of the Object of Protection and Priority Date(s)

If submitted response fulfils gaps (either fully or partially) the Expert should be able to complete the examination. Partial rejection is applicable only for classes, claimed for protection. Expert should be able to mark classes, not acceptable to be processed, as well as add comments to each class.

In the case of partially positive conclusion, the Expert should be able to prepare Notification Draft document, reflecting information on rejected classes.

Once conclusion is submitted, the system should generate and automatically assign priority date for the Application. If single priority is claimed (either filling date, or conventional priority), the system automatically should assign priority date to all classes. The system should check whether documents, confirming priority are submitted (should be marked as accepted by the Expert). If conventional priority is requested, but not confirmed, Filing date will be assigned to all classes as priority.

The Expert should be able to recheck priorities, assigned by the system, as well as reassign dates if necessary.

If gaps are not fulfilled, the Expert should be able to mark/add comments to incomplete information and should prepare Rejection Notification Draft from the template.

If submission of confirmation of rights to use geographical, historical, etc. signs in TM from State Institutions (Ministry of Culture) was required, but document is not submitted, the Expert should be able to mark gap as allowed. In this case, liability to submit document will be transferred to the next stage.

Negative marks should be reflected in the Document. The Expert should be able to select purposes for rejection (multiple selections) from the predefined list of allowed purposes, as well as add additional comments to the document. Negative conclusion should not be allowed for submission if no gaps are marked.

Three types of conclusions should be allowed to be generated:

1) Positive (Accepted)
2) Negative (Rejected)
3) Partially Negative (Accepted with exclusions)

Once conclusion is submitted, Head of Department should be get notification, accompanied with prepared document.

Completion

Once conclusion is submitted, the Head of Department should get conclusion, including Notification Document (Rejection, Partial Rejection) if applicable. The Head of Department should be able to confirm conclusion, as well as ask Expert to process changes.

Decision should be prepared by Expert and accepted by the Head of Department.

Once the Formal Examination is passed, the system should calculate substantive examination fee and assign payment liabilities to the Application. Payment deadlines should be defined (2 months). Liability should be generated automatically, and confirmed by the Financial Department. Once liabilities are confirmed, the system should generate Draft Electronic Invoice and send it to the Applicant. Fees should be paid on the initiation stage of the Substantive Examination step.

Negative /Partially Positive Conclusion Notification should be sent to Applicant automatically as decision is accepted. Notification should be accompanied by the Notification Document and Conclusion.

In the case of Positive Conclusion, the Applicant should be also notified, but neither conclusion nor any other official documents are required to be enclosed.

In both positive and partially positive cases, the Draft Electronic Invoice should be enclosed to notification.

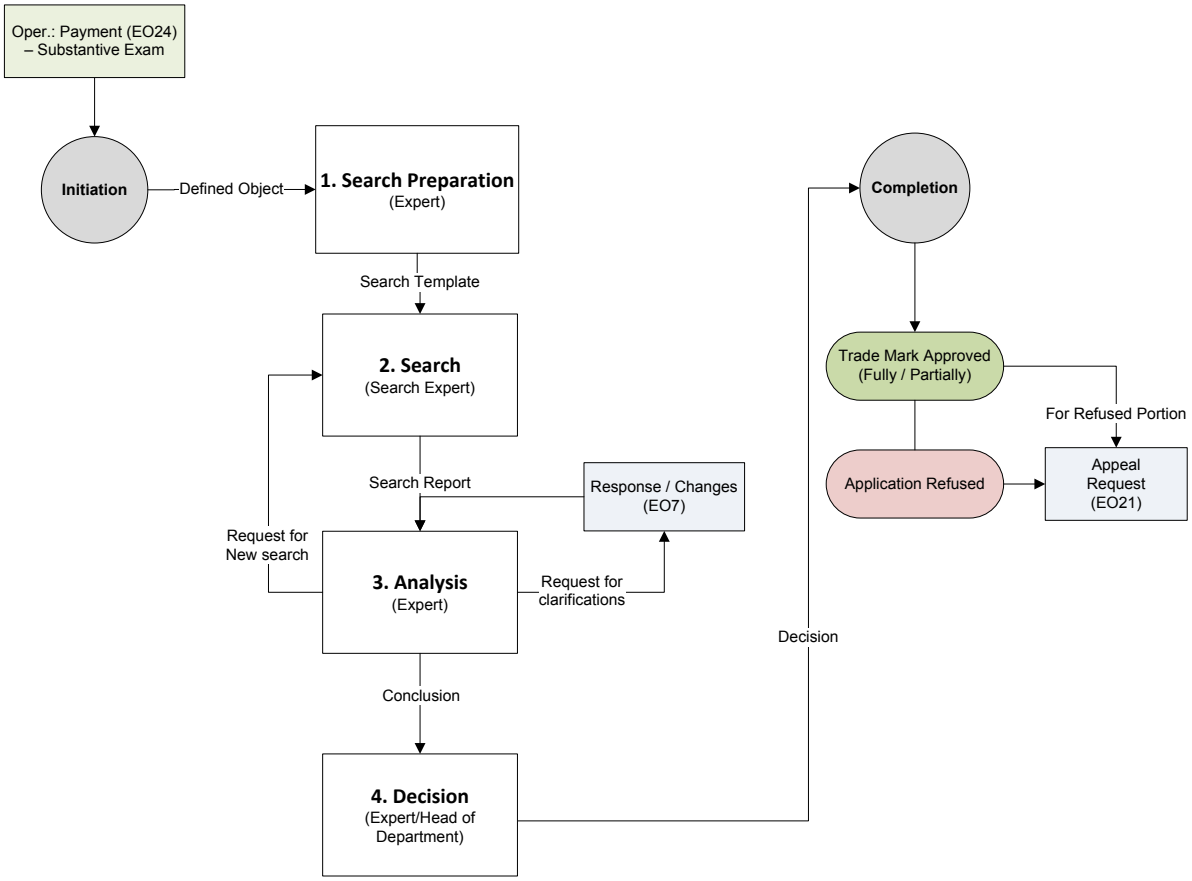
5.1.1.4 Substantive Examination

Substantive examination process for Trade Marks is not as complicated as one for other IP objects. The substantive examinations should be completed within 6 months after payment for it is done. The term of processing could be extended if operations, involving suspension of the process and/or extension of deadlines has been requested.

The process could be completed by submitting either positive (meets invention requirements and approved) or negative (does not meet invention requirements and rejected) decision. Partial decisions (only part of invention meet is a novelty and meets requirements) are also allowed.

The overall picture of flow of operations of the TM substantive examination step is provided on Figure 48.

Figure 48. Trade Marks: Processing of the Substantive Examination



Initiation

Initiation of the Substantive examination step is considered to be started when notification about decision to allow Application to this stage has been delivered to the Applicant.

On the initiation stage, the Applicant should be requested to pay fees. Applicant should pay for examination within 2 months after receiving of notification. Once deadline is expired, the Applicant should not be allowed to process payment. If payment is not provided, the system should initiate Application termination process on expiration of deadline for payment. Termination should be confirmed by the Head of Department and notification should be sent to Applicant.

The Head of Department should be able to assign task to process examination to any Substantive Expert.

Substantive examination step is considered to be initiated as soon as liabilities (payment, document submission) are fulfilled (payments are done, documents are submitted).

6 months deadline to process examination should be assigned to the owner of the process.

Processing

This step is considered to be initiated once substantive examination has been initiated.

Determination of TM uniqueness is divided by four consequent activities. None of the activities require involvement of the external user and are aimed to search for the identical and/or similar

Trade Marks and fix the decision in the system. Completion of each activity means allowance to process the next one. The process may require re-processing of some previous activity (e.g. if Analysis requires conduction of more comprehensive search).

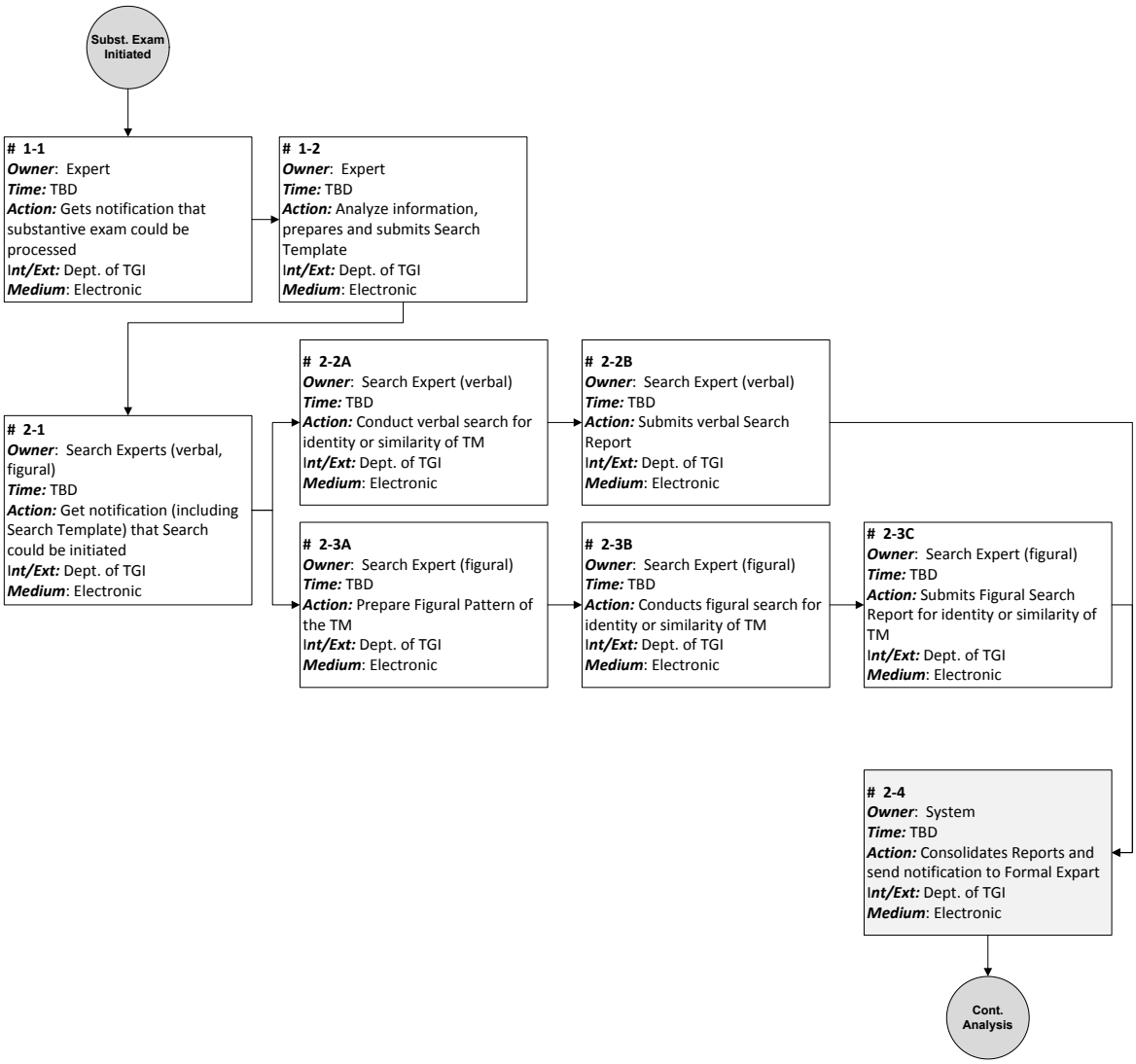
These four steps are as follows:

1) *Search Preparation* – fully internal process, consisting in preparation of the template for contextual search. Forma Expert is an executor of this phase.
2) *Search* – fully internal and automated process. On this stage the Search Expert, assigned to Application, conducts comprehensive search with the help of system tools, using different searching algorithms, and generates corresponding search report. The searching criteria are determined by the Formal Expert. All TM representations are checked for uniqueness (text, graphical sign and notes).
3) *Analysis of Results* - fully internal process during which the Expert determines the uniqueness of the TM in each stated class on the ground of automated search results. This process is mainly manual. Decision, made during this step, is final.
4) *Decision* - this is a formal completion of the Determination of TM uniqueness process. Completion of this activity forces completion of the Substantive Examination process.

Applicant is allowed to suspend the process. Applicant also can request for changes in Application independently from the process. Any changes are a subject of acceptance from Sakpatenti side. If changes are recognized as significant (significantly change in content of Trademark), the Expert should be able to request re-processing of any previous step (search, analysis).

Operation flows for four above mentioned activities are described below. Figure 49 provides the overall picture of operations, assumed to be processed during the first two steps. As a result of these two steps, a comprehensive Search Report should become available for the formal Expert. Figure 50 and Figure 51 provides overall flow of operations, finalizing Substantive Examination Process.

Figure 49. Determination of TM uniqueness: Search Preparation and Search



1. Search Preparation

1-1

The Expert should get notification, that the task is assigned for him/her and substantive examination process could be started. On this stage, Expert should have access to full information, provided by the Applicant. He/she should be able to preview, download and print out information.

1-2

The Expert should be able to analyze provided information and prepare Search Template. Search Template is a series of patterns (e.g. “win”,”*ine”, ”wine”), which should be investigated, as well as some outline of logical connections to be investigated. The Expert should be able to prepare Search Template and submit template for investigation.

The expert should be able to request both Simple Search, meaning search by provided patterns, and as Phonetic Search, assuming search for similarities in verbal sequences as pronounced.

If Trademark contains graphical reproduction, the Expert should be able to request for investigation of the image.

2. Search

Two types of search could be requested depending on type of the Trademark – verbal and figural. If Trademark has both verbal and graphical content, both types of searches should be conducted.

For verbal search two types of searches – simple (only for letter patterns) and phonetic (for pronunciation of verbal part) could be requested.

#2-1

Once Search Template is submitted, the Search Unit Experts (verbal, figural), depending on requested search, should get notification and should be able to start search activity. Notification should appear on Experts' dashboards.

 # 2-2A, B

Once notification is received, the Search Expert (verbal) should be able to conduct search using searching engine, select searching algorithms to be applied during the search. Multiple trials of search should be allowed. Results of each trial should be available on Expert's dashboard and Expert should be able to preview information, related to each found similarity. The Expert should be able to eliminate not relevant results from the list, as well as save search results.

Single report should be prepared. The Expert should be able to add found results to the report (mark result (each found similarity) as to be added in the Report). The Expert should also be able to preview list of similarities, posted to the report and eliminate redundant items from the list. The Expert should also be able to prioritize results (sort results in according to importance for report).

Once search is completed, the Expert should be able to submit results to the system.

 # 2-3A

Once notification is received, the Search Expert (figural) should be able to assign Figural Pattern to the Trademark according to International Classification Index (Vienna classifier). This Pattern should be assigned to the object and consequently could be used for search, as well as for other purposes if needed (e.g. could be published, used in external searches). The Expert should be allowed to assign figural pattern by either manual entering of the pattern string (the sequence of numbers, separated by dots like "123.34-78.23.15.667.32"), or using drop-down classifiers and constructor (to be investigated and proposed on development stage). Corresponding classifier should be available for the Expert and he/she should be able to select index from the dropdown list.

 # 2-3B, C

Search Expert (figural) should be able to choose conduct search using searching engine. Multiple trials of search should be allowed. Results of each trial should be available on Expert's dashboard and Expert should be able to preview information, related to each found similarity. The Expert should be able to eliminate not relevant results from the list, as well as save search results.

Single report should be prepared. The Expert should be able to add found results to the report (mark result (each found similarity) as to be added in the Report). The Expert should also be able to preview list of similarities, posted to the report and eliminate redundant items from the list. The Expert should also be able to prioritize results (sort results in according to importance for report).

Once search is completed, the Expert should be able to submit results to the system.

#2-4

Once required reports are submitted, the system should consolidate both reports in one Search Report and the Formal Expert should be notified about completion of the Search procedure.

3. Analysis of Results

Search Report should be available for the Formal Expert and the Expert should be able to analyze search results.

Analysis of search results is mainly manual process. The expert should be able to review the search results and enter a conclusion.

In case no identical or similar TMs were found during the search, the stage could be completed quickly without any additional review. However, if any coincidences were found, the expert should visually compare search results with the TM representation of Application and make a conclusion about its identity and similarity.

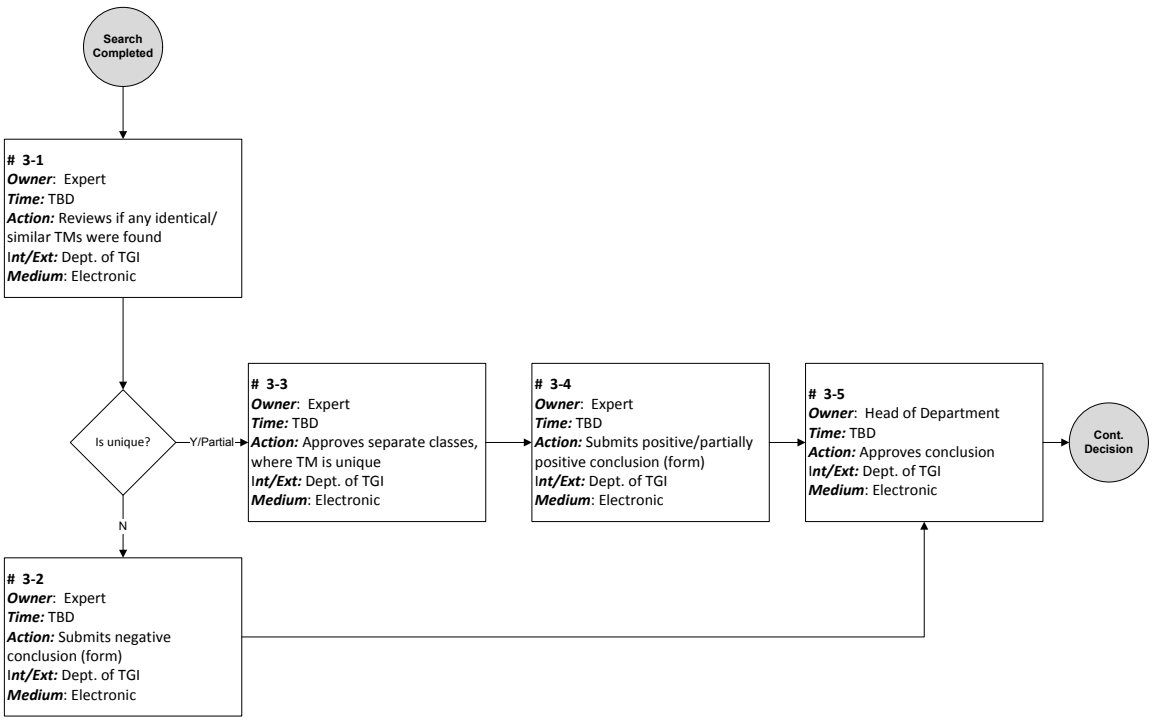
The Expert should also be able to ask for additional round of search by submitting new Search Template and request to repeat search.

The Expert also should be allowed to request for additional information, changes or clarifications from the Applicant (only in some exceptional cases, not a common process). If response from the Applicant is not received, the Expert should be able to finalize Substantive examination in accordance with his/her opinion.

This stage initiates the last step of the substantive examination (preparation and approval of decision, see *3. Decision*).

Figure 50 provides the overall picture of operations, assumed to be processed during this step.

Figure 50. Determination of TM uniqueness – Analysis



 # 2-1

The Expert should be able to review the search results and determine, whether TM is unique in concrete class of goods/services.

Conclusions should be entered about each representation of a TM in every class of goods/services.

The Expert should confirm whether Application meets (positive conclusion), does not meet (negative conclusion) or meets partially (partially positive conclusion) uniqueness requirements.

 # 2-2

If Application does not meet uniqueness requirement, the Expert should be able to submit negative conclusion. Conclusion is a subject of Approval by the Head of Department (see *# 2-5).* The expert should be able to add comments/clarification to conclusion.

 # 2-3

If Application meets uniqueness requirements, or meets partially, the Expert should be able to confirm uniqueness for the portion of Application, passed uniqueness check.

 # 2-4

The Expert should be able to submit positive/partially positive conclusion, as well as accompany conclusion by clarifications.

 # 2-5

Head of Department should be notified about submitted conclusion and should be able to confirm provided information. Head of Department should be able to ask the Expert for additional clarifications/corrections.

Once conclusion approved, the system should notify internal parties about initiation of the next operation. No notification for External Party (Applicant) is required.

4. Decision

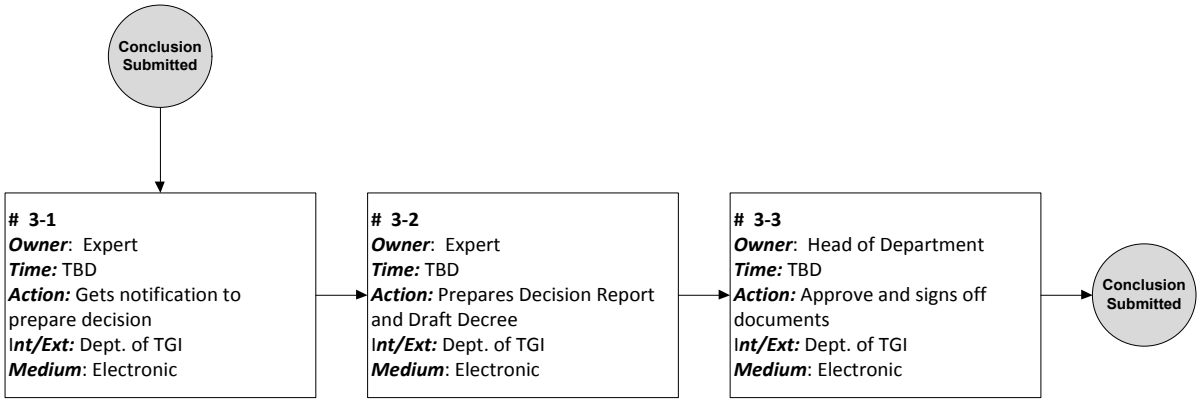
This step consists of preparation and submission of the final decision document. As soon as decision is made (positive, partially positive or negative), the Expert should be able to prepare final template of decision, as well as a draft Decree document, using special template.

In addition, on this stage the Expert should be able to assign the list of *disclamations* to trademark Object (the portion of TM, which could not be protected).

Decision, together with Draft Decree document, should be submitted and available for the Head of Department. Head of Department should be able to approve and sign off the documents, as well as should be able to ask for corrections. The head of Department should be also allowed to make some changes in the Documents before approval.

Figure 61 provides the flow of operations, which are required to be processed to complete this step.

Figure 51. Determination of TM uniqueness – Decision



 # 3-1

When the Head of Department approves conclusion of TM uniqueness analysis, the Expert should receive a notification to prepare final template of decision, as well as a draft Decree document.

 # 3-2

The Expert prepares final template of decision, as well as a draft Decree document.

 # 3-3

The Head of Department approves the Decision and Decree and signs off these documents.

Completion

On completion stage the system sends notification and electronic document(s) to Applicant.

If decision is positive or partially positive, the system assign “Approved” status to Application and notifies Department of Finance, as well as other internal parties about completion of Substantive examination stage. If decision is negative, the system should “Refused” status to Application and notifies internal system and the process of completion of processing should be initiated.

5.1.1.5 First Publication

There are no deviations from the standard process. The difference consists of information to be published and registered.

The following information should be published:

1) Application filing number
2) Application filing date
3) Initial Application number
4) Initial Application filing date
5) Full name and address of Applicant
6) Reproduction of the Trademark
7) Color of mix of colors, used in the mark
8) The list of the goods and/or services for which the trademark registration is sought.

Once application is published, parties should be notified about publication.

5.1.1.6 Registration

There are no deviations from the standard process. The difference consists of information to be published and registered.

The following information, regarding the Trademark should be registered:

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date
6) Initial Application number
7) Initial Application filing date
8) Country(Office) of registration of initial Application (country code)
9) Full name and address of the Holder of Trademark
10) Reproduction of the Trademark
11) Color of a mix of colors, used in the Trademark
12) The list of the goods and/or services for which the trademark registration is sought
13) Representation (full name/title and address)
14) Request number (chancellery number)
15) List of unprotected elements of the Trademark (disclaims).

5.1.1.7 Second Publication

There are no deviations from the standard process. The difference consists of information to be published.

If no changes in Application data were processed after the First Publication, the Second Publication should contain:

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date

If changes in the Application were processed from the First Publication and prior to registration, the Second Publication in addition should contain information on changes – changed information should be reflected in the publication.

5.1.1.8 Terms of Validity

The validity term of a trademark registration is defined by 10 years, and is counted from the date of a trademark registration with Sakpatenti. The validity term of a trademark registration can be

extended by each following 10 years, without any time-limit. Extension of the term of validity of a registration shall be effected on a request filed by the holder, after payment of the prescribed fee.

The Request to Extend Validity (See *4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS* for more details) should be filed submitted and fee paid within last 6 months of the 10th year of the certificate's validity.

Registrar is responsible to record extension in the Register and to notify the Holder about extended terms. A notice on the extension of the term of validity of a trademark registration should be recorded on the Certificate and in the Register, and shall be published in the Bulletin

Request to Extend Terms

The Holder of the Trademark should get notification, reminding expiration of validity, 6 months prior expiration. Holder should be able to submit request for extension. Once request is submitted and accepted by Sakpatenti, Draft Electronic Invoice should be generated and available for the Holder. Processing of payment for request is allowed until validity is not expired. The Holder should be able to process payment for the request.

Missed Deadline

If the request on the extension of the term of validity of the trademark registration was not filed, or fee was not paid during the determined term, the holder of the trademark should be notified upon expiration of the term and is entitled to pay the above-mentioned fee within the next 6 months from the date of expiration of the term of validity of the trademark registration. Electronic Invoice should be generated internally by the Department of Finance. 6 months payment deadline should be assigned to the Invoice.

Cancellation

In the case of missing of this time the trademark registration should be *canceled* from the date of expiration of the term of validity of the registration without the right to its reinstatement and the relevant notification should be sent to the Holder and published in the Bulletin. The Registrar is responsible to processing of Cancellation. Registrar should be notified about expiration of the extended 6 month deadline, and should prepare cancellation notification. Cancellation notification should be approved by the Supervisor (Head of Department) and sent to the Holder.

5.1.1.9 Transfer of Rights

The rights conferred by the trademark registration may be transferred to other legal entity and natural person on the basis of the rule established under the legislation of Georgia

- Transfer may be applied to the full list of goods or to its portion.
- The right to the use of a trademark can be conferred by its holder (licenser) to another person (licensee) on the basis of a license contract
- At transfer of the trademark the relevant amendments shall be recorded in the register.

Trademark Registrar is responsible for processing of transfers (see *4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS* for more details).

5.1.2 Geographical Indications[9]

Under the Law of Georgia "On Appellations of Origin and Geographical Indications of Goods", the basis for the protection of appellations of origin and geographical indications in Georgia is their registration at Sakpatenti or an interstate agreement. This law in fact came into effect in 2005, along with this, its application became possible only with respect to wines, spirits and mineral waters, as the subordinate legislation adopted in 2003 by the Ministry of Agriculture and Foodstuffs and being in force by this period provided only for the study and determination of the link of characteristics of wines, wine brandies and mineral waters with the geographical place, specification of the borders of a geographical place, registration of relevant appellations of origin and control of their use.

There are two types of Applications:

1) Application for Registration of Appellations of Origin
2) Application for Registration of Geographical Indications, also including Appellation of Origin

Appellation of Origin is the modern or historical name of the geographical area, district, region (in exceptional cases), which could be designated to goods originating in the geographical area in which the quality and features are fully or mainly due to the geographical environment and human factors In addition, these products production, processing and preparation takes place in this geographical area.

Geographical Indication is a name or any other symbol, which indicates the geographical area and used for designation of the goods:

1) Originated in this geographical area;
2) The specific quality, reputation or other characteristics related to the geographical area;
3) The manufacture or preparation or processing takes place in this geographical area.

Processing of the above mentioned Applications is pretty similar to one, described for trademarks. However there are several significant discrepancies, which should be taken into account.

The first difference is that not only legal entities and natural persons are eligible to submit Application, but the Government, represented by any state organizations, such as Ministries and/or Municipalities could (an generally applies) for registration of Geographical Indications and Appellations of Origin.

If Government applies for registration of above mentioned objects, there are no payments required to be provided for any stage of registration. In the case of non-Government applicants (association, private sector, and natural persons) are obligated to pay fees according to defined fee schedules.

If Government applies for registration, no strict deadlines are defined for processing. Application cannot be terminated because of any gaps and documents. No rejection/refusal of Application is allowed. Initial publication is not required State Applications. Claim to protect geographical objects could not be appealed by the third party in the case.

When private parties are applying for registration, Application processing should pass all steps, required to be passed for Trademark applications.

[9] Section provides quite high level and brief description of the process and should be adjusted in the next level document.

5.1.2.1 Terms of Validity

Registration of both Geographical Indications and Appellation of Origin is perpetual. No terms of validity should be defined.

5.1.2.2 Transfer of Rights

Once Geographical Indications or Appellation of Origin is registered, any third party could apply to Sakpatenti for rights to use above mentioned indications. Assignment of rights should be processed as a license contract between the Holder of Indication and the Applicant. This procedure requires involvement of both internal Experts and External Parties (Holders) in the processing. The product, claimed for utilization of the Indication, should be investigated on a subject of relevance to conditions and quality, defined by Geographical Indications or Appellation of Origin. This process is mainly manual and from automation point of view, it should be allowed to submit internally technical conclusion to the system, based

5.2 INVENTIONS AND UTILITY MODELS

Patents can be granted for industrial property objects such as:

Inventions & Utility models
Designs

The subject matters which can be regarded as inventions or utility models are as follows:

- Devices
- Methods
- Substances
- Microorganism strains
- The use of devices, methods, substances and microorganism strains for the new purpose.

The *Law of Georgia on Patent* regulates relations in connection with the creation, use and legal protection of inventions and utility models. *Instruction on Invention Registration*, Instruction on Utility Model Registration, and Schedules of Fees for Inventions and Utility Models currently regulate procedures, deadlines and payments for operations, related to submission, processing and registration of Inventions and Utility Models.

However, the processes below insignificantly deviate from instructions. It is assumed that the regulations will be adapted to the proposed process as soon as the system will be implemented.

Department of Inventions, Design and New Varieties and Breeds is an owner of processing of both Invention and Utility Models applications. The same department is also responsible for registration of IPs and processing of operations with registered IPs (Registration Unit).

5.2.1 Inventions

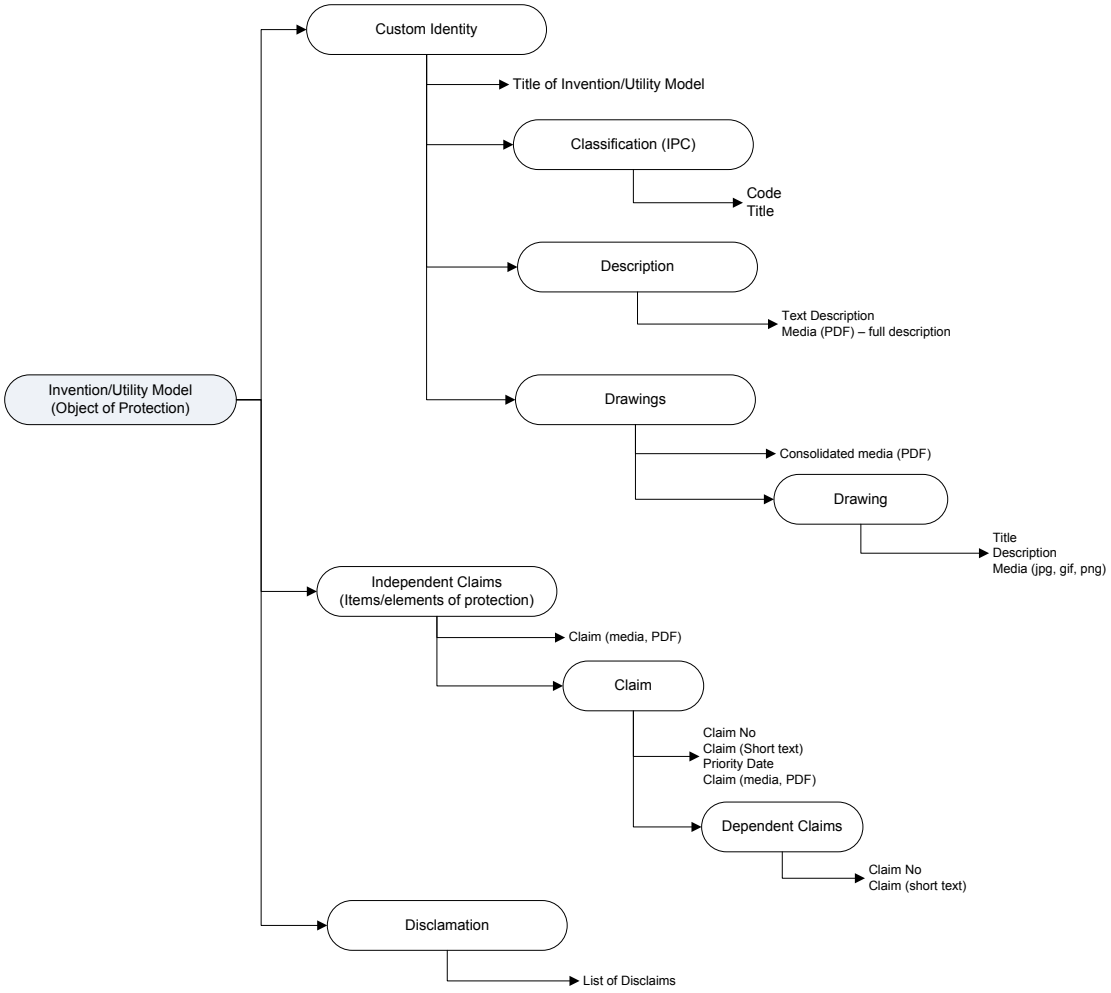
5.2.1.1 Object of Protection

Trademark Object consists from the following elements:

1) *Items (elements) of protection* - List of Independent Claims, protected by the Patent
    a. Independent Claim Number (unique)
    b. Claim text (textual information)
    c. List of Dependent Claims, connected to each independent claim
        i. Dependent Claim Number (may be repeated if one dependent claim belongs to several independent claims)
        ii. Claim text (textual information)
2) Title of Invention/Utility Model
3) Full text of Claims (in PDF format)
4) List of Classifiers according to International Classification (IPC)
5) Description
    a. Textual Description
    b. Full description in media format (PDF)
6) Drawings
    a. Media file, containing all drawings/figures
    b. List of drawings/figures
        i. Drawing number (mandatory)
        ii. Title (Optional)
        iii. Description (optional)
        iv. Media file (optional)
7) Disclamation – N/A for Inventions/UM

Figure 52 provides outline of the Object of Protection under the Invention/Utility Model protection determination.

Figure 52. Object of Protection: Invention/Utility Model



5.2.1.2 Application Submission

Submission of Application Form

Applicants are requested to submit Application Form for Registration of Inventions. Initial version of application is allowed to be submitted in English. In this case, the Applicant is required to provide translation of Application in defined period of time. Otherwise, Application will not be examined (will be terminated).

Both, international and local Applications should be submitted and processed in similar way. In the case of International Application, application form should allow Applicant to submit international application date/number, as well as to submit documents, certifying provided information.

Besides common fields (Name, Address, local correspondence address, representative, and priority, and etc.) the Applicant must fill out additional information, related to the object of protection. These fields are:

- Title of Invention
- Description of Invention
- Claims (Articles)

- Drawings
- Abstract
- List of Authors, as well as the form of Authorship (job duties, etc.), as well as documents, certifying agreement between authors and applicant (if applicable)
- Other documents, clarifying content of invention

Title of Invention: Text information, reflecting content of invention (no more than 10 words).

Description of Invention: Text information which could contain pictures and equations, and generally is not restricted in volume. Only restricted text information should be allowed to be submitted through input text field. The Applicant should be required to provide full description in MS Word and PDF formats. Applicant should be able to attach information. Information is mandatory. Description is mandatory. Description of Invention could be structured as mandatory, optional and additional information.

Claims: Numbered list of text information (claims, articles), which could contain pictures and equations. Number of items is not generally restricted. Interface should provide functionality to add and fill out new claim, as well as to delete and replace added items. At least one claim should be provided. The Applicant should be required to upload documents (MS Word and PDF formats), containing full description of claims. Only restricted text information should be allowed to be filled out via web form.

Drawings: Graphic images, numbered and uploaded either as independent files (jpg, gif), or consolidated in one PDF document. Drawings are not mandatory on this stage. Availability of graphs/drawings should be analyzed on the Formal Examination step.

Abstract: Short text description of Invention. This information could be skipped on Application Submission stage, but is mandatory to be provided during the Formal Examination stage. Abstract could also be accompanied by the list of strictly separated keywords. Abstract and keywords are aimed to be used in searches. Abstract could contain graphics and equations. The Applicant should be able to upload information in MS Word and PDF format. Abstract should be restricted by 200 words.

Authors: List of Authors of Design, including their full names and addresses. This section should be accompanied by the mark whether designs were made during execution of Authors' job duties. In this case document, confirming rights of owner of Application to claim for protection should be submitted (any kind of agreements). The system should allow to repeat automatically information, provided in the Ownership section to Authorship one. Authorship information, provided in this way, should not be allowed to be edited/changed and should fully reflect ownership information.

Documents: Uploading of any number of additional documents is allowed. Applicant should be able to upload documents and assign title/short descriptions for them. Such documents are: translations, available search reports, certification of conventional rights, confirmation of succession, and etc.

Because large files, as well as large amount of files, are expected to be uploaded, file upload should be available in background mode. Multiple upload should be available.

Description and list of claims are mandatory. The system must block submission of Application if either text information or PDF files are not provided.

The following documents are allowed to be submitted within 2 months after submitting of Application:

- Translations, if some documents are submitted in language, different from Georgian;
- Authority certifications;
- Any invention-specific documents (e.g. deposit certification, nucleotide or amino acid sequences list) documents.

If conventional/exhibition priority is requested, files, certifying priority, should be submitted within 3 months from submission of application (as well as from request for conventional priority).

