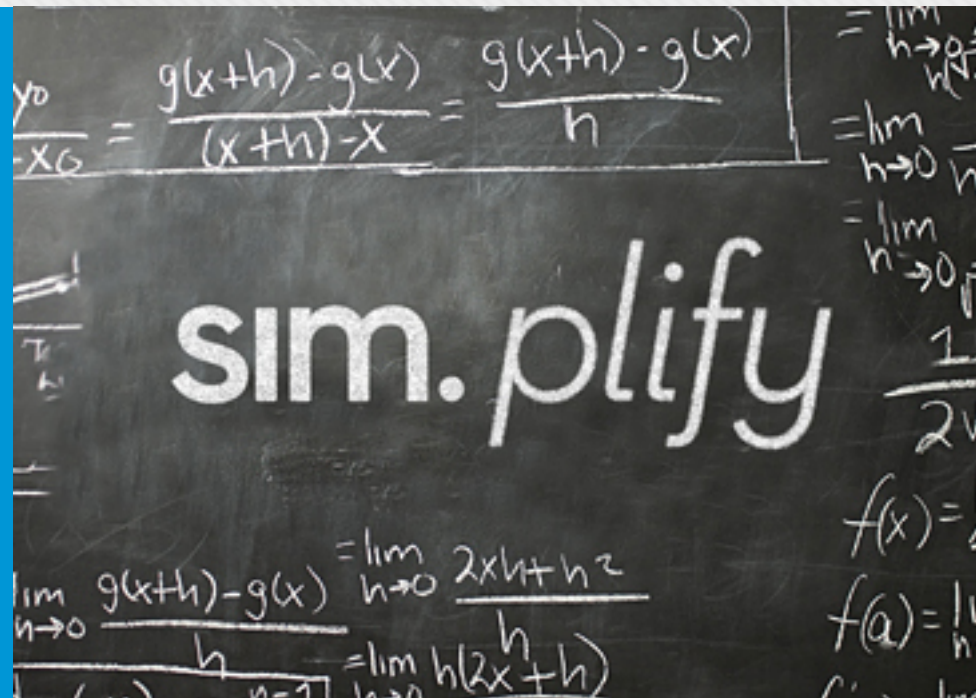


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IP Practice

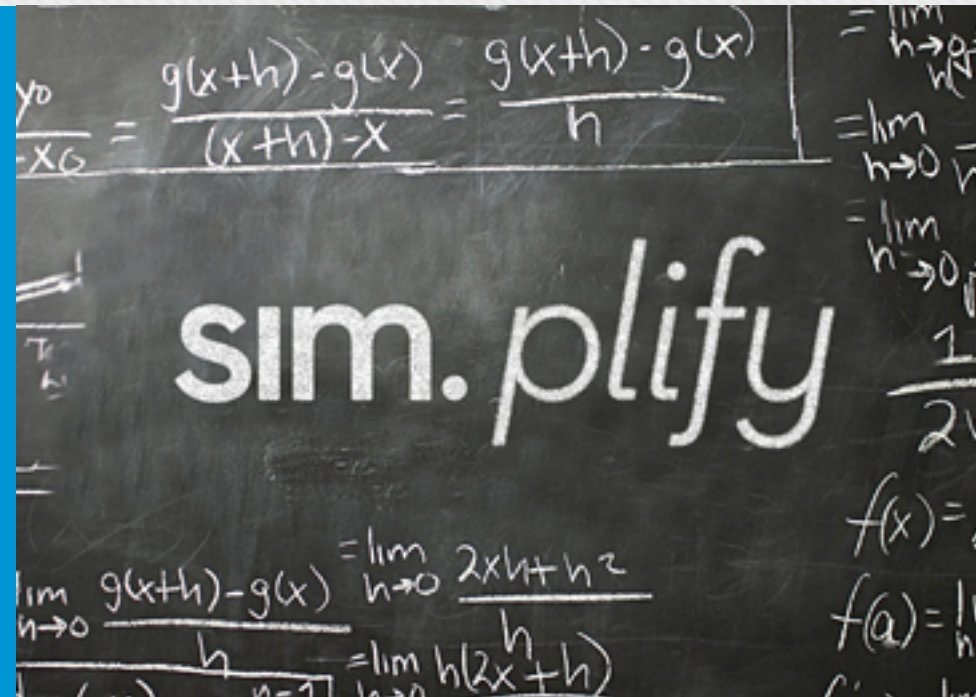


Toni Polson Ashton, JD

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Experience is the Name We Give Our ~~Mistakes~~ Mistakes!

