

EU-Japan IPA

EU-Japan Intellectual Property Action

Human Centric Use of AI at the EUIPO and the EU Design Reform

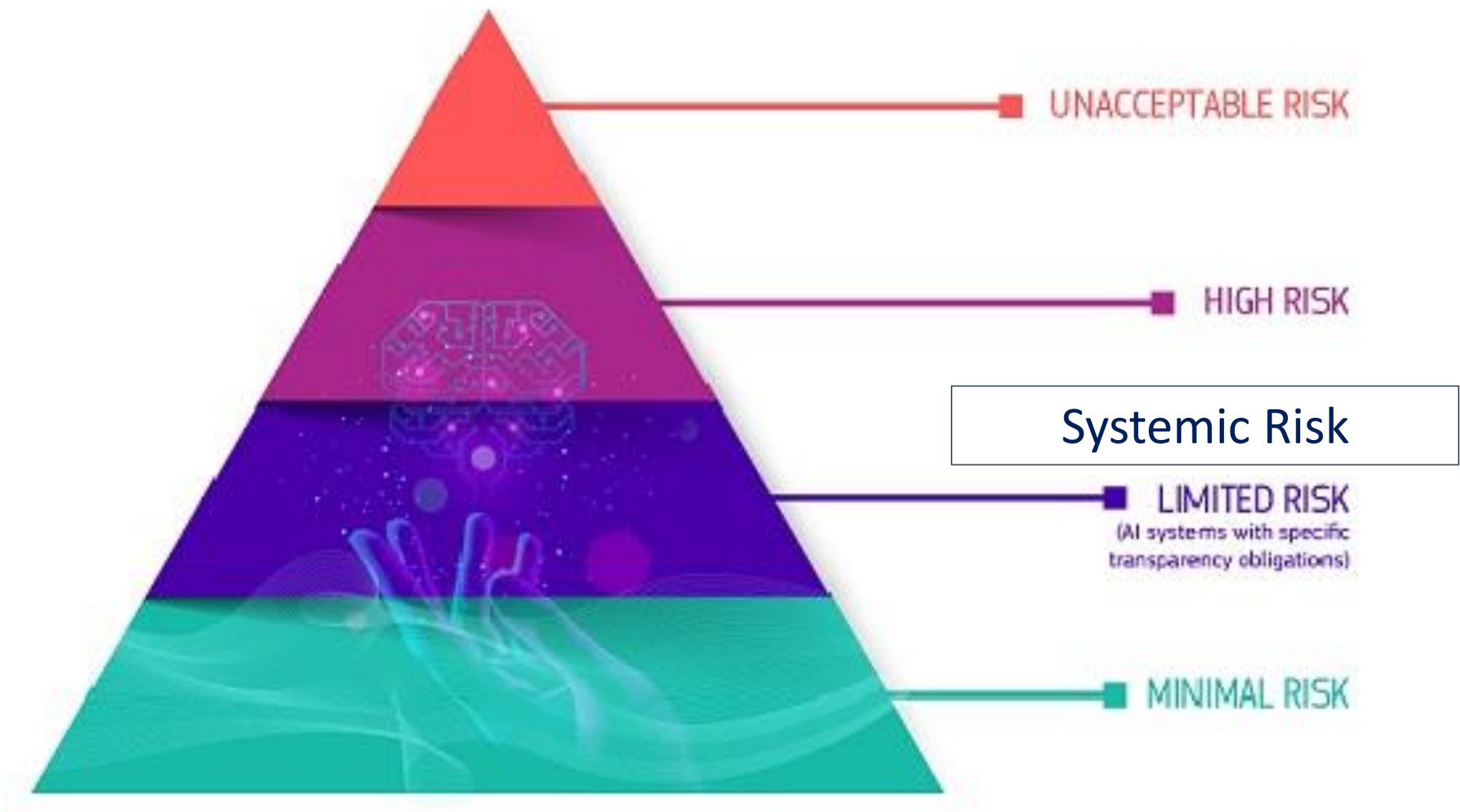


Funded by
the European Union



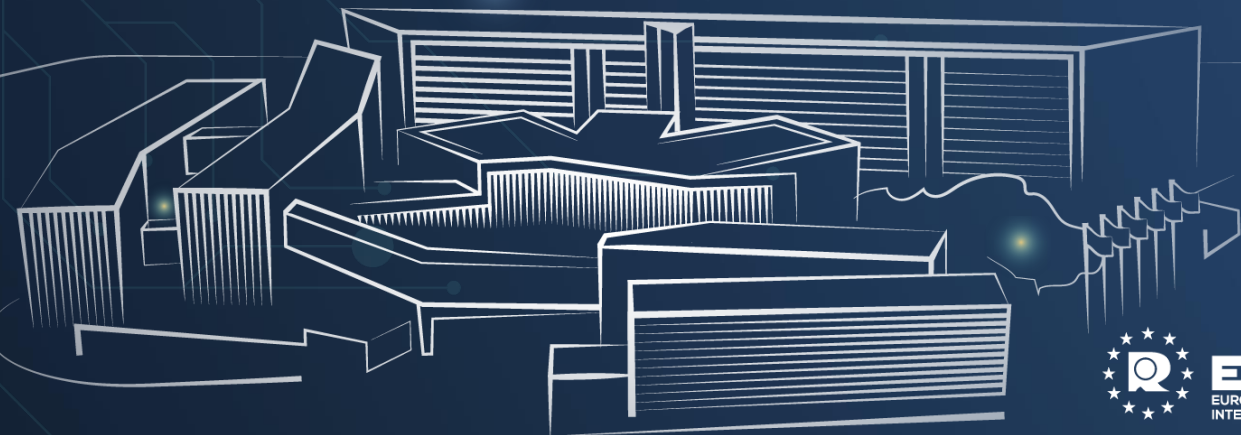
Risk = probability of occurrence + severity of harm

Social scoring Subliminal manipulation
Harm to health, safety, environment, fundamental rights
Chatbox, interaction with machine
Video games, spam filters



Prohibited
Permitted: Conformity assessment
Permitted: Transparency
Permitted: Unregulated

EUIPO Responsible Approach to AI

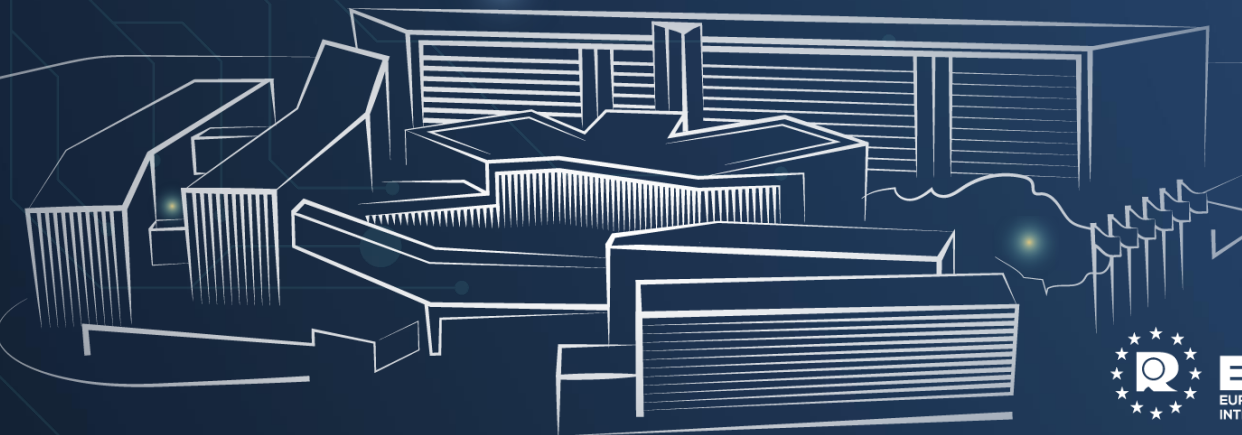


EUIPO Responsible Approach to AI

AI as a
strategic enabler

Alignment with **EU AI Act**.