Once Application is submitted, submission number and date should be assigned to Application.

Authorship

Application should also contain a list of Authors of Invention, including their full names and contact points (addresses). Authorship gives the Authors no rights of ownership of Application, except cases when Author(s) at the same time are claimed Owner(s) of the Invention (Applicants).

Concession

Registration of Inventions is a subject of concession in payments.

1) If Applicant (natural person), claiming for protection at the same time is a unique Author of Invention, all fees should be calculated according to concessional fee schedule (70% discount for all payments). No additional documents are required to be submitted. On the Application filing stage, the Applicant should be able to transfer automatically ownership data to Authorship section. In this case, the system should lock Authorship section for changes and fix concession schedule for future operations.
2) If Applicant is a student or retired person, and at the same time is an Author of the Invention, the concession schedule should provide 90% discount for all payments. The Applicant should be able to mark this option (student/retired) on the Application Filing stage and 90% discount schedule should be assigned to Application. However, in this case Applicant is required to provide documents, confirming his/her status. Documents should be provided prior execution of the Formal Examination (are assigned as liabilities to the Application). If documents are not provided, or are provided with gaps, the Expert should be able to cancel status of the Applicant, the system should change fee schedule for the Application and additional payment liabilities should be generated.

Initial Checking

The manual initial check is mandatory for Invention Applications. During manual inspection, the applicant may be asked to provide additional information and / or changes in application. If Applicant is requested to provide additional information/clarifications, she/he should get notification about request and should be able to provide information. Documents should be provided within 1 month from the request. The Applicant should be allowed to request for extension of deadlines for document submission by 1 month. Total time of extension should not exceed 6 months.

During initial checking, Applicant is not allowed to request for suspension of processing. Applicant is allowed to submit changes in Application.

Applicant is allowed to submit request for changes in Application. Submitted request is a subject of acceptance from Sakpatenti side.

Applicant should be prohibited to request for Acceleration (acceleration of the process is not applicable for both Inventions and Utility Models).

Once Application is submitted, the Head of Department should be notified and should be able to assign task to any Expert.

Expert should be notified about assigned task and should be able to preview, download and print out provided information. Expert should complete initial checking within 2 weeks from submission of Applications.

On this stage, Expert is required to check available information, is allowed to request for clarifications/amendments from Applicant and finally is responsible to provide conclusion on completeness of information. Expert should be able to submit conclusion report using check list of information and documents, required to be submitted. Expert should be able to submit conclusion with one of the following statuses: Passed (Accepted) and Not Passed (Rejected).

If mandatory information/documents (description, claims) are not checked, the system should not allow Expert to submit conclusion. Otherwise, the Expert should be able to submit either positive or negative decision.

Head of Department should be notified about submitted conclusion/decision and should be able to confirm it. Expert should be able to make changes in conclusion if required.

Once conclusion is confirmed, the system should identify status or request/conclusion and complete the step based on conclusion. If negative conclusion has been submitted, the system should initiate Rejection of Application Request. Rejection notification should be sent to Applicant.

If a positive decision has been made, the system must assign the application number and filing date to Application. Filing date should be assigned as follows:

- If no documents has been required, the filing date should be defined equal to submission date;
- If additional documents/information was required and submitted in response of request, last document submission date should be assigned to application as filing date.

Completion

On completion of the Application submission step, fees for the next step (Formal Examination) should be calculated and liability should be assigned. No confirmation of liability form the Sakpatenti side is required. The system should generate Draft Electronic Invoice automatically and send it to Applicant. Fees should be paid on the initiation stage of the Formal Examination step.

Liabilities should be calculated as following:

- Formal Examination – fixed amount
- If Convention priority is selected – increased fixed amount

Payment deadlines should be defined (1 month).

5.2.1.3 Formal Examination

Formal Examination process for Invention Application is similar to standard one. Internal deadline for processing of Formal examination is defined as 2 weeks (if no interruptions/external requests are occurred).

Formal examination should be allowed to be processed only if all payment and document submission deadlines are fulfilled (translations, certification, abstract, etc.). If concession status is assigned for the Application (single owner/author, student/retired), the Applicant should be charged according to discounted schedule. If student/retired status is required for Application, Applicant should be required to submit documents, certifying requested status.

In addition to the standard process, the Expert, assigned to Application, should be able to assign International Classification Index (International Patent Classification, IPC) to the submitted invention. Corresponding classifier should be available for the Expert and he/she should be able to select index from the dropdown list.

Expert should be able to request for additional information/clarification/adjustment. If information is requested, processing of Application should be suspended until response is submitted. 2 months are defined for submission. Applicant is allowed to extend deadlines for submission, as well as request for suspension of processing.

If concession status is required (student/retired) for the Application, but documents, certifying status are provided with gaps, the request for more info should contain request to re-submit documents.

If response is not submitted within deadlines, Application should be terminated. Termination should be initiated automatically and Expert should be able to view/confirm termination. Termination should be accepted by the Head of Department and notification should be sent to Applicant and other parties (internal) of the process.

If documents, confirming student/retired status are not provided, or still are provided with gaps, the Expert should be able to cancel status of the Applicant, the system should change fee schedule for the Application and additional payment liabilities should be generated. The Applicant should be required to pay additional fee and processing should be suspended until fees are provided. If additional payment is not provided within defined deadlines, Application should be terminated and termination of processing should be initiated.

As an alternative, the Formal Examination could be completed without payment of additional fees, and additional fee should be required to be paid together with payment for Substantive Examination.

If anonymity is requested, the Applicant should be able to request for disclosure of Name.

Three types of decisions should be allowed to be generated:

- Positive (Accepted)
- Negative (Rejected)
- Partially Negative (Accepted with exclusions)

Decision should be prepared by Expert and accepted by the Head of Department. Notification should be sent to Applicant automatically as decision is accepted.

Once the Formal Examination is passed, the system should calculate substantive examination fees and assign payment liabilities to the Application. The fees should be calculated as follows:

- Determination of object of protection – fixed amount
- Determination of state of the art for one independent claim – fixed amount

Payment deadlines should be defined (2 months).

Fees for extra claims should be generated and assigned as liability to the Application during the Substantive Examination step, as soon as Object of Protection is finally determined.

Liability should be generated automatically, and confirmed by the Financial Department. Once liabilities are confirmed, the system should generate Draft Electronic Invoice and send it to the Applicant. Fees should be paid on the initiation stage of the Substantive Examination step.

5.2.1.4 Substantive Examination

Substantive examination for Inventions is more complicated process than one for other IP objects. It includes series of interim decisions, as well as could require additional payment in the middle of the process. The substantive examinations should be completed within 6 months after payment for it is done. The term of processing could be extended if operations, involving suspension of the process and/or extension of deadlines has been requested.

Substantive examination consists of two consequent sub-steps:

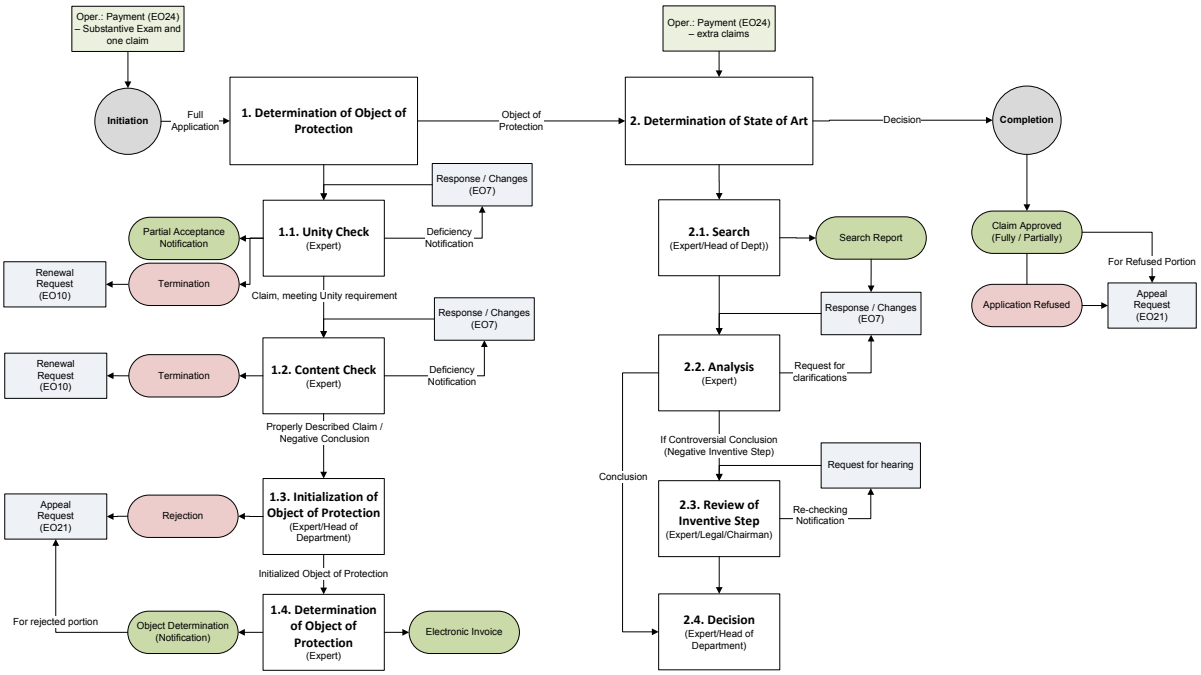
- Determination of the Object of Protection
- Determination of the State of Art of the object.

Completion of the first sub-step may initiate generating of additional payment liabilities. Application consideration process could be terminated on this phase if any additional information/clarifications have not been provided in response on Sakpatenti's request. Otherwise, Sakpatenti defines object and starts a process of research on a subject of level of novelty and usability of the invention.

The second sub-step assumes that the object is defined and termination of the application process is not allowed. This sub-step completes Substantive examination process. The process could be completed by submitting of either positive (meets invention requirements and approved) or negative (does not meet invention requirements and rejected) decision. Partial decisions (only part of invention meet is a novelty and meets requirements) are also allowed.

The overall picture of flow of operations of the invention substantive examination step is provided on Figure 53.

Figure 53. Inventions: Processing of the Substantive Examination



Initiation

Initiation of the Substantive examination step is considered to be started when notification about decision to allow Application to this stage has been delivered to the Applicant.

On the initiation stage, the Applicant should be requested to pay fees. Applicant should pay for examination within 2 months after receiving of notification. Once deadline is expired, the Applicant should not be allowed to process payment. If payment is not provided, the system should initiate Application termination process on expiration of deadline for payment. Termination should be confirmed by the Head of Department and notification should be sent to Applicant.

The Expert, assigned to the Formal Examination step as an executor, should be granted by the same rights on the Substantive Examination step automatically.

Substantive examination step is considered to be initiated as soon as liabilities (payment, document submission) are fulfilled (payments are done, documents are submitted).

6 months deadline to process examination should be assigned to the owner of the process.

Processing

Substantive examination consists of two consequent sub-steps:

- Determination of the Object of Protection. 3 months are allocated for this phase. This step requires submission of confirmed decision. Application may be terminated on this phase.
- Determination of the State of Art of the object. Last 3 months are allocated for this phase. This step may require payment of additional fees. The step is considered to be completed when decision is submitted and confirmed. No termination is allowed on this stage. Once this sub-step is completed, the Substantive examination step is considered to be done and completion of the step should be processed.

1. Determination of Object of Protection

This sub-step is considered to be initiated once substantive examination has been initiated. Determination of the Object of Protection should be completed within 3 months after payment for substantive examination is paid. This sub-step is considered to be completed when Object of Protection is determined and Priorities are assigned to application.

Determination of the object conditionally is divided by four consequent activities the first two of which are heavily human involved and the system generally should provide integrated communication tools for both Applicant and executor. The third and fourth do not require involvement of the external user and are aimed to fix decision in the system. Completion of each activity means allowance to process the next one. If the process is interrupted by submission of changes in Application, the process may require re-processing of some previous activity (e.g. if changes, submitted during the content check process, break unity of the Application, the process should be returned back to the Unity Check activity).

These four steps are as follows:

- *Unity Check* – unity of Invention means, that all articles, provided and described in the application are logically and contextually connected to each other and belong to one logical subject of invention. Otherwise, the applicant should be offered either to eliminate not exceptional claims or divide Application by a number of independent Applications. In the last case, filing date will be assigned for all new Application. Formal examination step should not be required to be processed for newly initiated Application.
- *Content Check* – review of content should be allowed to be initiated only if unity is established and confirmed. Content check is mainly manual process and means checking whether content of claims and description are provided properly, all drawings are properly referenced, there are logical connections between claims, and etc. Content check assumes active involvement of Applicants in the process. The Expert should be able to communicate with the Applicant via free communication form. Application could be terminated on this stage (if Applicant provides no response on request for clarifications, submitted by the Expert). If content of the Application is clarified and/or corrected, or there are no more reasons to continue communication with the Applicant, the Expert should be able to complete activity by submitting any positive, negative or partially negative conclusion. Conclusion should be confirmed by the Head of Department.
- *Initialization of Object of Protection* – on this stage initialization of independent and dependent claims should be completed. Independent claims should be selected. If any search reports for claims are provided by the Applicant, this information should be provided and linked to claims. Interface should provide functionality to perform above mentioned activities. Initialized object should be confirmed and approved by the Head of Department. If negative conclusion is provided, refusal of Application should be initiated.
- *Determination of Object of Protection* – This stage could be processed only if at least one independent claim is selected. On this stage priority dates should be finally defined based on claims, approved during initialization. Object of Protection should be finally approved by the Head of Department. If extra independent claims are identified, additional payment liability

should be generated and assigned to Application. Notification, containing decision, determined object and Draft Electronic Invoice, should be sent to Applicant.

- Description of operation flows for four above mentioned activities are described below.

1.1 Unity Check

Unity check is manual process, aimed to identify overall contextual unity of Invention, that means, that all articles, provided and described in the application are logically ant contextually connected to each other and belong to one logical subject of invention.

Based on analysis, Applicant may be offered to clarify identified inconvenience, make relevant changes (if needed), or divide Application by a number of independent Application, satisfying unity requirements (in the last case, filing date will be assigned for all new Application and formal examination step should not be required to be re-processed). Communication between Applicant and Expert could be organized via free communication interface. If Expert's request needs response obligatory, request for clarifications should be provided by Request for Additional Information operation. At least one request (the first one) should be provided through this operation. Number of additional requests for clarification is not restricted and depends on Expert's opinion to continue the process.

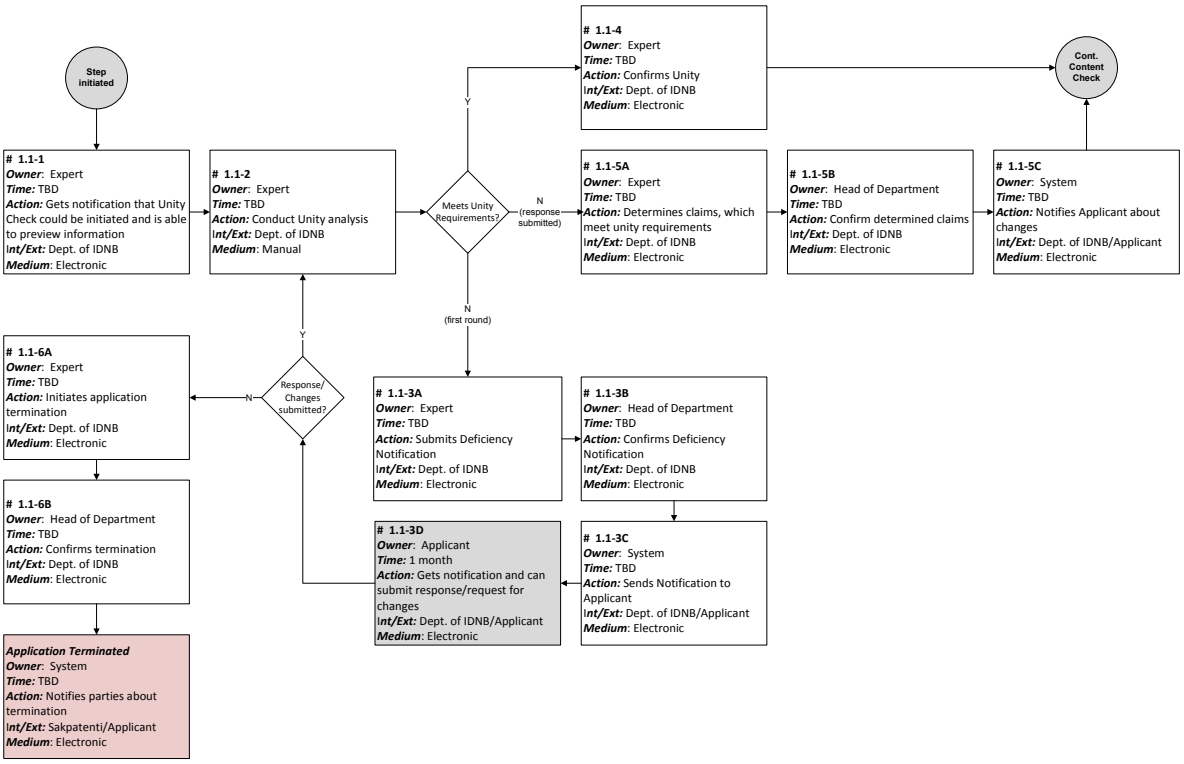
Applicant is allowed to provide free correspondence response (if arguments/clarifications are enough to response for request), as well as is allowed to request for changes in Application (change in content).

Applicant is also allowed to request for extension of deadlines for response, as well as can request for suspension of Application processing.

On this stage, no obligatory termination of Application is assumed. If response is not provided by the Applicant or is provided with gaps, Expert should be able to either terminate Application, or eliminate claims, breaking unity, and continue processing with reduced portion of claims.

Figure 54 provides flow of operations, assumed to be performed during the unity check step.

Figure 54. Determination of Object of Protection - Unity Check



 # 1.1-1

Once substantive examination is initiated, the Expert, assigned to the Application should get notification and should be able to start unity check activity. Notification should appear on Expert's dashboard and should be unlocked for processing. Information should be fully available for the Expert.

 # 1.1-2

To process manual check of Application, the Expert should be able to preview, download and print out provided information. The Expert should also be able to conduct search in provided information.

 # 1.1-3A

If some inconsistency is recognized, the Expert should be able to submit official Deficiency notification to Applicant (via Request for Additional Information operation). Template to create notification should be available for the Expert. Expert should be able to generate Draft document from the template, as well as make text amendments to it. Expert should be able to submit notification.

Notes: This operation should be requested to be submitted at least once. Negative decision should not be allowed to be provided if no request for clarifications has been sent to the Applicant. The operation can be repeated on several occasions. As an alternative, the expert should be able to use free communication form to clarify details. Free correspondence message must be fixed in the system and available for audit. Free correspondence messages are not a subject of confirmation from the Head of Department side and do not require mandatory response.

 # 1.1-3B

The Head of Department should be notified about submitted request. Head of Department should be able to preview notification, as well as should have quick access to information around the Application.

Head of Department should be able to provide comments to notification and request for corrections, as well as should be able to make corrections.

Head of Department should be able to confirm request.

 # 1.1-3C

Once request is confirmed, the System should notify Applicant about deficiency of the Application. Notification should be sent via SMS (short notification) and e-mail. E-mail notification should be attached by electronic document (Deficiency Notification).

The Expert should be also notified that notification has been sent to the Applicant.

 # 1.1-3D

The Applicant should get notification. Notification is accounted to be delivered once delivery notification is received by the system. Deadlines for submitting response (2 month) should be reflected in the notification.

Applicant should be able to provide response on request through free correspondence form (clarifications/arguments), or should be able to submit request for changes in Application to reflect changes, requested by Sakpatenti.

Response/changes should be considered by the Expert (#1.1-2) and Expert should make decision about either submission of additional request, or completing of the unity check.

Applicant should also be able to divide Application by a number of independent Applications and submit division request.

 # 1.1-4

If unity of Invention is established, the Expert should confirm unity. If Unity is confirmed, no additional activities from the Head of Department side are required. The system should allow the Expert to process the next step.

 # 1.1-5A

If there are any deficiencies in unity, the Expert should be able to make changes in Application. The Expert should be able to eliminate extra claims from application. The Expert also should be able to generate notification draft, where processed changes will be reflected.

 # 1.1-5B

The Head of Department should get notification about submitted decision and should be able to confirm changes. The Head of Department should also be able to provide comments, as well as to ask Expert for corrections in the document.

 # 1.1-5C

Once request is confirmed, the System should notify Applicant about changes in the Application. Notification should be sent via SMS (short notification) and e-mail. E-mail notification should be attached by electronic document.

The Expert should be also notified that notification has been sent to the Applicant.

1-2. Content Check

This step should be allowed to be initiated only when unity is established and confirmed. Content check is mainly manual process and means checking whether content of claims and description are provided properly, all drawings are properly referenced, there are logical connections between claims, and etc.

Formally, this process is similar to the unity check activity. However, this step allows initiation of termination of Application if no response on request from Sakpatenti side has been submitted. If response is submitted incompletely, the Expert can request for additional clarifications, or make decision to stop communication process and submit negative conclusion. No manual changes in content from the Expert's side are allowed.

The Applicants could be involved in the process if any clarification or adjustment requests are submitted by the Expert. In response of Expert's request, the Applicant should be allowed to submit either clarifications via free correspondence form, or could request for changes in Applications. Applicant can request for extension of deadlines for submission information, as well as can request for suspension of the process.

All requests for information should be confirmed by the Head of Department. No templates for conclusion are required (no decision should go out of Sakpatenti). However, the Expert should be able to provide comments to conclusion to clarify decision.

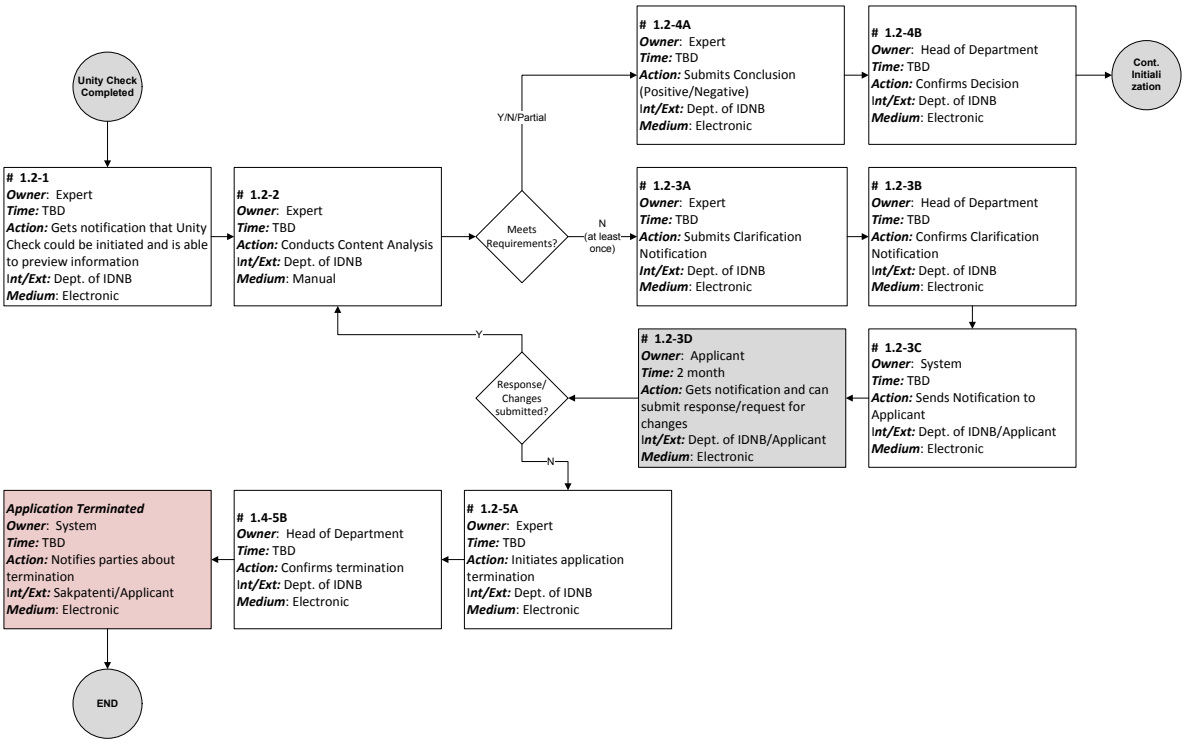
Application could be terminated on this stage (if Applicant provides no response on request for clarifications, submitted by the Expert). If content of the Application is clarified and/or corrected, or there are no more reasons to continue interaction with the Applicant, the Expert should be able to complete activity by submitting any positive, partially negative or negative conclusion, which should be confirmed by the Head of Department.

If termination process is initiated and completed, the Application should be assigned by "Terminated" status and processing of Application should be closed. Applicant should be able to submit request for renewal of Application within deadlines, defined for this operation.

The Head of Department should confirm conclusion. Confirmation makes no change in the status of the Application and processing is allowed to be continued.

Figure 55 provides an overall picture of flow of operations, assumed to be processed during the Content Check activity.

Figure 55. Determination of Object of Protection - Content Check

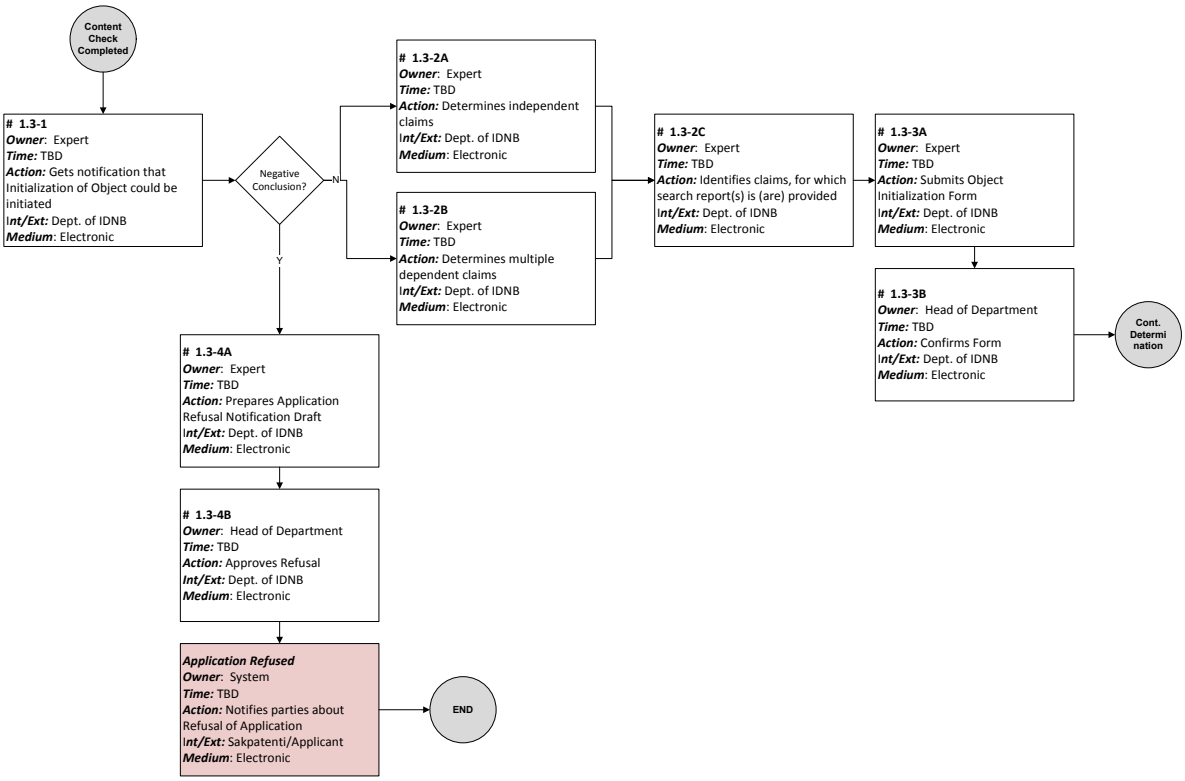


1.3 Initialization of Object of Protection

Initialization of the Object of Protection is a fully internal process, requiring no involvement of the External party. On this stage independent and dependent claims should be finally identified based on conclusion, made on the previous step. Claims should be identified by processing corresponding operations in the system and submission of final project of the Object. If previous analysis (content check) gives no bases to identify properly defined claims, refusal of Invention Application will be initiated and processed. Applicant will be notified and processing of Application will be closed. Otherwise (at least one properly defined independent claim is identified), the next step will be initiated and no notification will be sent to Applicant. Applicant will be finally notified about completion of Determination of the Object on the next step.

Figure 56 provides a picture of the flow of activities, assumed to be conducted during this stage.

Figure 56. Determination of Object of Protection - Initialization of Object of Protection



 # 1.3-1

Once conclusion of the content check is submitted, the Expert should be notified and allowed to start initialization of the Object. The Expert should be requested to complete and submit the Object Initialization Form. The form should contain the list of numbered claims, confirmed on previous steps. Full description of claims should be available for download and preview.

If any search reports for claims are provided by the Applicant, the Expert should be able to link files to claims.

 # 1.3-2A,B

Each item (claim) in the list should be allowed to be marked as independent or dependent one. If claim does not meet requirements (based on decision provided on the content check stage), this claim should be marked as rejected/eliminated.

Note: Any alternative to separate approved and rejected claims, as well as to connect independent and corresponding dependent claims in the user interface could be considered.

 # 1.3-2C

The interface should also provide functionality to mark claims, for which any kind of search reports are provided. The Expert should be able to link report files for each particular claim, as well as provide comments, corresponding to the claim.

 # 1.3-3A

The Expert should be able to submit the Object Initialization Form. The system should not allow submission of the Form if no independent claims are selected or some claims are not marked at all (as independent, dependent or rejected).

Once submitted, the form should be locked for changes. The form will be unlocked and available for changes and re-submission (if request to review form is submitted by the Head of Department, see # 1.3-3B).

 # 1.3-3B

The Head of Department should be notified about submission of the Object Initialization Form. Notification should be posted on his/her dashboard and the Form should be available for preview and confirmation.

The Head of Department should be able to ask for adjustments in the form. Request should be accompanied by comments. In changes are requested, the form should be unlocked for editing and the Expert should be able to provide changes and re-submit the form.

Confirmation of the Object Initialization Form completes this stage and allows the Expert to process the next step. Notification about confirmation should be sent to internal parties. No external notification is required to be generated and sent.

 # 1.3-4A

If fully negative conclusion is submitted and confirmed on the previous step, the Expert should not have access to the Object Initialization Form. The Expert should be provided by functionality to initialize Refusal of Application process.

The Expert should be able to generate refusal notification draft document from the available template, as well as should be able to add comments and make some amendments to the generated document.

The Expert should be able to submit document. Notification about submission should be sent to internal parties.

 # 1.3-4B

The Head of Department should be notified about initiated refusal and should be able to preview submitted document, edit, as well as request the Expert to make corrections in the document.

The Head of Department should be able to approve refusal.

Once refusal is approved, the Application should be assigned by “Refused” status. The system should notify parties about refusal. Applicant should get refusal notification via SMS or e-mail. E-mail notification should be attached by the signed electronic document. Applicant should be able to submit request for Appeal within defined deadlines (3 months after delivery of notification).

Once “Refusal” status is assigned to the Application, the system should initiate closing of Application processing.

1.4. Determination of Object of Protection

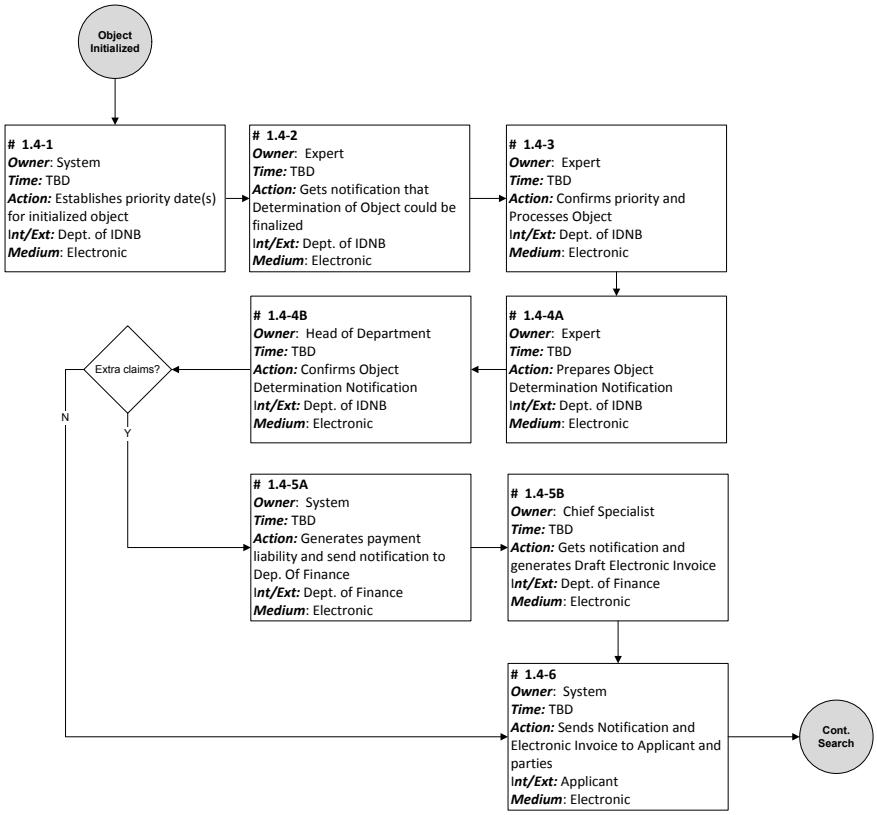
This is a final phase of determination of the Object of Protection. It is assumed, that properly described and structured Object is a subject of consideration. If any inconsistencies have been

observed and corrections have not been provided, the Application processing is already closed on the previous stages.

On this stage priority dates should be finally defined based on claims, approved during initialization. Object of Protection should be finally approved by the Head of Department. If extra independent claims are identified, additional fees should be calculated for each extra claim and payment liability should be assigned to the Application. Applicant should be notified about the final decision.

Figure 57 provides the flow of activities, assumed to be performed during this stage.

Figure 57. Determination of Object of Protection - Completion



 # 1.4-1

Once Object of Protection is defined, the system establishes priority date(s) for the Object. Invention allows existing of multiple priorities.

 # 1.4-2

The expert gets notification about assignment of priorities and is able to preview information.

 # 1.4-3

The extended Object Determination Form, containing information on priorities, assigned by the system, should be available to the Expert for review and submission. The expert should be able to connect assigned priorities to documents, confirming it. The expert should be able to make changes (re-assign) priorities. The expert should be also able to remove any conventional priorities from the Object, as well as provide comments, clarifying decision to remove/change dates.

When priorities are re-checked, the Expert should be able to confirm the final version of the Object.

After submission, the Form should be locked for changes and could be unlocked only by the Head of Department (if needed).

 # 1.4-4A

Once the Object is finally determined, the Expert should prepare notification to Applicant, confirming determination of the Object. The Expert should be able to generate draft document from an available template of notification, as well as should be able to make amendments and provide comments. The Expert should be able to submit document.

 # 1.4-4B

The Head of Department should be notified about submission of document and should be able to preview submitted document and preview the Object Determination form. The Head of Department should be able to edit document, as well as request the Expert to make corrections in it.

The Head of Department should approve document.

 # 1.4-5A

Once Determination is confirmed by the Head of Department, the system should re-check whether more than one independent claims are approved. If extra claims are submitted, the system should generate additional payment liability. The liability should reflect all extra claims, as well as should account for search reports, provided by the Applicant (in this case fees for the next step will be reduced).

 # 1.4-5B

The Department of Finance should be notified about generated liabilities and Draft Electronic Invoice should be available on the dashboard of the Chief Specialist, assigned to the Application. Chief Specialist should be able to confirm liability and Draft Electronic Invoice.

 # 1.4-6

Once Notification is submitted and Draft Electronic Invoice is confirmed (if applicable), the system should send notification to all parties, involved in the process.

Notification, sent to Applicant, should be accompanied by electronic document (signed notification), description of approved object. Draft Electronic Invoice document (if applicable) should be attached to the notification.

This activity completes Determination of the Object of Protection and allows the system to initiate the next step (Determination of State of Art).

2. Determination of State of Art

Initiation of this step assumes that the Object of Protection is already determined and confirmed. If Applicant does not agree with Sakpatenti (e.g. with refusal of any portion of invention, eliminated by Sakpatenti), he/she should be allowed able to submit Appeal Request. Initiated Appeal will automatically suspense processing. Processing of Application will be continued based on decision of the Appeal Board.

Determination of State of Art means contextual analysis of invention on a subject of novelty and usability. This process is heavily human involved and could requires intensive interaction between the Expert and the Applicant. Communication could be organized through both Free Communication channel and official requests to provide information (internal) and/or process operation (external).

This stage assumes that no termination is allowed. Absence of response from the external party will allow Sakpatenti to make decision without accounting for Applicant's arguments and opinion. Otherwise, decision to stop interaction and submit final conclusion, should be made by the Expert.

The following activities are assumed to be processed on this step:

- *Search* – fully internal and manual process. On this stage the Expert should conduct comprehensive search in different sources of information and submit corresponding Search Report. Applicant will be involved in the process only if extra fees are requires and payment is not provided. In this case Applicant could be asked to select a portion of Application, which will be processed.
- *Analysis of Results* – is an interactive process, in which both Applicant and Expert could be actively involved. On this stage the Applicant is allowed to provide arguments to defense invention, if some doubts about novelty or usability are expressed by the Expert. This activity should be completed by submission of a final conclusion.
- *Review of Inventive Step* – this activity could be initiated only if negative conclusion for inventive step is provided by the Expert. Evaluation of Inventive step is rather subjective process. Negative of controversial conclusion should be considered and approved on the executive level. This process is fully internal and mainly manual. Applicant should be notified about conclusion and could request for hearing of the case. Decision, made on this step, is final, but could be appealed by the Applicant.
- *Decision* – this is a formal completion of the Determination of State of Art process. Completion of this activity forces completion of the Substantive Examination process.

Applicant is allowed to ask for extension of any deadlines (if applicable), as well as to suspend the process.