FICPI 15th Open Forum Workshop



Toni Polson Ashton, JD

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Common Mistakes



- **Topic 1: Common Mistakes made by Trade-mark Offices**
- **Topic 2: Common Mistakes made by Trade-mark Applicants**

Topic 1: Common Mistakes made by Trade-mark Offices

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

What are some common mistakes made by TMOs?

- Which types of mistakes are more prevalent in your jurisdiction?



Common Mistakes made by Trade-mark Offices

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

Recognizing Errors



Image via Flickr user loopoboy 2.0

How do you recognize errors?

What do you do when you recognize them?

Common Mistakes made by Trade-mark Offices

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

CLIENT MANAGEMENT: How do you manage clients when errors occur?



Image via Flickr user Thibaut Chéron Photographies

- What are the most effective strategies of client management?
- What are the least?

Common Mistakes made by Trade-mark Offices

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

What means are available to rectify mistakes in your Jurisdiction?

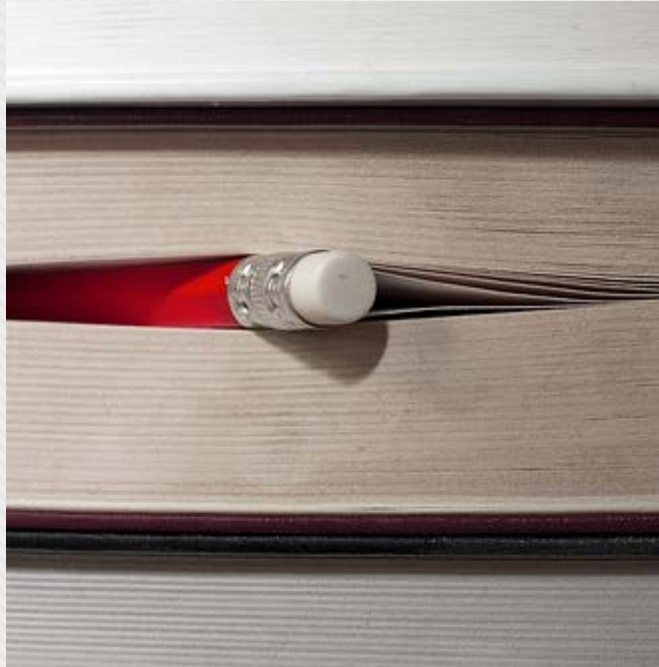


Image via Flickr user Horia Varlan

Common Mistakes made by Trade-mark Offices

$$\frac{y_1 - y_0}{x_1 - x_0}$$

Rectification: Best Practices for correcting mistakes made by your TMO or home IP Office



Image via Flickr user unk's dump truck

- What steps should you take first? What steps should you only attempt as a last resort?
- Advantages and Disadvantages of different methods
- Other considerations (eg, does it matter who made the procedural mistake?)

Topic 2: Common Mistakes made by Trade-mark Applicants

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

What are some common mistakes made by Applicants?



Image via www.publicdomainpictures.net

- **Which mistakes can be anticipated and/or avoided?**

Common Mistakes made by Trade-mark Applicants

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

CLIENT MANAGEMENT: Best Practices



Image via Flickr user BrittneyBush

- **Correcting mistakes before the application is submitted**
- **Correcting mistakes after the application is submitted**

Common Mistakes made by Trade-mark Applicants

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

Procedures available to correct mistakes before an application is submitted



Image via Flickr user luxomedia

- Do you use any standardized procedures to determine if mistakes have been made? (Screening processes, redundancy measures, etc?)
- What works well?
- What doesn't work well?

Common Mistakes made by Trade-mark Applicants

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

What procedures (if any) are available in your jurisdiction to correct errors on applications after they have already been submitted?



Image via Flickr user Superfloop

Common Mistakes made by Trade-mark Applicants

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

Best Practices: Procedures available to correct mistakes after an application is submitted



Image via Flickr user ktpupp

- Which of these procedures is the most effective?
- Which of these procedures is the least effective?

Miscellaneous

$$= \frac{y_1 - y_0}{x_1 - x_0}$$

- Does your home office provide any tips for rectifying mistakes?
- Are there any informal routes you can take to communicate with Examiners?
- Are there any penalties which can result from communicating with Examiners?

Questions? Comments?

$$= \frac{y_1 - y_0}{x_1 - x_0}$$



Image via www.publicdomainpictures.net