Set up of a **steering group of top managers**



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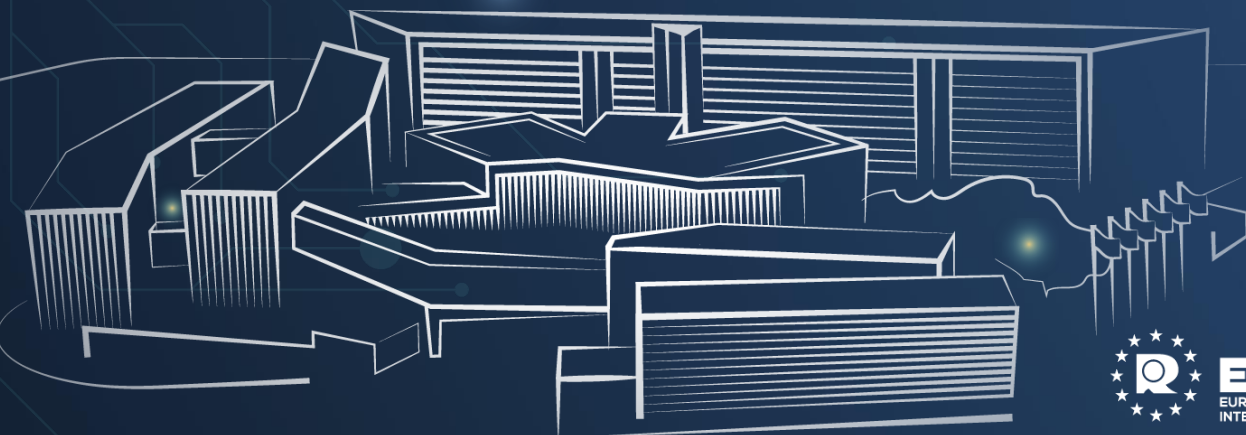
Set up of a *steering group of top managers*

Adopting AI
in a **Structured Way**

Three levels approach:

- **Level 1:** Learning and Exploration
- **Level 2:** AI Assistance
- **Level 3:** AI Integration

AI Driving License



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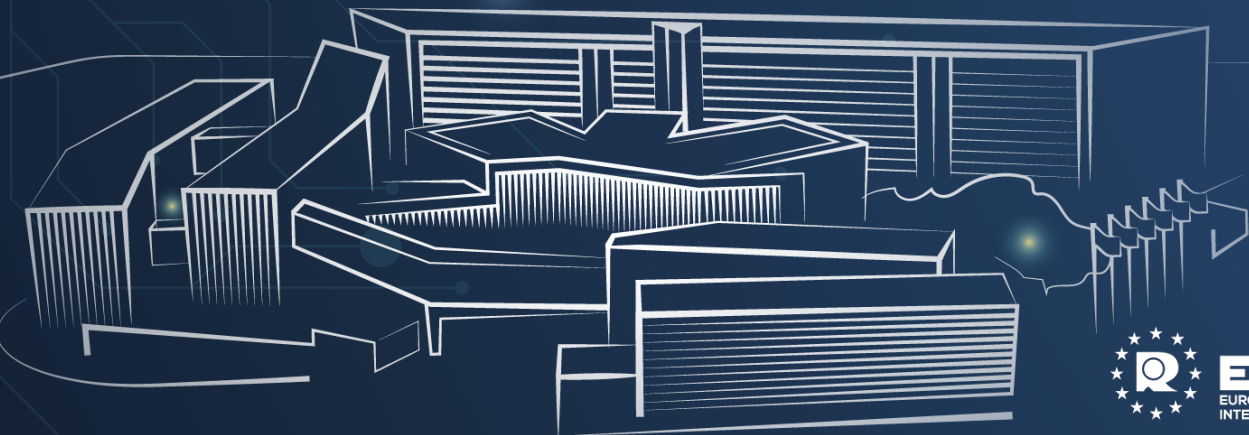
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Applying AI in a practical way

The Office is taking a **business-focused approach** to AI

Reuse, Buy and Build
Change management



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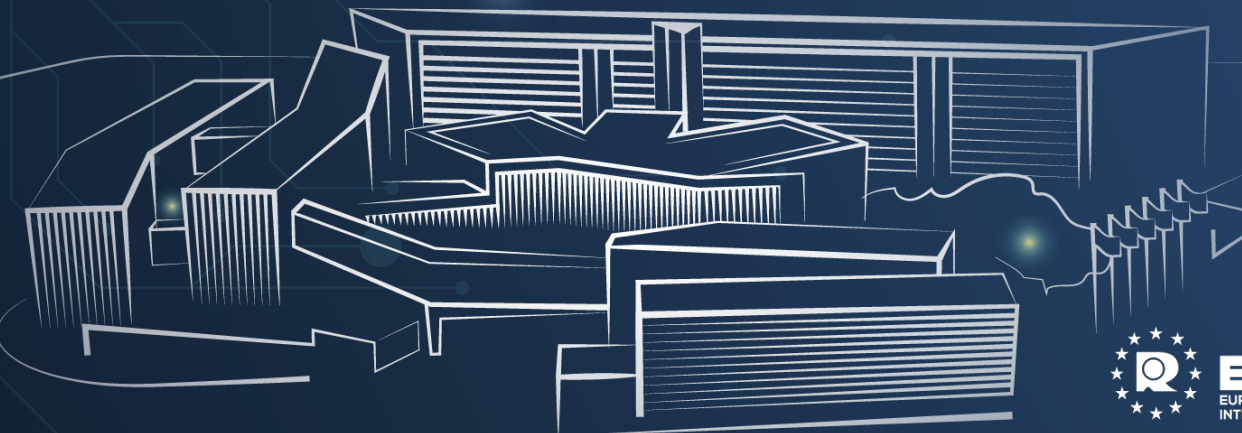
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Cooperating and sharing knowledge on AI

Sharing knowledge, exchanging expertise, avoiding duplication.

Easy to share.