Applicant also can request for changes in Application both in response of request from Sakpatenti, and independently from the process. Any changes are a subject of acceptance from Sakpatenti side. If changes are recognized as significant (significantly change in content and structure of invention), the Expert should be able to request re-processing of any previous step (unity check, content check, search).

Operation flows for four above mentioned activities are described below.

2.1 Search

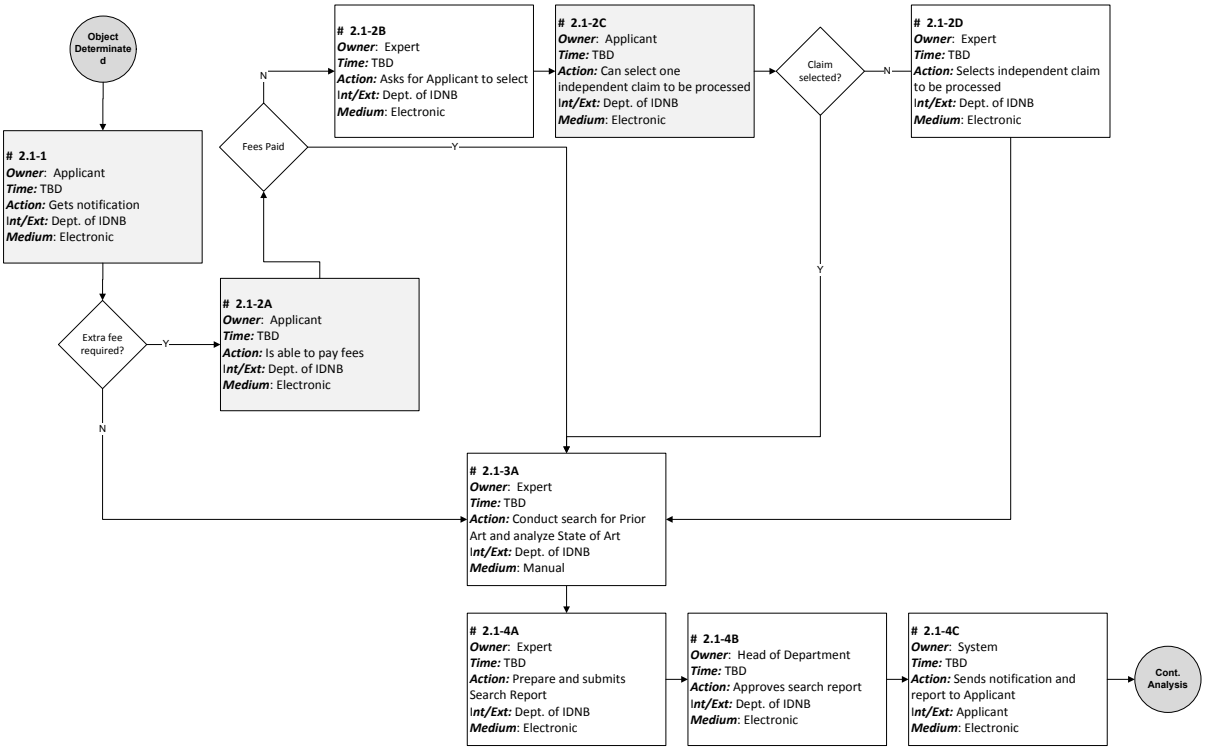
Search could be started by the Expert only if no payment liabilities are assigned to the Application. Applicant is responsible to pay for extra claims (if applicable). If payment is not provided within deadlines, the process cannot be terminated (processing of one claim is prepaid). The Applicant will be asked to select one claim from the list of independent claims. If claim has not been selected in response to Sakpatenti request, the Expert will process search only for the first independent claim. Other claims will be eliminated from Application.

On this stage the Expert should conduct comprehensive search in different sources of information and submit corresponding search report. Search report should be provided in strictly defined form. Search report is a subject of confirmation by the Head of Department.

This activity is accounted to be completed when search reports is Approved and sent to the Applicant.

Figure 58 provides the overall picture of operations, assumed to be processed during this step.

Figure 58. Determination of State of Art - Search



 # 2.1-1

Once object is confirmed, both Applicant and Experts gets notification about determination of the object and can view information on their dashboards. Application should be locked for processing until payment is provided (if applicable). If extra payment is not required, the Expert should be able to start search process as soon as notification is received.

 # 2.1-2A

If payment of extra fees is required, Applicant should see Draft Electronic Invoice on his/her dashboard and should be able to pay for processing. If payment is processed within deadlines, the Expert should be notified and Application should be unlocked for processing.

 # 2.1-2B

If payment has not been processed the Expert should be notified about expiration of deadlines. The Expert should be able to ask Applicant for selection of one independent claim. This request does not require mandatory response, so it could be provided via free correspondence form.

 # 2.1-2C

Applicant is responsible to select one independent claim, which is desirable to be evaluated, as well as should eliminate extra dependent claims from the Application. Changes should be submitted as request for changes and are a subject of acceptance from Sakpatenti side.

If changes are submitted properly and are accepted by Sakpatenti, the Expert should be able to start search.

 # 2.1-2D

If changes are not provided, or are provided with gaps and are not accepted, the Expert is allowed to select one independent claim for processing. By default, the first claim should be selected as a single claim for processing. The Expert should be able to eliminate extra dependent claims from the application and submit changes.

 # 2.1-3A

Once Application is unlocked for search, the expert should be able to preview, download, print out and group information in order to organize search. Search is fully manual process and system plays the role of the source of information. Search is completed when Prior Art (benchmark) for invention is identified and invention is compared to existing benchmark.

 # 2.1-4A

The Expert should be able to generate Search report template by submitting the Search Report Form. Search Report Form should provide functionality to list a number of documents (Prior Art), which are found and referred in evaluation process. The number of documents should not be restricted.

Each document in the list should be accompanied by the reference to document (web link, document number and source, etc.).

Each independent claim should be linked to the list of identified documents and each reference should be evaluated compare to the benchmark. Standard marks are allowed to be provided for evaluation ('X' – does not meet novelty requirements, 'Y' – does not meet inventive step requirement, 'A' – meets both requirements; other marks are also available to be used and should be provided in the form of classifiers).

The Expert should be able to provide comments to each reference/evaluation and should be able to generate a draft of Search Report. Report draft should reflect information, provided in the Report Form and should allow the Expert to make amendments to Report document. Once submitted, the report cannot be modified without request/allowance of the Head of Department

 # 2.1-4B

The Head of Department should be notified about submission of the Search Report and should be able to preview and print out information. He/she should be able to ask the Expert for adjustments and allow re-submission of the form/report.

The Head of Department should be required to confirm approval of the report.

 # 2.1-4C

Once report is approved, the system should sent notification to all parties and report should become available for them. The system should notify Applicant about submission of the report by SMS (short notification) and e-mail. E-mail notification should be attached by the Report document.

Step is considered complete as soon as the search report is sent to all parties.

2.2 Analysis of Results

Analysis of Search Results is a manual process, assuming active involvement of both Applicant and Expert. On this stage conclusion to register invention or part of invention should be provided.

Invention should be evaluated by two criteria: Novelty (technical step) and level of usability (Inventive step). If invention does not meet novelty requirements, Application could be rejected without any additional discussions. Inventive step is more complicated and subjective criteria and could require additional in-depth discussion and analysis if any doubts or collisions exist (see *2.3 Review of Inventive Step*).

On this stage, the Applicant is able to get familiar with search report and provide defensive arguments on negative conclusions, provided by Sakpatenti. If no arguments are provided within defined deadlines (2 months), the Expert should be allowed to review report and is make final conclusion based on search results.

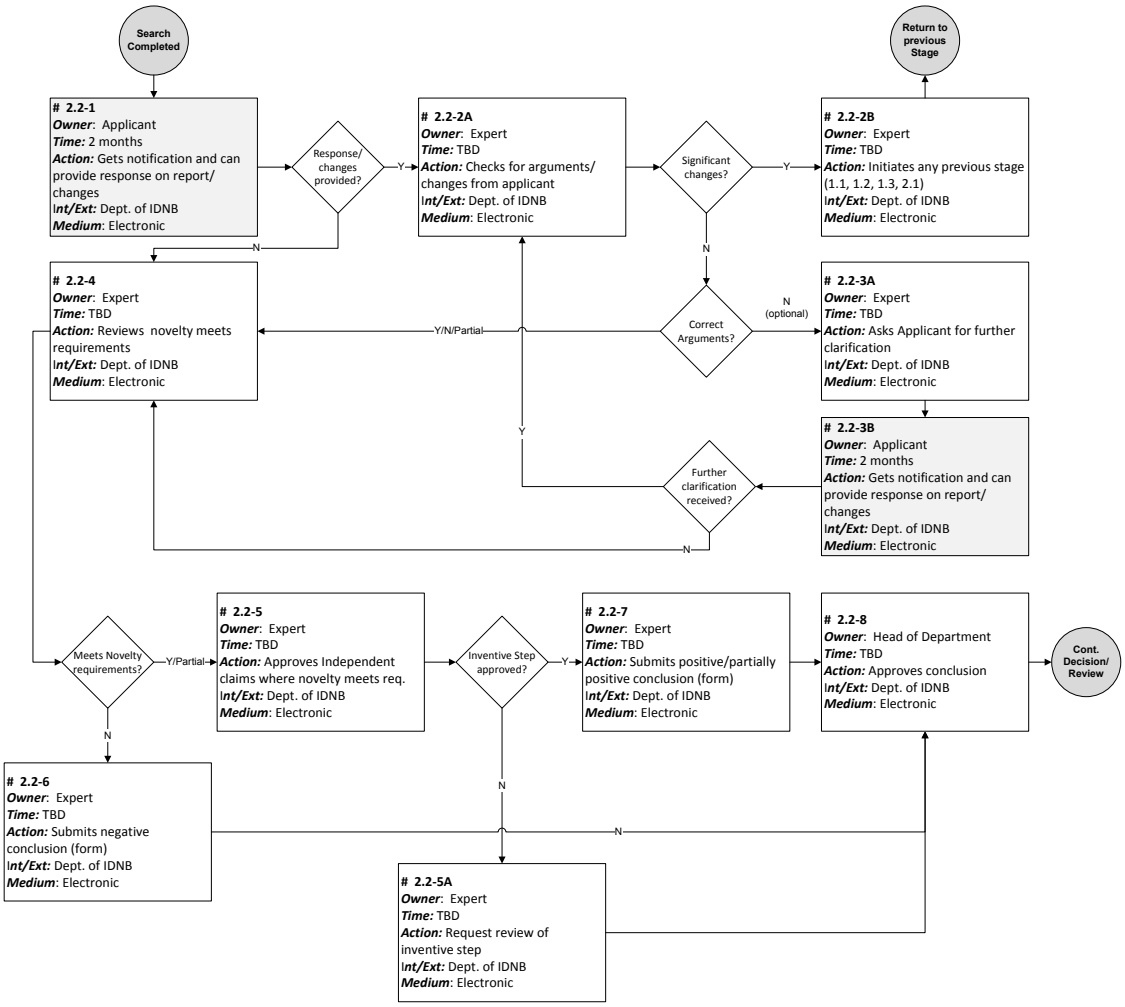
If conclusion is acceptable basis to register invention, this stage could be completed quickly without any additional interaction between parties. However, if any doubts about invention's novelty and usability exist, the interaction between Applicant and Expert could take considerable period of time and could be stopped by Expert if he/she agrees with the Applicant's arguments, Applicant provides change, reflecting Expert's opinion, or Expert believes that the reason to continue the debate is no longer exists.

Applicant is allowed to provide any changes on this stage and request for changes is a subject of acceptance from Sakpatenti side. If significant changes are submitted, the Expert could request for re-processing of any previous step, such as unity/content check or re-determination of the Object or new search.

This stage could initiate the last step of the substantive examination (preparation and approval of decision, see *2.4 Decision*) if invention step is confirmed, or could require additional review on the Inventive step conclusions (see *2.3 Review of Inventive Step*). If novelty is not confirmed, negative conclusion should be submitted. If Invention step is confirmed (it means that novelty is confirmed too), the positive conclusion should be submitted. Otherwise, invention should be additionally considered and discussed.

Figure 59 provides the overall picture of operations, assumed to be processed during this step.

Figure 59. Determination of State of Art - Analysis of Results



 # 2.2-1

Once search report is approved, the Applicant should be notified and should get Search Report document attached to corresponding notification. Notification is considered to be delivered when delivery notification is received by the system. Search Report should be also available for Applicant from his/her dashboard.

Applicant should be able to provide feedback on the Report via free correspondence form, within deadlines, defined for feedback (2 months from delivery). Applicant should be also able to request for changes in Application to correct discrepancies noted in the Report.

 # 2.2-2A

The Expert should be notified about submission of feedback/changes, as well as about expiration of deadlines if no feedback has been provided. The expert should analyze response and process changes, if requested. Request of changes is a subject of acceptance from Sakpatenti side.

 # 2.2-2B

Significant changes could force re-initiation of any previous steps (re-determination of the Object of Protection, or search) and could become a basis for generating of additional payment liabilities. If

significant changes are identified, the Expert should be able to accept changes and re-initiate any previous step.

If changes are not identified as significant, or free correspondence feedback is provided, the Expert should analyze Applicant's arguments and make decision about next steps.

 # 2.2-3A, B

If arguments/changes, provided by Applicant do not correct discrepancy, the Expert should be able to request for additional clarifications. However, this step is optional and depends totally on Expert's subjective opinion. If Expert believes, that discrepancies potentially could be corrected, he could submit additional request(s) and the next step will depend on feedback, received from Applicant. If no feedback is received, the Expert can continue analysis and made final conclusion. If Expert believes, that interaction with Applicant will not bring any result and there is no reason to continue, the Expert is allowed to go forward.

If request for clarifications is submitted, Applicant should be able to response on request via both free correspondence form and Change request form.

 # 2.2-4

Each updated version of Application, or arguments, provided by Applicant should be considered by the Expert on the subject of Novelty. If no feedback is received, the Expert should be able to review last accepted version of Application.

The Expert should confirm whether Application meets (positive conclusion), does not meet (negative conclusion) or meets partially (partially negative conclusion) novelty requirements. Conclusion, provided by the Expert, should be confirmed by the Head of Department (see *#2.2-8*).

 # 2.2-5

If Application meets novelty requirements, or meets partially, the Expert should be able to confirm novelty for the portion of Application, passed novelty check. The Expert is responsible to confirm Inventive step on this stage.

 # 2.2-5A

If Inventive step is not confirmed, the Expert should be able to request for review of the Inventive step by submitting corresponding request. Request should be confirmed by the Head of Department.

 # 2.2-6

If Application does not meet novelty requirement, the Expert should be able to submit negative conclusion. If negative conclusion is submitted, there are no reasons to process confirmation of Inventive step. Conclusion is a subject of Approval by the Head of Department (see *# 2.2-8).* The expert should be able to add comments/clarification to conclusion.

 # 2.2-7

If there are no doubts in invention step of application (of a portion of application, satisfying novelty requirements), the Expert should be able to submit positive/partially positive conclusion, as well as accompany conclusion by clarifications.

 # 2.2-8

Head of Department should be notified about submitted conclusion and should be able to confirm provided information. Head of Department should be able to ask the Expert for additional clarifications/corrections.

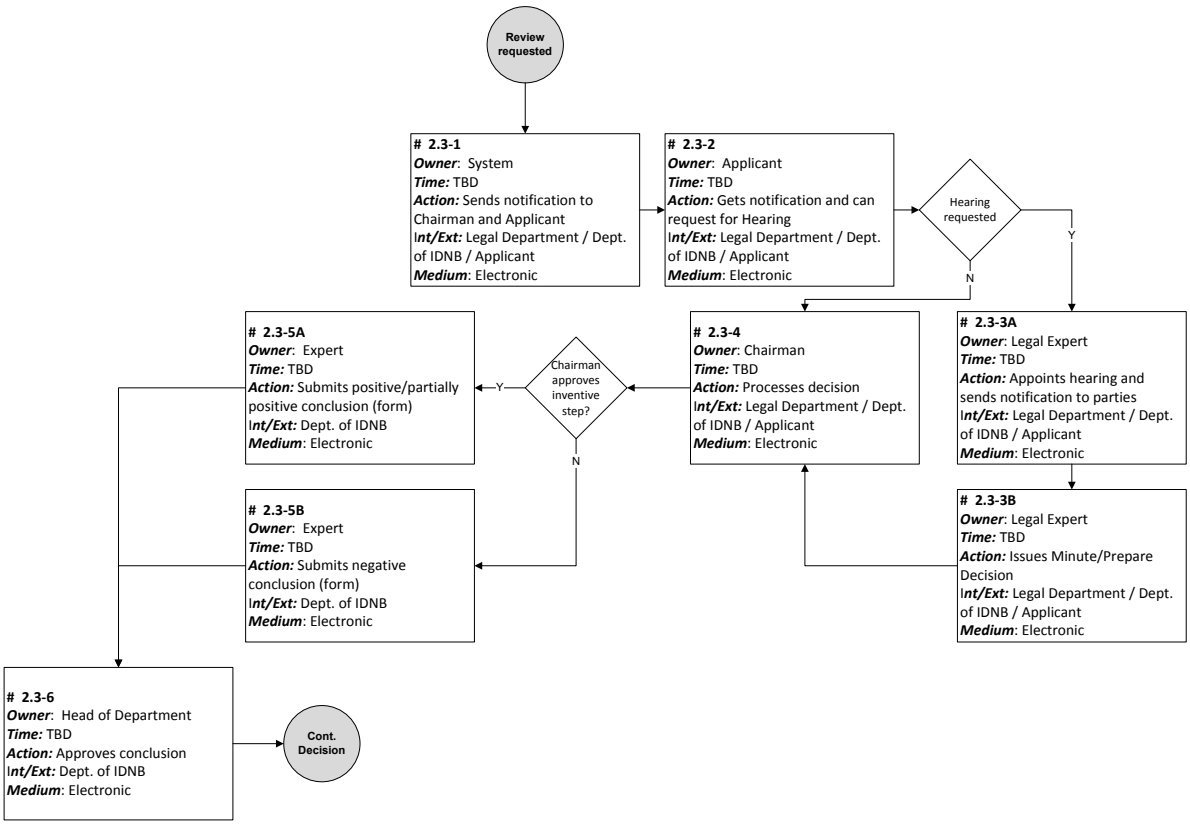
Once conclusion approved, the system should notify internal parties about initiation of the next operation. No notification for External Party (Applicant) is required.

2.3 Review of Inventive Step

This activity will be initiated only by Expert if negative or controversial conclusion for inventive step is made. This process is fully internal and mainly manual. However, id step is initiated, the Applicant should be notified and should be allowed to request for hearing of the case. Decision, made on this step is final, but could be appealed after decision is made and provided to Applicant.

The overall picture of this activity is provided on Figure 60. It is assumed, that most of internal communications are allowed to be conducted via internal communication tools and are not reflected on the diagram.

Figure 60. Determination of State of Art - Review of Inventive Step



 # 2.3-1

Once Review request, submitted by the Expert, confirmed by the Head of Department, the system should notify all parties about re-checking process. The Chairman of Sakpatenti is involved in the re-checking process and should be also notified.

 # 2.3-2

Notification should be delivered to Applicant and should appear on his/her dashboard. Applicant should be able to request for hearing. Request should be submitted via Free Correspondence form. No special form is required. Deadline for request are strictly defined. Request should be allowed to be submitted within defined deadlines.

 # 2.3-3A

If Hearing is requested by the Applicant, the Legal Department should be notified about request and should appoint hearing date. Hearing date should be confirmed with Chairman and notification about hearing should be sent to Applicant.

 # 2.3-3B

The legal department is responsible for submission of a minute for Hearing. Minute should be submitted by the Legal Expert through his/her interface. Legal Department should be able to prepare the project of decision (Draft Decision).

 # 2.3-4

Chairman should be able to view submitted documents on his/her dashboard and should be able to approve decision.

Based on results of considerations, the Chairman should be able to process decision. Chairman should be able to submit comments/clarifications on submission of Decision, as well as should be able to request for corrections. Chairman should process decision by Approval of the Draft Decision document.

Once document is approved, the Applicant should be notified about decision. Decision document should be attached to notification.

Other internal parties should also be informed/notified about submitted decision.

 # 2.3-5A, B

Based on submitted decision, the Expert should be able to prepare final conclusion – either positive/partially positive (if Inventive step is approved by the Chairman), or negative (if Inventive step is declined).

 # 2.3-6

Head of Department should be notified about submitted conclusion and should be able to confirm provided information. Head of Department should be able to ask the Expert for additional clarifications/corrections.

Once conclusion approved, the system should notify internal parties about initiation of the next operation (2.4 Decision). No additional notification for External Party (Applicant) is required on this step.

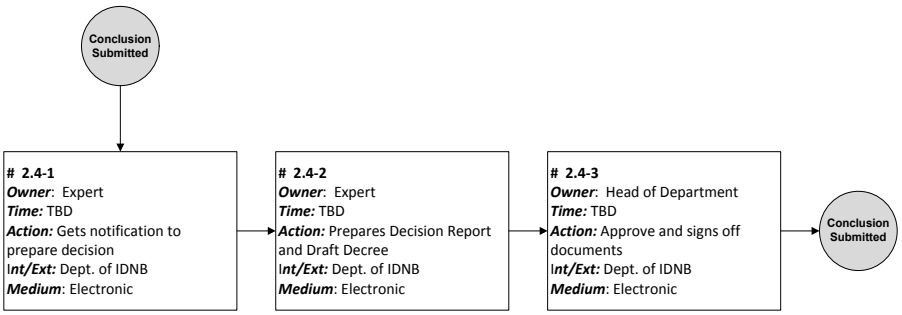
2.4 Decision

This step consists of preparation and submission of the final decision document. As soon as decision is made (positive or negative), the Expert should be able to prepare final template of decision, as well as a draft Decree document, using special template.

Decision, together with Draft Decree document, should be submitted and available for the Head of Department. Head of Department should be able to approve and sign off the documents, as well as should be able to ask for corrections. The head of Department should be also allowed to make some changes in the Documents before approval.

Figure 61 provides the flow of operations, which are required to be processed to complete this step.

Figure 61. Determination of State of Art - Decision



Completion

On completion stage the system sends notification and electronic document(s) to Applicant.

If decision is positive or partially positive, the system assign “Approved” status to Application and notifies Department of Finance, as well as other internal parties about completion of Substantive examination stage. If decision is negative, the system should “Refused” status to Application and notifies internal system and the process of completion of processing should be initiated.

5.2.1.5 First Publication

There are no deviations from the standard process. The difference consists of information to be published and registered.

The only significant difference is that payment for both first publication and registration should be paid together. First publication could be processed only if both payments are done. Consequently, the Department of Finance should be able to generate two payment liabilities (Electronic Invoices) and the Step must be initiated only both liabilities are fulfilled.

1) Application filing number
2) Application filing date
3) Initial Application number
4) Initial Application filing date
5) Full name and address of Applicant(s)
6) Full name and address of Authors(s)
7) International Classification (IPC)
8) Invention Title
9) Description of Claim
10) Number of Dependent and Independent Claims
11) Total number of attached figures and drawings

5.2.1.6 Registration

There are no deviations from the standard process. The difference consists of information to be published and registered.

The only difference is that payment for both First Publication and Registration is required to be provided on the First Publication step. Therefore, Registration step should be initiated without confirmation of processing of payments.

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date
6) Initial Application number
7) Initial Application filing date
8) Country(Office) of registration of initial Application (country code)
9) Full name and address of the Holder(s) of Invention
10) Full name and address of Authors(s)
11) International Classification (IPC)
12) Invention Title
13) Description of Claim
14) Number of Dependent and Independent Claims
15) Total number of attached figures and drawings (attachments)
16) Attachments: Claims and Drawings

5.2.1.7 Second Publication

There are no deviations from the standard process. The difference consists of information to be published.

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date
6) International Classification (IPC)
7) Invention Title

5.2.1.8 Terms of Validity

The term of validity for Patent is 20 years. Term of validity should be extended annually by providing relevant payment. Payments are different for different years of validity. However, the system should provide functionality to pay for a number of periods (some next periods or full 20 years) together by requesting relevant operation and providing payment.

Before paid term is expired, the Applicant should receive notification about expiration. See *4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS* for more details.

5.2.1.9 Request for Re-checking of Invention (Third Party)

Any third party is allowed to request for re-checking of invention if any doubts about the correctness and depth of examination exist or/and any information, not available for Sakpatenti's Experts, and correspondingly, not analyzed during examination, is available for the Third Party. This process is not covered in details in this document and should be investigated in depth on the next step of development of requirements. This process is close to Third Party Appeal process and could be modeled according to it.

5.2.1.10 Transfer of Rights

The rights conferred by the invention registration may be transferred to other legal entity and natural person on the basis of the rule established under the legislation of Georgia

Patent Registrar is responsible for processing of transfers (see *4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS* for more details).

5.2.2 Utility Models

Processing of Utility Model Applications differs from processing of Invention Applications only on the step of substantive search. In the case of Utility Models, search is required to be conducted only in local (Georgian) Patent Database.

Applicant could request transformation of Utility Model Application to Invention Application. Request is allowed to be submitted only prior search is initiated. If transformation request is accepted, the System changes type of Application and the Expert is requested to conducts comprehensive search (International and local) and continue to process Application as an Invention Application.

Applicant could also request transformation of Invention Application to Utility Model Application (see *4.2*

Inventions). Request is allowed to be submitted before search process is started. If transformation request is accepted, the System changes type of Application and the Expert is requested to conduct only local search and continues to process Application as a Utility Model Application.

The term of validity for Utility Model is 10 year and validity should be confirmed annually by providing relevant payment.

5.3 DESIGN

The *Law of Georgia on Design* recognizes the property right of the object of intellectual property – the design. Regulates relations concerned with creation, registration, use, legal protection of the

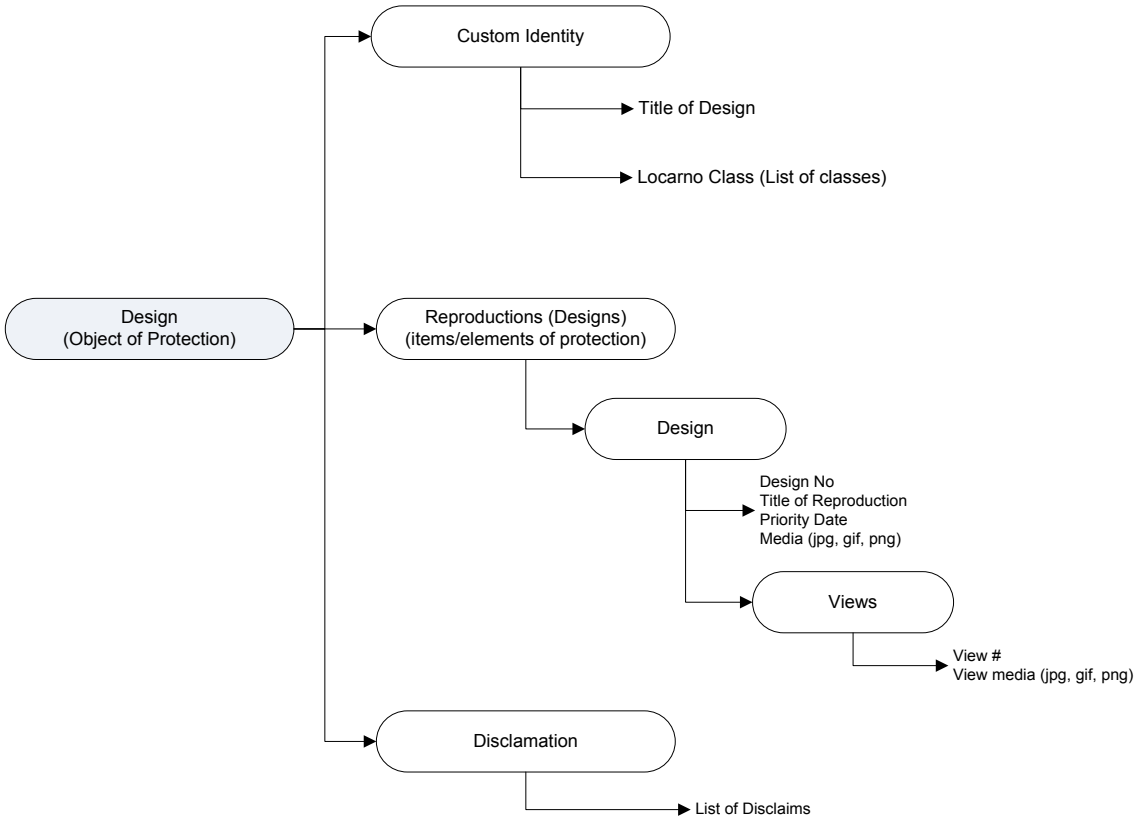
design and implementation of the deriving rights. *Instruction on Design Registration* and *Schedule of Fees for Designs* currently regulate procedures, deadlines and payments for operations, related to submission, processing and registration of Designs.

Department of Inventions, Design and New Varieties and Breeds is an owner of processing of both Invention and Utility Models applications. The same department is also responsible for registration of IPs and processing of operations with registered IPs (Registration Unit).

5.3.1.1 Object of Protection

1) *Items (elements) of protection* – Designs, claimed to be protected, each containing
    a. Design No
    b. Design Title
    c. Priority date (date, used mainly for determination of the element's validity)
    d. Reproduction (media file)
    e. List of views for each particular design, including
        i. View number
        ii. Reproduction of view (media file)
2) Title of Design
3) Class – classification of Design according to Locarno Classification
    a. Class code
    b. Class title
4) Disclamation – is not applicable for designs.

Figure 62. Object of Protection: Design



5.3.1.2 Application Submission

Submission of Application Form

Applicants are requested to submit Application Form for Registration of Design(s). Initial version of application is allowed to be submitted in English. In this case, the Applicant is required to provide translation of Application in defined period of time. Otherwise, Application will not be examined (will be terminated).

Besides common fields (Name, Address, local correspondence address, representative, and priority, and etc.) the Applicant must fill out additional information, related to the object of protection. These fields are:

- Title of Design
- Numbered and Titled Reproduction(s) of Design(s) – No more than 100 designs are allowed to be submitted in one Application
- Numbered reproductions of views for each particular design
- List of Authors, as well as the form of Authorship (job duties, etc.), as well as documents, certifying agreement between authors and applicant (if applicable)
- Other documents, clarifying content of invention

Title of Design: Text information, reflecting content of design (no more than 10 words).

Reproduction(s) of Design(s) and views: Reproduction of Design(s) is a consequently numbered (should be numbered automatically) and titled uploaded graphical files, meeting particular requirements (size, ratios, formats etc.). No more than 100 designs should be allowed. The system should provide functionality to upload large high quality graphics and automatically should create low quality small file for on-screen previews.

Views: Each design could be accompanied by a not-restricted number of views of design – graphical files, meeting some requirements (size, ratio, format, and etc.). Views should be numbered in connection to number of the design, to which they are connected (e.g. 1.1, 1.2, 2.1, and etc.). Views should not be titled.

Authors: List of Authors of Design, including their full names and addresses. This section should be accompanied by the mark whether designs were made during execution of Authors' job duties. In this case document, confirming rights of owner of Application to claim for protection should be submitted (any kind of agreements). The system should allow to repeat automatically information, provided in the Ownership section to Authorship one. Authorship information, provided in this way, should not be allowed to be edited/changed and should fully reflect ownership information.

Because large files, as well as large amount of files, are expected to be uploaded, file upload should be available in background mode. Multiple upload should be available. Multiple upload for designs and views for each particular design should be separated.

Documents: Uploading of any number of additional documents is allowed. Applicant should be able to upload documents and assign title/short descriptions for them. Such documents are: translations, available search reports, certification of conventional rights, confirmation of succession, copies of agreements, and etc.

Applicant is allowed to request for acceleration upon submitting of the Application.

Application should also be allowed to request for postponement of publication. He/she should be provided by functionality to select number of months of postponement. Number of months is restricted (30 months). Later, the Applicant should be able to ask for cancellation of postponement.

The following documents are allowed to be submitted within 2 months after submitting of Application:

- Translations, if some documents are submitted in language, different from Georgian;
- Authority certifications;
- Authorship agreements.

If conventional/exhibition priority is requested, files, certifying priority, should be submitted within 3 months from submission of application (as well as from request for conventional priority).

Once Application is submitted, submission number and date should be assigned to Application.

Authorship

Application should also contain a list of Authors of design, including their full names and contact points (addresses). Authorship gives the Authors no rights of ownership of Application, except cases when Author(s) at the same time are claimed Owner(s) of the Invention (Applicants).

Concession

Registration of Inventions is a subject of concession in payments.

1) If Applicant (natural person), claiming for protection at the same time is a unique Author of Invention, all fees should be calculated according to concessional fee schedule (70% discount for all payments). No additional documents are required to be submitted. On the Application filing stage, the Applicant should be able to transfer automatically ownership data to Authorship section. In this case, the system should lock Authorship section for changes and fix concession schedule for future operations.
2) If Applicant is a student or retired person, and at the same time is an Author of the Invention, the concession schedule should provide 90% discount for all payments. The Applicant should be able to mark this option (student/retired) on the Application Filing stage and 90% discount schedule should be assigned to Application. However, in this case Applicant is required to provide documents, confirming his/her status. Documents should be provided prior execution of the Formal Examination (are assigned as liabilities to the Application). If documents are not provided, or are provided with gaps, the Expert should be able to cancel status of the Applicant, the system should change fee schedule for the Application and additional payment liabilities should be generated.

Initial Checking

The initial check is executed by the system. The presence of mandatory information and files is checked during this step. The file size must exceed 0Kb size.

If any information/document is missing, the system generates a notification, containing the missing information/document title. The Application cannot be submitted until all mandatory data is provided.

Applicant is allowed to make changes (enter/upload missing information) to the Application and repeat submission.

Completion

Application Filling Number and Filling Date should be assigned to Application automatically upon submission. Application Filling Date and Submission Date are the same.

On completion of the Application submission step, fees for the next step (Formal Examination) should be calculated and liability should be assigned. No confirmation of liability form the Sakpatenti side is required. The system should generate Draft Electronic Invoice automatically and send it to Applicant. Fees should be paid on the initiation stage of the Formal Examination step.

Liabilities should be calculated as following:

1) Formal Examination – fixed amount
2) If Convention/Exhibition/International TM registration cancellation priority is selected – increased fixed amount

Payment deadlines should be defined (2 weeks)

5.3.1.3 Formal Examination

Formal Examination process for Design Application is similar to standard one. Internal deadline for processing of Formal examination is defined as 1 month (if no interruptions/external requests are occurred).

Formal examination should be allowed to be processed only if all payment and document submission deadlines are fulfilled (translations, certification, abstract, etc.). If concession status is assigned for the Application (single owner/author, student/retired), the Applicant should be charged according to discounted schedule. If student/retired status is required for Application, Applicant should be required to submit documents, certifying requested status.

Expert should be able to request for additional information/clarification/adjustment. If information is requested, processing of Application should be suspended until response is submitted. 1 month are defined for submission. Applicant is allowed to extend deadlines for submission, as well as request for suspension of processing.

If concession status is required (student/retired) for the Application, but documents, certifying status are provided with gaps, the request for more info should contain request to re-submit documents.

If response is not submitted within deadlines, Application should be terminated. Termination should be initiated automatically and Expert should be able to view/confirm termination. Termination should be accepted by the Head of Department and notification should be sent to Applicant and other parties (internal) of the process.

If documents, confirming student/retired status are not provided, or still are provided with gaps, the Expert should be able to cancel status of the Applicant, the system should change fee schedule for the Application and additional payment liabilities should be generated. The Applicant should be required to pay additional fee and processing should be suspended until fees are provided. If

additional payment is not provided within defined deadlines, Application should be terminated and termination of processing should be initiated.

As an alternative, the Formal Examination could be completed without payment of additional fees, and additional fee should be required to be paid together with payment for Substantive Examination.

If anonymity is requested, the Applicant should be able to request for disclosure of Name.

Three types of decisions should be allowed to be generated:

- Positive (Accepted)
- Negative (Rejected)
- Partially Negative (Accepted with exclusions)

Decision should be prepared by Expert and accepted by the Head of Department. Notification should be sent to Applicant automatically as decision is accepted.

Once the Formal Examination is passed, the system should calculate substantive examination fees and assign payment liabilities to the Application. The fees should be calculated as follows:

- Determination of object of protection – fixed amount
- Determination of state of the art for one independent claim – fixed amount

Payment deadlines should be defined (2 months).

Fees for extra claims should be generated and assigned as liability to the Application during the Substantive Examination step, as soon as Object of Protection is finally determined.

Liability should be generated automatically, and confirmed by the Financial Department. Once liabilities are confirmed, the system should generate Draft Electronic Invoice and send it to the Applicant. Fees should be paid on the initiation stage of the Substantive Examination step.

Formal Examination for Designs does not assume determination of the Priority date and any change in priorities could be requested upon decision on publication and registration is done.