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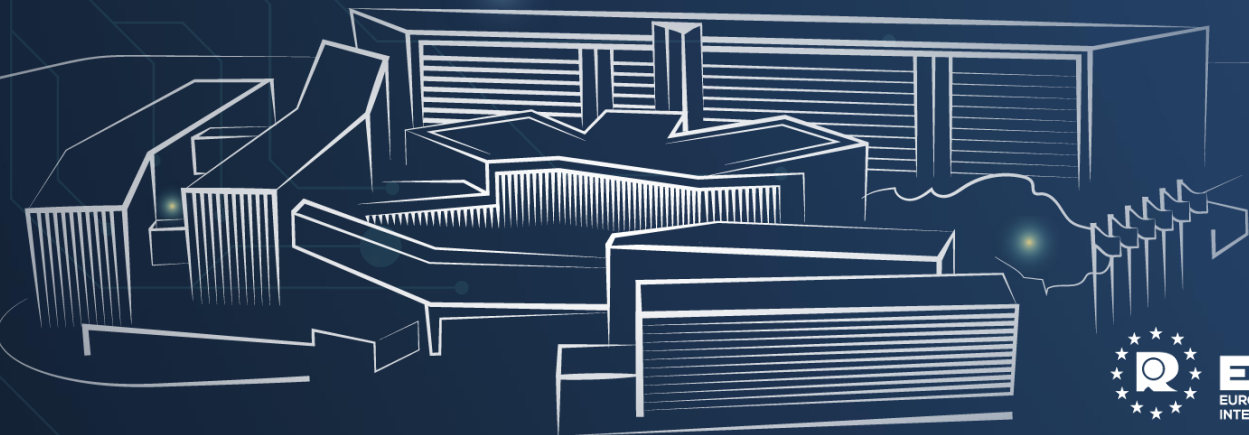
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Introducing AI with a **human-centric** approach

Involving users from an early stage making sure AI solutions meet **user needs**.

Examiners will remain the ultimate responsible for taking the decisions

Ensuring **explicability, transparency, and accountability**



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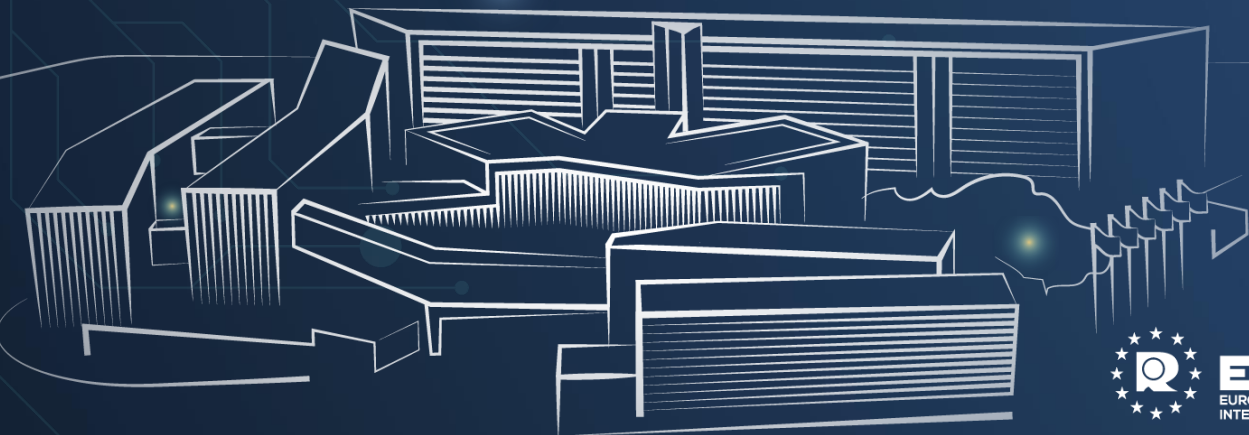
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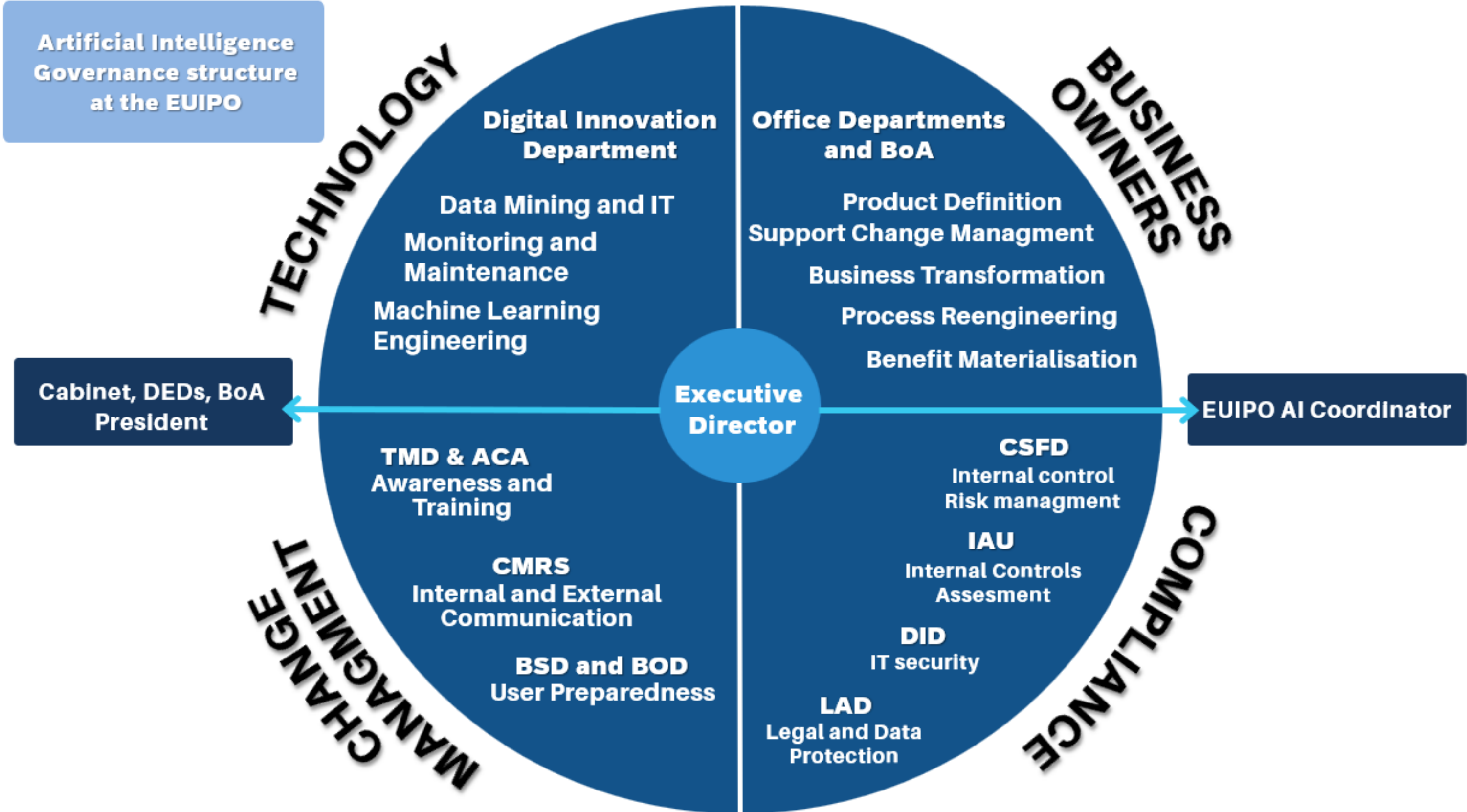
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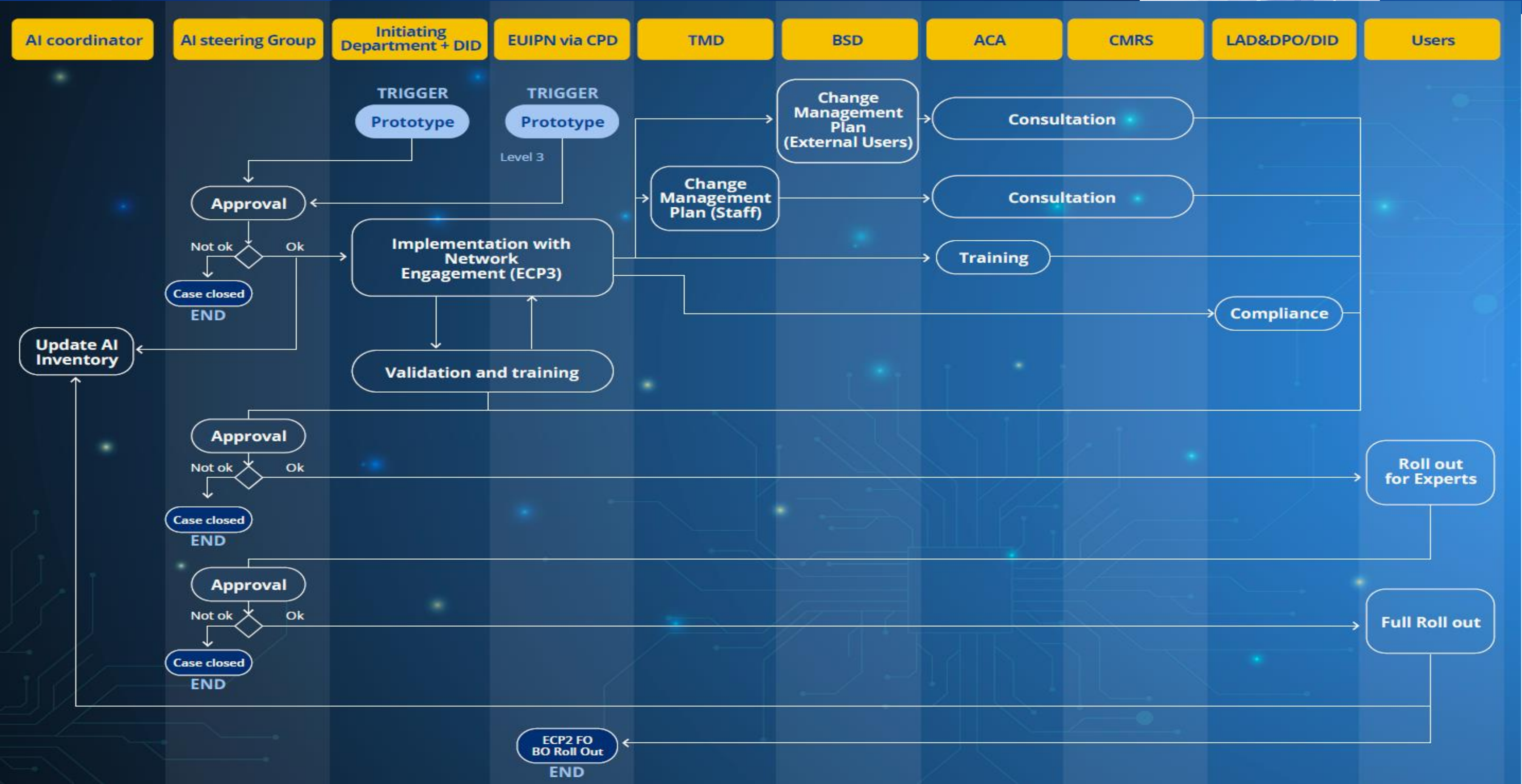