5.3.1.4 Substantive Examination

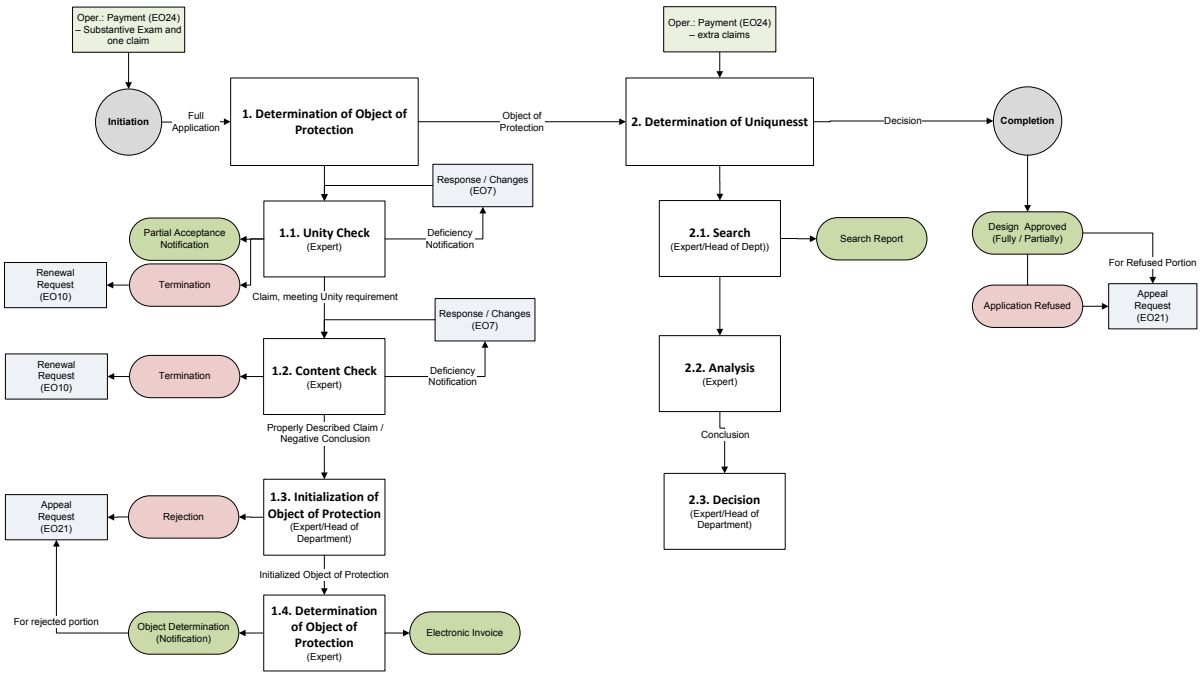
Substantive Examination Process for Design is pretty similar to one for Invention, but is simpler from manual involvement point of view – the process is faster and less communication is required to adjust Application. It contains steps, also specific for Inventions/Utility models, such as

1. Determination of Object of Protection, including
    a. Unity Check – to establish single class and to investigate, whether all designs belong to this class
    b. Content Check – some simplified form of content analysis, when Applicant could be offered, for example, to eliminate inconsistent designs/views from Application or change reproductions to eliminate redundant elements from them
    c. Initialization of the Object – is almost the same; on this step redundant designs should be finally eliminated from the Object
    d. Determination of the Object – Priorities should be assigned to all elements of the Object.

2. Determination of Uniqueness is in some sense similar to Determination of the State of Art process. On this stage the expert should:
    a. Conduct contextual search – difference is that dissemination of search results with Applicant and active communication with him/her is not required
    b. Analysis – should be completed by evaluation of design by two main criteria
        i. Novelty - objective conclusion whether design is new and differs significantly from existing ones should be provided
        ii. Individuality – subjective conclusion (close to evaluation of Inventive Step), which fully depends on Expert's opinion
        iii. Review of conclusion is not applicable for Designs
        iv. Decision - should be processed in absolutely similar way.

Description of the process, provided in this section, mainly is focused on discrepancies from Invention/Utility Model process. The overall picture of flow of operations of the Design substantive examination step is provided on Figure 63.

Figure 63. Designs: Processing of the Substantive Examination



1. Determination of Object of Protection

1.1. Unity Check

In addition to the standard process, the Expert, assigned to Application, should be able to assign International Classification code. (International Classification for Industrial Designs, Locarno classifiers) to the submitted invention. Corresponding classifier should be available for the Expert and he/she should be able to select code from the dropdown list. Single code should be assigned to the Application. No confirmation by Supervisor of determined of the class is required.

All designs, provided in one Application, should belong to one particular Locarno class. If this requirement is not met, the expert should offer the Applicant to spit/divide Application. The Applicant should be able to submit Application Division request in response of Expert's request. If no response is received, the Expert should be able to initiate termination process. If response is received with gaps, the Expert should be able to submit partial acceptance of Design(s) – designs, belonging to classes, different from assigned class, should be eliminated from Application.

1.2 Content Check

The Expert should be able to offer Applicant to change reproductions if any redundant elements, which are not an object of protection, present on reproductions. Expert could also ask to eliminate and/or add views to present design in better way.

Applicant should be able to response on Expert's request either by submitting a free-form response, or by submitting request for changes. If no response is provided, the Expert should be able to terminate Application processing.

1.3. Initialization of the Object of Protection

The object of Protection should be determined on this stage – redundant designs should be eliminated and only fully consistent designs and views should be determined and confirmed. No confirmation from the Supervisor side is required.

1.4. Determination of the Object of Protection

The Expert should be able to determine priority dates, claimed for Design(s). The system should generate priorities, and the Expert should be able to confirm assigned priorities, and/or correct generated dates and confirm assignment. In the Design case, Priority is a property of each particular claimed Design (should be assigned to each item/element of the Object of Protection).

2. Determination of Uniqueness

2.1. Search

The Expert is responsible for conducting of comprehensive search of submitted design(s). No Search Templates (Search Preparation Stage) are required.

The Expert should be able to assign Figural Pattern to each Design according to International Classification Index (Locarno classifier). This Pattern should be assigned to each design and consequently could be used for search, as well as for other purposes if needed (e.g. could be published, used in external searches). The Expert should be allowed to assign figural pattern by either manual entering of the pattern string (the sequence of numbers), or using drop-down classifiers and constructor (to be investigated and proposed on development stage). Corresponding classifier should be available for the Expert and he/she should be able to select index from the dropdown list.

No dissemination of the Search report to Applicant is required, as well as no feedback from Applicant should be expected.

Search report should be submitted.

2.2 Analysis of Results

The expert should make conclusion and prepare decision with reference on submitted report.

Analysis of search results is mainly manual process. The expert should be able to review the search results and enter a conclusion.

In case no identical or similar Designs were found during the search, the stage could be completed quickly without any additional review. However, if any coincidences were found, the expert should visually compare search results with the Design provided in of Application and make a conclusion about its identity and similarity.

The Expert should also be able to conduct additional round of search.

The Expert also should be allowed to request for additional information, changes or clarifications from the Applicant (only in some exceptional cases, not a common process). If response from the Applicant is not received, the Expert should be able to finalize Substantive examination in accordance with his/her opinion.

If similarities are found, the Expert should be able to submit negative conclusion quickly.

If Design (or some portion of designs) meet are unique, the expert should conduct Individuality analysis and submit corresponding conclusion for each particular design.

Only those Designs, which meet both novelty and individuality requirements, could be submitted for the next step.

Expert should submit one of the following conclusions:

1) Negative – no designs meet novelty requirements
2) Partially Negative – some designs do not meet either novelty, or individuality requirements
3) Positive – all claimed designs meet both novelty and individuality requirements.

This stage initiates the last step of the substantive examination (preparation and approval of decision, see *3. Decision*).

2.3 Decision

This step consists of preparation and submission of the final decision document. As soon as decision is made (positive, partially positive or negative), the Expert should be able to prepare final template of decision, as well as a draft Decree document, using special template.

Decision, together with Draft Decree document, should be submitted and available for the Head of Department. Head of Department should be able to approve and sign off the documents, as well as should be able to ask for corrections. The head of Department should be also allowed to make some changes in the Documents before approval.

Completion

On completion stage the system sends notification and electronic document(s) to Applicant.

If decision is positive or partially positive, the system assign “Approved” status to Application and notifies Department of Finance, as well as other internal parties about completion of Substantive examination stage. If decision is negative, the system should “Refused” status to Application and notifies internal system and the process of completion of processing should be initiated.

5.3.1.5 First Publication

There are no deviations from the standard process. The difference consists of information to be published and registered. The only difference is that if postponement of publication is requested, firs publication should not contain

The only significant difference is that payment for both first publication and registration should be paid together. First publication could be processed only if both payments are done. Consequently, the Department of Finance should be able to generate two payment liabilities (Electronic Invoices) and the Step must be initiated only both liabilities are fulfilled.

1) Application filing number
2) Application filing date
3) Initial Application number
4) Initial Application filing date
5) Full name and address of Applicant(s)
6) Full name and address of Authors(s)
7) International Classification (Locarno)
8) Design Title
9) Designs and Views

5.3.1.6 Registration

There are no deviations from the standard process. The difference consists of information to be published and registered.

The only difference is that payment for both First Publication and Registration is required to be provided on the First Publication step. Therefore, Registration step should be initiated without confirmation of processing of payments.

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date
6) Initial Application number
7) Initial Application filing date
8) Country (Office) of registration of initial Application (country code)
9) Full name and address of the Holder(s) of Invention
10) Full name and address of Authors(s)
11) International Classification (Locarno)
12) Design Title

13) Attachments: Designs and Views

5.3.1.7 Second Publication

There are no deviations from the standard process. The difference consists of information to be published.

1) Registration number
2) Registration date
3) Registration expiration date
4) Application filing number
5) Application filing date
6) International Classification (Locarno)
7) Design Title

5.3.1.8 Terms of Validity

The term of validity for Design is 25 years. Term of validity should be extended in 5-years period by providing relevant payment. Payments are different for different 5-year periods of validity. However, the system should provide functionality to pay for a number of periods (some next periods or full 25/remaining years) together by requesting relevant operation and providing payment.

Before paid term is expired, the Applicant should receive notification about expiration. See *4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS* for more details.

5.3.1.9 Transfer of Rights

The rights conferred by the Design registration may be transferred to other legal entity and natural person on the basis of the rule established under the legislation of Georgia

- Transfer may be applied to the full list of designs or to its portion.
- The right to the use of a Design can be conferred by its holder (licenser) to another person (licensee) on the basis of a license contract
- At transfer of the Design the relevant amendments shall be recorded in the register.

Design Registrar is responsible for processing of transfers (see *4.2 TRANSACTIONS WITH REGISTERED IP OBJECTS* for more details).

5.4 COPYRIGHTS

Copyright is a right (legal device) given to the works creator over the results of his/her creative activity, i.e. works of science, literature or art, irrespective of their purpose, quality, genre, size, form or means of their expression. Copyright applies to both published and unpublished works. Copyright protection over the works of science, literature or art automatically comes into existence from the moment of their creation. A work is regarded as created when expressed form enabling its perceptibility and reproducibility.

The *Law of Georgia on Copyright and Neighboring Rights* governs the relations associated with the economic and moral rights of authors that arise upon creation and use of scientific, literary and artistic works (copyright), the relations associated with the copyright related rights of performers, producers of phonograms, videograms and broadcasting organization, as well as the relations associated with makers of databases.

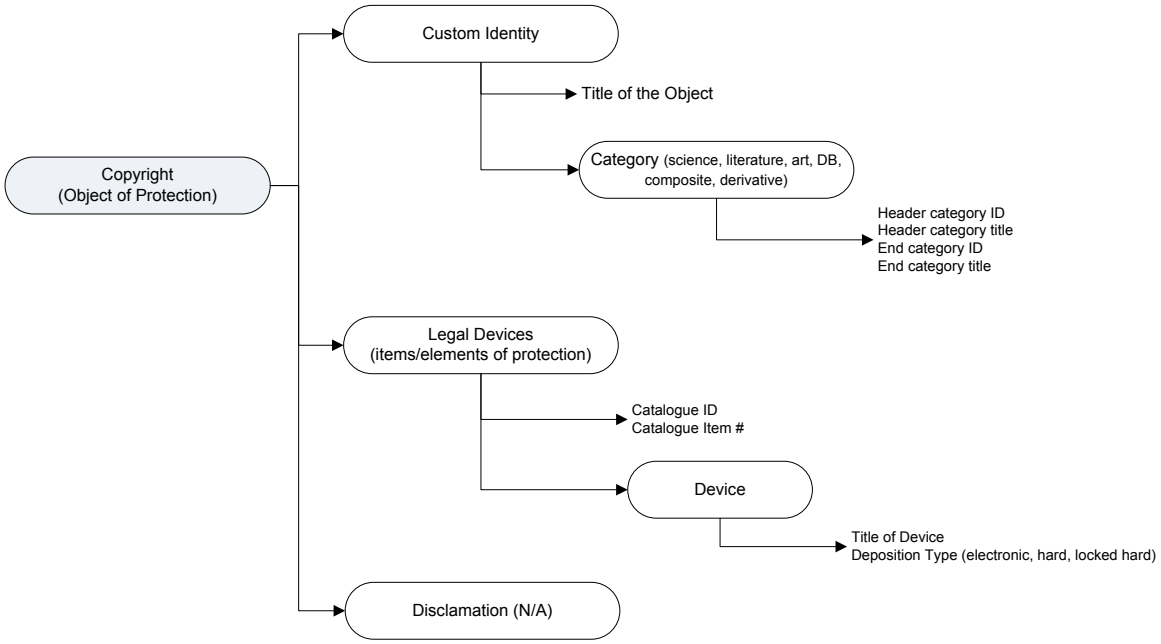
Copyrights Unit of the Legal Department is an owner of processing of Copyrights. The same department is also responsible for registration of IPs and processing of operations with registered IPs.

5.4.1.1 Object of Protection

The object under the Copyright protection has structure, slightly different from other objects. It is assumed, that generally the content of protection does not become known for Sakpatenti's experts and protection of the Object should be processed as a fact of depositing of some reproduction of works of science, literature and art, performance, phonogram, videogram and broadcast of broadcasting organizations. Either hard or electronic copies of reproduction of the work (legal devices) are objects of protection. Devices could be submitted in an open form, when Sakpatenti has some rights and can get familiar with the content of the work. In this case, Sakpatenti is responsible to be sure that the Object, claimed to be protected, stays within frames, established by the Georgian/international legislation. If the claimed object is locked for review of its content, Sakpatenti is not responsible for its content – if the locked object could not be protected according to Georgia/international legislation, and it has not been considered as protected in the case of any legal proceeding, Sakpatenti is not responsible for the registration of the object, which is beyond the frames of the legislation.

1) *Items (elements) of protection* – Legal Devices (Works), claimed to be protected, each containing
    a. Work Title
    b. Form of reproduction (electronic, open hard, locked hard)
    c. Deposed Media – file, book, locked envelope, etc. Should reflect requisites of deposed media in the Catalogue (either electronic or hard).
2) Title of Design
3) Class – classification of work according to Georgian legislation
    a. Top level classifier (art, scientific, or other)
    b. End level classifier
4) Disclamation – is not applicable for Copyrights.

Figure 64. Object of Protection: Copyright



Processing of Copyright Application does not require any public recognition and Publication steps are not Applicable for the Copyright Process. Substantive Examination could not be performed because generally the Content of the Work is not required to be shared with Sakpatenti, and Substantive Examination step is substituted by the Deposition Step, where Sakpatenti should ensure that Exemplar of the work is provided to Sakpatenti of proper form and format. Figure 65 provides overall picture of the Copyright application processing. Figure 66 provided flow of operations, required to be performed to process Copyright Application.

Figure 65. Copyright Application Processing

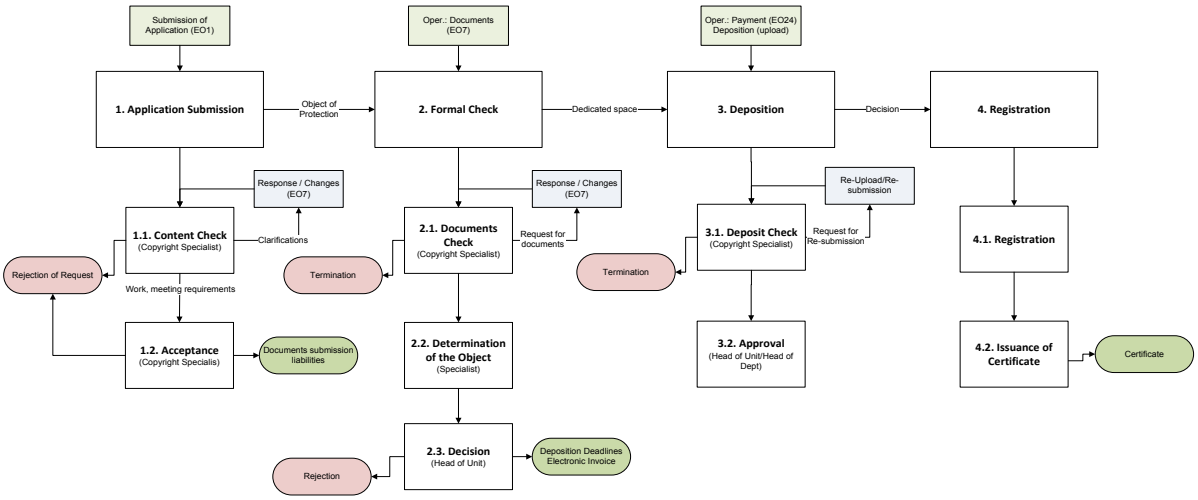
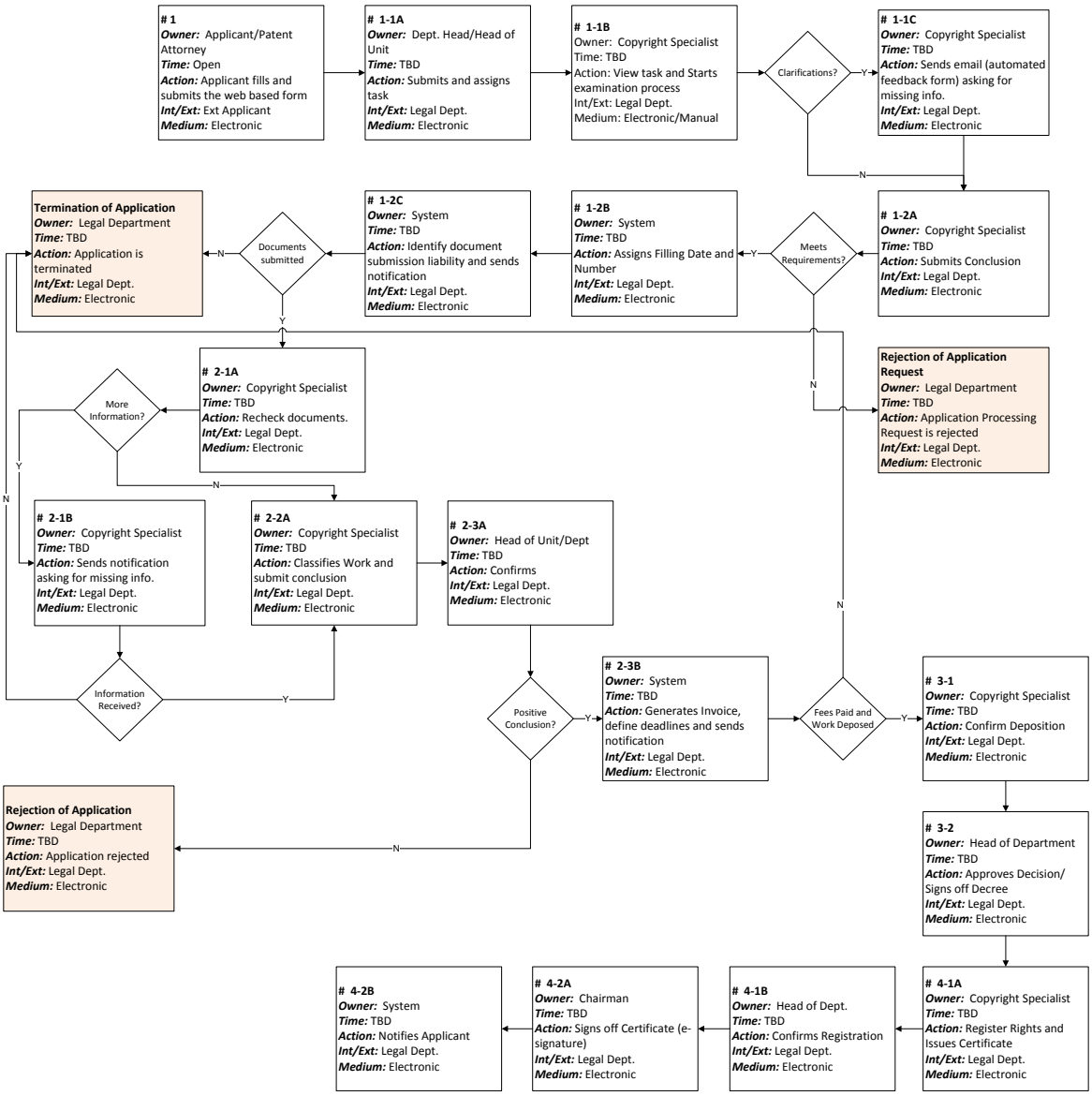


Figure 66. Copyright Application Processing: Operation Flow



5.4.1.2 Application Submission

Submission of Application Form

Applicants are requested to submit Application Form for Registration of Copyright. Application should be submitted in Georgian.

Besides common fields (Name, Address, local correspondence address, representative) the Applicant must fill out additional information, related to the object of protection. No priority filings are applicable in this case. Filing date will be considered as a date of entry of rights in force

These fields are:

- Title of Work
- Description
- Numbered list of legal devices (items), to be protected with descriptions

- Preferred form of deposit (electronic, hard)
- List of Authors, as well as documents, certifying agreement between authors and applicant (if applicable)
- Other documents (if necessary), clarifying content of Application

Title of Work: Text information, reflecting content of invention (no more than 10 words).

Description of Work: Short description of work, which is claimed to be protected.

List of Legal Devices: Numbered list of text information, which reflects content of each item/element of work, which is assumed to be deposed.

Form of Deposit: Applicant should select the desired form of deposit (Open hardcopy, locked hardcopy, electronic).

Authors: List of Authors of the Work, including their full names and addresses. This section should be accompanied by the mark whether works were made during execution of Authors' job duties. In this case document, confirming rights of owner of Application to claim for protection should be submitted (any kind of agreements). The system should allow to repeat automatically information, provided in the Ownership section to Authorship one. Authorship information, provided in this way, should not be allowed to be edited/changed and should fully reflect ownership information.

Documents: Uploading of any number of additional documents is allowed. Applicant should be able to upload documents and assign title/short descriptions for them. Such documents are: translations, samples (fragments) of work, claimed to be protected.

File upload should be available in background mode. Multiple upload should be available.

Description and list of works are mandatory. The system must block submission of Application if information is not provided.

Initial Checking

The manual initial check is mandatory for Copyright Applications. During manual inspection, the applicant may be asked to provide additional clarifications and / or changes in application. If Applicant is requested to provide additional information/clarifications, she/he should get notification about request and should be able to provide information.

Once Application is submitted, the Head of Copyrights Unit of the Legal Department should be notified and should be able to assign task to Copyright Specialist.

Copyright Specialist should be notified about assigned task and should be able to preview, download and print out provided information. There are no strictly defined deadlines for completion of the check. On this stage, Expert is required to check available information, is allowed to request for clarifications/amendments from Applicant and finally is responsible to provide conclusion on completeness of information.

In the case of Copyright Application, this stage is aimed to clarify the object of protection – how it meets requirements of Georgian legislation. By its nature, this stage is closer to substantive examination step and should be processed in similar way. However, the Expert (Copyright specialist) has no official access to the content of the Object and should make decision based on description and clarifications, provided by the Applicant. Most of communication should be organized via Free

Communication channel and should not cause automatic rejection of request if no response is provided.

If response on notifications is mandatory and absence of response could be followed by rejection of the request for registration of Application, the Expert should submit official request for information. In this case, information should be provided within 1 month from the request. The Applicant should be allowed to request for extension of deadlines for document submission by 1 month. Total time of extension should not be restricted.

During initial checking, Applicant is not allowed to request for suspension of processing. Applicant is allowed to submit changes in Application.

Applicant is allowed to submit request for changes in Application. Submitted request is a subject of acceptance from Sakpatenti side.

Applicant should be prohibited to request for Acceleration (acceleration of the process is not applicable for Copyrights).

Copyright Specialist should be able to submit conclusion. He/she should be able to submit conclusion with one of the following statuses: Passed (Accepted) and Not Passed (Rejected).

Head of Unit should be notified about submitted conclusion/decision and should be able to confirm it. Specialist should be able to make changes in conclusion if required.

Once conclusion is confirmed, the system should identify status or request/conclusion and complete the step based on conclusion. If negative conclusion has been submitted, the system should initiate Rejection of Application Request. Rejection notification should be sent to Applicant.

If a positive decision has been made, the system must assign the application number and filing date to Application. Filing date should be assigned as date when last (accepted) version of the Application has been submitted.

This stage allows completion of the procedure with any document submission liabilities.

Completion

The Applicant should be notified about registration of Application, as well as about assigned liabilities (documents) and deadlines to submit them.

5.4.1.3 Formal Examination

There is no strict Formal Examination procedure for Copyright Application processing. The Applicant is required to pay fees and provide required documents within deadlines, defined on the Application submission step.

Initiation

If documents are not submitted, the System should initiate termination of Application, and Copyright Expert should initiate termination of processing. Head of Unit should confirm termination.

If documents are submitted, the Copyright Specialist should be notified and allowed to re-check provided documents.

Processing

If any gaps in documents are found, Copyright Specialist is allowed to request for more information. If Information is not provided, termination of Application should be initiated.

If information is provided with gaps, or there are no gaps in information/documents (or gaps are fulfilled), the Specialist should submit conclusion (positive of negative, no partial conclusions are allowed). Conclusion should be accepted by the Head of Unit and process should be continued according to confirmed conclusion.

On this stage, classification of the Work should be submitted by the Copyright Specialist. Dropdown classifier should be available for the Specialist.

Completion

If negative conclusion is submitted, Application Rejection procedure should be initiated and processed, and Applicant should be notified about decision.

Otherwise (positive conclusion), the Applicant will be notified about acceptance of Application and should be offered to provide the exemplar(s) of the Work in form, requested by him/she. If hardcopy is requested, the Applicant will be notified about deadlines, when hardcopy of work should be submitted (must be mailed or delivered to Sakpatenti).

If positive conclusion is submitted, the system (automatically) should create protected folder with name, reflecting requisite of Application and assign username and temporal password to this folder. As an alternative (less preferable), the System Administration unit should be assigned by the task to create folder and IT unit should provide username and temporal password to the system.

If Electronic Copy is selected, the Applicant should be provided with link to Sakpatenti FTP server with requisites to access dedicated folder (username, password).

On completion of the step, fees for the next step (Registration fee) should be calculated and liability should be assigned. No confirmation of liability form the Sakpatenti side is required. The system should generate Draft Electronic Invoice automatically and send it to Applicant. Fees should be paid on the initiation stage of the Formal Examination step.

Payment deadlines should be defined.

The Applicant should be provided by information about deadlines.

5.4.1.4 Deposition of Work

By its context, this step (Deposit of Work) substitutes the Substantive Examination step.

Initiation

This stage should be initiated once notification to submit exemplar of the work, in the format, requested by the Applicant, is delivered (delivery notification is received).

If payment is provided and documents are submitted, the Copyright Specialist should be notified and allowed to re-check provided documents.

If payment is not submitted, the System should initiate termination of Application, and Copyright Expert should initiate termination of processing. Head of Unit should confirm termination.

If exemplar of the Work is not submitted within deadlines, the system should initiate Application Termination process and Application should be terminated.

Applicant should be able to request for extension of deadlines for submission of the Exemplar.

Once Exemplar is submitted (either system recognizes submission of documents, or Copyright Specialist manually fixes submission in the system), processing of Application should be continued.

Processing

In the case of hardcopy, the Copyright Specialist is responsible for processing of Hardcopy submission event in the system.

In the case of electronic upload, the Specialist should be notified and should ensure that files are uploaded properly. If any problems are recognized (e.g. corrupted files), the Specialist should be able to request for re-upload. Applicant should be able to re-upload files in response of Sakpatenti's request.

All activities (upload, re-upload) should be strictly logged by the system.

If the Exemplar(s) are submitted/uploaded, the Copyright Specialist should submit completion of deposition. If Exemplas has not been provided properly, Copyright Specialist is allowed to submit negative decision, as well as a draft of corresponding document (Decree).

Completion

The Head of Unit should be notified about completion and should be able to confirm completion of the Deposition. The Head of Legal Department should be informed and should approve decision by signing of the Decree Document.

In the case of electronic submission, Folder dedicated for Exemplar should be locked for any access. The folder should be unlocked manually only if request to issue a copy of the Work is submitted by the Holder(s) of by Court.

The system should notify parties about completion and (if deposition has been completed successfully), should allow registration of the Copyright Object.

5.4.1.5 First Publication

Not applicable for Copyrights.

5.4.1.6 Registration

There are no deviations from the standard process. The difference consists of information to be published and registered.

The only difference is that payment for Registration is not required on this stage and it is assumed to be paid earlier. Therefore, Registration step should be initiated without confirmation of processing of payments.

1) Registration number
2) Registration date
3) Registration expiration date

4) Application filing number
5) Application filing date
6) Full name and address of the Holder(s) of Copyright
7) Full name and address of Authors(s)
8) Classification
9) Protected Work Title
10) Protected Work Description
11) Deposit form
12) Deposit Requisites (path to folder, catalogue ID, etc.)

5.4.1.7 Final Publication

Not applicable for Copyrights.

5.4.1.8 Terms of Validity

Copyright is commenced upon creation of a work and shall run for the life of the author and for 70 years after his/her death. Calculation of the terms shall commence from January 1 of the year following the year in which the legal event, serving as a basis for commencing the running of said terms, has occurred.

5.4.1.9 Transfer of Rights

A copyright could be transferred by hereditary or testamentary succession or by an agreement. The rights of authorship and the right to be named and the right of integrity of a work shall not be transferred by succession. The author or other owner of copyright is entitled to transfer all or part of his/her economic rights to his/her successor in title.

A license agreement could be registered and could be provided for: the exact description of the work to be used (title, volume, genre), the specific form of the use of work, duration of an agreement and territory where it is effective, the procedure for determining the amount of remuneration or the amount of remuneration for each form of the use of a work, its payment order and time, as well as other conditions which the parties deem to be essential.

5.5 INTERNATIONAL PROCEEDINGS

International Application could be allowed to be processed either within Framework of International Agreements (Madrid Protocol, Hague Protocol), or could be processed by submission of Application for registration of rights directly to Sakpatenti.

In the case of Application, submitted within agreement, Application is assumed to be submitted by the International Office (WIPO) and considered to be completed (no Formal Examination procedure is required). As Application is received and processed in the system (manually, via the Front Office interface), the process should be continued from the Substantive Examination stage. The main difference is that all information, submitted via Protocols, is provided in English and all following communication should be processed in English. Therefore, the system should provide

notification/document templates in both English and Georgian languages. SMS communication should not be used.

In the case of International Applications, submitted directly to Sakpatenti, Application should be submitted in Georgian (it should be allowed to submit information in English, but translation of documents/information should be provided within defined deadlines). Local communication address should be provided.

Processing of International Applications (both Protocol and Direct) differ from National Processing by deadlines of both external and internal processing, as well as fees, required to be paid.

6 BUSINESS RULES AND GENERAL OPERATIONAL REQUIREMENTS

This section provides general requirements and business rules, related to overall system and applicable (at least partially) to all particular processes.

Requirements are separated by priorities: “High” means that requirement is mandatory to be realized and is necessary for system’s functionality, “Medium” means that requirement is desired to be realized, and “Low” means that realization of requirement cannot influence overall functionality of the system.

Particular attention is paid for external operations (E-Filing system). Section 6.1 provides prioritized requirements and rules for external interfaces and operations.

The system is MANDATORILY REQUIRED TO REPLICATE ALL OPERATIONS AND PROCESSES, available in Sakpatenti’s existing software, as well as processes and functionality, described in Sections 4 and 5. Sections 6.2 - 6.7 provide prioritized general requirements for internal operations, mainly not reflected in existing system, or realized in different way.

6.1 GENERAL RULES AND REQUIREMENTS FOR EXTERNAL OPERATIONS

Table 5. General Rules and Requirements for External Operations

#	Requirement	Reference / Priority
I	**ACCOUNTS, USERS AND ACCESS RIGHTS**	
RG	**REGISTERED CUSTOMERS (CUSTOMER ACCOUNT)**	
1.	Any entity (legal entity, natural person) could create account in the system	High
2.	Customer Accounts may not expire	Medium
3.	For local accounts, account should be identified by state registration number for legal entities and by personal ID for natural persons and sole partnership	Medium
4.	For legal entities, account should contain information on company, verified through Business Register information system. Information also should contain information on authorized person(s), also verified through Business Register IS.	Medium
5.	For natural person, account should contain personal information, verified through the Civil Registry Information System	Medium
6.	Information on non-resident legal entities and natural persons should be verified manually	Medium
7.	Account should be identified in the system by Account ID (serial number of account, assigned to Account automatically after registration) and Account Type (CA account)	High
8.	Account should also contain contact information, such as correspondence address, e-mail, phone number, contact person's name (for legal entities). Any type of communication between Sakpatenti and Customers should be provided through these requisites.	High
9.	Account for non-resident companies/natural persons should contain local correspondence address (optional)	Medium

#	Requirement	Reference / Priority
10.	Account should also contain Bank Account (local bank) to which funds should be returned on request of Customer	Medium
11.	Account should contain preferences profile for communication (e-mail is a default and mandatory channel; SMS and postal communications could be selected in addition to e-mail communication)	High
	Change in Name and Address	
12.	Name and Address of customer could be used in Applications for IPs. Once Applied, changes in Name and Address should not be automatically reflected in Applications and registered IPs, where Customer is selected as co-applicant/co-owner	High
13.	After registration, customer could make changes in Name and/or address only based on request, sent to Sakpatenti. Customer should be able to select Applications/Registered IPs where changes should be selected. System should generate Electronic Invoice, reflecting number of IPs, where name and/or address should be changed. After payment is done, request could be submitted to Sakpatenti. After Sakpatenti accept changes. changes should be automatically reflected in IPs, selected by Customer	High
14.	Change in Name and/or Address does not affect reference between Customer and IP: it affects only content of relevant information field	High
15.	Changes in e-mail, cell phone number and postal address should be also performed through request as change in official communication channels	Medium
	Account Users	
16.	Customer Account of Legal entity could have unlimited number of users, who will allow to perform operations on behalf of the Account	Medium
17.	Customer Account of Natural person could have only one user who have full rights to perform operations	High
18.	User could be assigned by three categories of access rights: 1) Administrators; 2) Authorized Person; 3) Regular user. Any combination of rights could be assigned for particular user	Medium
19.	One default user, registering account, should have Administrator's rights. Only Administrator could create additional user accounts and assign/reassign rights.	Medium
20.	If single user is registered for Customer Account, this user should have full rights	High
21.	Administrator should have full rights to change profile, customize settings and add/remove users, as well as assign rights to user	Medium
22.	Regular user should have rights to initiate any operation, enter information, upload date, initiate electronic agreements, etc. Regular user, having no Authorized user's rights, should not be allowed to submit requests/information to the System	Medium
23.	Authorized user should have rights to submit requests/information for the System, as well as prepare requests for submission	Medium
24.	Authorized user should be able (optional) to sign information electronically. This option should be available from Customer Account profile	Low

#	Requirement	Reference / Priority
25.	User should be authorized in the system by Account ID, User ID and password	High
26.	User should be able to change password.	Medium
27.	Other level of security could be applied according to preferences (tokens, electronic ID)	Medium
	PASSIVE CUSTOMERS	
28.	Any entity (legal entity, natural person), involved as co-party (co-applicant, co-owner) in any process should be identified by the system. Register of all legal entity and natural person, involved in any IP process should exists	Low
29.	Georgian legal entities should be identified by State Registration Number, and Georgian residents should be identified by personal ID	Low
30.	Non-resident legal entities/natural persons should be identified by origin's Registration number/Passport number	Low
31.	Customer Account should be connected to the record in the Register.	Low
32.	The system should provide search functionality to fix registered entity for Application/IP. If entity, involved in the process is not found in the Register, the system should have functionality to add entity into register	Low
33.	If entity in the register is not connected to any Customer Account, any operations on behalf of this entity should be processed based on paper agreements either by Trusted Customer or PA, or by Sakpatenti's internal users (chancellery)	High
34.	If entity is fixed in the register without registered Customer Account, after registration in the System, Customer should be able to request for connection of the Customer Account to IP, already processed or being under processing. Connection of the Customer account to IP objects should be processed by Sakpatenti from the internal system	Low
PA	**PA ACCOUNTS**	
35.	Legal entity, registered at Sakpatenti as a Patent Attorney (PA) should have account in the system. Account should be created at the moment of registration of the PA in Sakpatenti.	High
36.	Sakpatenti should be able to deactivate PA account if agreement with Sakpatenti is cancelled or expired	High
37.	Account should be identified by state registration number and license number	High
38.	Account should contain information on company, verified through Business Register information system. Information also should contain information on authorized person(s), also verified through Business Register IS.	Medium
39.	Account should be identified in the system by Account ID (serial number of account, assigned to Account automatically after registration) and Account Type (PA account)	High
40.	Account should also contain contact information, such as correspondence address, e-mail, phone number, contact person's name (for legal entities)	High
41.	Account should also contain Bank Account to which funds should be returned on request of Customer	Medium
42.	Changes in e-mail, cell phone number and postal address should be performed through request as change in official communication channels	High

#	Requirement	Reference / Priority
43.	Account should contain preferences profile for communication (e-mail is a default and mandatory channel; SMS and postal communications could be selected in addition to e-mail communication)	Medium
44.	PA is allowed to process only those operations for which rights to process is assigned to PA by Customers based on either electronic or paper based agreements (Power of Attorneys)	High
45.	PA could have rights - To initiate IP registration process on behalf of Customer - To process particular operation for particular IP on behalf of Customer - To process any operation for particular IP during some period of time (unlimited should be consider as a parameter) on behalf of Customer	High
	Change in Name and Address	
46.	Name and Address of PA should be used in Applications for IPs. Once Applied, changes in Name and Address should not be reflected in Applications and registered IPs, where entity is selected as PA.	High
47.	After registration, PA could make changes in Name and/or address only based on request, sent to Sakpatenti. Changes should be reflected in all processes, in which PA is involved. The history of changes in name and/or address should be available	High
48.	Change in Name and/or Address does not affect reference between PA and IPs	High
	Account Users	
49.	PA Account could have unlimited number of users, who will allow to perform operations on behalf of the Account	Medium
50.	User could be assigned by three categories of access rights: (1) Administrators; (2) Authorized Person; (3) Regular user. Any combination of rights could be assigned for particular user	Medium
51.	One default user, registering account, should have Administrator's rights. Only Administrator could create additional user accounts and assign/reassign rights.	Medium
52.	If single user is registered for PA Account, this user should have full rights	High
53.	Administrator should have full rights to change profile, customize settings and add/remove users, as well as assign rights to user	Low
54.	Regular user should have rights to initiate any operation allowed for PA, enter information, upload date, initiate electronic agreements, etc. Regular user, having no Authorized user's rights, should not be allowed to submit requests/information to the System	Low
55.	Authorized user should have rights to submit requests/information for the System, as well as prepare requests for submission	Low
56.	Authorized user should be able (optional) to sign information electronically. This option should be available from Customer Account profile. This requirement could became obligatory in some period of time	Low
57.	User should be authorized in the system by Account ID, User ID and password	High
58.	User should be able to change password.	Medium
59.	Other level of security could be applied according to preferences (tokens, electronic ID)	Medium

#	Requirement	Reference / Priority
IPAA	**IP APPLICATION ACCOUNTS**	
	IP Application Account is a series of operations and set of information related to one particular IP Application	
60.	IP Application Account should be created as a response on submission of Application either by Customer or by PA. Account should be identified by Application ID, assigned by the system.	High
61.	Application account is active for processing until IP is registered. If Application is terminated by Sakpatenti, account should be open for processing until deadlines for appeal are expired.	High
62.	Applications allow standard operations, defined by regulations within particular deadlines and for particular fees. Standard operations for different type of IPs differ by deadlines and fees, which should be internally customizable parameters.	High
63.	On registration of IP or expiration of Appeal deadlines, Account become closed for processing and only summary data is available for preview.	Medium
64.	All Customers, involved in the Application process as co-applicants and having accounts in the system should have access to full data and information, related to Application.	High
65.	Customer, assigned to Application with Trusted Party rights (*see Trusted Party)* should be able to initiate and process any operation within Application	High
66.	User, initiated submission of Application should be assigned by Trusted Party rights by default.	Medium
67.	In the case of division of Application by two or more applications, new Accounts should be created for additional applications and access to information should be defined according to division conditions	High
68.	PA assigned to IP Application Account or assigned to process some operation on behalf of Applicants, should has access to data and operations, assigned to him/her	Medium
69.	IP Application Account should be accessible for Customer and/or PA accounts and needs no additional protection. Authorized users should have option to protect particular Application by PIN code (for multi-user accounts)	Medium
70.	For non authorized interface, only Account's public data (decisions, changes, etc) should be available for preview	High
71.	All information around the Application (application data, uploaded files and documents, electronic agreements, co-parties accounts, payments, deadlines, notifications, requests for operations, etc) should be connected to the IP Application Account.	High
72.	All responses/notifications/electronic documents, generated by the system and/or internal users, and related to Application, should be connected to the IP Application Account	Medium
RIPO	**REGISTERED IP OBJECT**	
	Registered IP Object is a set of information related to one particular registered Intellectual Property record, including all transactions, connected to it.	
73.	Registered IP Object should be created when registration procedure is completed. Object should be identified by Object ID, assigned by the system.	High

#	Requirement	Reference / Priority
74.	Object is available for transactions (operations) until expired or withdrawn from register. After expiration, object is available for renewal transaction according to regulations for particular type of IP. After deadlines, defined by regulations are expired or Object is withdrawn from the register, object is not available for external search and preview.	High
75.	Objects allow standard transactions, defined by regulations within particular deadlines and for particular fees. Standard transactions for different type of IPs differ by deadlines and payments, which should be customizable parameters	High
76.	All Customers, registered as owners of IP, and having accounts in the system should have access to information and transactions, related to IP.	High
77.	Customer, assigned to IP with Trusted Party rights (*see Trusted Party)* should be able to initiate and process any transaction for IP	Medium
78.	If Trusted Party is not assigned, all co-owners have equal rights to process transactions, but transaction should be confirmed by all co-parties (documental or electronic confirmation)	Medium
79.	Third parties, not registered as owners of IP, and having accounts in the system should be able to request some transactions (e.g. Transfer of rights) by providing documental or electronic confirmation of their rights to request transaction.	Low
80.	In the case of division of IP Object by two or more objects, new IP Object should be created for additional IPs and access to information and transactions should be defined according to division conditions	High
81.	PA assigned to IP Object or assigned to process some transactions on behalf of owners, should has access to data and transactions, assigned to him	Medium
82.	IP Object should be accessible for Customer and/or PA accounts and needs no additional protection	Medium
83.	From non authorized interface or Third's party's account, only Object's public data and transactions, allowed to be requested by the Third party should be available.	Low
84.	All information around the Object (Object data, uploaded files and documents, electronic agreements, co-parties accounts, payments, deadlines, notifications, requests for transactions, etc) should be connected to the IP Object.	High
85.	All responses/notifications/electronic documents, generated by the system and/or internal users, and related the IP, should be connected to the IP Object	High
TP	**TRUSTED PARTY**	
86.	To process operations, related to IP Application or registered IP, co-parties (if more than one) could transfer rights to perform operations on behalf of a group to one Trusted Party. Trusted Party should have Account in the system. Trusted Party could be one of Applicants/Owners group, or independent customer. Trusted Party could not be a PA (in this case rights to process should be transferred through different procedure). User, initiating application, should be assigned by Trusted Party rights by default.	Medium
87.	If all co-parties have Accounts in the System, agreement between co-parties could be signed electronically. In this case rights for Trusted Party should be transferred to him automatically. As alternative, agreement between parties could be submitted to Sakpatenti in the form of scanned document and requests acceptance from the Sakpatenti side. Rights to Trusted Party will be transferred after agreement is accepted.	Medium

#	Requirement	Reference / Priority
88.	If some of co-parties have no Account in the system, then Agreement should be submitted to Sakpatenti in the form of scanned document and requests acceptance from the Sakpatenti side. Rights to Trusted Party will be transferred after agreement is accepted.	High
89.	Transferring of Trusted Party rights to another account could be initiated by any party and new agreement (paper based or electronic) should be submitted. New agreement automatically cancels rights, assigned by previous agreement.	Medium
FO	**FRONT OFFICE ACCOUNT (FO ACCOUNT)**	
90.	If requests for operations are submitted to Sakpatenti by paper document, information should be processed by Sakpatenti's Front Office staff from the eFilling interface	High
91.	Sakpatenti's Front Office should have account (FO) and could have unrestricted number of users, having equal rights to process operations on behalf of Applicants	High
92.	Only operations, related to Applications and/or Registered IPs, not assigned to PAs could be processed by the Sakpatenti's Front Office Account users. Applications and Registered IPs having registered Customers or Trusted Party should be allowed to be processed by Sakpatenti's Front Office (for initial stage, could be eliminated in time; should be customizable)	Medium
93.	Sakpatenti's Front Office should have rights of Trusted Party for any IP Application / IP Object accounts, not assigned to PA	Medium
	HIERARCHY OF RIGHTS TO PROCESS OPERATIONS	
94.	If Trusted Party is assigned to IP (both Application of Registered IP), this party could process any operation for assigned IP account on behalf of the group, including transferring rights for processing for PA. Only Trusted Party can transfer rights to perform operations to any PA customers. PA customers cannot transfer rights to another PA	Medium
95.	If IP Account (Application or Registered Object) has multiple parties, and Trusted Party is not assigned, operations could be performed by any co-party only based on agreement (paper based or electronic), needed to be provided/signed for any initiated operation	Low
96.	If rights to perform operation(s) are assigned to PA, both the Trusted Party and PA could initiate and process operation	Medium
97.	If one particular operation is assigned to another PA, PA having full operation rights is locked to process this particular operation	Medium
98.	Trusted Party can transfer rights to PA, as well as can cancel rights. Otherwise, transferring of rights to PA should be accepted (signed) by all co-parties (paper based or electronic agreement)	Medium
	CHECKING USER RIGHTS	
99.	Any type of request from external users could be processed only by users having rights to process request. Rights to process request should be assigned before processing request. External interface should allow processing of operation only based on assigned rights	High
100.	If request to process operation does not contain request to assign/reassign rights, internal processing should not require rechecking of rights of user, requesting operation. If operation is assigned for internal processing, it automatically means that rights are rechecked by the system	High

#	Requirement	Reference / Priority
101.	If request to process operation includes sub-request to assign rights to another user based on paper agreement, assignment of rights should be rechecked manually from internal interface and operation should be processed after acceptance is submitted	High
102.	Any request, related to assignment/reassignment of user's rights means that it should be rechecked by internal user and accepted. After assignment of user rights is accepted, any operation within frames of rights should be processed automatically	High
II	**INTERFACES**	
ADB	**ACCOUNT DASHBOARDS**	
	4 types of external interfaces (dashboards) should be available:	
103.	1) Natural Person interface: NP interface allow existence of only one user with full access rights (administrator, authorized and regular user rights)	High
104.	2) Legal Entity interface: LE interface allow existence of any number of users with different rights. Administrator, having rights to manage users and profile, Authorized user, having rights to sign information and regular user, having rights to prepare information	High
105.	3) Patent Attorney interface: PA interface allow existence of any number of users with administrator, authorized and regular users. Patent Attorney user have no rights to act in his own interest (be an applicant or owner)	High
106.	4) Front Office interface: FO interface allow existence of any number of users with administrator rights (single user) and authorized users (Sakpatenti staff) submitting applications/requests based on paper applications on behalf of Applicants/owners. FO users have no rights to submit documents on behalf of Patent Attorneys	High
107.	Authorization in the interface should be based on Account ID, User ID and password. Additional level of security could be required by user and provided by the system	Medium
108.	Dashboards should provide access to information about Customer's Virtual Deposit Account. Authorized users should be able to fill account	High
109.	Dashboard should provide access to profile settings. Only administrators should have rights to make changes in profile	High
	The dashboard should provide:	
110.	1) List of IP applications, being processed by the user with access to IP accounts	High
111.	2) List of registered IP Objects, owned by the user or being under management of the user (PA, Trusted user) with access to IP operations	High
112.	3) Access to the "New Application" operation	High
113.	4) Access to Electronic Agreements	Medium
114.	5) Access to documents, officially issued by Sakpatenti	Medium
115.	6) Access to Profile setting	High
116.	7) Access to Appeal operations	Medium
117.	8) Access to Virtual Deposit Account	High
118.	9) Notifications dashboard	High

#	Requirement	Reference / Priority
119.	10) Free correspondence/requests dashboard	Medium
120.	11) IP Search interface	Medium
121.	12) Information (Library)	Low
122.	Completed applications should be available only in preview mode	Medium
123.	Users with Administrator rights should have full access to information and operations in the dashboard, except rights to submit requests.	High
124.	Authorized users have full access to information and operations and could submit requests	High
125.	Regular users can only create requests and store information for submission	High
126.	All documents, issued by Sakpatenti and available for public should have unique public link, which could be published in public area. This link could be accounted as official link	High
127.	IP accounts should be accessible directly from Dashboards. Authorized users could additionally protect IP accounts by PIN codes (in case of multi-user interface)	Medium
128.	All applications, assigned to PA (based on General PoA, PoA for particular IP Application, or PoA to process some operation) should be posted on the PA dashboard.	Medium
129.	PA should also be able to initiate operation for any IP, not listed in his dashboard by submitting either electronic or paper based PoA. After acceptance of the request by Sakpatenti, IP should appear on PA dashboard. If PA's rights are cancelled or expired, IP account should disappear from PA dashboard	Medium
130.	All applications, assigned to Trusted Party should be posted on its dashboard. Applications and objects, where Customer has Trusted Party rights should be separated and user should have full access to trusted accounts. IP Applications, where user has no trusted party rights, should be available in preview mode	Medium
131.	Requests to change own Name and Address should be available for any party (co-owners, trusted party)	Medium
132.	Free correspondence/requests dashboard should allow users to send any kind of not classified requests to Sakpatenti, as well as requests for IPs, in which user is not involved (is not applicant, owner, trusted party or PA). Such requests should be identified by IP identification number	High
133.	IP Search interface should provide user with complex search engine	Medium
134.	Information (Library) should provide any kind of information, such as classifiers, regulations, user manuals, etc.	Medium
135.	User should also be able to use other communication tools, such as chats, video chats, etc. to communicate with Sakpatenti help desk staff	High
136.	Video chats could be also used by Sakpatenti staff to identify users	Medium
137.	Notification Dashboard should provide chronologically sorted list of notifications, received by Customer. Notifications should be searchable, sortable and filterable.	Low
	Registered IP Objects	
138.	Applications and Registered objects should be separated	High

#	Requirement	Reference / Priority
139.	The dashboard should contain a list of registered IP Objects, in which user is involved (have owner or trusted party rights, or is assigned as PA). Dashboard should contain list of operations, applicable for any particular type of IPs. Request for any operation should be connected to particular IP and should be submitted through filling out of particular request form.	High
140.	The dashboard should also provide information on requested operation, as well as responses, returned from the Sakpatenti side (notifications, additional requests, etc)	High
141.	The dashboard should indicate, if any Objects are close to be expired and renewal operation should became available if deadlines to submit renewal request are open	High
142.	Requests for operations, related to registered IP objects could also be submitted from the free correspondence interface. Such requests should be processed internally and customer, requested processing will get response connected to request. Request will be processed manually (no strict request form will be used), which potentially could be reflected in increased time to response and processing	Medium
143.	Requests (transfer of user rights, change name, renewal) should be processed based on rights, assigned to user. Any interested party could request to transfer rights. Request should be available for any involved party, as well as for third parties	High
144.	Requests to issue documents should be available for any party (owners, trusted party, PA)	Medium
145.	IP Objects should be identified by official registration numbers (IP ID)	High
	IP APPLICATION DESKTOP	
146.	As IP Application account is created, the space to manage account should be generated (IP Application Desktop)	High
147.	All users, involved in IP process (applicants, trusted parties, PAs) should have access to interface with different level of rights.	High
148.	Other users, not involved in the Application, both authorized and public, should have access to Application's public information	Medium
149.	Users should have access to account through their dashboards.	High
150.	Application should be identified by Application ID	High
151.	PAs and users could initiate some requests on behalf of Applicants by providing certification (either electronic or paper passed) to initiate operation. They could initiate operation from their dashboards either by submitting new Application or/and not classified request, or after submitting of relevant PoA (electronic or paper based)	Medium
152.	Co-applicants, having no rights to process operations (transferred their rights to PA or Trusted Party) should have full access to information (should have full desktop view), but should be restricted to initiate operations	Medium
153.	Users, authorized to initiate and/or process information should be able to initiate any operation from Application Desktop	High
154.	Only operations, allowed to be initiated for particular time segment, should be available the interface	Medium
	Interface should contain:	
155.	1) Currents status of the Application	High

#	Requirement	Reference / Priority
156.	2) Current responses to be submitted (payments, documents), as well as easy access to process response	High
157.	3) Any deadlines, both to provide information to the system and expected response from the Sakpatenti	High
158.	4) Access to operations (allowed for the user)	High
159.	5) Access to electronic agreements	High
160.	6) Access to IP Virtual Deposit Account (*see IP Virtual Deposit Account)* and payments	Medium
161.	7) Access to full history of activities within application	High
162.	8) Information (regulations, instructions, classifiers, etc)	High
163.	All users, having access to Application, could request issuance of hardcopies of any documents	low
164.	If PA is assigned to Application or is allowed to process some operation, only portion of private information, necessary to process operation, as well as access to operation, assigned to him, should be available for PA.	Medium
165.	Full mode Interface should be available until Application processing is completed (by termination or registration)	High
166.	Interface should allow Applicants assign Trusted Party to the Application. Non-PA customer, initiated submission of Application should be assigned Trusted Party rights by default.	Medium
167.	Interface should allow Applicants (if applicable)/Trusted Party(if applicable) assign PA to the Application or to particular operation, as well as cancel PA rights	Medium
168.	All documents/notifications, provided by Sakpatenti, should be available from the interface	High
	PUBLIC INTERFACE	
169.	Public interface should provide non-authorized users with ability to:	
170.	1) Search Registered IP / IP Applications	High
171.	2) Review and search Bulletin	High
172.	3) Preview Registered IP/IP Application and preview officially issued documents (where applicable), connected to IPs and allowed pro public view	High
173.	4) Register Account / Login in account	High
174.	5) Submit request for extract (electronic/certified hard copy)	High
175.	6) Submit Appeal for IP (third party appeal, should register in the system)	High
176.	7) Other operations, available to be processed by third parties	Medium
177.	Supporting materials (user guides, user manuals, instructions, etc)	High
178.	Other information, which could be useful for non-authorized users	Medium
III	**POWER OF ATTORNEY**	

#	Requirement	Reference / Priority
	ELECTRONIC AND PAPER BASED PoAs	
179.	Power of Attorney could be submitted in both paper based and electronic form	High
180.	Paper based PoA requires submission of scanned copy of PoA and requires acceptance from Sakpatenti side. Paper based PoA does not require acceptance by the counterparty	High
181.	Electronic PoA does not require submission of scanned copy of PoA and acceptance from Sakpatenti side. Electronic PoA could be initiated by either Customer or PA and requires acceptance by the counterparty	High
182.	Both electronic and paper based PoA assign identical rights for PA. Electronic PA enters in force immediately after submission (unless agreement is signed within other process, requiring acceptance), when paper based PA become in force only after acceptance by Sakpatenti	High
183.	Electronic agreement could be accompanied by uploaded scanned copy of paper based PoA (optional)	Medium
184.	Both electronic and paper based PoAs should contain expiration date. After expiration, PoA loses force automatically. "Do not expire" status could be assigned	High
185.	If electronic PoA is not accepted by the counterparty within predetermined number of days (should be customizable parameter) after initiation, it loses it force	Medium
	GENERAL PoA	
186.	General PoA assigns rights to PA to process and initiate any operation on behalf of Customer	High
187.	In the case of General PoA, the PA should be able to use document for multiple applications, to be processed on behalf of the Customer.	High
188.	GPoA could be submitted in both paper based (scanned copy) and electronic format.	High
189.	GPoA could be submitted by both Customer and PA dashboards.	Medium
190.	If GPoA is initiated by PA, the request should contain reference for Customer ID (if exist) or should generate new Customer if GPoA is submitted for the first time	High
191.	If Customer either has or not Account, PA could initiate the process from his interface and submit scanned copy of the GPoA document. GPoA enters in force after acceptance of Application/additional mandatory request by Sakpatenti	Medium
192.	If Customer has Account, both Customer and PA (on behalf of Customer) could initiate electronic agreement. Initiating party initiates electronic agreement and counterparty has to accept agreement. Electronic agreement could be accompanied by the scanned copy of paper based PoA (optional)	Medium
193.	If Customer has Account, he could initiate the process from his interface and submit scanned copy of the GPoA document. GPoA enters in force after acceptance of Application/additional mandatory request by Sakpatenti	Medium
194.	The system should provide standard GPoA template. Counterparties should be able to adjust content of GPoA before submission	High
195.	GPoA form should also contain fixed list of exceptions for Agreement. Selected exceptions should be fixed in the system and processing of exceptions should be locked for PA	Medium

#	Requirement	Reference / Priority
	PoA FOR INITIATION OF APPLICATION	
196.	New Application could be initiated by both Customer (if has account) and PA. If GPoA is assigned, no additional PoA is required	High
197.	If PoA is initiated by PA, the request should contain reference to Customer ID (if exist) or should generate new Customer if Application is to be submitted for the first time	Medium
198.	If Customer either has or not Account, PA could initiate the process from his interface and submit scanned copy of the PoA document both with Application and after submission within stated deadlines (currently, 1 month after submission). PoA become in force after acceptance of Application/additional mandatory request by Sakpatenti	Medium
199.	If Customer has Account, he can initiate the Application process and provide scanned copy of PA both during application submission, as well as after submission within of deadlines (currently, 1 month from submission of Application)	High
200.	If Customer has Account, both Customer and PA (on behalf of Customer) could initiate Application process and submit electronic PoA both during Application submission process, and after submission within deadlines (currently, 1 month after submission of Application). Initiating party initiates electronic agreement and counterparty has to accept agreement. Electronic agreement could be accompanied by the scanned copy of paper based PoA (optional)	High
201.	If electronic agreement is signed before submission of Application, agreement automatically enters in force as soon as Application is accepted by Sakpatenti (number is assigned). PA gets rights to process all operations for Application until changes are made (another PA assigned for Application of for some PA is assigned for particular operation)	High
202.	If electronic agreement is signed after acceptance of the Application separately from the submission of mandatory documents request, it enters in force immediately after processing. PA gets rights to process all operations for Application until changes are made (another PA assigned for Application of for some PA is assigned for particular operation).	High
203.	If electronic agreement is signed after acceptance of the Application within the submission of mandatory documents request, it enters in force after acceptance of request by the Sakpatenti. PA gets rights to process all operations for Application until changes are made (another PA assigned for Application of for some PA is assigned for particular operation).	High
	ASSIGN/CHANGE PA FOR APPLICATION / REGISTERED IP	
204.	Both Customer and PA (on behalf of customer) could request assigning/reassigning PoA to process all operation for particular IP. PA can initiate the process by submitting request from his interface - request should be identified by the IP/Application ID. Customer should be able to initiate this procedure from IP Interface (IP/Application ID will be fixed automatically)	High
205.	If changes are assigned for new PA, similar rights, assigned to previous PoA should not be canceled from this point ahead. Cancellation of rights should be initiated manually.	Medium
206.	If Customer has no Account in the System, new PA should be able to initiate "PA change/assignment" procedure by submitting a scanned copy of the PoA	Medium
207.	If Customer has Account in the System, both Customer and PA could initiate the process "PA change/assignment" process.	High
208.	If "Paper based agreement" option is selected, request should be accompanied with the scanned PoA.	High

#	Requirement	Reference / Priority
209.	If "Electronic agreement" is selected, user, requesting process, should initiate electronic agreement procedure. The counter party should confirm agreement. The request could be processed only after agreement is accepted (and payment is made). The scanned copy of PoA could also be provided (optional)	High
210.	Submission of electronic agreement should generate request for payment and after payment is done (either by Customer or PA), assignment of rights should be generated automatically	High
211.	If request is accompanied by the electronic agreement, no processing is required from the Internal interface. The system notify internal interface about assignment/reassignment of rights and rights to process are assigned to PA (all rights of previous PA are cancelled)	Medium
212.	If request is processed as a paper based agreement, request should be accepted by Sakpatenti. No acceptance is required for electronic agreement	High
213.	The system should provide standard PoA template. Counterparties should be able to adjust content of PoA before submission	High
214.	PoA form should also contain fixed list of exceptions for Agreement. Selected exceptions should be fixed in the system and processing of exceptions should be locked for PA	High
	ASSIGN PA FOR OPERATION	
215.	Only Customers having Account can assign PA for particular operation, related to Application by initiation of electronic agreement procedure. Agreement should be submitted from Application interface and should be connected to operation. Agreement should be accepted by PoA and is in force immediately after submission	High
216.	Customers having Account can assign PA for particular operation, related to registered IP by initiation of electronic agreement procedure. Agreement should be accepted by PoA and is in force immediately after submission	High
217.	Operation, related to registered IP, could be also initiated by PoA by submitting request with reference to operation and IP ID number	High
218.	If Customer has an Account, PA could both provide scanned copy of PoA and initiate electronic agreement from registered IP operation request form. Agreement should be accepted by Customer before submission and is in force after request is accepted by Sakpatenti	High
219.	If Customer has no Account, PA should provide scanned copy of PoA in the registered IP operation request form. Agreement become in force after request is accepted by Sakpatenti	High
220.	PoA (either electronic or paper based) is expired after operation is completed	High
	CANCELATION OF PA RIGHTS	
221.	Assignment of new PA will not automatically cancel rights of previously assigned PA. Rights, assigned to PA, should be cancelled manually.	High
222.	Rights could be also canceled based on request submitted to Sakpatenti. Request to cancel rights could be submitted either by Trusted Party, or by any party (if trusted party is not assigned). In the last case, cancelation should be confirmed by all parties either electronically, or by uploading scanned document.	High

#	Requirement	Reference / Priority
223.	If cancelation is submitted electronically, no acceptance from Sakpatenti side is required. PA loses rights to perform operations on behalf of Customer and this information is reflected in the internal system	Medium
224.	If rights of PA are cancelled or expired, no operations should be allowed from internal system (in response on any paper based application/request) with reference to above mentioned PA.	High
IV	**ELECTRONIC PAYMENT SYSTEM**	
225.	Payments for any kind of services should be fully based on the Virtual Deposit Account principles: any funds could be deposited on the Sakpatenti's Customer or Application sub-account. Funds, available on account, should be reflected in the User's interface and could be used for payment for any services	High
226.	As alternative, the system can also support for direct payments for particular operation via bank debit/credit cards.	Low
	The user should be able to fill deposit account by:	
227.	1) bank transfers	High
228.	2) crediting cash to the Sakpatenti bank account	High
229.	3) on-line payments by credit/debit cards	High
230.	4) internet banking and other ePayment systems	Medium
231.	5) payment terminals	Medium
232.	6) any other available payment systems	Low
233.	The system should contain comprehensive instructions and requisites for available options	Medium
	ELECTRONIC INVOICES	
234.	If operation is a subject for charge, after request for operation is submitted, the system should generate payment liability in the system. Draft electronic invoice should be generated based on payment liability. Draft electronic Invoice should reflect payable amount, calculated in USD (Draft Electronic Invoice). When request for payment is submitted, the system should also generate the final version of Electronic Invoice, reflecting payable amount in USD and GEL, as well as exchange rate, used for conversion.	High
235.	Draft Electronic Invoices could also be generated through requests, generated by internal processes, requiring payment for up-coming operation (e.g. Formal Exam completion - positive decision - should generate Draft Electronic Invoice for processing of Substantive Exam). Internally generated Draft Electronic Invoice should be available for Customer from dashboards	High
	Draft Electronic Invoice should be available for users:	High
236.	1) In separate dashboards (both in Customer dashboards if invoices are generated for IP objects and Application desktops, if invoices are generated for Applications), where payable and paid invoices should be separated.	High
237.	2) In connection with requests: Draft Electronic Invoice should be placed in line with request record in the list of requests, as well as should be available in request's details (where applicable)	Medium

#	Requirement	Reference / Priority
238.	Draft Electronic Invoices should be available for all parties, involved in the process and having Customer's account. Payment for Invoice should be available only for users, having managing rights for particular operation	Medium
239.	Draft Electronic Invoice should be accompanied by Process Payment operation, creating electronic Payment Order. Managing users should be able to request for payment processing. On request to process payment, both final Electronic Invoice (reflecting amount in GEL and useful for accounting purposes) and Electronic Payment Order should be generated. Payable amount should be recalculated in GEL using USD/GEL exchange rate, fixed in the system and actual for the moment of payment. After payment is done, the system should also generate electronic documents, confirming payment and useful for accounting purposes.	High
240.	Partial Processing should not been allowed (users should be offered by option to reduce scope of requested service to match payment (e.g. in the case of multiple classes, designs, etc)	Medium
241.	If payment for operation is processed by bank cards or through electronic payment system, deposited amount and payment confirmation should be immediately reflected in the interface	Low
242.	Payments should be processed from Virtual Deposit Accounts by debiting funds from account. If funds of Virtual Account are not enough to process payment, payment should not be processed and user should be offered to fill account	High
	CUSTOMER VIRTUAL DEPOSIT ACCOUNT	
243.	Customers should have a virtual deposit account. There should be only one virtual deposit account for one multi-user account.	High
244.	CVDA should be identified by Customer ID. Any funds, transferred to Sakpatenti's bank account on behalf of the Customer should be virtually cumulated on its virtual account and recorded as liability on Sakpatenti side before used	High
245.	Processed payment should reduce amount, available on VCDA and remove liability from the Sakpatenti side	High
246.	If payment processed for request is a subject for reimbursement (payment has been done but request has not been processed) funds should be returned back to CVDA by assigning liability to Sakpatenti funds	High
247.	Customer should be able request reimbursement of unused funds from CVDA by submitting relevant request. After acceptance of request, Sakpatenti will transfer requested funds back to Customer's bank account.	High
248.	Customer should also be able to transfer funds for IP Application Virtual Deposit Account (*see below*) to process payments for Application's operations.	Medium
249.	From CVDA, Customer should be able to pay for operations, requested from Customer Interface and initiated by the Customer (IP Objects operations)	High
250.	All operations, allowed to be processed for Registered IP Objects, should be paid from the account of Customer, requesting operation	High
	APPLICATION VIRTUAL DEPOSIT ACCOUNT	
251.	IP Application Account should have a separated Application Virtual Deposit Account (AVDA).	Medium

#	Requirement	Reference / Priority
252.	AVDA should be identified by Application ID. Any funds, transferred to Sakpatenti's bank account on behalf of the Application (Application ID is assigned as a Subject for transaction) should be virtually cumulated on its virtual account and recorded as liability on Sakpatenti side until used.	Medium
253.	Processed payment should reduce amount, available on ACDA and remove liability from the Sakpatenti side	Medium
254.	From AVDA, user, having managing rights (rights to perform operations for the Application (Trusted party and/or PA)) should be able to pay for operations, requested from Application Dashboard	Medium
255.	Payments for Application's operations could be processed only from Applications Virtual Account	Medium
256.	Only Application related payments should be available for processing from AVDA	Medium
257.	Any Customer, Trusted Party of PA, involved in the Application and assigned by rights to see/operate Application, should be able to transfer funds from its CVDA to AVDA. On the Sakpatenti side this transaction should be reflected as reassignment of owner for funds	Medium
258.	If funds, transferred to AVDA are not used after Application processing is completed, funds should be transferred back to CVDA of Trusted Party, PA or any co-party through request form. If request form has not been submitted within stated deadlines after completing of Application, the system should return funds automatically to 1) Trusted Party's CVDA; 2) if Trusted Party is not assigned, to last assigned PA account (if assigned and PoA is not expired); 3) to the first Customer in the Customer list, if neither Trusted Party, nor PA are assigned	Medium
259.	All users, having access to Application Account, should be able to fill AVDA	Medium
	VIRTUAL DEPOSIT ACCOUNTS DASHBOARDS AND NOTIFICATIONS	
260.	Customer/Application Dashboards should contain VDA dashboards (CVDA and AVDA respectively), providing information on funds, functionality to fill account, as well as a dashboard of processed transactions and payables (Electronic Invoice)	High
261.	Paid (processed) transactions should be located in the separate list. Customers, having access to Application Account should be able to print out Electronic Invoice (both draft and final), confirming that payment has been processed.	Hight
262.	Permanent links should be assigned for final Electronic invoice and Electronic payment order and should be available from non-authorized interface by submitting the number of the document. This link should be accepted as an official source of payment information and could be provided to third parties (e.g. clients, tax aurhority)	High
263.	List of Payables (Draft Electronic Invoices) should be available and separated from the list of transactions, should be searchable and filterable. Payment deadlines should be reflected in the list	Medium
264.	From the list, any customer, having managing access to Application Account should be able to pay for particular Invoice.	High
265.	Managing user should also be able to request for Postponement of payment (if applicable)	Low
266.	Before payment deadline is expired (number of days should be a customizable parameter), managing customers should get notification about upcoming deadline	High

#	Requirement	Reference / Priority
267.	When payment deadline is expired, All parties, involved in the Application and having account, should get notification about expiration of deadline	Medium
268.	Expired invoices should be placed separately and should not be available for payment	Low
269.	If operation, terminated because of violated deadlines of payment, new Electronic Invoice will be generated if processing is renewed (after request for renewal is submitted and accepted by Sakpatenti)	High
270.	All active Invoices in the list should have option to be paid	High
271.	Payment for multiple invoices should be available	Low
272.	All lists should be searchable and filterable. Different sorting and grouping opportunities should exist	Low
	NOTIFICATIONS AND ELECTRONIC DOCUMENTS	
273.	Any activity of system's internal users (Sakpatenti users), initiating changes in information and/or process available to external users (Customers), e.g. assigned deadlines, requests, responses (decisions), etc. should generate notification and send it to external users through channel, selected by Customers	High
	The following options for communication channels should be available for Customers:	
274.	1) E-mail - mandatory and default channel for communication. Should be sent to Customer's official e-mail, defined in the Customer's profile	High
275.	2) SMS - could be selected as additional channel for communication. Should be sent to Customer's official cell phone number, defined in the Customer's profile	High
276.	3) Regular mail - could be selected as additional channel for communication. Should be sent to Customer's official postal address, defined in the Customer's profile	Low
277.	4) Dashboard/desktop (interface) - default channel. Recipient of notification should be notified about receiving new notification on logging in and should be able to preview/read notification, as well as should have access to old notifications in the notification list	High
278.	Notification, sent to Customer is accounted to be received (delivered) when delivery notification from service provider's system (e-mail, mobile communication) is received by Sakpatenti system. Delivery date and time should be reflected in delivery report, generated by the system and could be used for official uses	High
279.	E-mail notification should reflect basic content of notification and could be accompanied by official (signed) letter from Sakpatenti in PDF format	High
280.	Short notifications, not having official status (not required by regulations/legislation), e.g. reminding Customers about upcoming deadlines, informing Customer about assignment of deadlines, confirming receiving of information, etc. should not be accompanied by PDF document and their full content should be placed in the e-mail notification's body text	Medium
281.	Notifications, having official status and required to be signed by Sakpatenti's officials should be provided to Customers in PDF format and should be signed by official's either digital or electronic signature. Notification body text should contain short information with reference (link) to official document (PDF document should be available in Customer's interface and should have public link, if applicable). Attached file should have a form of official letter	High

#	Requirement	Reference / Priority
282.	If SMS communication channel is selected by Customer, Customer should receive short massages, informing him/her about sent notification. Message should contain basic information, such as deadlines (to process, to receive), fees (paid, to be paid), assigned status (processed, terminated, completed, etc) with reference to full text in e-mail/interface	High
283.	Postal communication should be use only to provide official paper documents, issued by Sakpatenti on request of Customer	Low
	The following events should generate short notification for external user (the list is preliminary and should be adjusted)	
284.	1) Acceptance of any request (except acceptance of Application, requiring official letter (currently - Chancellery note)	High
285.	2) Confirmation of payment	Low
286.	3) Upcoming deadline reminder (for both payments and information submission deadlines)	Medium
287.	4) Confirmation of receiving documents/information	Medium
288.	5) Any changes in internal (receiving response) and external (submitting response) deadlines in response of Customer's requests or internal processing	High
289.	6) Notification about publication, registration, completing of operation not requiring issuance of official document, etc	High
290.	7) Other short notification (the list should be completed)	Medium
	The following events should generate PDF document (signed) and should be attached to notification (the list is preliminary and should be adjusted)	
291.	1) Official acceptance of Application and other documents, requiring official confirmation of acceptance/receiving	Medium
292.	2) Request for additional information / documents	Medium
293.	3) Any decision (positive, refusal, termination, etc) in form of Decree, official letter, etc	High
294.	4) Requests for payment (Invoices)	Low
295.	5) Requests to visit Sakpatenti Office (to participate in Appeal consideration, to bring original documents, to sign documents, etc)	High
296.	6) Electronic copies of issued documents (e.g. extracts, certificates, etc)	High
297.	7) Other documents (the list of documents should be completed)	Medium
	RECEIPIENTS	
298.	Official e-mails/mobile phones fixed in the Customer's profiles should be used for communication. Customer's users should have access for notifications only through interfaces	High
299.	PA could receive only notifications, related to operations for which they are assigned to process	High
300.	Notifications should be sent only to parties, involved in the IP process for the moment when related notification is generated	High

#	Requirement	Reference / Priority
301.	Passive Customers, involved in the process, for which e-mail address is fixed in the IP documents, should also be provided by official notifications	Medium
302.	Customers, having accounts in the system, should be able to request to get ALL notifications, generated by the system and related to Is in which they are involved	Low
303.	All official notifications, containing issued documents and decisions should be send to all parties, involved in the IP related process, both application and registered IP, having electronic accounts. Those parties are:	Medium
304.	1) All co-applicants/co-owners	Medium
305.	2) Trusted Party - if assigned	High
306.	3) Patent Attorney - should get notifications related to operation/process, in which they are involved	High
307.	4) Third party applicants (if applicable), e.g. third party appeals applicants, license owners, etc - should get notifications related to operation/process, in which they are involved	Medium
308.	Short notifications, as well as notifications related to process, such as acceptance, requests for information, confirmations, etc. should be sent to Customers, managing the process (Trusted Party (if assigned), PA (if assigned).	High
309.	Notifications should be sent to all co-applicants/co-owners, if no trusted party or PA are assigned	High
	ELECTRONIC DOCUMENTS	
310.	All electronic documents, officially issued by Sakpatenti, should be generated/stored in PDF format and should be available in the eFilling portal (the public link to the file should exist). Electronic documents, placed on the Portal, should have legal force for any external entities	High
311.	Documents should be available in a form of direct links, as well as a list of links, obtained by submitting Application number from relevant field in the public interface. If issuance of document is required (document is expired), the document will be issued based on new request	Medium
312.	Electronic documents should be signed by electronic or digital signature	Low
313.	Electronic documents could have validity date: electronic documents should be removed to archive on expiration and should not be available for public	Medium
314.	In authorized interface, all electronic documents, received by user, should be available and placed on the electronic documents dashboard	Medium
315.	Issuance of soft copies of all other document shall not require submitting any request.	Medium
V	**EXTERNAL OPERATIONS**	
	DEADLINES	
316.	Users should be able to view deadlines assigned to them (payment deadlines, documents submission declines).	High
317.	User also should be able to view date of expected response from Sakpatenti	Low
	Application Processing	