AI Governance at the Office



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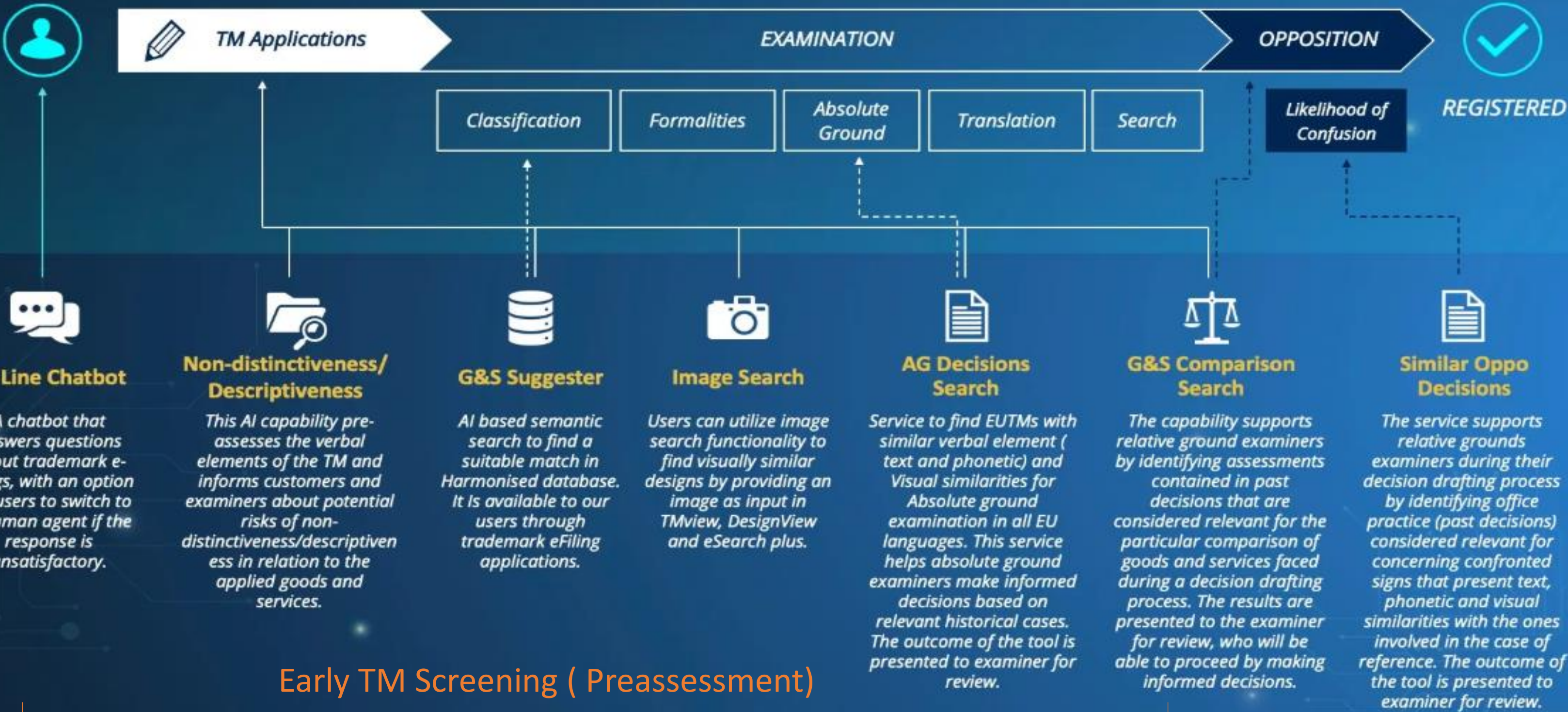