#	Requirement	Reference / Priority
318.	Application could be submitted any time. Application submission date and time should be assigned to application as request is registered in the system. All deadlines for Application processing are calculated from the date of acceptance of Application by Sakpatenti (either system or manual, based on settings). If Application is submitted out of working hours, processing could be started only from the next working day	High
319.	Deadlines, requiring mandatory submission of any information by the Applicant (first stage, in response on request for more information), should expire at 23:59 of the deadline date. Redlines for such activities should be fixed in the Applicant's interface. No submission shall be allowed after deadline expiration	High
320.	Deadlines, requiring payment of fees, should expire at 23:59 of the deadline date. Deadlines for such activities should be fixed in the Applicant's interface. No payments shall be allowed after deadline expiration	High
321.	Change in application could be submitted at any time prior registration. Change request, submitted out of working days/hours, will be actual from the next working day and shall be processed according to rules of the relevant stage/date	High
322.	Requests for extension of deadline (for submitting any documents, allowed by the rules) shall be allowed prior to expiration of base deadline. Request, submitted during non working days/hours, will be actual from the next working day and shall be processed according to rules of the relevant stage/date	High
323.	Requests for suspension of the examination process shall be allowed any time prior to completing of the substantive examination. Suspension request, submitted during non working days/hours, will be actual from the next working day and shall be processed according to rules of the relevant stage/date	High
324.	Requests for Acceleration shall be allowed only during working days/time prior to the deadline, assigned for particular type of Application	High
325.	Requests for Changes in Priority shall be allowed only during working days/time prior to the deadline, assigned for particular type of Application	High
326.	Requests for issuance of hardcopies of documents (copy of Application, certified copies of submitted documents, if applicable) should be allowed any time after the document is available and prior completing of the processing process (registration or termination). Requests, submitted out of working days/hours shall be actual from the next working day.	Medium
	Registered IP Objects	
327.	Any request for operation related to Registered IP Object (except renewal of IP rights) could be submitted prior to expiration of IP rights. Any request, submitted out of working hours is actual from the next working day	High
328.	Request for renewal of Registered IP Objects (if applicable) could be submitted within deadlines, allowed for particular type of IP. Any request, submitted out of working hours is actual from the next working day	High
329.	Requests for issuance of hardcopies of documents are allowed any time after the document is available and prior to the document's expiration date. Requests, submitted out of working days/hours shall be actual from the next working day.	High
330.	Requests for transfer of rights, submitted out of working days/hours shall be actual from the next working day (deadlines for processing shall be calculated from this date).	High
	ACCEPTANCE OF EXTERNAL REQUEST FOR PROCESSING	

#	Requirement	Reference / Priority
331.	External request could be divided by the following groups: ER1. Initiation of the IP registration processing (application) ER2. Request for operation, requiring submission of information and/or uploading documents ER3. Request for operation requiring presence of any kind of agreements between parties (electronic of paper based) ER4. Request for operation, not requiring submission of information or presence of agreement, but affecting processing process (Postponement, suspension, withdrawal) ER5. Request for issuance of document (copies, duplicates, paper based originals) ER6. Assignment of rights to perform operations (assignment of the Power of Attorney or other representative) ER7. Third Party requests, such as appeals, issuance of documents, other requests, issued by parties, not intended in the IP Application/Object operations as applicants, owners, trusted parties or PA	High
332.	ER1, ER2 requests should be accepted by the internal owner (manual or system). After acceptance is generated, the internal processing of request could be started	High
333.	ER3 request is a subject for acceptance and could require visit to Sakpatenti office before acceptance (depends on type of agreement allowed for processing). Obligation to visit office should be considered as a parameter for operation	High
334.	ER4 request of operations, not requiring submission of information, uploading documents and/or presence of agreements, could or could not require acceptance (only system acceptance). This kind of operations could be requested only during stages, where these procedures are allowed. Otherwise, these procedures should not be allowed for requesting. If such operations is requested, it is accepted immediately and requires no manual acceptance	High
335.	ER5 request should not require acceptance from the internal user (only system acceptance on response of assignment task to internal user). This kind of operations could be requested only on particular stages, when these documents are available (are issued and are not expired). Otherwise, these procedures should not be allowed for requesting. If such operations is requested, it is accepted immediately and require no manual acceptance	High
336.	ER6 request, processed fully electronically should not request internal acceptance. Information about changes should be reflected in internal system. If request for change/assignment of the Power of Attorney / Trusted Party is not processed electronically, request needs acceptance	High
337.	ER7 request always should be accepted by Sakpatenti's internal user	High
338.	Option to accept operation should be a customizable parameter. It should be possible to assign/cancel this option for any group of operations	Medium
	STANDARD PARAMETERS	
	The following parameters should be defined for all operations	
ALO	Conditions, defining allowance of operation for particular IP process at particular time (stage). If operation is allowed, defines deadlines (in days) for submitting. If days = 0 - operation is not allowed. If days = -1 - no deadlines are defined. Request could be submitted any time	
FEE	Fee(s), to be paid for operation (list of payments and amounts), including deadlines, allowed for payment (in days, equals to 0 if payment must be done during the same day)	

#	Requirement	Reference / Priority
DOC	List of documents to be submitted, containing parameters defining whether document submission could be postponed or could not (deadline in days; if deadline is 0, document is required to be uploaded before submission; if deadline is -1, submission of document is not mandatory). Paper-based PoA is a standard document in the list. If paper-based PoA is selected (no electronic PoA exists or is submitted), this item defines deadlines for submission of PoA (if deadline = 0, PoA should be submitted before submission of request)	
INP	Request form (list of information to be submitted, including validation rules and optionality parameter)	
OUT	List of liabilities, generated as a result of request submission, including payment and document submission liabilities and deadlines. Also includes internal (Sakpatenti) liability data - expected date of response. Any other information (parameters) which has to be changed automatically	
OWN	Internal parameter, defining internal owner of the request - Sakpatenti's structural unit, who is responsible for acceptance (if required) and processing of the request	
ACC	Internal parameter, defining whether request needs manual acceptance of the owner, or request shall be accepted automatically by the system. Parameter also define, whether request need internal task assignment (some requests should be addressed directly to already assigned executor)	
	IP APPLICATION OPERATIONS	
EO1	**Submission of Application**	
ALO	Could be submitted any time (no restrictions)	
FEE	Request is a subject of charge. Depends on particular process and parameters, selected in Application form. Payment could be postponed.	
DOC	List of documents is defined for each particular IP process dynamically (based on selected parameters). Allows some documents to be submitted later (depends on parameters, e.g. if conventional priority is selected). If paper-based PoA is selected, allows Postponement of submission of PoA	
INP	Application Form - different for each particular IP process	
OUT	Could generate liabilities for submission of both documents and payments. Internal liability depends on IP processing and selected parameters and is generated only if no external liabilities are generated	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Requires assignment of task to executor	
339.	Applicant should be able to select type of IP he/she is willing to submit, including request to process international processing. Application should be generated according to selected IP. Wizard-like interface should be available.	High
340.	Applicants should be able to fill out application, upload requested and additional files.	High
341.	Applicant should be able to save application and continue filling/editing any time prior final submission. No changes are allowed after submission	High

#	Requirement	Reference / Priority
342.	Any registered user should be able to start submission of Application. His/her rights to submit Application on behalf of other co-applicants should be provided. If electronic rights are assigned (before or during submission), Application will be processed automatically. Confirmation of rights should be allowed to be processed before submission, as well as confirmation of rights should be allowed to be postponed (skipped). In this case, liability to submit confirmation of rights should be generated.	High
343.	If accelerated procedure is selected (where applicable), confirmation of rights should not be allowed to be skipped	Medium
344.	If conventional priority is selected (where applicable), Applicant should be requested to provide related confirmation documents. Applicant should be allowed to skip this step. In this case, liability to provide confirmation documents should be generated	High
345.	If accelerated procedure is selected (where applicable), confirmation of priority rights should not be allowed to be skipped. All documents should be provided before submission	Medium
346.	If accelerated procedure is selected (where applicable), payment should be done by the end of working day. Otherwise, acceleration request should be cancelled	Low
347.	All application forms (excluding Patent/Utility Model Applications) should contain option to request for Processing of Border Protection Measures. If this option is selected, this process will be initiated automatically upon registration of the IP Object without any additional intervention of the Applicant.	High
348.	After submission of application, Applicant should get Application request number (registration number) and submission date, which should be used for reference, immediately. Applicant should be notified about receiving of application.	High
349.	Applicant should be notified about acceptance of Application on acceptance (system or manual) from Sakpatenti side (Official Notification - Chancellery Note, including assigned Filing number and filing date). If Application is not filled fully (any rights confirmation documents is not provided and/or payment is not processed), notification should contain this information together with deadlines to provide documents and/or process payment).	High
350.	After acceptance from Sakpatenti side, the system should generate Draft Electronic Invoice. Applicant should be able to process payment within defined deadlines	High
351.	Submission of Application should be followed by Mandatory Documents Submission operation (EO2) if documents submission liabilities are generated. Applicant should be able to fulfill this liability by submission of documents within stated deadlines (see EO2). If rights confirmation documents are not submitted, Application should be terminated. Application should not be terminated, if Conventional documents are required and not provided within deadlines - in this case Conventional request will not be considered.	High
352.	ONLY full payment is acceptable. Otherwise, Applicant should be proposed to make changes in Application	Medium
353.	When Application is accepted by Sakpatenti (official Application Number is assigned to Application), Applicant should receive notification, containing reference to official Application Number, as well as reference and requirements for following steps (if applicable), and/or expected deadlines of processing of the following step	High
354.	Application submission could be followed by Request for Acceleration (request for Cancelation of Acceleration, if acceleration is required), (*see EO3*)	Medium
355.	Application submission could be followed by Request for Change in Priority (see EO4)	Medium

#	Requirement	Reference / Priority
356.	Application submission could be followed by Request for Changes in Application (see EO7)	Medium
357.	Application submission could be followed by Request for Postponement of Publication (see EO8)	Medium
EO2	**Submission of Mandatory Information**	
ALO	Is defined by document liabilities (DOC). Is not allowed after expiration of deadlines	
FEE	Is free of charge	
DOC	List of documents submission liabilities with deadlines for submission	
INP	Dynamic list of documents, to be submitted with upload functionality. No particular request form	
OUT	Removed external document submission liabilities. Could generate Internal liability (if payment liabilities are fulfilled). Internal liability depends on IP processing and selected parameters	
OWN	Department, responsible for particular class of IP	
ACC	Does not require acceptance from the owner. Does not require assignment of task (should be addressed to executor, assigned for the Application)	
358.	After submission of Application, Applicant should be able to submit mandatory documents within stated deadlines (PoA, if applicable, translations, and third parties' agreements). Agreements should be allowed to be provided either in electronic of paper based form (scanned document). If documents are not submitted within deadlines, Application should be terminated	High
359.	If conventional priority is selected, Applicant should be able to provide scanned copies of documents, certifying requested priority, together with translations of mentioned document. If documents are not submitted within deadlines, Priority request should not be considered	High
360.	Applicant should get notification about receiving of documents	Medium
361.	Submission of mandatory Information could be followed by the Requests for Extension of Documents Submission Deadline (see EO5)	High
EO3	**Request for Acceleration**	
ALO	Deadlines are strictly defined (depends on IP process)	
FEE	Request for acceleration is a subject for charge. Should be paid within day of submission (should be customizable). Request to remove acceleration request is free of charge	
DOC	No documents are required. If new PA is assigned for operation (paper based agreement), requires submission of PoA before submission of request (no Postponement of submission).	
INP	Request Form, containing list of mandatory documents to be submitted	
OUT	Locks generating of external document submission and payment liabilities (all liabilities should be fulfilled before submission: payments, document). Generate Internal liability (sets strict deadlines for processing). If cancelling of Acceleration is requested, generated internal payment liabilities (acceleration fee should be returned to AVDA)	

#	Requirement	Reference / Priority
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task (should be addressed to executor, assigned for the Application)	
362.	Applicant should be able to select acceleration procedure both during Application submission and after submission, before some defined declines.	High
363.	Request for acceleration force changes in deadlines for all Application processing stages	High
364.	Request for acceleration is a subject for recalculating of Application processing fees. Total fee should be paid within the day of submission of acceleration request (should be customizable)	High
365.	All documents should be provided before submission if acceleration is selected. No changes and amendments are allowed if process is accelerated.	High
366.	Acceleration, required after submission of Application should be accepted by the system as payment for operation is done	Medium
367.	If request is accepted, notification with updated deadlines, as well as payment confirmation should be sent to the Applicant	Medium
368.	Acceleration could be followed by cancellation of acceleration. Applicant should be able to cancel acceleration process before deadlines, defined to particular type of IP	High
EO4	**Request for Change in Priority**	
ALO	Is allowed any time before Priority is assigned for Application	
FEE	Request is a subject of additional charge.	
DOC	Requires submission of documents, confirming conventional priority.	
INP	Request form. Require submission of additional information.	
OUT	Change list/ deadlines in document submission liabilities	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require additional assignment of task (should be addressed to executor, assigned for the Application)	
369.	Applicant should be able to submit request for change in priority (request for conventional priority / cancelation of request for conventional priority) within deadlines allowing this operation	High
370.	Applicant should submit documents and translations, as well relevant information, required for particular type of priority.	High
371.	Applicant should be allowed to skip submission of documents. In this case, liability to provide documents should be generated. Liability should be fulfilled after submission within defined deadlines (see EO2)	Medium
372.	After request for priority is submitted, payment liability, as well as electronic invoice, reflecting changes, should be generated.	High
373.	Payment should be done after submitting of request within deadlines, fixed for operation	Medium

#	Requirement	Reference / Priority
374.	Applicant should receive notification, confirming accepting of request and providing information on liability, generated as a result of request, including deadlines to complete liability	High
375.	If documents are not submitted and/or payment is not done within deadline, request should not been processed	High
376.	If cancelation of conventional priority is requested, but payment is done, overpaid amount should be returned to Applicant (on Application Virtual Deposit Account)	Medium
377.	If liability is generated, request could be followed by Submission of Mandatory information (EO2) operation	Medium
EO5	**Requests for Extension of Documents Submission Deadline**	
ALO	Request could be submitted only once before expiration of deadlines for documents submission liabilities.	
FEE	Request is a subject of additional charge.	
DOC	Requires no additional documents	
INP	Request form, generating invoice and providing functionality for payment	
OUT	Changes deadlines of document submission liabilities	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task	
378.	If information submission liability is generated in the system, Applicant should be able to submit request for extension of information submission deadlines prior deadlines expiration. Extension parameters (minimum/maximum period, step) should be defined for particular type of Application.	High
379.	Request should be connected to liability, for which extension request is generated	Medium
380.	Based on selected options, Electronic Invoice should be generated after submission. Applicant should be able to pay for extension within fixed deadlines. Deadlines should be extended only after payment is done. If payment is not done, request should be cancelled.	High
381.	New deadlines should be defined for existing liability	High
382.	After submitting request and processing of payment, Applicant should get notification about acceptance of request, containing changed deadlines and details of liability	High
EO6	**Submission of Required Additional Information**	
ALO	Deadlines are strictly defined (depends on IP process and are defined in liabilities)	
FEE	Request is free of charge.	
DOC	List of documents submission liabilities with deadlines for submission (generated by internal system)	
INP	No special request form. List of documents/information to be submitted	
OUT	Removed document submission liabilities	
OWN	Department, responsible for particular class of IP	

#	Requirement	Reference / Priority
ACC	Requires acceptance from the owner. Does not require assignment of task (should be addressed to executor, assigned for the Application)	
383.	If internal system generate request for submission of additional information, Applicant should get notification with deadlines for submission	High
384.	Submission of required information is free of charge	Medium
385.	Applicant should be able to submit additional information in response on notification. Information should provide functionality to upload files and submit information within defined deadlines. The following response should be provided:	High
386.	1) Applicant should be able to upload requested files and/or documents	High
387.	2) Applicant should be able to provide any additional requested information	High
388.	Applicant should get notification, that information is accepted	Medium
389.	If requested information is not submitted within deadlines, Applicant should get notification about termination of Application	High
390.	Submission of Required Additional Information could be followed by Request for changes operation (see EO7), if request from Sakpatenti requires some change in Application, but this operation logically will not be connected to official request, containing recommendation to make changes	Medium
EO7	**Request for Changes in Application**	
ALO	Changes could be requested any time before registration	
FEE	Request could be both free of charge of could be a subject of charges (depends on stage and IP process). Fee for request should be paid before submission (if applicable)	
DOC	List of documents, allowed to be updated and required to be provided additionally	
INP	Application form, allowing selection of type of changes (Name & Address, IP information, division, consolidation, minor changes). Fields, allowed to be updated should be available for changes.	
OUT	No changes in external liabilities. Internal liabilities should be changed (deadlines are extended)	
OWN	Department, responsible for particular class of IP or Legal department (changes in Name & Address)	
ACC	Requires acceptance from the owner. Does not require assignment of task for changes in IP information (should be addressed to executor, assigned for the Application). Requires assignment of task for changes in Name & Address	
391.	Applicant should be able to submit request for changes in Application within deadlines, defined for each particular type of change	High
392.	Request could be generated independently from any other operation	Medium
393.	If request is a subject for charge, Electronic Invoice should be generated on submission. Applicant should be able to pay for operation. Only paid request could be accepted	Medium

#	Requirement	Reference / Priority
394.	No changes are allowed if Accelerated procedure is selected	Medium
	The following changes are allowed:	
395.	1) Request to consolidate applications. Priorities for each application are defined according to rules applicable for particular type of Application. Is subject of charge and is allowed only within particular stages	High
396.	2) Request to divide application. Main Application is continued with the same deadlines and processing, when new Applications are created in response of division for other parts. All priorities are kept	High
397.	3) Request for Changes in IP images, titles, and descriptions. Generally are restricted in time. Are subject of acceptance and could be both subject of charge or free	High
398.	4) Request for change in names and addresses. This operation could be also provided globally from Customer(s) interface(s). If changes are not provided as Global Operation, changes should be verified with profile data, if Customers have accounts, as well as will affect data of Passive Customers. if Could be subject of charges or free (depends on stage). See GNA operation and EO14 for more details	High
399.	5) Request for minor corrections. Generally are free of charges.	High
400.	All type of requests should be accepted by the Internal users. Operation does not require assignment of task for executor and should be addressed directly to user, assigned to process Application	Medium
401.	Applicant should get notification of acceptance of request	Medium
402.	Applicant should also be notified when requests are processed	High
403.	Request for changes is an independent operation and could be followed by any operation. No particular requirements exist	Medium
EO8	**Request for Postponement Publication**	
ALO	Submission of request should be allowed before decision on registration is made	
FEE	Request is a subject of charge. If request is submitted together with Application or separately but before Application fee payment liability is expired, fee for Postponement should be added to invoice. Otherwise, fee should be paid before submission of request	
DOC	No documents are required	
INP	Request form, generating invoice and providing functionality for payment	
OUT	Could Increase (decrease) documents submission liabilities deadlines	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task (should be addressed to executor, assigned for the Application)	
404.	Applicant should be able to submit request for Postponement of publication (if applicable) both during submission of Application, and after submission.	High
405.	Applicant should be able to request for Postponement by submission related information. Postponement could be requested only before decision on publication is done	High

#	Requirement	Reference / Priority
406.	If information is not submitted completely (e.g. graphical files are not submitted), request should generate liability to submit documents within fixed deadlines. If liability is generated, request could be followed by Submission of Mandatory information (EO2) operation.	Medium
407.	After request is submitted, the system should generate draft electronic invoice.	Medium
408.	Applicant should receive notification, confirming accepting of request and providing information on liability, generated as a result of request, including deadlines to complete liability (if generated)	High
409.	If documents/payment are not submitted within deadline, request should be cancelled	High
410.	If Postponement is selected (both during and after submission of Application), Applicant should be able to cancel Postponement within deadlines, allowing cancelation.	Medium
411.	Cancelation of Postponement publication does not remove liability to submit documents, but changes (reduces) deadlines for submission	Medium
412.	Applicant should receive notification, confirming cancelation and providing information on changes liability, generated as a result of request	Medium
413.	If liability is generated, request could be followed by Submission of Mandatory information (EO2) operation	Medium
EO9	**Request for Suspension of Processing of Application**	
ALO	Could be requested before publication. Could not be requested if extension of submission of documents is requested. Suspension conditions are defined by particular IP process	
FEE	Request is a subject of additional charge.	
DOC	Requires no additional documents	
INP	Request form, containing functionality to set suspension period, generating invoice and providing functionality for payment	
OUT	Changes deadlines of document submission and payment liabilities	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task	
414.	Applicant submits request for suspension of examination process before publication is made	High
415.	Total time, for which suspension could be required, duration of minimal suspension period (month, week), as well as number of periods, allowed to be used for suspension, are parameters of the request and could be different for different type of IPs	High
416.	Number of periods requested for suspension should be provided. If requested period exceeds period, remaining to be used, request should not be processed.	High
417.	After parameters of request are selected and provided, and request is submitted, the system should generate Electronic Invoice.	Medium
418.	If payment is not processed within defined deadlines, request should be cancelled.	Medium

#	Requirement	Reference / Priority
419.	Request for suspension should not be allowed to be submitted if extension of deadlines (EO5) is requested and extension period is not expired	High
420.	Before expiration of suspension period, Applicant could request termination of suspension. No paid fees are required to be paid back to Applicant. Termination of extension should not affect number of periods remaining to be used for additional suspension	High
421.	Applicant could also submit request for extension of suspension period (if available) by submitting Request for Suspension of Examination Process both before and after suspension is expired	Medium
EO10	**Request for Renewal of Terminated Application**	
ALO	Could be requested only if termination has been caused because of violated deadlines and within stated period (defined for each particular IP)	
FEE	Request is a subject of charge.	
DOC	List of required documents (submitted/to be submitted)	
INP	Request form, generating invoice and providing functionality for payment	
OUT	Update deadlines of document submission and payment liabilities	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task (should be addressed to executor, previously assigned for the Application)	
422.	Applicant should be able to submit request for renewal of processing of Application, terminated due to violated deadlines	High
423.	Request is allowed to be submitted within predefined term (6 month is default term). For this period after termination, Application is allowed for operations and only Renewal of processing is allowed for this period. After expiration of allowed term, Application should be closed for any operation and moved to archive (terminated Applications)	High
424.	Request should generate requirement to provide documents, which were fixed as liability for Application termination moment (if applicable). Applicant should be required to provide all requested documents. This step could not be skipped	Medium
425.	Request should generate electronic invoice for violated payment liabilities (if applicable) and Renewal fee. Applicant should be able to pay for operation.	Medium
426.	Request should be processed by the system after payment is done. If payment is not done within defined deadlines, request should be cancelled	High
427.	Applicant should receive notification about receiving of request	Medium
428.	If request is accepted by Sakpatenti, processing of the Application should be continued from the stage, where Application was terminated	High
429.	After request is accepted by internal owner, Applicant should be notified about renewal of processing, containing information on newly assigned deadlines	High
EO11	**Request for Withdrawal of Application**	
ALO	Could be requested any time before registration	

#	Requirement	Reference / Priority
FEE	Free of charge	
DOC	No documents are required	
INP	Request form, generating terms of withdrawal	
OUT	Remove all liabilities	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task (should be processed automatically)	
430.	Applicant should be able to submit request for withdrawal of Application (termination of processing of Application)	High
431.	Request is allowed to be submitted any time before Application processing is completed	High
432.	Request is free of charge.	High
433.	Applicant should receive notification about receiving of request. Notification should contain request to confirm withdrawal. If request is not confirmed by Applicant within defined deadline, request to withdraw Application will be cancelled.	Medium
434.	If request is accepted by Sakpatenti, processing of the Application should be terminated	High
435.	If Application is terminated based on Applicant's request, processing of Application cannot be renewed.	High
436.	After request is accepted by internal owner, Applicant should be notified about termination of processing. Application should be closed for any operation and moved to the archive (Terminated Application)	Medium
EO12	**Request for Issuance of Certified Hardcopy of Application**	
ALO	Could be requested any time before registration	
FEE	Request is a subject for charge.	
DOC	No documents are required	
INP	Request form, providing functionality to select number of copies and delivery form, as well as generating invoice and providing functionality to pay	
OUT	No changes in liabilities, deadlines, etc. Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP	
ACC	Requires acceptance from the owner. Does not require assignment of task (should be processed automatically)	
437.	Applicant submits request for issuance of certified hardcopy of Application any time prior publication	Low
438.	Applicant should select options for issuance of document:	
439.	1) Number of hard copies	Medium
440.	2) Acceleration request (could be considered in the future, is not available currently	Low
441.	3) Delivery form (Sakpatenti office, via mail) and address if delivery via mail is selected	Medium

#	Requirement	Reference / Priority
442.	After options are selected and request is submitted, the system should generate Electronic Invoice. Request should be processed by the system after payment is done. If payment is not done within defined deadlines, request should be cancelled.	Medium
443.	Applicant should receive notification, containing information of deadline for issuance of documents	High
	REGISTERED IP OBJECTS TRANSACTIONS	
EO13	**Request for Extension of Term of Validity of the IP Registration**	
ALO	Could be requested within predefined period prior expiration of IP registration validity (if applicable, depends on IP)	
FEE	Request is a subject for charge.	
DOC	Only submission of paper-based PoA could be required	
INP	Request form, generating invoice and providing functionality to pay	
OUT	N/A	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Requires acceptance from the owner. Requires assignment of task	
444.	Users, assigned by rights to process operation should be able to request extension of terms	High
445.	Extension could be requested if this operation is allowed for particular type of IP	Medium
446.	Conditions for extension (extension terms, total time of validity, how many times IP rights could be extended, etc) could be a customizable parameter for each type of IP	High
447.	Request should be allowed to be processed within period, defined for each particular IP	High
448.	After deadlines are expired, if not requested for extension, registration should be cancelled automatically. Not all IP allows Reinstatement of Registration (see EO14)	High
449.	After basic parameters are provided (if necessary) and request is submitted, the system should generate Electronic Invoice.	High
450.	If payment is not processed within fixed deadlines, request should be cancelled	Medium
451.	After submission of request, user should receive notification, containing deadlines for payment (if liability is generated)	High
452.	If payment is processed, User should receive notification about expected date of processing of operation	Medium
453.	If operation is processed, User should receive notification, containing relevant information, as well as updated Electronic Certificate and Annexes to certificate	High
454.	Operation could be followed by request for issuance hardcopies of documents (EO19)	Medium
EO14	**Reinstatement of Registration**	
ALO	Could be requested within predefined period after expiration of IP registration validity (if applicable, depends on IP)	
FEE	Request is a subject for charge.	

#	Requirement	Reference / Priority
DOC	Only submission of paper-based PoA could be required	
INP	Request form, providing functionality to submit purposes for delay, generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Requires acceptance from the owner. Requires assignment of task	
455.	If IP allows Reinstatement of terminated registration, user, assigned by relevant rights, should be able to request for reinstatement	High
456.	Reinstatement should be allowed only within particular period of time after termination, which should be a customizable parameter for each particular class of IP	Medium
457.	After basic information is provided (purposes of delay to submit extension request, etc) and request is submitted, the system should generate Electronic Invoice.	Medium
458.	The system should generate liability for payment, as well as deadlines to process payment. If payment is not provided within fixed deadlines, request should be cancelled	Medium
459.	Request should be accepted by Sakpatenti. If request is accepted by internal users, User should receive notification, containing deadlines for payment (if liability is generated). Otherwise, user should receive notification of refusal to reinstate registration	High
460.	If payment is not processed within deadlines, IP should be moved to the archive and disappear from Customers' interfaces (alternatively, cold be moved to "Terminated IPs" section)	Medium
EO15	**Request for Termination of Registration**	
ALO	Could be requested any time before expiration of IP registration validity (if applicable, depends on IP)	
FEE	Request is free of charge.	
DOC	Only submission of paper-based PoA could be required	
INP	Request form, providing functionality to submit purposes for termination	
OUT	Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Requires acceptance from the owner. Requires assignment of task	
461.	User, assigned by rights to terminate IP Registration, should be able to submit request	High
462.	Request is allowed to be submitted any time before IP term is expired	High
463.	Request is free of charge.	High
464.	User should receive notification about receiving of request. Notification should contain request to confirm Termination. If request is not confirmed by User within defined deadline, request to terminate registration will be cancelled.	Medium
465.	If request is accepted by Sakpatenti, registration of IP should be terminated	High

#	Requirement	Reference / Priority
466.	If registration is terminated based on User's request, registration of IP cannot be reinstated	High
467.	After request is accepted by internal owner, User should be notified about termination of registration. Registration should be moved to the archive (Terminated/expired IPs)	Medium
EO16	**Request for Changes in Name and Addresses**	
ALO	Could be requested any time before expiration of IP registration validity (if applicable, depends on IP)	
FEE	Request is a subject of charges.	
DOC	List of documents, confirming validity of changes, should be available. Documents should be provided on submission. Submission of paper-based PoA could be required	
INP	Request form, providing functionality to submit documents, generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Requires acceptance from the owner. Requires assignment of task	
468.	Request for change in name and/or address could be processed by any Customer, involved in the IP, via its interface, by changing Name/Address in the profile and requesting for changes in Applications/registered IP, where it is involved. This request should provide the list of available Applications/IP objects. After selection of items, where name/address should be changes, the system should generate Electronic Invoice, which should be processed by Customer after submission within defined deadlines. After submission of request, the Customer should get notification about receiving request. If request is Accepted by internal user, the system should process changes and Customer should receive notification about processing, including electronic documents, reflecting changes	High
469.	User, assigned by rights to make changes in Names/Addresses should be able to request change for one particular IP or series of IPs.	Medium
470.	Request should provide interface to select customer (either having active account or passive). The system should provide list of items (Applications/IP objects) in which customer is involved.	Medium
471.	The system should re-check if requested changes are reflected in Customer profiles. If changes are not reflected, user should be allowed to request changes in customer's data by providing relevant documents. Change should be processed automatically by internal owners after request is Accepted.	Medium
472.	After selection of items, the system should generate Electronic Invoice, which should be paid before submission.	Medium
473.	After submission of request, User should get notification about receiving request. If request is Accepted by internal user, the system should process changes and user should receive notification about processing, including electronic documents, reflecting changes	Medium
EO17	**Request for Changes in IP**	
ALO	Could be requested any time before expiration of IP registration validity (if applicable, depends on IP)	

#	Requirement	Reference / Priority
FEE	Request is a subject of charges.	
DOC	Only submission of paper-based PoA could be required	
INP	Request form, providing functionality to submit changes (new version of information), generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Requires acceptance from the owner. Requires assignment of task	
474.	User, allowed to process operation, should be able to submit request for changes in IP any time before expiration of IP	High
475.	User should be able to provide and describe minor changes in IP (minor changes in images, descriptions)	Medium
476.	If request is a subject for charge, Electronic Invoice should be generated on submission. Applicant should be able to pay for changes. Request should be processed by the system after payment is done. If payment is not done within defined deadlines, request should be cancelled	Medium
477.	Request is a subject of acceptance from Sakpatenti side	Medium
478.	User should get notification of acceptance of request	Medium
479.	User should also be notified when request is processed	High
EO18	**Request for Transfer of Rights**	
ALO	Could be requested any time before expiration of IP registration validity (if applicable, depends on IP)	
FEE	Request is a subject of charges. Fee depends on type of changes and IP	
DOC	List of documents, confirming validity of transfer. All documents should be provided on submission. Submission of paper-based PoA could be required	
INP	Request form, providing functionality to select form of transfer, upload mandatory and additional documents, submit additional information, generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Legal Department. After acceptance, ownership should go to Department, responsible for processing of particular IP (registrar)	
ACC	Requires acceptance from the owner (legal department). Requires assignment of task on both stages (legal department, functional department)	
480.	Users, assigned to process transfer of IP rights transactions should be able to submit relevant request	High
481.	Request could also be submitted by any party, involved in transaction, including Applicants for rights	Medium
482.	Request should be submitted in free correspondence form and should contain	Medium
483.	1) Type of transaction	High

#	Requirement	Reference / Priority
484.	2) Scanned copies of documents, confirming validity of transaction	High
485.	3) Names and addresses of parties, for which rights should be transferred. If parties have account in the system, account should be identified	Medium
486.	The following operations should be supported	
487.	1) Division of rights: division of rights for different parts of IP between owners)	High
488.	2) Permanent transfer of rights (partial): transfer of rights on part of IP to third parties	High
489.	3) Permanent transfer of rights (full transfer): transfer of full rights on IP to third party	High
490.	4) Change in co-owners: addition of third parties to the list of co-owners	High
491.	5) Change in co-owners: removing parties from the list of co-owners	High
492.	6) License Agreement (partial): assigning temporal rights on part of IP to third parties	High
493.	7) License Agreement (full): assigning temporal rights on IP to third party	High
494.	8) Collateral Agreement (partial): assigning/removing temporal liabilities on part of IP	Medium
495.	9) Collateral Agreement (full): assigning/removing temporal liabilities on IP to third party	Medium
496.	10) Other transaction, allowed to be processed (e.g. transfer of rights based on bequest, etc)	Medium
497.	On submission, the system should generate Electronic Invoice. Invoice should be available for User.	Medium
498.	User should be able to pay for operation. Request should be processed by the system after payment is done. If payment is not done within defined deadlines, request should be cancelled	Medium
499.	User should receive notification about receiving request	High
500.	Any request is a subject for acceptance from Sakpatenti's Internal owner. If not accepted, user should be notified and operation should be terminated.	High
501.	If accepted, User should receive notification, containing deadlines to provide original copies of documents (if applicable).	High
502.	If providing of hard copies is not required for particular transaction, transaction should be processed by Sakpatenti after payment is done	High
503.	If providing of hard copies is required, transaction should be processed by Sakpatenti after original copies of documents are provided.	High
504.	After processing, user should receive notification, accompanied by electronic documents, confirming transfer of rights	Medium
505.	If parties of transaction have Accounts in the system, information should be reflected in their interfaces	High
506.	If parties of transaction have no Accounts in the system and they have no Passive Customer status, new passive customer should be created. Information should be connected to the Passive Customer record	Low
EO19	**Request for Issuance of Hardcopies of Documents**	

#	Requirement	Reference / Priority
ALO	Could be requested any time before expiration of IP validity term	
FEE	Request is a subject for charge.	
DOC	Only submission of paper-based PoA could be required	
INP	Request form, providing functionality to select document, number of copies and delivery form, as well as generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Requires acceptance from the owner. Require assignment of task	
	Applicant should be able to request for issuance of hardcopies of the following documents:	
507.	1) Issue of the hardcopy of Certificate (currently is included in processing fee, but could be separated if issuance of only electronic certificate will be included)	Low
508.	2) Issue of Certificate annexes (currently is included in processing fee, but could be separated if issuance of only electronic certificate will be included)	Low
509.	3) Issue of certified extract from the Register (should be available form both private and public interface, see EO20)	High
510.	4) Issue of the duplicate of Certificate	High
511.	5) Issue of the duplicate of Certificate annexes	High
512.	Request should be submitted and processed in way, similar to EO12	High
EO20	**Request for Issuance of extract (Electronic and Certified) from the Register**	
ALO	Could be requested any time before expiration of IP validity term	
FEE	Request is a subject for charge. Fee should be paid before submission.	
DOC	No documents are required	
INP	Request form, providing functionality to select IP, number of copies and delivery form (if certified extract is requested), as well as generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Department, responsible for particular class of IP (registrar of IP)	
ACC	Does not require acceptance from the owner. Requires only assignment of task	
513.	Any user (authorized and non-authorized) of the eFilling Portal should be able to request for issuance of certified extract from the Register	High
514.	User should be able to request extract for single, as well as multiple IP by initiating request and filling in the form.	Medium
515.	Only natural persons on behalf of themselves, other Natural persons and legal entities should be able to request extract	Low

#	Requirement	Reference / Priority
516.	User should provide personal data, including personal ID and contact e-mail and mobile phone number	Low
517.	User should provide the list of IPs, for which he is willing to get extract	High
518.	After selecting of IP, the system should re-check validity of requested IPs and provide user the list with short description of IPs	Medium
519.	The user should be able to make changes in the list	High
	The user should provide the following information	
520.	1) Option whether he/she is willing to receive certified hard copy of the document together with electronic one	Medium
521.	2) If certified hard copy is selected, acceleration request (could be considered in the future, is not available currently)	Low
522.	3) If certified hard copy is selected, delivery form (Sakpatenti office, via mail) and address if delivery via mail is selected	Medium
523.	After options are selected, the system generates Electronic Invoice. Applicant should pay for operation prior to submission.	High
524.	Authorized users should be able to pay for extract from both they Virtual Deposit Accounts and via direct payment by plastic card	High
525.	Non-authorized users should be able to pay for extract via direct payment by plastic card. As alternative, the system should generate Payment Order and user should be able to pay for extract through bank transaction or by depositing cash.	High
526.	Other alternative payment options should exist (internet banking, payment terminals)	Low
527.	Applicant should pay for operation prior to submission. Otherwise, submission should not be process	High
528.	Applicant should receive notification, containing information of deadline for issuance of document (both certified hardcopy and electronic)	High
529.	After document is issued, the user should receive notification (SMS, e-mail), containing information about issuance of document. E-mail should contain public link to document and delivery information (if certified copy is selected)	High
530.	User should be able to download extract from the web interface, as well as provide public link to file to any third party. Third party should be able to search for issued electronic extracts	High
	APPEALS	
EO21	**Request for Appeal (Applicant)**	
ALO	Could be requested within stated deadlines after any negative / partially negative decision (3 months)	
FEE	Request is a subject for charge.	
DOC	No documents are required. Only submission of paper-based PoA could be required	
INP	Application form, providing functionality to submit any additional documents, as well as generating invoice and providing functionality to pay	

#	Requirement	Reference / Priority
OUT	Internal deadlines for processing and response	
OWN	Legal Department.	
ACC	Requires acceptance from the owner. Requires assignment of task	
531.	Request for Appeal could be submitted only for Applications, terminated from processing based on Sakpatenti's examination decision (either formal or substantive) within deadlines, allowed by legislation. Deadlines are calculated from date of delivery of termination notification	High
532.	If deadline for submission is expired, request for appeal should not be allowed to be initiated	High
533.	Applicant, having rights to submit appeal, should be able to initiate appeal procedure by submitting Appeal Application form	High
534.	After the form is submitted, the system should generate Electronic Invoice. Applicant should be able to pay for Appeal application	High
535.	If payment is not processed within deadlines, the system should cancel submission of Appeal application	Medium
536.	After request is submitted and payment is done, Applicant should get notification about receiving of request	Medium
537.	Appeal request is a subject for approval from Sakpatenti side.	High
538.	Sakpatenti could request for submission of additional information. Applicant should be able to provide information (EO6. Submission of Required Additional Information). If information is not processed, Appeal request should be refused and Applicant should be notified about termination.	High
539.	If Appeal request is refused, Application should be closed for processing and moved to "Terminated Applications" list	Medium
540.	If approved, Applicant receives notification about approval of Application and date of examination of the case.	High
541.	Applicant should be able to access to Appeal Board Minute	Medium
542.	Applicant should receive notification about decision. Decision should be available for external users. Notification is accounted to be delivered if delivery massage is returned from the system	Medium
543.	If positive or partial positive decision is made, Application should be open for processing and Applicant should receive notification to paid for the following step and processing of Application should be continued for Application (part of Application)	High
544.	If negative decision is made, Application should be closed for processing and moved to "Terminated Applications" list	High
EO22	**Request for Appeal (Third Party)**	
ALO	Could be requested within stated deadlines after publication (3 months)	
FEE	Request is a subject for charge. Fee should be paid before submission.	
DOC	No documents are required.	