Current usage of AI tools

TM Registration

AI Tools/Services

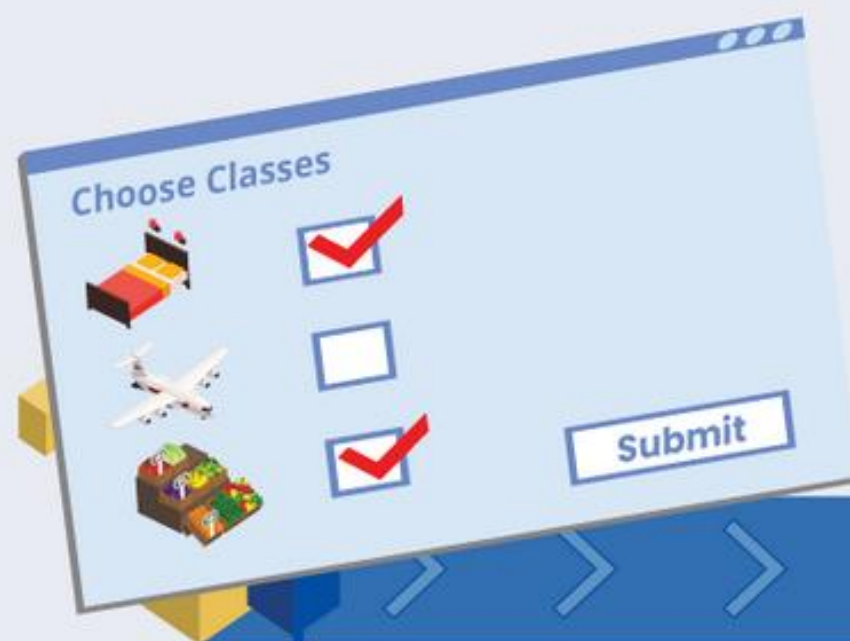


An overview of the Early TM Screening tool

The Early TM Screening Tool helps you identify possible issues with your trade mark before you submit the application. Check how it works!

1

Enter the trade mark and select the goods and services



Input the **trade mark** name or **figurative mark** you would like to check, and choose the goods and services that you intend to apply the trade mark for.

2

Run the check and review the results



See if the tool highlights any possible issues with your trade mark. The **Early TM Screening** tool will flag issues with:



Earlier rights: if your sign can conflict with an existing trade mark, the tool will tell you which goods or services may be at risk and how likely it is.



Acceptability: all trade marks must comply with certain requirements. The tool will flag the ones that your sign may not be fulfilling.

3

Make a decision



Use the points flagged by the tool to inform your decisions about your **trade mark application**.

If you need more information on how to use the tool, [check this job aid](#).

If you need more information on the issues with earlier rights or acceptability, [check this infographic](#).

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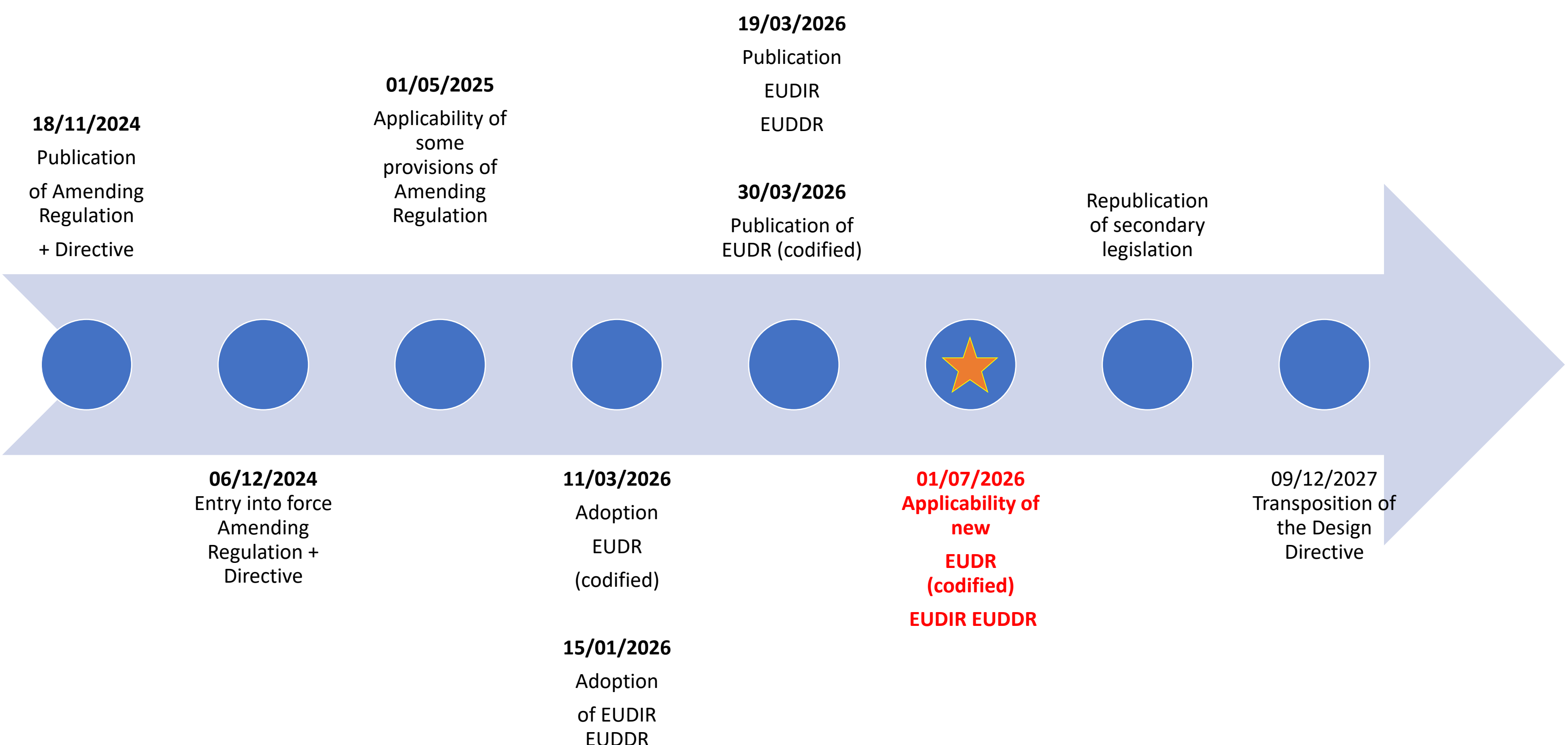
EU Design legislative reform