#	Requirement	Reference / Priority
INP	Application form, providing functionality to submit any additional documents, as well as generating invoice and providing functionality to pay	
OUT	Internal deadlines for processing and response	
OWN	Legal Department	
ACC	Requires acceptance from the owner. Requires assignment of task	
545.	As IP is published, the third party should be able to submit Third Party Appeal Application Form both from public interface and from private dashboard (if third party is a registered Customer or is represented by PA).	High
546.	Non-authorized user should be offered to register in the system. Otherwise, he/she should be provided with opportunity to submit Appeal Application, but all future communication should be provided by e-mail	High
547.	As alternative, fully functional interface should be provided (similar to authorized interface) with authorization through Appeal Application ID and additional PIN code	Medium
548.	Request for Appeal could be submitted after publication of IP within deadlines, defined by regulation. Deadlines are calculated from date of publication. Appeal Application should be connected to Application ID, for which appeal is submitted	High
549.	If deadline for submission is expired, request for appeal should not be allowed to be initiated	High
550.	Appeal applicant should be able to initiate appeal procedure by submitting Appeal Application form	High
551.	After the form is filled out, the system should generate Electronic Invoice. Applicant should be able to pay for Appeal application.	High
552.	If Appeal is submitted by registered Customer, then fee should be allowed to be paid from Customer Virtual Deposit Account.	High
553.	If Appeal is submitted by non-registered user, the user should be provided by functionality to pay for Appeal online/ Otherwise, Appeal applicant should be provided by printable payment order.	High
554.	When fee is paid, payment, processed automatically (using banks data exchange interface) or manually (by Finance Department) should be reflected on account of Appeal Application. If payment is not done within defined deadlines, Appeal Application should be refused automatically and appeal applicant will receive notification about refusal of Appeal Application	High
555.	In authorized interface, the Electronic invoice should be generated on submission of Application. The system should generate liability to pay for registered user with defined payment deadlines. User should be notified and liability should be reflected in his/her dashboard. If payment is not done within defined deadlines, Appeal Application should be refused automatically and appeal applicant will receive notification about refusal of Appeal Application	High
556.	After request is submitted, Applicant should get notification about receiving of request. If fee for application is not paid, notification should contain reminder about liability to pay fee within deadlines, as well as, should be accompanied by the Payment Order	Medium
557.	Appeal request is a subject for approval from Sakpatenti side. Appeal should not be approved before payment is done	High

#	Requirement	Reference / Priority
558.	Sakpatenti could request for submission of additional information.	High
559.	Non-registered applicant should be able to provide additional information via e-mail or through one-case interface, protected by PIN code	High
560.	Authorized applicant should be able to provide information through interface, similar to EO6. Submission of Required Additional Information.	High
561.	If information is not processed, Appeal request should be refused and Applicant should be notified about termination.	High
562.	If Appeal request is refused, processing of IP Application should be continued	Medium
563.	If approved, Appeal Applicant should receive notification about approval of Appeal Application and date of examination of the case.	High
564.	If approved, IP Applicant should receive notification about third party Appeal, should be requested to provide counter-appeal form (EO24), and also should be informed about case trial date	High
565.	Appeal Applicant should be able to request Appeal Board Minute (EO28)	Medium
566.	Both, IP Applicant and Appeal Applicant should receive notification about decision. Notification is accounted to be delivered if delivery massage is returned from the system	Medium
567.	If positive decision is made (appeal is granted), Application should be closed for processing and moved to "Terminated Applications" list	High
568.	If positive decision is made for part of Application (appeal is granted partially), Application should be open for processing for the part, not granted to Appeal Applicant, and IP Applicant should receive notification to pay for the next step	High
569.	If negative decision is made for part of Application (appeal is granted partially), Application should be open for processing and IP Applicant should receive notification to pay for the next step	High
EO23	**Submission of the Counter - Appeal (Applicant)**	
ALO	Could be requested within defined deadlines after receiving request/notification	
FEE	Submission is free of charge	
DOC	No documents are required.	
INP	Application form, providing functionality to submit any additional documents	
OUT	No changes in deadlines, notification	
OWN	Legal Department	
ACC	Does not require acceptance from the owner. Does not requires assignment of task (should be addressed to executor, assigned for appeal)	
570.	If Third Party Appeal is initiated and approved for processing, the IP Applicant (all co-applicants, PA if assigned, trusted party if assigned), should receive notification and request to submit Counter-Appeal form	High
571.	Applicant should be able to assign representative (Trusted Party, PA) to Appeal (if necessary)	Medium

#	Requirement	Reference / Priority
572.	Applicant should be able to fill out the form and submit it to Sakpatenti. Application is free of charge	High
573.	If Application is not submitted, this should not affect Appeal process	High
574.	Applicant could also be requested to submit additional information. In this case, he/she should be able to submit additional information in response on request within deadlines, defined for request (EO6)	Medium
	PROCESSING OF PAYMENT LIABILITIES	
EO24	**Processing of Payments in response of Sakpatenti's Request**	
ALO	Could be processed within deadlines defined by request	
FEE	Fee should be defined by request	
DOC	No documents are required	
INP	Electronic invoice, providing functionality to generate final (USD/GEL) version of electronic invoice and payment order	
OUT	Removed payment liabilities. Generated internal liabilities to process operation. Final (official) Invoice document and payment confirmation document	
OWN	System / Finance department	
ACC	Does not require acceptance. Does not requires assignment of task (should be addressed to executor, assigned for IP process)	
575.	If operation is not initiated by the Applicant (initiated automatically or by internal process), but requires payment of fees, Applicant should receive notification with request to pay for operation within defined deadlines.	High
576.	Deadlines should be defined for requested payments	High
577.	After notification is received, Electronic Invoice for payment should be placed in Application Account payments dashboard	High
578.	Payment should be allowed to be paid before deadline is expired. After expiration of deadline, Electronic Invoice should be market as "unpaid" and the process should be allowed to be terminated by internal user	High
579.	Before expiration of payment deadline, Applicant should be able to request Postponement of payment (if allowed by the process, should be a parameter for the request) - see EO25	Medium
580.	Applicant should be able to request payment order and process payment from Application Virtual Deposit Account. Invoice document, reflecting payable amount in GEL and USD should be generated	High
581.	After payment is processed, AVDA should be debited by paid amount and notification about processed payment should be sent to the internal system. Document, confirming payment, should be sent to Applicant	High
	The following payment requests may be generated:	
582.	1) Payment for substantive examination	High
583.	2) Payment for publication	High

#	Requirement	Reference / Priority
584.	3) Payment for registration	High
585.	4) Payment for issuance of Certificate	High
586.	5) Other payments	Low
587.	Payment requests should be allowed to be combined into a single payment request	High
588.	Payments should be processed from Virtual Deposit Accounts by debiting funds from account. If funds of Virtual Account are not enough to process payment, payment should not be processed and user should be offered to fill account	High
EO25	**Processing of Payment for Existing Payment Liability**	
ALO	Could be processed within deadlines defined by payment liability	
FEE	Fee should be defined by payment liability	
DOC	No documents are required	
INP	Electronic invoice, providing functionality to generate final (USD/GEL) version of electronic invoice and payment order	
OUT	Removed payment liabilities. Generated internal liabilities to process operation. Final (official) Invoice document and payment confirmation document	
OWN	System / Finance department	
ACC	Does not require acceptance. Does not requires assignment of task (should be addressed to executor, assigned for IP process)	
589.	If operation, requiring payment of fee, is requested by Applicant and operation allows payment of fee after submission, the liability of Applicant to pay should be generated by the system. Amount payable in USD, as well as deadlines of payment, should be fixed in the liability	High
590.	After liability is generated by the system, Applicant should receive notification about liability, containing deadlines and amount payable.	High
591.	Liability should also be reflected in the list of Draft Electronic Invoices, for which payment is not processed (payable Invoices)	High
592.	Payment should be allowed to be paid before deadline is expired. After expiration of deadline, Electronic Invoice should be market as "unpaid" and the process should be allowed to be terminated by internal user	High
593.	Before expiration of payment deadline, Applicant should be able to request Postponement of payment (if allowed by the process, should be a parameter for the request) - see EO25	Medium
594.	Applicant should be able to request payment order and process payment from Application Virtual Deposit Account. Invoice document, reflecting payable amount in GEL and USD should be generated	High
595.	After payment is processed, AVDA should be debited by paid amount and notification about processed payment should be sent to the internal system. Document, confirming payment, should be sent to Applicant	High

#	Requirement	Reference / Priority
596.	No partial payments are allowed. If Applicant is not willing to pay full amount, it should be allowed to reduce scope of Application to match payment	Medium
597.	Payments should be processed from Virtual Deposit Accounts by debiting funds from account. If funds of Virtual Account are not enough to process payment, payment should not be processed and user should be offered to fill account	High
EO26	**Request for Postponement Payment Deadline**	
ALO	Submission of request should be allowed before payment deadline is expired (if allowed, depend on process)	
FEE	Free of charge	
DOC	No documents are required	
INP	Request Form	
OUT	Increases payment liabilities deadlines	
OWN	Finance department	
ACC	Requires acceptance from the owner. Requires assignment of task	
598.	Applicant should be able to request Postponement of payment deadlines (if allowed) for period, allowed for particular operation. Request should be done before deadline for payment are expired	Medium
599.	Applicant should submit request in the form of free correspondence, Request should contain reasons for request	Medium
600.	Request is a subject of acceptance from Sakpatenti side	Medium
601.	If accepted, Applicant should receive notification about Postponement deadlines and new deadline should be reflected in the system and Applicant's interface	Medium
602.	If not accepted, Applicant should get notification, that payment has not been postponed and he/she should pay within deadline	Medium
EO27	**Request for Reimbursement of Funds**	
ALO	Submission of request should be allowed any time.	
FEE	Transfer fee (should be charged automatically)	
DOC	No documents are required	
INP	Request Form	
OUT	Reduce Sakpatenti liability	
OWN	Finance department	
ACC	Requires acceptance from the owner. Requires assignment of task	

#	Requirement	Reference / Priority
603.	Customer should be able to request reimbursement of unused funds, available on CVDA and exceeding Customer's liabilities. Only funds, exceeding Customer's liabilities, could be requested for reimbursement	Medium
604.	Customer should submit request in the form of free correspondence. Request should contain reasons for request	Medium
605.	Request is a subject of acceptance from Sakpatenti side	Medium
606.	If accepted, Customer should receive notification about acceptance, as well as notification on reimbursement	Medium
	ADDITIONAL REQUESTS	
EO28	**Request for Issuance of the Minute of the Appeal Trial**	
ALO	Submission of request should be allowed after completion of Appeal trial any time.	
FEE	No fee is required	
DOC	No documents are required	
INP	Request Form	
OUT	Sent/published minute	
OWN	Legal department	
ACC	Does not require acceptance	
607.	Any party of Appeal could request fro issuance of the Minute through request form or free correspondence form	High
608.	Internal user (appeal secretary) should share minute on dashboard of party, requested minute.	High
609.	Party, requested minute, should get notification about sharing of minute and minute document (PDF format) should be attached to notification e-mail and should be available on dashboar of party, requested the minute	High
EO29	**Free Correspondence Requests**	
ALO	Submission of request should be allowed any time.	
FEE	No fees. If request requires payment of fees, liability and draft electronic invoice should be generated internally	
DOC	No documents are required, but any documents could be attached to request	
INP	Request Form	
OUT	Reception notification	
OWN	Department, owning current stage of the process or selected in the request form	
ACC	Requires acceptance from the owner. Requires assignment of task	
610.	Any user should be able to submit free correspondence request as either independent request or response on Sakpatenti request	High

#	Requirement	Reference / Priority
611.	User should be able to select/indicate subject of request, provide textual information. Reflecting request, as well as attach any number of files, relevant to request	High
612.	Internal owner of the request should be able to classify request and accept/decline request, as well as provide response on request via free correspondence form	High
613.	User, submitted request, should be notified about decision/acceptance/response on request	High
EO30	**Request to Transform Utility Model Application to Invention Application**	
ALO	Submission of request should be allowed any time prior initiation of contextual search of the Invention Application.	
FEE	Transfer fee (should be charged before processing)	
DOC	No documents are required	
INP	Request Form	
OUT	Assigns payment liability	
OWN	Patent department	
ACC	Requires acceptance from the owner. Does not require assignment of task	
614.	Applicant of registration of the Utility Model could require transformation of the Application to Invention application prior initiation of contextual search.	High
615.	After acceptance, internal executor should process corresponding operation and is allowed to ask applicant for additional clarifications	Medium
616.	Draft electronic invoice should be available for Applicant. Applicant should be able to pay for request within defined deadlines. Application for transformation will be cancelled if fee is not paid within deadlines	High
617.	Applicant should be notified about changed status of the application.	High
EO31	**Request to Transform Invention Application to Utility Model Application**	
ALO	Submission of request should be allowed any time prior initiation of contextual search of the Utility Model Application.	
FEE	Transfer fee (should be charged before processing)	
DOC	No documents are required	
INP	Request Form	
OUT	Assigns payment liability	
OWN	Patent department	
ACC	Requires acceptance from the owner. Does not require assignment of task	
618.	Applicant of registration of the Utility Model could require transformation of the Application to Invention application prior initiation of contextual search.	High
619.	After acceptance, internal executor should process corresponding operation and is allowed to ask applicant for additional clarifications	Medium

#	Requirement	Reference / Priority
620.	Draft electronic invoice should be available for Applicant. Applicant should be able to pay for request within defined deadlines. Application for transformation will be cancelled if fee is not paid within deadlines	High
621.	Applicant should be notified about changed status of the application.	High
EO32	**Request for Anonymity**	
ALO	Submission of request should be allowed any before publication.	
FEE	Transfer fee	
DOC	No documents are required	
INP	Request Form	
OUT	Assign payment liability to Applicant	
OWN	Patent Department	
ACC	Requires acceptance from the owner.	
622.	Applicant (Invention/Utility Model) is allowed to request for Anonymity of publication. In this case, the name and address of Applicant (Holder) will not be shared with public.	High
623.	Applicant is allowed to request sharing of his/her name any time, both during processing and after registration.	High
624.	Anonymity could be requested both on submission of Application and after submission. Submission of request should be allowed before decision on registration is made.	High
625.	Request is a subject of additional charges. Electronic invoice should be generated automatically and applicant should be able to pay for request within defined deadlines. Status (anonymity) should be assigned to application after receiving of payment	Medium
EO33	**Request of Issuance of Copy of Exemplar, deposited in Sakpatenti (Copyrights)**	
ALO	Submission of request should be allowed any after depositing of Exemplar.	
FEE	Could be as subject of charge	
DOC	No documents are required if requested by owner. Court decision is required if requested by court or by third party	
INP	Request Form / Free correspondence form	
OUT	Issued copy	
OWN	Legal Department (Copyright division)	
ACC	Requires acceptance from the owner. Requires assignment of task	
626.	Owner of Copyright should be able to request for issuance from authorized interface through request form or free correspondence form	High
627.	Third Party should be able to request for issuance through open or authorized interface by providing Court decision document. Open request should be protected by one-case PIN code.	Medium
628.	Applicant should be able to indicate pick up form (mail, Sakpatenti's office)	High

#	Requirement	Reference / Priority
629.	Applicant should be able to pay for request (if it is a subject of charge)	High
630.	Request is a subject of acceptance from Sakpatenti side	High
631.	Applicant should be notified about issuance of copy, as well as should be notified about pick up time and place, or should be notified about sending of the copy if mailing was selected.	High
EO34	**Request of Processing of Border Protection Measures**	
ALO	Submission of request should be allowed for any IP Objects TM, GI and Copyrights (is not applicable for Patents) both prior and after registration.	
FEE	Is free of charge	
DOC	No documents are required if requested by owner. Representation documents are mandatory if requested by the representative. Any number of additional documents is allowed.	
INP	Request Form / Free correspondence form	
OUT	Notification of the Revenue Services	
OWN	Functional Department	
ACC	Requires acceptance from the owner. Requires assignment of task	
632.	Owner of IP objects/Application or their representatives should be able to submit application for Processing of the Border Protection Measures any time prior and after registration of the object	High
633.	It should be also available, to request for the Protection on submission of Application of registration	High
634.	The Request should be available for processing only after registration of the object and initiation should be processed automatically upon registration (if requested for Application) or immediately upon registration of the request (if requested for the registered object)	High
635.	Request should be submitted by filing corresponding application form.	High
636.	Application should be accompanied by representation documents (if applicable). Application could also be accompanied by additional information (documental, graphical, etc.), which could be useful for Customs officers to identify object of protection	High
637.	Application submission interface should be available from the private web interface.	Medium
638.	If applicant (owner or representative) has no user status in the system, he/she should register in the eFiling system to submit Application.	Medium
639.	Request to process Border Measure could also accompany an Application for registration of Trademark, GI, or Copyright, or any time prior to registration of the Object. In this case, request should be stored in the system and should be automatically initiated upon registration of the Object (if positive decision was made).	High
640.	Submitted application should be automatically accepted by the system (no additional manual acceptance from Sakpatenti side is required) and registered. Application registration number should be assigned to the Application automatically and a corresponding notification should be sent to the Applicant.	High

#	Requirement	Reference / Priority
641.	If any gaps in documentation were recognized, the executor of the process could request submission of additional documents, adjustments or clarifications by assigning deadlines for submission of the response. The Applicant should be able to submit requested adjustments	Medium
642.	The system should provide functionality to define validity of approved protection. According to current regulation, protection validity should be defined as 2 years after approval. This parameter should be customizable. In the case, if validity of the IP registration is to be expired before 2 year protection, expiration date of the IP registration should be assigned to the validity of the period of the IP REGISTRATION.	High
643.	If negative decision is made, only Applicant should be notified. In the case of the positive decision, both Applicant and Revenue Service should be notified and all relevant information, including description and visual presentation of the object, as well as all additional information, provided by the Applicant, should become available for the Revenue Service (Customs Department).	High
644.	The web-based interface (private) should be available for the Customs Department users. The interface should contain structured (by IP type, date) dashboard of objects, approved for the Border protection measures. Information should be easily searchable, sortable and filterable.	High
645.	Records should contain descriptive information on the IP object (as registered in Sakpatenti database), including information on ownership, category, class, representations, textual and visual description. Record should also be accompanied by information, corresponding to the Border Protection, such as decision document, date of assignment of protection date, expiration date.	High
646.	All additional documents (textual descriptions, graphic file) should be available from the dashboard.	High
647.	The data exchange interface, providing on-line access to above mentioned information through web service, should be available for the Revenue Service.	Medium
648.	List of objects, processed for the border protection measures, should be published on the public website automatically.	Medium
649.	Object, already registered for the Border Protection cannot be requested for the Border Protection. The system should not process request for protection already protected objects.	Medium
650.	Applicant should be able to withdraw request any time prior decision is made.	Medium
651.	Owner of the IP Object should be able to request for cancelation of the protection.	Medium
VII	**GENERAL REQUIREMENTS**	
	SECURITY REQUIREMENTS	
652.	External interface should be protected by SSL secure protocol	High
653.	User Accounts should be protected by password	High
654.	Additional PIN code protection for IP accounts could be implemented	Low
655.	User accounts could be protected by tokens (optional, could be offered for PAs and large legal entities)	Low
656.	Authorized users could protect interfaces by electronic signature. For Georgian citizens electronic ID cards could be utilized	Low

#	Requirement	Reference / Priority
657.	Protection options should be customizable through user profile	Low
	LANGUAGE REQUIREMETS	
658.	External eFilling system should have fully Georgian interface	High
659.	The interface should provide some functionality in English language	Low
660.	English interface should provide functionality to submit Application in English. Request, submitted in English should generate liability to provide information in Georgian within defined deadlines (EO6)	Low
661.	Georgian Interface should restrict ability of Applicant to enter information in any language, except Georgia. Information, allowing submission of non-Georgian information should be entered in separate fields	Medium
662.	Unicode encoding (UTF-8/16) should be used	High
	CLASSIFIERS	
663.	Any classified information should be provided in the form of lists	High
664.	If information is strictly classified (it is not allowed to provide information out of the list), the system should restrict any changes in classifiers form External users	High
665.	If information is not classified strictly (e.g. allows addition to lists or classifiers are not mandatory and could be offered to user as an information), the system should provide functionality to select information from the list and then allow user to edit information in the field	High
666.	If classifiers, used in different form, are updated, this should not be reflected in documents/information submitted before update. Updated classifiers should be available for new operations	High
667.	All existing customers (both registered and passive) should be available as classifier when entering data in applications/requests (Applicants, owners). If subject is not found (is not registered), the system should allow addition of new subject in the list	Medium

6.2 GENERAL RULES AND REQUIREMENTS FOR INTERNAL OPERATIONS

Table 6. General Rules and Requirements for Internal Operations

#	Requirement	Reference / Priority
VII	**ACCOUNTS, USERS AND ACCESS RIGHTS**	
668.	The user accounts system should be built around the Sakpatenti's staff schedule	High
669.	Schedule should be divided by departments and positions. Departments' rights should be bound to departments schedule, when individual users rights should be defined by position within the department	High

#	Requirement	Reference / Priority
670.	Personnel register should be an independent from staff schedule. Personnel should be connected to staff schedule and each individuals should be granted by rights according to position she/he hold	High
671.	User accounts should be built on Personnel register, when user rights should be defined by staff schedule	High
672.	Employee, assigned to position and registered in the system should be automatically granted by rights, granted to position, as well as should be able to perform tasks, assigned to position	High
673.	It should be possible to assign (temporarily) rights of position to another user - fully or partially. In this case, another user should be able to process tasks/act on behalf of the user	High
674.	It should be possible to create virtual departments in the structure (e.g. Appeal Committee)	Medium
	EXPERT ACCOUNTS	
	Expert is a person, employed or contracted by Sakpatenti, who is responsible for examination of content of IP applications. It is assumed, that Expert is not involved in any administrative/supportive workflow and is responsible only for submission of conclusion for particular case, assigned to him/she.	
675.	Any expert, employed or contracted by Sakpatenti should be granted by special account. Account should be connected to functional department corresponding to expert's expertise	High
676.	Expert Account could be assigned by a series of tasks with defined deadlines for submission.	High
677.	Expert Account supposes existence of one unique user, Natural Person, employed or contracted by Sakpatenti.	High
678.	Expert Account could be considered as an account of a group of users (e.g. some legal entity), authorized to provide expertise/examination service for Sakpatenti.	Low
	DEPARTMENTS ACCOUNTS	
679.	All departments should have their own accounts in the system.	High
680.	Each operation (unit operation, use case) should have an owner. Departments are owners of operations.	High
681.	Top authorized user (s), who has (have) rights to sign official documents, should have status separated from departments.	High
682.	All tasks, being processed by department, should be assigned to Department Account. Tasks should be distributed by department's authorized user (Head of Department) to users within the account	High
683.	It should be allowed to create virtual groups within department accounts (e.g. Formal experts, substantive experts, etc)	Medium
	The following units should have separate Department Accounts	

#	Requirement	Reference / Priority
684.	1) Top Management (Authorized user(s))	High
685.	2) Legal Department (cross cut operations)	High
686.	3) Finance Department (cross cut operations)	High
687.	4) Trademark Department (Trademarks and geographical signs operations)	High
688.	5) Patent Department (Inventions, design, utility model operations)	High
689.	6) Copyrights Department (copyright operations)	High
690.	7) Appeal Committee (connected to virtual department structure)	High
691.	8) IT department (Administrators)	High
692.	Chancellery should not have an internal account. Chancellery should have a status of external customer (Front Office (FO) account)	Medium
	Account Users	
693.	Department Account should have users, who will allow to perform operations on behalf of the Account	Medium
694.	Users could be assigned by three categories of access rights (according to position):	Medium
695.	One default user, registering account, should have Administrator's rights. Only Administrator could create additional user accounts and assign/reassign rights.	Medium
696.	Single Supervisor user (Head of Department), who has rights to Accept external requests (could be delegated to another user) Approve internally generated decisions Assign tasks to department's staff	High
697.	Regular users, who have rights to process assigned tasks and prepare decisions, documents, requests for approval	High
698.	Each particular task should be assigned for single or multiple users. All users assigned to the task with the same status should have similar rights	High
699.	Regular user should have rights to initiate any operation, enter information, upload data, and generate requests, decisions, and documents.	Medium
700.	User should be authorized in the system by User ID and password. Department Account related access rights should be assigned automatically	High
701.	User should be able to change password.	Medium
702.	External access to the internal system (via public internet - e.g. experts, working remotely) should be provided by additional level of security (tokens, electronic ID).	Medium
703.	Alternatively, external connection to the internal system should be provided via private virtual connection	Medium
	IP APPLICATION OBJECT	

#	Requirement	Reference / Priority
704.	IP Application Object should be created as a response on submission of Application if Application is accepted by Sakpatenti	High
705.	Application is identified by Application ID	High
706.	Application Object is active for processing until IP is registered. If Application is terminated by Sakpatenti, object should be accessible for processing until deadlines for appeal are expired.	High
707.	All information and documents, related to Application, as well as versions of Application, should be connected to Application	High
708.	Both External Requests, and internal operations, should be connected for Application	High
709.	Application should be assigned by one of the following statuses: 1) Open for processing 2) Suspended for processing (because of liabilities, applicant request) 3) Closed for processing (completed, terminated)	High
710.	Only one operation (response on internal or external request should be allowed for processing for one particular moment.	High
711.	If liabilities are assigned to application (payments, document submission), Application is suspended for processing until liabilities are fulfilled	High
712.	On registration or expiration of Appeal deadlines, Application become closed for processing and only summary data is available for preview.	High
713.	All information, documents, notifications, electronic agreements, related to Application, should be connected to Application object	High
714.	User, assigned to Application, should be able to initiate and process any operation within rights (department level, user level), assigned to him/her	High
715.	Department's Supervisor user (Head of Department) should have preview access to all application objects. He/she should be allowed to process tree operations: acceptance of request, assignment of task, and approval of decisions.	High
716.	Regular Users should have preview access to all Application objects, but should granted by rights to process operations only for objects, assigned for them (within rights on department/personal level)	Medium
717.	Sakpatenti's Authorized users should have preview access to all Application objects, and should be granted only by rights to sign outgoing documents	Medium
	REGISTERED IP OBJECT	
718.	Registered IP Object is a set of information related to one particular registered Intellectual Property record, including all transactions, connected to it.	

#	Requirement	Reference / Priority
719.	Registered IP Object should be created when registration procedure is completed. Object should be identified by Object ID, assigned by the system.	High
720.	Object is available for transactions (operations) until expired or withdrawn from register. After expiration, object is available for renewal transaction according to regulations for particular type of IP.	High
721.	After deadlines, defined by regulations are expired or Object should be withdrawn from the register, moved to archive, should be excluded from search DB and should be available only for preview and local search.	High
722.	After term, defined by legislation, the object should be eliminated from the Archive and deleted from DB	Medium
723.	Objects allow processing of standard transactions, defined by regulations within particular deadlines from request for transaction and payment. Standard transactions for different type of IPs differ by deadlines, which should be customizable parameters	High
724.	User, assigned to process requested transaction, should be able to initiate and process any operation within his/her rights (department level, user level), assigned to him/her	High
725.	Department's Supervisor user (Head of Department) should have preview access to all IP objects. He/she should be allowed to process three operations: acceptance of request, assignment of task, and approval of decisions.	High
726.	Regular Users should have preview access to all IP objects, but should granted by rights to process transactions only for objects, assigned for them (within rights on department/personal level)	High
727.	Sakpatenti's Authorized users should have preview access to all IP Objects, and should be granted only by rights to sign outgoing documents	Medium
728.	All information around the Object (requests, object's data, uploaded files and documents, electronic agreements, co-parties accounts, payments, deadlines, notifications, requests for transactions, etc), submitted by external party should be connected to the IP Object.	High
729.	All responses/notifications/electronic documents, generated by the system and/or internal users, and related the IP, should be connected to the IP Object	High
	HIERARCHY OF RIGHTS TO PROCESS OPERATIONS	
730.	As Application is submitted and accepted, Department (owner) Supervisor user should be able to assign task for processing of particular operation (e.g. formal exam, substantive exam, etc.) as a task for particular user. Assigned user is an owner of this operation and all interim requests and operations (within Department's rights) until operation is completed or terminated. Task could be reassigned either by Department Authorized user, or automatically (through changes in HR module)	Medium
731.	Department's Supervisor User should approve any completion of operation	High

#	Requirement	Reference / Priority
732.	If operations requires issuance of electronic document, which should be officially signed (e.g. Certificate), Sakpatenti's Authorized users should sign document before sending document outside of the internal system	High
	CHECKING OF USER RIGHTS	
733.	Department's Supervisor user (Head of Department) should have preview access to full information, related to Department, but he/she should be allowed to process only three operations: acceptance of request, assignment of task, and approval of decisions.	High
734.	Regular Users should have preview access to objects' information, related to Department, but should granted by rights to process transactions only for objects, assigned for them (within rights on department/personal level)	High
735.	Sakpatenti's Authorized users should have preview access to all objects, and should be granted only by rights to sign outgoing documents	Medium
736.	Any type of request from external users could be processed only by internal users assigned to process request. Rights to process request should be assigned before processing request. Internal interface should allow processing of operation only based on assigned rights	High
	INTERFACES	
	USERS DASHBOARDS	
	9 types of internal interfaces (dashboards) should be available:	
737.	1) Sakpatenti's Authorized Users Dashboard (Top Management): Dashboard should provide separate sections (pages) for - ALL Applications, being processed by Sakpatenti (preview only) - ALL registered IP objects (preview only) - List of documents to be signed with functionality to sign/reject - Notifications Dashboard - Search engine - Archive - Analytics - Communication panel	High
738.	2) Departments Supervisor Users Dashboard (Head of Departments): Dashboard should provide sections (panels) for - All external requests, assigned to Department with functionality to preview and accept/reject, as well as to assign task - ALL Applications, being processed by Department (preview only) - ALL registered IP objects (preview only) - Tasks progress dashboard with functionality to reassign task - List of documents to be approved with functionality to approve/reject - Notifications Dashboard - Search engine - Archive - Analytics - Communication panel	High

#	Requirement	Reference / Priority
739.	5) Experts Dashboards: Expert dashboard should provide functionality restricted by examination of the task, assigned for the Expert. Experts should be able to preview/print out information, as well as process operations, related to examination process (request for information, communication with Applicant). Communication should be anonymous (Name of expert should not be available for applicant). Communication with Applicant should be fully traceable. Interface should provide functionality to prepare conclusion/report of examination. Dashboard should provide sections (panels) for - All tasks, assigned to user with functionality to process task - All external requests, owned by Expert with functionality to preview and accept/reject, as well as to assign task - ALL pending and registered IP objects (preview only) - Notifications Dashboard - Search engine - Archive - Analytics - Communication panel	High
740.	4) Regular Users Dashboards: Dashboard should provide sections (panels) for - All tasks, assigned to user with functionality to process task - All external requests, assigned to Department with functionality to preview and accept/reject, as well as to assign task - ALL Applications, being processed by Department (preview only) - ALL registered IP objects (preview only) - Notifications Dashboard - Search engine - Archive - Analytics - Communication panel	High
741.	5) Finance Department Dashboards (see ELECTRONIC PAYMENT SYSTEM)	High
742.	6) Appeal Committee / Appeal Board Dashboard (see APPEAL DASHBOARD)	High
743.	7) HR interface: independent interface, providing functionality to manage Sakpatenti's Staff Schedule and Personnel	Low
744.	8) Administrators interfaces	Medium
745.	9) Publishing Unit dashboard: should contain list of task/information, which should be published in the up-coming bulletin. Each task should contain correct information, which should be published. Publishing unit should be able to indicate whether task is fulfilled (information published). Number of bulletin, as well as data of publication and other parameters (e.g. Publication Number) should be entered. Publishing unit should also be able to publish information on public interface (web site) from dashboard.	High
746.	Authorization in the interface should be based on User ID and password. Additional level of security could be assigned for Authorized users (Sakpatenti, Departments)	Medium
747.	Access to particular dashboard should be defined by user's rights (Department, position)	High

#	Requirement	Reference / Priority
748.	Dashboard should provide access to personal profile settings.	Low
	All dashboards/Interfaces should provide (within rights, assigned to Department):	
749.	1) List of IP objects, available for the user (for preview / for processing)	High
750.	2) List of tasks, assigned to user (by the System, by Supervisor)	
751.	2) Access to allowed operation	High
752.	4) Access to Electronic Agreements	Medium
753.	5) Access to documents, officially issued by Sakpatenti	Medium
754.	6) Access to Profile setting	Low
755.	9) Notifications dashboard	High
756.	10) Free correspondence/requests dashboard	Medium
757.	11) IP Search interface	Medium
758.	12) Information (Library)	Low
759.	Completed applications and expired IP objects should be available only in preview mode	Medium
760.	Free correspondence/requests dashboard should allow users to send any kind of not classified requests/notifications to both internal and external users. Recipients should be identified by Customer ID / Internal user ID (single recipient notifications) or by Application ID / Registered IP ID / Department (multi-recipient messages - all involved parties, involved in the process)	High
761.	IP Search interface should provide user with complex search engine	Medium
762.	Information (Library) should provide any kind of information, such as classifiers, regulations, user manuals, etc.	Medium
763.	User should also be able to use other communication tools, such as chats, video chats, etc. to communicate with Sakpatenti help desk staff	High
764.	Video chats could be also used by Sakpatenti staff to identify external users	Medium
765.	Notification Dashboard should provide chronologically sorted list of notifications, received by Customer. Notifications should be searchable, sortable and filterable.	Low
	Requests for operations with Registered IP	
766.	Requests for operations with Registered objects should be separated from Applications	High
767.	IP Objects should be identified by official registration numbers (IP ID)	High

#	Requirement	Reference / Priority
768.	The dashboard should contain a list of external requests, including requests, provided via free correspondence form. Supervisor should be able to view all requests, as well as assign processing of request to particular user.	High
769.	Regular users should be able to view tasks to process information, assigned to them, as well as access to interface (form) to process request (transaction)	High
770.	Requests, submitted via free correspondence form, should be processed manually	Medium
771.	Requests to issue documents should be processed manually and user should be able to notify Customer when document is issued (delivered, if requested)	Medium
	Applications	
772.	The Supervisor's dashboard should contain the list of applications being in processing. Status of processing, as well as external requests for operation should be reflected in the list.	High
773.	Supervisor should be able to view all applications, as well as accept/reject requests and assign tasks to process request to particular user.	High
774.	Supervisor should be able to view decisions, submitted for particular application and should have functionality to approve/reject decision.	High
775.	Regular users (executors) should be able to view tasks to process information, assigned to them, as well as access to interface (Application Desktop) to process request	High
	APPLICATION DESKTOP	
776.	As IP Application is submitted, the space to process Application should be generated (IP Application Desktop)	High
777.	All users, involved in Processing of Applications (experts, legal department) should have access to interface with different level of rights.	Medium
778.	Other users, not involved in the Application, should have access to Application in preview mode	Medium
779.	Users should have access to account through their dashboards.	High
780.	Application should be identified by Application ID	High
781.	Only operations, allowed to be executed for particular time segment, should be available in the interface.	Medium
782.	If Application is waiting for response from the external party, processing of any operations should be locked and this should be reflected in the status of Application	Medium
783.	Only one request should be available for processing during particular period of time. All other requests should be in waiting mode. Requests should be allowed to be processed consequently as assigned	Medium

#	Requirement	Reference / Priority
	Interface should contain:	
784.	1) Currents status of the Application, including information about response to be submitted by the external party (in waiting mode)	High
785.	2) Current operations to be submitted (exam, decision, etc), as well as easy access to process response	High
786.	3) Any deadlines to provide information to the system	High
787.	4) Access to operations and requests (allowed for the user)	High
788.	5) Access to electronic agreements (preview mode)	High
789.	6) Access to full history of activities within application	High
790.	7) Access to all documents, provided by Applicant	Medium
791.	8) IP Search engine	Medium
792.	Full mode Interface should be available until Application processing is completed (by termination or registration). After completing of processing, Application should be available only in preview mode	High
793.	All documents/notifications, sent by Sakpatenti, should be available from the interface	High
	ELECTRONIC AND PAPER BASED PoAs	
794.	Electronically submitted PoAs and other agreements, granting rights to process operation on behalf of Applicants/owners, should not require re-checking by the internal user: request for operation should processed by the system automatically if electronic agreement is signed.	Medium
795.	Internal user should be able to view information, when and by whom electronic agreement was signed	High
796.	If request contain paper-based agreement (scanned copies of certifying documents are provided), the internal user should be able to accept agreement. After acceptance, paper-based agreement should have the same status in the system, as electronically signed agreements	High
	APPEAL DESKTOP	
797.	As Appeal for IP Application is requested, the space to process Appeal should be generated (IP Appeal Desktop)	High

#	Requirement	Reference / Priority
798.	Appeal should be connected to either IP Application of registered IP (if applicable), for which Appeal has been required	High
799.	Appeal dashboard is an additional interface, available for users, involved in the Appeals consideration process (Appeal Committee members, appeal board members, other users, involved in the process)	High
800.	Other users, not involved in the Application, but having relevant rights (e.g. Management, supervisors, etc) should have access to Appeal in preview mode	Low
801.	Users should have access to account through their dashboards.	High
802.	Appeal should be identified by Appeal ID, Application/IP object ID	High
	Desktop should allow access for the following type of users:	
803.	1) Appeal Committee Secretary - user, having rights to prepare decisions, to send requests and notifications to Applicant, to assign Appeal Boar members	High
804.	2) Appeal Committee Members - users, having full preview access to information and having rights to accept/reject decisions	Medium
805.	3) Responsible officials - users, having rights to sign outbound documents (Chairman of Appeal Committee, Chairman of Appeal Board (temporary rights))	High
806.	4) Appeal Board Members - users, assigned for particular Appeal and having access to information for particular Appeal. These users have temporary rights	High
	Appeal Committee Secretary should have rights:	
807.	1) To view list of Appeal requests	High
808.	2) To preview Appeal application and preview/download attached documents, as well as print out submitted information	High
809.	3) To preview and check electronic PoA (is assigned)	Medium
810.	4) To accept Appeal (open Appeal case) or send request to provide additional information.	High
811.	5) To terminate Appeal application if documents/information have not been provided	Medium
812.	6) To send request for counter-appeal (third party appeal case)	Medium
813.	7) Assign/reassign Appeal board members to Appeal, as well as assign Chairman of the Board rights to one of the members	High

#	Requirement	Reference / Priority
814.	8) Send notifications (free communication form) to all users (internal and external), involved in the process	Medium
815.	9) Assign trial date (s) for Appeal	High
816.	10) Prepare minutes and decisions for acceptance / signing	High
817.	11) Close Appeal case	Medium
	Appeal Committee Members should have rights:	
818.	1) To view list of all Appeals	High
819.	2) To preview Appeal applications and preview/download attached documents, as well as print out submitted information	High
820.	3) To receive notifications/documents related to Appeal (optional)	Medium
821.	4) To submit comments and accept decisions (minutes)	Medium
822.	5) To view dates (deadlines) assigned for appeal (trial date, decision date, etc)	High
	Appeal Board Members should have rights:	
823.	1) To view list of Appeals, assigned for him/her	High
824.	2) To preview Appeal application and preview/download attached documents, as well as print out submitted information	High
825.	3) To receive notifications/documents related to Appeal	High
826.	4) To submit comments and accept decisions (minutes)	High
827.	5) To view dates (deadlines) assigned for appeal (trial date, decision date, etc)	High
	Responsible Officials in addition should have rights:	
828.	1) To view all documents to be signed	High

#	Requirement	Reference / Priority
829.	2) To sign official outbound documents/decisions	High
830.	After the Appeal Board is assigned to Appeal, Board members should get all information, related to the Appeal	High
	BILLING SYSTEM	
	ELECTRONIC INVOICES AND PAYMENT LIABILITIES	
831.	Any operation (services), both requested electronically from Customer's electronic interface or submitted on paper and processed by Front Office users, should generate Electronic Invoice and payment liability, connected to the Invoice.	High
832.	Submission of any request should be followed by generating Electronic Invoice and payment liability, connected to the Invoice. Deadlines for processing of payment should be defined	High
833.	Any request should be accepted by the system (placed in the system) only after payment liability is completed.	High
834.	Electronic Invoices (as well as payment liabilities) should be generated according to Fee schedule in USD	High
835.	Payment Orders should be generated on payment processing request and should reflect amount payable in GEL according to current exchange rate, fixed in the system	High
836.	If operation is requested electronically, the system should generate electronic invoice automatically.	Medium
837.	If operation is requested based on paper request, the system should generate electronic invoice automatically after request is processed by Front Office user	Medium
838.	Electronic invoices should be available for both external (Customers, Front Office) and internal (Financial Department) users	Medium
839.	Electronic invoices should be indicated as payable or paid and should reflect respectively payment deadlines or payment date	High
840.	Electronic invoices should be deactivated after deadline for payment is expired and should not be available for processing	High
841.	Electronic Invoices could also be generated through requests, generated by internal processes, requiring payment for up-coming operation (e.g. Formal Exam completion - positive decision - should generate Electronic Invoice for processing of Substantive Exam). Internally generated Electronic Invoice should be available for Customer, Front Office users and Financial Department users	High
842.	The system should provide functionality to request for payment automatically, based on completion of some operation. The payment liability and Electronic Invoice should be generated	Low
843.	The system should provide functionality to request for payment manually (Financial Department Dashboard). Manual requests should be strictly categorized. The payment liability and Electronic Invoice should be generated	High

#	Requirement	Reference / Priority
844.	If Customer have electronic account, request should be sent to Customer via electronic communication channels, as well as should appear on the dashboard	High
845.	The system should provide functionality to generate payment request without sending electronic notification. In this case, the paper based request should be allowed to be printed out.	Medium
846.	Payment request, sent electronically, are accounted to be delivered if electronic delivery notification is received by the system. Delivery should be reflected in the system automatically	High
847.	Paper-based payment requests are accounted to be delivered if delivery is confirmed by Customer's signature. The system should provide functionality to reflect delivery in the system	High
	PAYMENTS FOR SERVICES	
848.	Internal payment system should provide functionality to account for payments provided both electronically and by submitting paper-based payment confirmations	High
849.	Electronic payments should be fully based on the Virtual Deposit Account (both Customer and Application) principles: any electronic payment should be done from Virtual Deposit Accounts and should be strictly identified	High
850.	Processing of payments (both electronic and manual) should be fully based on Electronic Invoices and Electronic Payment Orders concept. Any operation (services), both requested electronically from Customer's electronic interface of submitted on paper and processed by Front Office users, should generate Electronic Invoice and payment should be processed through Electronic Payment order, generated based on Electronic Invoice	High
851.	Electronic payments should be processed automatically, without any manual intervention. Electronic payment orders should have unique identification code, allowing system identify payments	High
852.	Patent Attorneys should be allowed to use only electronic payment system. No paper-based communication should be allowed for PAs	High
853.	Customers, having no electronic accounts, should be allowed to submit paper-based confirmation of payments and the system should provide functionality to account for these payments. Paper-based confirmation should be processed through Front Office interface	High
854.	The system should provide functionality to identify payments, confirmed by paper documents automatically (if payment orders for operations are submitted to banks with proper identification)	Medium
855.	Paper-based confirmations should be processed via Front Office interface (without intervention of Financial Department)	Medium
856.	System should provide functionality to process payments manually from the internal system (Financial Department Dashboard) in the case of any technical problems exist or if payment order has been submitted incorrectly and payment could not be identified properly and processed automatically and by Front Office Interface	High
857.	Payment should be connected to payment liabilities (and Electronic Invoices)	High

#	Requirement	Reference / Priority
858.	Payments should be done based on Electronic Payment Order, generated based on Electronic Invoice	High
859.	If Customer has electronic account, the system should automatically send notification (reminder) to Customer before deadlines for payments are expired (number of days should be customizable)	Medium
	TRANSFER AND IDENTIFICATION OF FUNDS	
860.	Funds could be transferred to Sakpatenti's account to any bank, serving Sakpatenti (currently, four banks are available)	High
861.	The system should identify funds, transferred to Sakpatenti's accounts via	
862.	1) bank transfers	High
863.	2) crediting cash to the Sakpatenti bank account	High
864.	3) on-line payments by credit/debit cards	High
865.	4) internet banking and other ePayment systems	Medium
866.	5) payment terminals and any other available payment systems	Medium
867.	Amount of funds, allowed to be transferred to VDA (both CVDA and AVDA) account should be restricted by the system. Maximum amount, allowed to be available on CVDA/AVDA should be a customizable parameter. Exceeding amount should be highlighted in the system and is a subject of manual response of Department of Finance. Only allowed amounts could be recognized.	Medium
868.	As alternative, the system can also support for direct payments for particular applications/operations by bank plastic cards. In this case, transfer of funds should automatically remove payment liability	Low
869.	Funds, transferred to Sakpatenti's bank accounts and properly identified, should be automatically reflected in the internal system.	High
870.	Funds, transferred to Sakpatenti's bank accounts, but not identified properly, should not be reflected in the system automatically. The Financial Department should be able to reflect transferred funds in the internal system manually	High
	Transferred funds should be identified by any of the following parameters:	
871.	1) Customer ID - Only for customers, having electronic account. Transfers should fill Customer's Virtual Deposit Account	High
872.	2) Application ID - Could be used for both electronic and paper-based requests. In this case, funds should be connected to particular Application and payment should be available to be processed either through Customer's or Front Office interfaces	High

#	Requirement	Reference / Priority
873.	3) Operation ID - is "hidden" internal parameter and is applicable only for transfers, made by direct payment by debit/credit cards	Medium
874.	Transferred fund should be reflected respectively in Customer's VDA or Application VDA.	High
875.	Front Office users should have access only to Application Virtual Deposit Accounts	Medium
876.	Financial Department should be able to preview both Customers' and Applications' Virtual Deposit Accounts.	High
877.	Transfer of funds to either Customer's of Application's VDA should create liability on Sakpatenti side	High
878.	Processed payment should reduce amount, available on Virtual Deposit Account (either Customer or Application) and remove liability from Sakpatenti side	High
879.	If funds, transferred to Sakpatenti, are not used and should to be returned to Customer, funds should be transferred back to CVDA by assigning liability to Sakpatenti funds. Financial Department should be able to transfer unused funds from the interface	High
880.	Customer should be able request returning of unused funds by submitting relevant form. After acceptance of request, Sakpatenti will transfer requested funds back to Customer's bank account.	High
881.	As a response on request to reimburse funds (accepted), Financial Department should be able to generated and print out payment order to process transaction	High
882.	Financial Department should be able to process reimbursement transfer directly from the interface	Medium
883.	Customer should also be able to transfer funds for Application Virtual Deposit Account to process payments for operations.	High
	FINANCIAL DASHBOARD	
884.	Financial Department users should be able to preview and process financial transactions via financial dashboard.	High
885.	Financial Dashboard should be available only for Financial Department's users	High
886.	Financial Dashboard should be available in preview mode for Sakpatenti's Management users	Low
887.	Financial Dashboard should provide access to Virtual Deposit accounts (in preview mode) and Transactions, as well as Task Panel, providing functionality to process operations	High
	Transaction Panel should be separated by the following sections (pages):	
888.	1) Payable Electronic Invoices (with reflected deadlines for payment, and identifying parameters: Application ID, Registered IP Object ID, Operation/Service, Customer ID). Panel should provide functionality to filter, group and sort invoices, as well as process relevant operations:	High

#	Requirement	Reference / Priority
	- Manually send payment reminder - Manually process invoice as paid (in emergency case) - Generate and print reports	
889.	2) Paid Electronic Invoices (with reflected date of payment and identifying parameters: Application ID, Registered IP Object ID, Operation/Service, Customer ID). The panel should provide functionality - To preview transactions - To generate and print out different reports	Medium
890.	3) Expired Electronic Invoices (with reflected deadlines, and identifying parameters: Application ID, Registered IP Object ID, Operation/Service, Customer ID). Panel should provide functionality to filter, group and sort invoices, as well as process relevant operations: - Preview invoices - Generate and print reports	Low
891.	4) Transfers to Sakpatenti's accounts, grouped by identified transactions, and not identified transactions. The panel should provide functionality: - To process not identified transfers to Customers/Applications accounts - To preview transactions details	High
892.	5) Reimbursements	Medium
893.	Virtual Deposit Accounts Panel should be separated by the following sections	
894.	1) Customers VDA - list of CVDA with reflected amounts, available on accounts, as well as total payment liabilities, assigned to account. Panel should provide functionality to filter, group and sort invoices, as well as process relevant operations: - Preview CVDA, including detailed information on assigned liabilities, history of payments and fund transfers, as well as official notifications, sent to account - Generate and print out reports - Initiate reimbursement (if requested, should be reflected)	High
895.	2) Applications VDA - list of AVDA of active Applications (under processing) with reflected amounts, available on accounts, as well as total payment liabilities, assigned to account. Panel should provide functionality to filter, group and sort invoices, as well as process relevant operations: - Preview AVDA, including detailed information on assigned liabilities, as well as official notifications, sent to account - Generate and print out reports - Initiate termination of Application, if deadline for payment is expired - Postpone payment, if Postponement of payment is requested The panel should also provide access to completed and terminated Applications' accounts	High
896.	3) Liabilities - the panel, providing total view of liabilities, assigned to Sakpatenti (from CVDAs and AVDAs) and liabilities, assigned to above mentioned accounts. The panel should provide functionality to generate and print out different type of reports	Medium
	Task Panel should be separated by the following pages:	
897.	1) Tasks, generated by the system and requiring response from the Financial Department: Events, indication completing of stages (e.g. Formal examination) and requiring generation of request for payment (liability) to process the next stage (e.g. payment for Substantives examination, publication). From this panel users should be able to process the following operations:	High

#	Requirement	Reference / Priority
	- Generate payment requests - Send notifications (if electronic account is available for request)	
898.	2) Requests, submitted by External users: requests for Postponement of payment, requests for reimbursement, etc. From this panel users (according to their rights) should be able: - To accept/reject requests (if applicable, available for supervisors only) - To assign tasks for internal users (if applicable, available for supervisors only) - To process requests	High
899.	3) Expired Electronic Invoices with functionality - To initiate termination process - To generate and print out notifications - To send notifications (if electronic account is available)	High
900.	4) Outbound notifications - this panel should be available for users with supervisor's status. All official notifications (termination, requests for payments) should be listed. The user should be able to approve/reject distribution of electronic notification. Notifications should be sent automatically after approval.	High
	Notifications Panel	
901.	Notification panel should contain the list of official notifications, sent to Customers. List should contain indication about delivery of notification. If notification has not been sent electronically (no electronic account is available), the panel should provide functionality: - To reflect delivery of the paper-based notification (delivery date)	High
902.	The interface should connect different objects (e.g. Tasks with VDAs, notifications, etc) and also should provide navigation between objects	Medium
	SEARCH ENGINE	
903.	The system should provide comprehensive search engine for context search	High
904.	The system should provide comprehensive search engine for substantive search	Low
905.	The search engine should be available in the internal system in its full functionality. Context search should be also available in external interface	High
906.	Substantive search partially could be available from the external interface.	Medium
907.	Context (simple) search should provide functionality of looking for information in both Applications and Registered IPs.	High
908.	Context (simple) search should provide functionality of looking for information by content of any parameters, clarifying Applications/registered IPs	High

#	Requirement	Reference / Priority
909.	Context (simple) search should provide functionality to consolidate different search criteria and use any applicable mask to search information (Advanced context search)	High
910.	Any type of classified information, applicable for IPs (e.g. type of IP, priority type, classes of goods and services, etc), should be available in the form of multiple filters	Medium
911.	Comprehensive substantive search should be defined for each particular type of IP and should contain functionality of phonetic, graphic, likelihood, and etc search	Low
912.	Search engine should provide functionality to consolidate results of consequence of searches	High
913.	Search engine should provide functionality generate search reports	High
914.	Users should be able to put selected results of the search in report	High
915.	The system should provide functionality to import sets of search criteria form other modules of the system (should not be fully based on user interface input form) and apply criteria for search	Medium
916.	The system should provide functionality to import search results (reports) from other modules of the system	Medium
917.	Search engine should provide functionality to generate consequence of codes (e.g. graphic search) using relevant classifiers	Medium
918.	The search engine should provide functionality to store search criteria and reuse them as search templates	Medium
919.	The search engine should provide functionality to store and reuse search results	Medium
	NOTIFICATIONS AND ELECTRONIC DOCUMENTS	
920.	Any activity of external users, causing initiation of any internal process (e.g. Application submission, requests, information submission), should initiate notification	High
921.	Any activity of internal users, causing initiation of other internal process (e.g. assignment of task, approval), should initiate notification	High
922.	The system should provide functionality to generate and send notifications manually. Manually generated notifications could be addressed to both internal and external users	Medium
	At least three types of notifications should be available:	
923.	1) Personal notifications: notifications, generated automatically or manually and addressed to unique recipients (owners of process)	High
924.	2) Group notifications: notifications, addressed to a group of users, generated either automatically, or generated by another user (e.g. notifications to Appeal Board members)	High

#	Requirement	Reference / Priority
925.	3) Broadband notifications: notifications, addressed to all users from particular category (external or internal, e.g. all PAs), generated manually	Medium
926.	Internal users should have access to notification through their Dashboards (notification dashboards)	High
927.	Internal users should get new-coming notifications on logging in the system (pop-up notifications)	Low
928.	E-mail notifications should be available (optional, according to preferences)	Low
	The following events should generate notification for internal user (the list is preliminary and should be adjusted)	
929.	1) Submitting of any external requests (recipients: owners of requests)	High
930.	2) Assignment of tasks (recipients: executors)	High
931.	3) Upcoming deadline reminder (recipients: both owners an executors)	Medium
932.	4) Confirmation of delivery of official notifications to external users (recipients: both owners an executors)	Medium
933.	5) Any changes in internal deadlines and liabilities in response of Customer's requests or internal processing (recipients: both owners an executors)	High
934.	6) Notification about completion of process and/or stage of the process (recipients: both owners an executors)	High
935.	7) Other notification (the list should be completed)	Medium
936.	The following events should generate PDF document (signed) and should be attached to notification (the list is preliminary and should be adjusted)	
937.	1) Official acceptance of Application and other documents, requiring official confirmation of acceptance/receiving	Medium
938.	2) Request for additional information / documents	Medium
939.	3) Any decision (positive, refusal, termination, etc) in form of Decree, official letter, etc	High
940.	4) Requests for payment (Invoices)	Low
941.	5) Requests to visit Sakpatenti Office (to participate in Appeal consideration, to bring original documents, to sign documents, etc)	High

#	Requirement	Reference / Priority
942.	6) Electronic copies of issued documents (e.g. extracts, certificates, etc)	High
943.	7) Other documents (the list of documents should be completed)	Medium
	RECEIPIENTS	
944.	Official e-mails fixed in the User's profiles should be used for e-mail communications.	Low
945.	Executors could receive only notifications, related to operations for which they are assigned to process, as well as general (broadband) notifications	Medium
946.	Notifications should be sent only to users, involved in the IP process for the moment when related notification is generated	Medium
947.	Supervisors should receive all notifications, related to his/her structural unit (owner of which they are	High
948.	Top management should receive the following notifications	
949.	1) New Applications	Medium
950.	2) Decisions (both projects and decisions, to be signed)	High
951.	3) To be signed documents	High
952.	4) Other important events (to be adjusted)	Medium
953.	5) Receiving of other notifications, related to internal processes and/or external requests should be available for Top management and should be customizable parameter through user profile. All notifications should be available from dashboards	Low
	ELECTRONIC DOCUMENTS	
954.	All electronic documents, officially issued by Sakpatenti, should be generated/stored in PDF format and should be available in the internal system	High
955.	Documents should be available in a form of direct links, as well as a list of links, obtained by submitting IP (Application or object) identification number from relevant field in the public interface. If issuance of document is required (document is expired), the document will be issued based on new request	Medium
956.	Electronic documents should be signed by electronic or digital signature	Low
957.	Electronic documents could have validity date: electronic documents should be removed to archive on expiration and should be available only from Archive	Medium

#	Requirement	Reference / Priority
958.	All electronic documents, received by user, should be available and placed on the electronic documents dashboard	Medium
959.	Documents should be identified by both serial and structured numbers	Medium
960.	Documents should provide bar code identification	Low
961.	Documents should be signed by digital signature (facsimile)	Medium
962.	The system should provide functionality to generate electronic documents both automatically and manually	High
963.	Automatically created documents should be allowed for editing before submission	Medium
964.	The system should provide functionality of searching, sorting, grouping and filtering of documents	High
965.	The system should provide functionality to search generated documents content	Medium

6.3 WEB PUBLISHING

The system should provide functionality to publish information on website. Publishing should be organized through information dissemination interface. The following information should be published:

- Official Bulletins
- DB of registered and pending (published) IPs (through search engine)
- Registration of any changes in IPs (published, registered)
- Other information (TBA).

Publishing could be organized either manually (from dashboards) or automatically (by system), depending on information to be published.

6.4 INTEGRATION WITH EXISTING SYSTEM

If comprehensive substantive search engine is not realized in the system (low priority task) the system should provide interface to export classified information to the old data base to make information available in existing search engine. Service provider (software developer) will be also responsible for providing mechanism to import information to the old data base. Both on-line and off-line import mechanisms are acceptable. Full data, necessary to process comprehensive substantive search should be available for export/import.

6.5 DATA EXCHANGE INTERFACES

Data exchange interface with Civil Register, Public Register and Payment Systems (Banks, electronic payment systems) are required to be integrated in the system. Brief description of interfaces is provided in the table below (*Table 7. Data Exchange Interfaces*).

Table 7. Data Exchange Interfaces

	Interface Name	Source System	Target System	Status	Description
1	Request for Natural Person data	Civil Register	EFS of Sakpatenti	Desirable	This interface is not established yet. EFS of Sakpatenti requires data, which identify the natural person. Received data is compared with the information, entered during the natural person registration in the system.
2	Request for Legal Entity data	Business Register	EFS of Sakpatenti	Desirable	This interface is not established yet. EFS of Sakpatenti requires data, which identify the legal entity and patent attorney. Received data is compared with the information, entered during the legal entity registration in the system.
3	Payment information	ePayment systems, Banks	EFS of Sakpatenti	Mandatory	ePayments – information about executed by payments (Mandatory functionality). Banks – information about received payments, executed by the Bank (Desired functionality).
4	Information dissemination	EFS of Sakpatenti	Data Exchange Agency, International Examination	Desirable	Interface(s) should provide functionality to disseminate information to different consumers of Sakpatenti's information. Local dissemination should be organized through Data Exchange Agency's platform. The system should also contain service(s) to provide information to international organization on-demand basis.
5	Information on IP object requested for the Border Protection Measures	EPS of Sakpatenti	Revenue Service (or via Data Exchange Service)	Mandatory	Interface should provide Customs Department with detailed information about registered IP objects, for which Processing of Border Protection Measures request has been approved by Sakpatenti. The Data Exchange could be organized either as regular service, providing update of records, or as a on-demand services, providing detailed information about particular requested object.

6.6 AUDIT TRAILS

The system MUST provide a comprehensive audit trail for all operations, processed within applications, including accomplishment of all steps, processing transactions and performing of each activity, such as uploading documents, submitting data, decision making (approval/rejection), request for information and services, etc.

The EFS MUST have one Audit interface, providing audit trail functionality and allowing searching, grouping and sorting information by cases, entities, operations, responsible units, executors, and etc. The system shall also have comprehensive standard reporting interface, ad-hoc reporting preparation functionality (desired), as well as statistical reporting dashboard. The system also should have administrative interface, allowing management of users and group of users, creating and editing classifiers and setting data visibility sets.

6.7 LIFECYCLE SERVICES

The following table captures the business functional requirements for managing intellectual property data throughout the lifecycle of a property record. The lifecycle of a property record starts with the creation of a property record and conceptually ends when the property record is marked as "permanently expired". At this time, requirements regarding removal of property records from the system are not defined. Effectively, maintenance of the intellectual property record is the final stage of the intellectual property record management lifecycle defined in this phase of the EFS initiative.

Table 8. Lifecycle Services Requirements

	Requirement Definition	Priority
1	The system shall determine if Registered IP record transaction is a Registration, Transfer or Process based on the data sent in the transaction.	High
2	The system shall update records based on new information received for existing records. Old information should be stored in historical data.	High
3	The system shall monitor the record having status "Permanently expired" for activity and mark as "To pay attention" if not updated or accessed for 1 years.	Medium
4	The system shall not update a property record with status as "Permanently expired".	High
5	All historical data should be stored in the data base in accordance with Georgian legislation	Medium

7 GENERAL REQUIREMENTS

7.1 Technology

Now only the desktop application is used by Sakpatenti for internal processing. Oracle database is used as data storage.

The EFS of Sakpatenti is considered to be service oriented web based application, which would use open interfaces, providing simple scalability facilities.

7.2 Security

The Security Architecture block should represent security infrastructure that will provide authentication and coarse-grain authorization services. The single Sakpatenti-wide security infrastructure is desired to be implemented. Authentication service for internal users shall be based on the Active Directory services. Authentication of external users shall be based on identification services, based on the information received from Civil Register for Natural Persons and Business Register for Legal Entities and Patent Attorneys.

7.3 Maintenance

The maintenance of EFS of Sakpatenti is not considered in this document and will be stated of the system implementation stage.

7.4 Scalability

The requirements for New varieties/Breeds registration is not considered in this document. The need of implementation of this subsystem could enhance present requirements.

The changes in Sakpatenti's personnel number or existing legislation could also require changes/enhancements of the EFS of Sakpatenti.

7.5 Availability

The availability of EFS of Sakpatenti is not critical, because the date not the time of IP operation (registration, post registration operation) is important. The downtime of the system should not exceed 1 hour.

The Public interface to EFS of Sakpatenti should be available 24 hours 7 days per week.

The Registered User interfaces should be available 24 hours 7 days per week. The actions/requests, executed through this interface should be registered and executed according to the services provision rules and regulations, declared by Sakpatenti.

The Internal User interfaces should be available 24 hours 7 days per week, but the actions/requests registration and execution in the system should be conducted according to the services provision rules and regulations, declared by Sakpatenti.

8 DATA REQUIREMENTS

This section provides high level review of requirement corresponding to data, assumed to be stored, processed and utilized in the system. The list of Registers and Classifiers is not full and should be completed in the next level document.

8.1 GENERAL DATA REQUIREMENTS

Table 9. General Data Requirements

Data type	Comment
Date	All date shall be entered through calendar and/or in the format dd/mm/yyyy Dates shall be displayed either in short (dd/mm/yyyy) or in full (dd-mmmm-yy) format The system shall support for entering data starting at least at 1900
Currency	The system should support for entering both GEL and USD. Currency field should indicate currency label (GEL/USD or L/$). The currency fields should allow entering and storing up to 999,999,999.99 values The currency data should be displayed with two decimal places. “,“ should be used for thousands separation and “.” As a decimal symbol
Number	The system should provide entering number up to 9,999,999.99 value
Text	Unicode (UTF-8) should be supported.

8.2 DATA REGISTERS

The following table captures the data register requirements for storing and managing data throughout the lifecycle of records. This is only preliminary list of register and the list, as well as data objects and their properties, should be updated and described in details in the next level document.

Table 10. Preliminary List of Data Registers

	BASIC REGISTERS (DATA ENTITIES)	
1	**Legal entities register.** Information about the legal entities, which applied at least for one Sakpatenti's service, should be accumulated in this register.	High
2	**Natural persons register.** Information about the natural persons, which applied at least for one Sakpatenti's service, should be accumulated in this register.	High
3	**Patent attorneys register.** Information about the patent attorneys, which applied at least for one Sakpatenti's service, should be accumulated in this register.	High
4	**Sakpatenti's staff register.** Information about the Sakpatenti's staff, who has an access to the system, should be accumulated in this register.	High

	BASIC REGISTERS (DATA ENTITIES)	
5	**Uploaded documents register.** Information about the uploaded documents should be accumulated in this register. Every document record should have a link to document file.	High
6	**Virtual deposit accounts register.** Information about virtual deposit accounts should be accumulated in this register. Virtual deposit account record should be linked with the system user.	High
7	**Electronic Invoices register.** Information about the electronic invoices generated by the system/Sakpatenti's staff (payables)	High
8	**Payment transactions register.** Information about the payments, made from the virtual deposit account, for the services, provided by Sakpatenti, should be accumulated in this register (paid)	High
9	**Applications register.** Information about on-going/processed/terminated applications should be accumulated in this register.	High
10	**Application operations register**. Register of operations, requested by customers and/or processed by Sakpatenti	High
11	**Notifications Register.** List of inbound and outbound notifications, generated and sent by the system	High
12	**Issued Documents register.** Register of officially issued electronic/hard documents, generated by the system and issued by Sakpatenti	High
13	**Appeal register.** Information of Appeal processes (on-going/completed/terminated)	High
14	**IP register.** Information about the registered/expired IP should be accumulated in this register.	High
15	**IP transactions register**. Register of IP transactions, processed by Sakpatenti (changes, rights transfer, extension, etc.)	High
16	**PoA register**. Register of agreements, either signed electronically or paper-based	High

8.3 MANDATORY INFORMATION

For international recognition and identification purposes, the following information should be utilizes and strictly classified in all data registers:

8.3.1 Trademarks Register

Information about the already registered and pending trademarks should be accumulated in this register. The register should contain all obligatory fields, described below, plus system fields, necessary for system operation.

INID CODES FOR IDENTIFICATION OF BIBLIOGRAPHIC DATA (obligatory fields):

(111) Number of registration
(151) Date of registration
(156) Date of the renewal
(181) Expected expiration date of registration
(186) Renewal expiration date of registration
(141) Data of cancel of duration of the mark
(210) Serial number of application
(220) Date of filing of the application
(230) Data concerning exhibition
(260) Number of application, for which favorable decision of examination about registration has been taken (publication number)
(310) Number of the first application
(320) Date of filing of the first application
(330) Code, identifying national or regional Office where the first application was made
(511) International Classification of Goods and Services for the purposes of registration of trademarks and/or list of goods and/or services classified according thereto"
(531) Description of figurative elements of Trademarks according to the International Classification of the Figurative Elements of Marks
(540) Reproduction of Trademark
(550) Nature and kind of Trademark
(580) Date of recording of any kind changes in respect of applications or registrations
(591) Information concerning colors claimed
(731) Name and address of the applicant
(732) Name and address of the holder of the registration
(740) Name and address of the representative
(750) Address for correspondence
(770) Name and address of the previous applicant or holder in case of change in ownership
(771) Previous name and address of the applicant or holder in case of change in ownership
(791) Name and address of the licensee
(793) Indication of conditions and/or restrictions under the license (Type of license, number of license agreement, data of license, data of validity of license)
(800) Certain data relating to the international registration of Trade Marks under the Protocol Relating to Madrid Agreement (International registration number"

8.3.2 Inventions and Utility Model Register

Information about inventions and utility models should be accumulated in this register. The register should contain all obligatory fields, described below, plus system fields, necessary for system operation.

INID CODES FOR IDENTIFICATION OF BIBLIOGRAPHIC DATA (obligatory fields):

(10) Number of publication for application, which has been examined

(11) Number of patent and kind of document
(21) Serial number of application
(22) Date of filing of the application
(23) Date of exhibition or the date of the earlier filing and the number of application, if any
(24) Date from which patent may have effect
(31) Number of priority application
(32) Date of filing of priority application
(33) Code of the country or regional organization allotting priority application number
(44) Date of publication of application not granted, but examined and number of bulletin
(45) Date of publication of registered document
(51) International Patent Classification Index
(54) Title of the invention
(57) Abstract
(60) Number of examined patent document granted by foreign patent office, date from which patent has effect and country code
(62) Number of the earlier application and in case of divided application, date of filing an application
(71) Name, surname and address of applicant (country code)
(72) Name, surname of inventor (country code)
(73) Name, surname and address of patent owner (country code)
(74) Name, surname of representative or patent attorney
(85) Date of commencement of the national phase of International Application
(86) Number and date of filing of international application
(87) Number and date of publication of international application

8.3.3 Industrial Designs Register

Information about design should be accumulated in this register. The register should contain all obligatory fields, described below, plus system fields, necessary for system operation.

INID CODES FOR IDENTIFICATION OF BIBLIOGRAPHIC DATA (obligatory fields):

(10) Number of publication for application
(11) Number of patent and kind of document or number of registration
(15) Date of registration/Date of patent renewal
(18) Expected expiration date of patent or registration
(21) Serial number of application
(22) Date of filing of the application
(23) Date of exhibition or the date of the earlier filing and the number of application, if any
(24) Date from which patent may have effect
(28) Number of industrial designs included in the application
(30) Data relating to priority (number of application, date of filing of application, two-letter code identifying the authority with whom the priority application was made)
(31) Number of priority application
(32) Date of filing of priority application

(33) Code of the country or regional organization allotting priority application number
(34) Two-letter code according to WIPO St.3 identifying the authority with which the priority application was made
(44) Date of publication of industrial design and number of bulletin (the first publication)
(45) Date of publication of industrial design registered by WIPO and number of bulletin
(51) International Classification for industrial designs (class and subclass of the Locarno Classification)
(54) Title of the invention
(55) Reproduction of the industrial design
(57) Description of characteristic features of the industrial design including indication of colors"
(62) Number of the earlier application, registration and document number and if available the date of filing an application in case of divided application
(71) Name, surname and address of applicant (country code)
(72) Name, surname of creator (country code)
(73) Name, surname and address of patent owner (country code)
(74) Name, surname of representative or patent attorney
(81) Contracting states concerned
II designated contracting states according to the 1960 Act
III designated contracting states according to the 1999 Act
(85) Owner’s permanent address
(86) Owner’s nationality
(87) Owner’s residence
(88) State in which the owner has a real and effective industrial or commercial establishment.

8.4 IDENTIFICATION OF OBJECTS

Serial Application ID (Chancellery registration number), assigned on submission of application, should be used as absolute identifier of Application throughout the lifecycle of the Application.

The following ID numbers should be generated by the system and assigned to applications/objects. Application number should be assigned to Application once priority date is identified and assigned (Application is accepted).

(21)	AP 0000 000000	Invention Application number
(10)	AP 0000 0000 A	Number of the first publication of the Invention
(11)	P 0000 0000 B	Number of Patent for the Invention (second publication)
(21)	API 0000 000000	Patent Application Number
(11)	PI 0000 0000 A	Patent Number (first publication)
(21)	AU 0000 000000	Utility Model Application number
(10)	AU 0000 000 U	Number of the first publication of the Utility Model
(11)	U 0000 000 Y	Number of Patent for the Utility Model (second publication)

(21)	AD 0000 000000	Industrial Design Application number
(10)	AD 0000 000 S	Number of the first publication of the Industrial Design
(11)	D 0000 000 S	Number of Patent for the Industrial Design (second publication)

M		Trademark
(210)	AM 0000 000000	Trademark Application Number
(260)	AAM 0000 00000 A	Number of publication of Application
(111)	M 0000 00000 R	Registration Number
	MMM0000 00000 Rn	The number of current registration (n=1, 2, 3...)
	M 0000 00000 R(P)	Number of registration for partial transfer of rights
*		Application number based on decision of the Appeal Chamber
**		Application number based on decision of the Court

8.5 CLASSIFIERS

The following table captures the data classificatory requirements for managing data throughout the lifecycle of records. This is only preliminary list of classifiers and the list should be updated and described in details in the next level document.

Table 11. Preliminary List of Classifiers

#	Requirement	Reference / Priority
1	**Countries.** The list of international countries codes and relevant countries titles in Georgian. WIPO STANDARD ST.3	High
2	**Customer Type.** Type of customer, who can be involved in different processes 1) Legal entity (local, foreign) 2) Natural person (local, foreign) 3) Patent Attorney 4) Sakpatenti front office	High
3	**Customer Account status**. Status of accounts 1) Active 2) Passive 3) Disabled	High
4	**User type**. Type of the system user: 1) Administrator 2) Authorized person 3) Regular user	High

#	Requirement	Reference / Priority
5	**IP type.** Predefined types of IP objects 1) Trademark 2) Geographical sign 3) Invention 4) Utility Model 5) Design 6) Copyright	High
6	**Service type.** The list of services, provided by the Sakpatenti: 1) Registration 2) Change in registration 2) Transfer of rights 3) Issuance of documents	Medium
7	**Process stage.** The list of process stages (application submission, formal exam, substantive exam, etc.). This classifier should be linked with the Sakpatenti's services, to define the sub-lists of process stages, for every service.	Medium
8	**Process stage deadline.** The list of the process stages' deadlines. This classifier should be linked with the process stages, to define the time period of every process stage.	Medium
9	**Procedure type.** The type of the consideration procedure (normal, accelerated).	High
10	**Application status.** The list of statuses, applicable to the application during the processing, such as Submitted, Registered, Accepted, Approved, Recognized, Registered, Processed, Terminated, Rejected, refused	High
11	**Application Processing Status.** The list of statuses, applicable to the application processing, such as initiated, in process, suspended, terminated, completed, closed	
12	**Expert's task status.** The list of expert's task statuses (open for processing tasks, waiting for information/payments, completed).	High
13	**Applicable documents.** The list of obligatory documents, which could be submitted by the user. This classifier should be linked with the Sakpatenti's services, to define the sub-lists of documents, for every service.	Medium
14	**Communication type.** The list of communication ways the notifications should be sent (e-mail, SMS, pop-up window, etc.).	Medium
15	**Notification type.** The list standard notifications (request for document provision, notification about the application status change, notification about the deadline, etc.). This classifier should be linked with the Sakpatenti's services, to define the sub-lists of notifications, for every service.	Medium
16	**Currency.** The list of currencies to be used to display the payments sums (GEL and USD).	High
17	**Operations deadlines.** The list of all available deadlines of each process.	High
19	**Operations fee.** The list of all defined fees for different operations. The list should provide fee schedule for both electronic and paper-based services.	High
20	**Available changes to application.** The list of available changes, that can be made to specified application.	Low

#	Requirement	Reference / Priority
21	**Documents / other files titles (subjects).** The list of documents / other files titles according to each process. The option (mandatory / optional) should be available for document / file definition.	Medium
22	**Standard Colors.** The list of standard colors (256).	Medium
23	**Nice classifier.** The list of goods, grouped by classes. Each good has it's own unique International ID. The goods titles translation into several languages should be presented in the classifier.	High
24	**Vienna classifier.** The list of figurative elements of a trademark. Figurative elements are grouped by the classes and sub-classes.	High
25	**Locarno classifier.** The list of classes and figurative elements, applicable to Design.	
27	**IP Priority.** The priority of the legal effect of a trademark (standard, conventional, exhibition, registration in other country cancellation).	High
28	**IP Holders.** The form of ownership of the IP (individual, multiple holders).	High
29	**IP Distribution.** The type of the IP rights distribution (local, international).	High
30	**Rights for IP (or it's element).** The type of the rights to use a IP (or it's element) (exclusive rights, unprotected rights).	High
31	**IP elements with un-protectable rights.** The list of IP elements, which could not be registered with exclusive rights).	Medium
32	**Application/request termination reasons.** The list of reasons of termination of application and/or requests. Should be formed for each type of IP and each type of operations	High
33	**Codes of national or regional Offices, registering the IPs.** The list of codes, identifying national or regional Offices, where the first applications could be made.	Low
34	**INID Codes for identification of Bibliographic Data.** Information about the already registered and pending IPs should be provided using this classification	High
35	**Banks.** The list of banks, collaborating with Sakpatenti.	High

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