EU DESIGN REFORM



NEW EU DESIGN LAW PACKAGE



PILLARS OF THE REFORM



Modernisation

Modernise and clarify EU Design Law



Accessibility

Simplified procedures; Lower and clearer fees; Reduced fee complexity



Consistency

Alignment with Trade Mark Law



Harmonisation

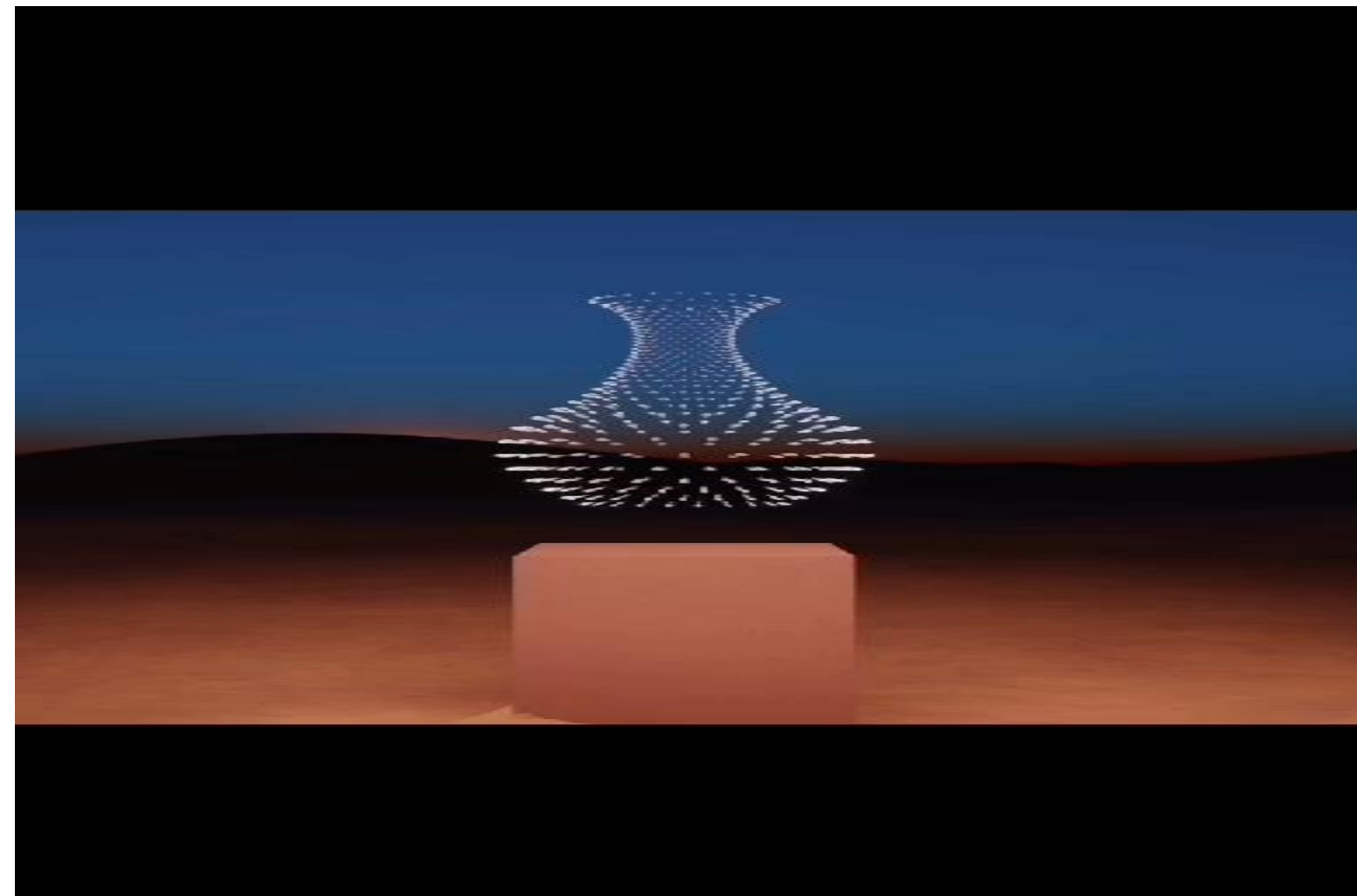
National and EU-level harmonisation; Spare parts regime

Modernised DEFINITIONS



DESIGN DEFINITION

- Design definition broadened to explicitly state that **animation, transition and movement** are protected

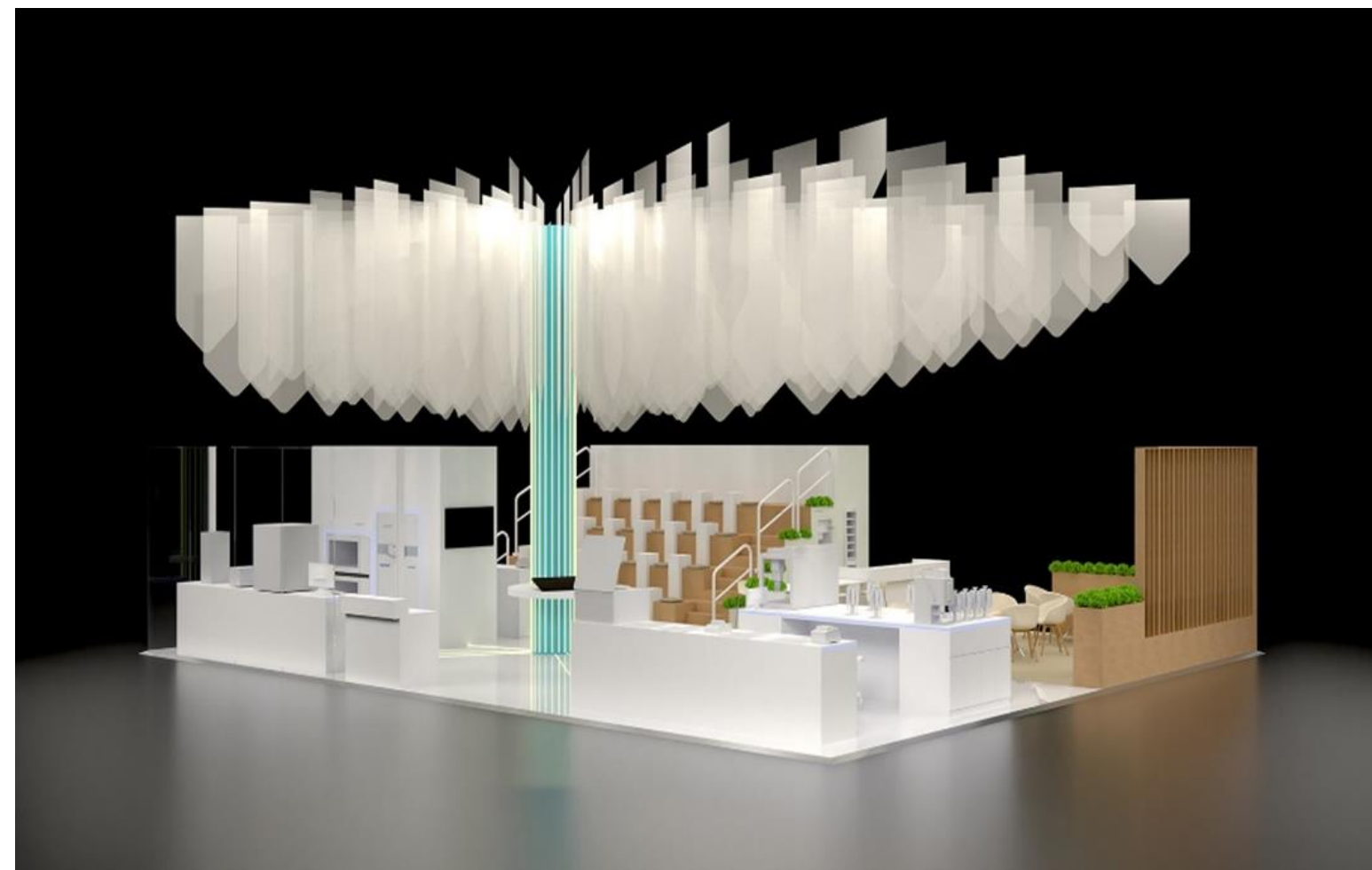


Living Vase by Hunn Wai and
Francesca Lanzavecchia as presented
for Vogue Singapore



PRODUCT DEFINITION

- Product definition tailored to allow for **non-physical design protection** and broadened to explicitly mention certain product examples (**GUIs, items intended to form an interior or exterior environment, sets of articles**)



EUD 015006467-0001, Class:
32.02 – Get-up

OBJECT OF PROTECTION

- Defined by **features of the appearance** which are **shown visibly** in **the application** for registration (Art 19 EUDR), irrespective of the format of representation.
- The representation of the design must show in a **consistent way** all the **features** of the design **for which protection is sought** (Art. 2(2) EUDIR).



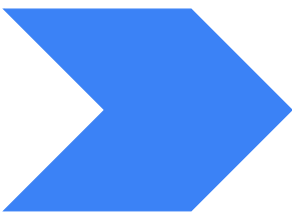
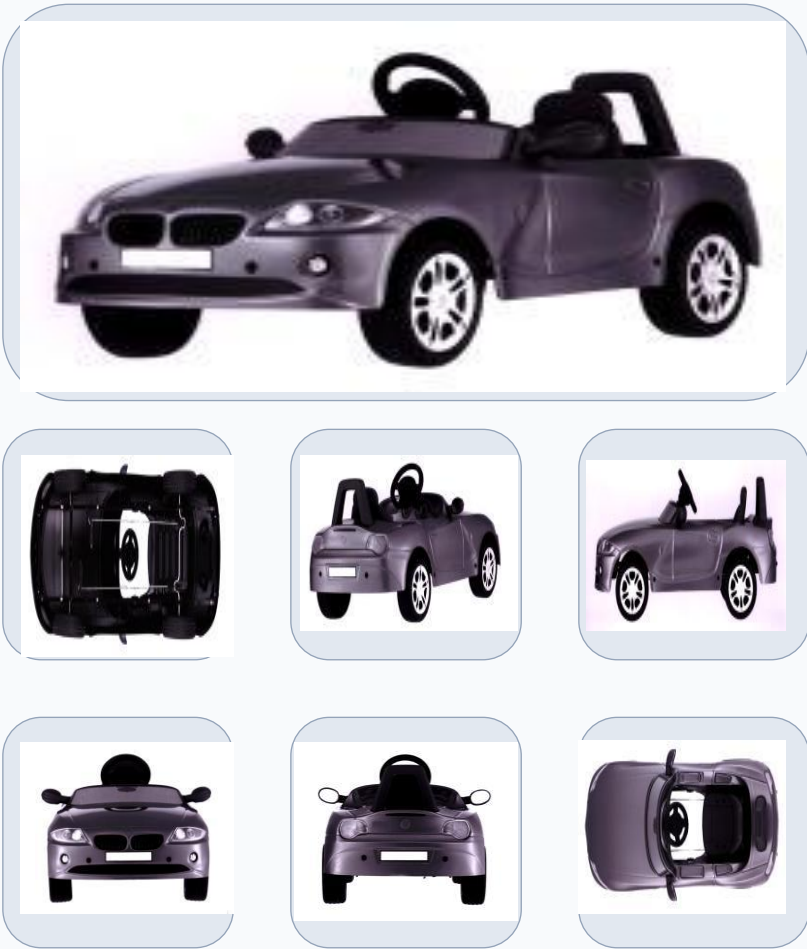
EUD 002646448- 002,
Class: 12.05-Elevators





BEFORE REFORM

STATIC-ONLY LOGIC



AFTER REFORM

MULTIMEDIA REPRESENTATION



STATIC

3D

VIDEO

More flexibility • More complexity

Representation becomes dynamic.



Combined representation? **No**

(1)

Only 1 dynamic / animated reproduction

(2)

Must be consistent

(3)

For priority - Static views ?



FAST TRACK EXAMINATION



- ✓ Static views only **NEW**
- ✓ Priority claim supported by WIPO-DAS credentials **WARNING**
- ✓ Indicate products using DesignClass
- ✓ EUIPO registered representative
- ✓ Pay fees immediately by accepted FT payment methods
- ✓ Clarity of presentation



DESIGNED FOR SPEED.



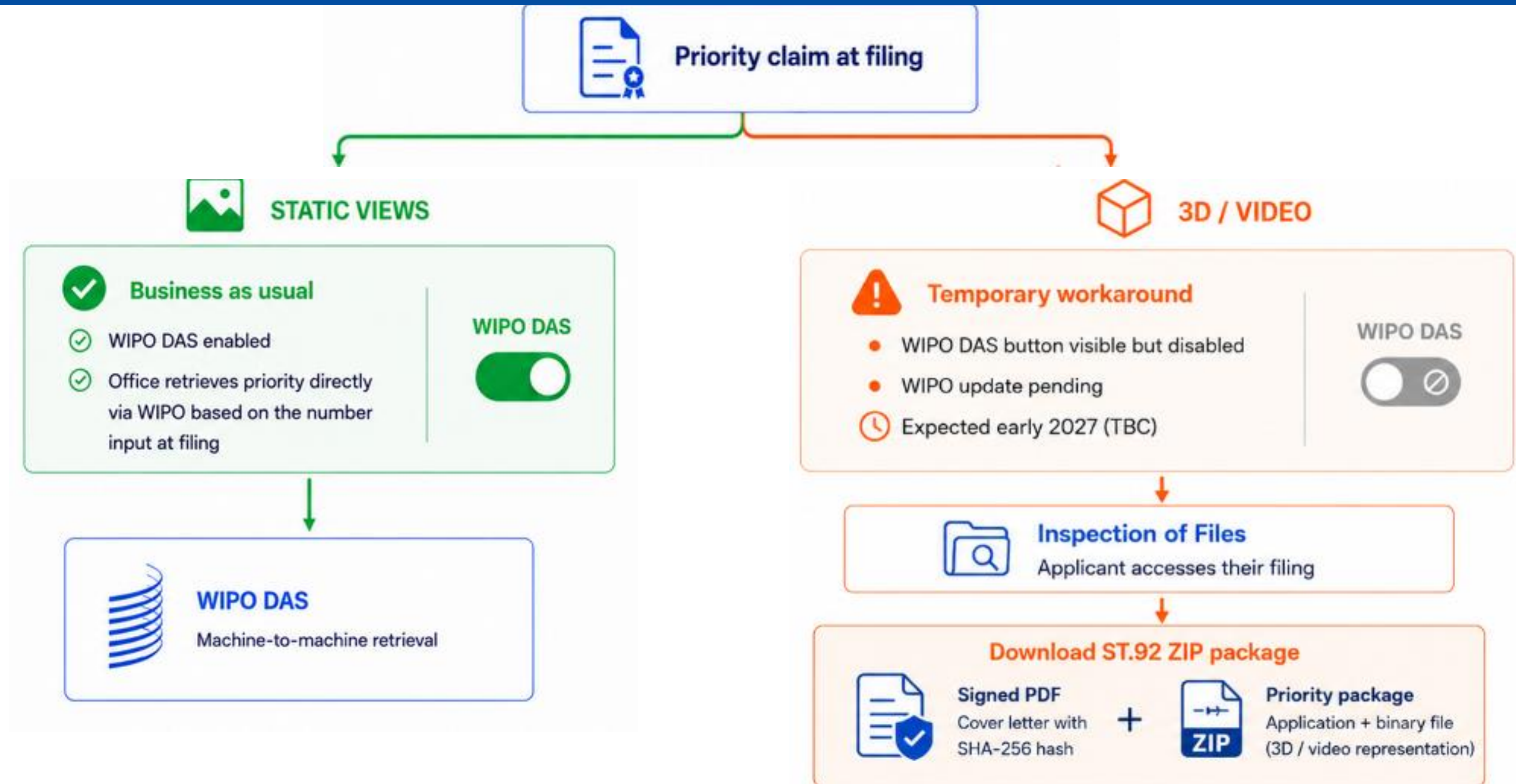
- ✗ 3D or video representation
- ✗ Ambiguous product indication
- ✗ Office modification to Pls rejected
- ✗ Other complexity triggers



REQUIRES DEEPER ASSESSMENT.

FILING BEHAVIOUR SHAPES PROCEDURAL SPEED.

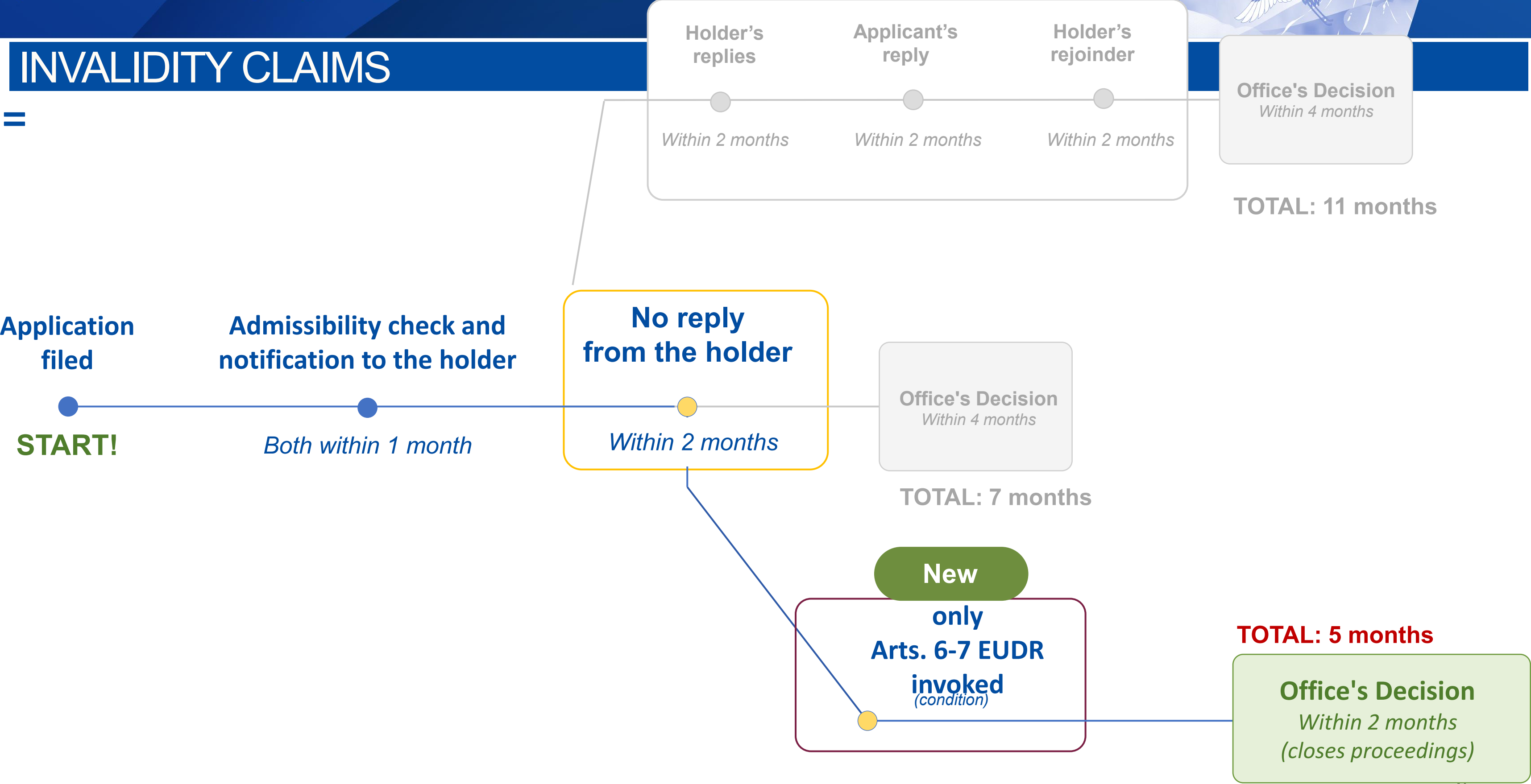
PRIORITY CLAIMS





INVALIDITY CLAIMS

=



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THANK YOU



Funded by
the European Union



Please fill in the survey:

