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Objective Connect
User Guide - Patents

June 2019

Contents

Introduction

From 15 April 2013 new provisions were introduced to the Patents legislation regarding the filing of evidence in opposition proceedings. Customers will be required to file evidence and other specified documents for oppositions electronically via Objective Connect.

Objective Connect is a cloud-based computer application that IP Australia and customers will use to share evidence that relates to an opposition proceeding. All shared documents are accessible to opposing parties invited by IP Australia. Parties can simply log on to Objective Connect to upload evidence and view or download another party's evidence.
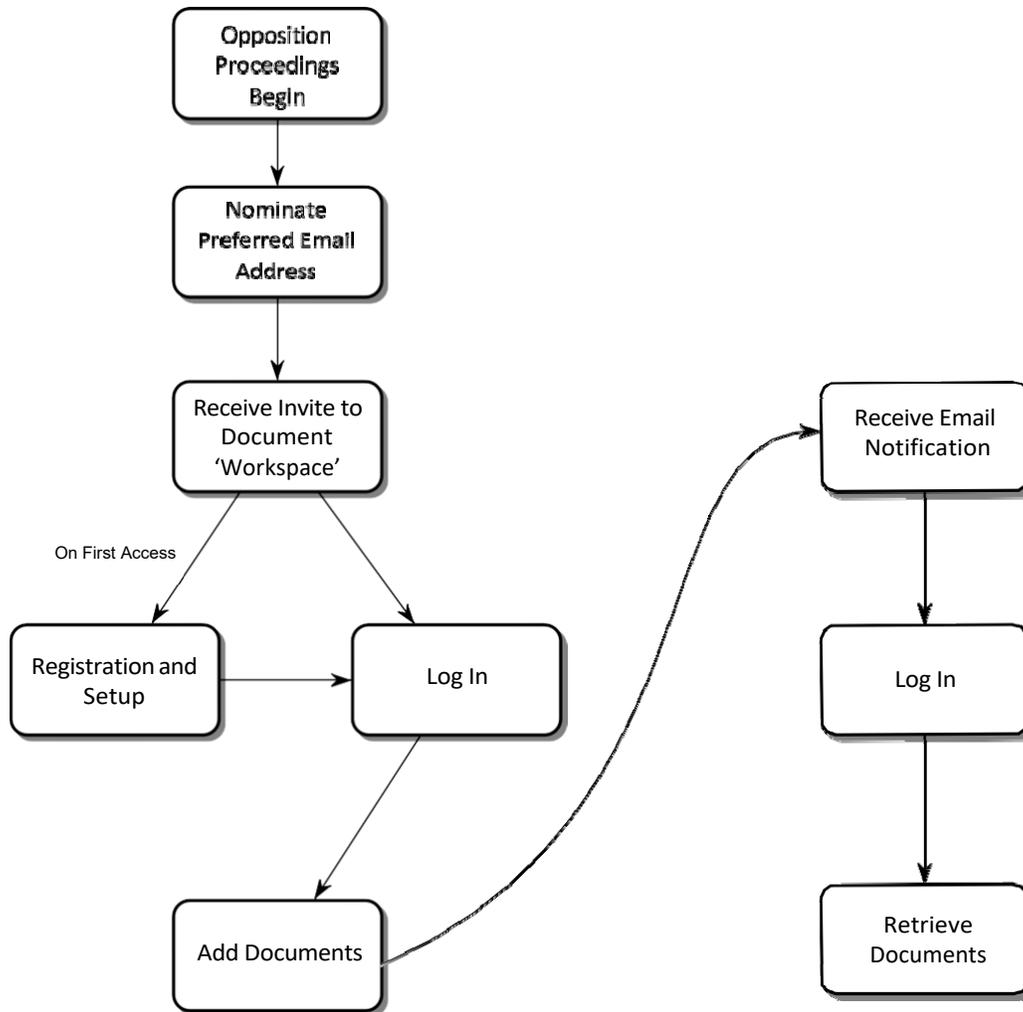
IP Australia has published an instrument in the Official Journal of Patents in relation to the means and form of filing evidence and opposition documents:

Patents (Means and Form of Filing Documents and Evidence) (Opposition and Other Proceedings) Instrument 2019 .

The information below is a guide to using Objective Connect with IP Australia to meet those requirements.

1. When will Objective Connect be used?

Objective Connect will be used by IP Australia and parties to an opposition for the filing of evidence at certain stages of the opposition proceedings. Following is an outline of the activities you will need to perform to use Objective Connect when supplying or receiving evidence.

```
┌─────────────────┐
│   Opposition    │
│   Proceedings   │
│     Begin       │
└─────────────────┘
         │
         ▼
┌─────────────────┐
│    Nominate     │
│ Preferred Email │
│    Address      │
└─────────────────┘
         │
         ▼
┌─────────────────┐                        ┌─────────────────┐
│ Receive Invite  │                        │  Receive Email  │
│  to Document    │                        │  Notification   │
│  'Workspace'    │                        └─────────────────┘
└─────────────────┘                                 │
    On First Access                                 ▼
   ┌──────┴──────┐                          ┌─────────────────┐
   ▼             ▼                          │     Log In      │
┌──────────┐  ┌──────────┐                  └─────────────────┘
│Registration│ │  Log In  │                         │
│and Setup   │→│          │                          ▼
└──────────┘  └──────────┘                  ┌─────────────────┐
                   │                         │    Retrieve     │
                   ▼                         │   Documents     │
             ┌──────────┐                    └─────────────────┘
             │   Add    │
             │Documents │
             └──────────┘
```

2. Nominate Email Address

At the start of an opposition proceeding, IP Australia will ask each participant to nominate an email address to be used for submitting and receiving documents.

> **Opponent** – The opponent must provide an email address when filing the Notice of Opposition.
> **Applicant** – The applicant must provide an email address after receiving a copy of the Notice of Opposition from IP Australia.

3. Receive Invite to Workspace

> **What is a Workspace?**
>
> A Workspace is the term used by Objective Connect for a common repository where invited parties have access to upload, view and download documents. The Workspace is created and managed by IP Australia with access only provided to parties invited by IP Australia that are participating in the specific opposition proceeding. At the completion of the opposition, the Workspace will be closed. Evidence will only be accepted in Workspaces created by IP Australia.

- During an opposition proceeding, IP Australia will create a 'Workspace' and invite each party to the proceedings to participate using a nominated email address.

> IP Australia will create a Workspace once the opponent has filed a Notice of Opposition and the applicant has provided an email address. The Statement of Grounds and Particulars and documents mentioned in the statement must be filed via the Objective Connect Workspace. The evidence in an opposition will also be filed via the Workspace.

- The Objective Connect system will send an invitation to each party's nominated email address.

- By clicking on the 'Accept' button in the email invitation you will be taken to Objective Connect and given the choice of accepting or declining the invitation, and be asked to complete the registration process if you have not already registered. If you click the 'Decline' button you will <u>not</u> be able to upload evidence or view the other party's evidence.

- If you no longer have access to the invitation email, you may wish to log into the Objective Connect website and navigate to your Workspace(s) manually.

- If you have not yet registered, proceed to Part 4 of this guide. Otherwise, proceed to Part 5 for login instructions.

4. Register an Objective Connect Account

- Each user intending to submit evidence electronically with IP Australia will be required to register with the Objective Connect service.

- Each time IP Australia invites you to participate in a 'Workspace' you will be sent a link to your nominated email address.

- If you have not registered, this link will take you directly to a registration page.

- You will receive an email from Objective Connect confirming your registration. Select the link in the confirmation email to login and access the Workspace.

5. Log In

- To access a Workspace in Objective Connect, users must first log in with their nominated email address and password chosen during registration. Refer to Tutorial Video.

Once you have registered, following the link from a 'Workspace' invitation email will take you directly to the login screen, with your nominated email address pre-filled.
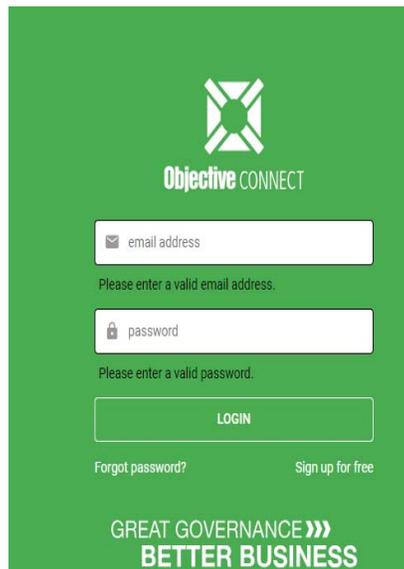

Figure 1

- Alternatively you may log in at any time by clicking the 'Login' link on the Objective Connect homepage.

6. Set up

- You can elect to receive any combination of immediate emails and daily or weekly summary emails regarding updates to the Workspace you have joined.

To receive Workspace update email notifications:

1. Select the down arrow next to your user name and choose **Settings** to view your account settings.
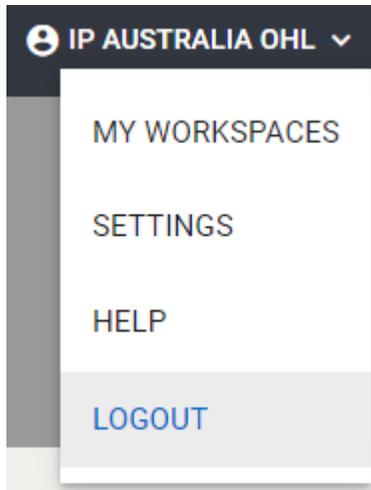

Figure 2

2. In the Email Notifications, select the desired **Receive Workspace Updates** notifications.

Figure 3

- Customers should set up their notifications as soon as an account is created.

- If you do not select a 'Notifications' option, you will not receive email notification when a Workspace is updated.

- IP Australia encourages customers to select the 'Immediate' email option to ensure you receive timely notification when a Workspace is updated.

- If you wish to keep your nominated email address hidden from other participants of the 'Workspace', select the 'Keep my email address private' option.

7. Document Quality

If your evidence is illegible or has poor quality/low resolution, it will need to be resubmitted. If you need to resubmit your evidence and the time period for filing evidence has passed, you will have to apply for an extension of time to file evidence. Extensions of time are not guaranteed and will lead to unnecessary expense and uncertainty. By adhering to the following guidelines, you will find that the quality of your scanned documents will be sufficient in most instances.

Document Scanning Guidelines

All documents should be scanned at a minimum resolution of 300 dpi. This is in line with WIPO standards for electronic image management and in most instances will provide a good quality document with a manageable file size. To keep the time spent uploading documents to a minimum and to reduce risk of failed transmission, scanned documents may also be optimised to reduce their file size.

The following settings should be used when scanning documents (see also Figure 4):

Colour mode:

Auto-detect (where available) or see 'Typical Document Compositions and Recommended Scanner Settings' below.

Resolution:

Minimum 300 dpi, maximum 600 dpi.

Resolutions outside of this range may not be accepted.

Paper size (when scanning to PDF): A4
(210mm x 297mm) is preferred.

Larger sizes may be used when necessary.

Colour Space (when scanning to an image file such as PNG or TIFF):

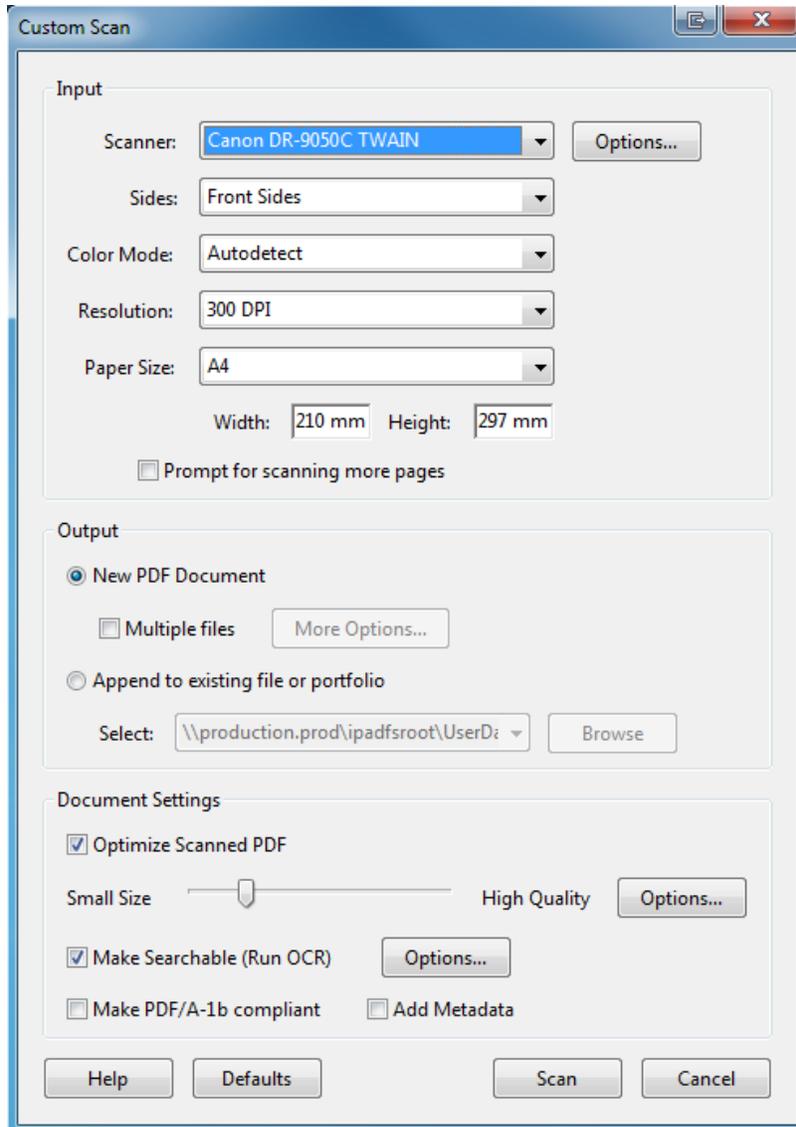The colour space of an image must be sRGB.

Figure 4

Typical Document Compositions and Recommended Scanner Settings

Black printed text and black pen (no images).

Black and white setting, minimum resolution 300 dpi.

If the result is illegible/unclear due to line weight then scan in colour or greyscale at a minimum resolution of 300dpi.

Colour printed text and colour pen (no images).

Colour setting at a minimum resolution of 300 dpi.

Use an auto-detect colour recognition setting if available.

Black or colour text (with images).

Colour setting at a minimum resolution of 300 dpi.

Use an auto-detect colour recognition setting if available.

8. Document Types, Naming Conventions, and File Formats

Acceptable Documents

The following are the only documents that may be filed by Objective Connect. All other documents submitted using Objective Connect will be deemed as not filed.

- Statement of Grounds and Particulars (SGP)
- Copy of documents mentioned in the SGP
- Evidence in Support
- Evidence in Answer
- Evidence in Reply
- Evidence Required to be produced by the Commissioner
- Evidence in procedural oppositions or proceedings under s32 & s36
- Summary of submissions for oral hearings
- Covering letter relating to any of the above

Note: For Opposition to Innovation Patents under Section 101M, please contact Patent Oppositions for assistance.

Naming Convention

The title/s given to the documents added to a Workspace should be as follows:

- Statement of Grounds and Particulars
- SGP mentioned documents
- Evidence in Support – Jones declaration
- Evidence in Support – Exhibits to the Jones declaration
- Evidence in Support – Second Jones declaration
- Evidence in Answer – Smith declaration
- Evidence in Answer – Exhibits to the Smith declaration
- Part Evidence in Reply – Lee declaration
- Part Evidence in Reply – Exhibits to the Lee declaration
- Produced evidence – Rogers declaration
- Summary of oral submissions – opponent (or requestor)
- Summary of oral submissions – applicant (or respondent)
- Evidence in support – Letter 15-04-2013

Any evidence split due to size limitations must be named in the title accordingly. For example:

- All Evidence in Answer – Jones declaration Part 1 of 2.pdf
- All Evidence in Answer – Jones declaration Part 2 of 2.pdf

Acceptable File Formats

We prefer the use of Adobe Acrobat PDF (.pdf), but will also accept attachment files as:

- TIFF (.tif),
- Text (.txt),
- Word (.doc, .docx),
- PNG (.png),
- XML (.xml) and;
- JPEG (.jpeg, .jpg).

Sound and video recordings can be filed in MP3 (.mp3) and MPEG (.mpg) format.

PDF attachments must be compatible to at least Adobe Acrobat v5.0 (PDF 1.4) to ensure general accessibility.

Where a document would exceed 1 GB in size, it is to be provided in more than one file, with each file not exceeding 1 GB.

For proceedings, parties are required to attach files as follows:

Statements of Grounds and Particulars – The SGP should be a single file. For oppositions filed on or after 15 April 2013 a copy of each document referred to in the SGP is required if the document is not an OPI Australian (AU) or international (WO) patent/application. All the mentioned documents are to be contained in a single file, separate to the SGP. The mentioned documents are to be bookmarked in the file.

Declarations – The Exhibits to a declaration are to be contained in a single file, separate to the declaration. The exhibits are to be bookmarked in the file.

Where an Exhibit or mentioned document is a sound or video recording, or it is otherwise not possible to include it in a bookmarked file, it is to be filed separately and labelled consistent with the naming convention.

Covering letters – Covering letters associated with the SGP, evidence and other permitted document types can also be filed using Objective Connect. These should be contained in a separate file and include in its name the descriptor 'letter' and the date e.g. Evidence in support – Letter 15-04-2013. It is helpful if the letter indicates what declarations have been filed (as this will enable the Patent Officer to check whether all documents were added to the Workspace), and whether that completes the evidence.

Other opposition correspondence, including requests for extensions of time to file evidence, must not be filed using Objective Connect.

For further details of the Commissioner's requirements see Vol.3 of the Patent Office Manual of Practice and Procedure.

9. Adding Documents to a Workspace

The following section describes how you may add documents to a Workspace. Adding a document to a Workspace makes it available to IP Australia and any other participating party. Documents added to a Workspace will be saved as part of the official record for the IP Right.

The following rules apply to files added to a Workspace:

- The types of documents that may be submitted to the Workspace is strictly limited to the Statement of Grounds and Particulars and evidence for an opposition proceeding. For more information on specific document types see section 8.
- IP Australia requires that all submitted files comply with the naming conventions as described in section 8 of this guide.
- Files must be in one of the acceptable formats listed in section 8.
- The maximum size for each file is 1 GB. Any larger sized documents will not be accepted. If required, documents can be split into separate parts and added to the Workspace.
- Each declaration must be uploaded separately. Exhibits to a declaration are to be contained in a single file separate to the declaration, with each exhibit bookmarked.
- Files found to be corrupted and unreadable will not be taken to be filed. IP Australia will notify the parties as soon as possible after a corrupted file has been identified.
- Please note that Confirmation Copies are NOT Required.

To add a Document to a Workspace:

- Refer to Tutorial Video for adding Documents [Adding Documents](#)

Filing Date

Receipt of a document added to a Workspace is taken to be the date and time listed in the Workspace in Australian Eastern Standard Time (AEST/AEDT). Users should note that this may appear different from the date and time in their location if they are in a different time zone.

Please ensure your evidence is legible before uploading it into the Workspace. Illegible or poor quality/low resolution documents may need to be resubmitted which could lead to added expense should an extension of time be required to file evidence. Please see the 'Document Quality' section of this document for more information.

The next evidence stage will not commence until IP Australia has formally notified the parties that all (or no) evidence for the relevant evidentiary period has been filed.

10. Notification of new files

- When a file has been added to a Workspace, a notification will be sent to each participating Party.
- By clicking the link in the email you will be taken directly to the Workspace containing those updated files.
- If required you may be prompted to enter your log in details.
- Please note that you will not receive an email notification if you have not yet registered with Objective Connect.

11. Opening a Document

To open a document that has been added to a Workspace:

1. Navigate to the desired Workspace by following the link from a Notification or Invitation email, OR manually through the interface.

2. Locate the document you would like to open, click on the 3 dots to the right of the document and click on download.
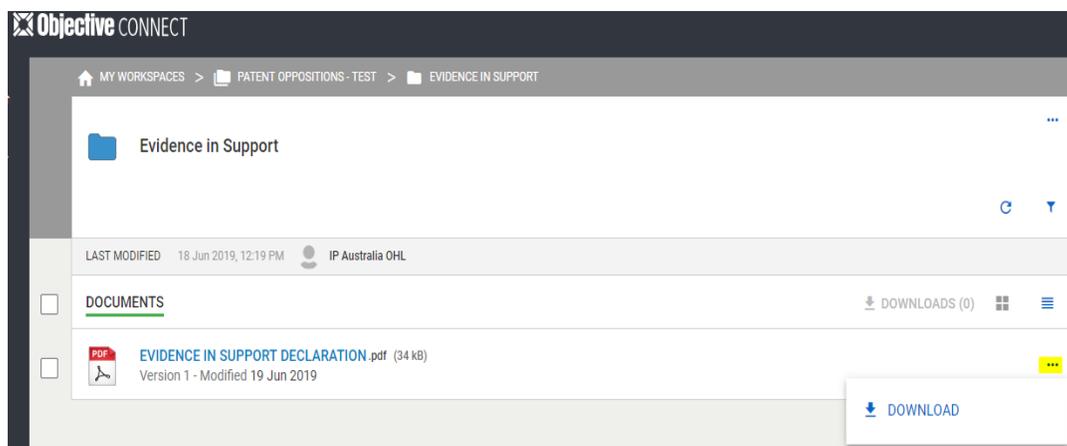

Figure 5

12. Frequently Asked Questions (FAQs)

I lost my invitation, what do I do?

If you misplace your email invitation to join the Workspace for your opposition, you can have the invitation resent to your email address.

To request resending of your invite:

1. Go to the Objective Connect Website.
2. Select **Sign Up**.
3. Select **lost your invitation email**?
4. Enter your email address and select **Resend**.

You will receive an email invitation containing a link to login/register to Objective Connect.

How do I sign out?

If you wish to sign out from your session:

1. Select the **Logout** button next to your name.

Note: After 20 minutes of inactivity you are automatically logged out of Objective Connect.

How can I prevent Objective Connect emails from being caught in my spam filter?

If Objective Connect emails are getting caught in your spam filter, simply add the Objective Connect email address or domain to your list of 'allowed email addresses'. This will allow Objective Connect emails to be delivered to recipients without being caught in the spam filter.

How can I change my Objective Connect Password?

1. While you are logged in to Objective Connect, select the down arrow next to your user name in the top right corner and choose **Settings**. Click **Change Password**.
2. Enter your old password and your new password. This password must be at least 12 characters long.
3. Re-enter your new password and confirm your changes.
4. Select **Change Password**.

Do I have to pay to use Objective Connect?

No, Objective Connect is a free service made available by IP Australia to allow customers to file and receive evidence in opposition proceedings. By signing up to 'Participant Free' through the Objective Connect website, you can access your Workspace/s free of any charges. Please note however that Objective Connect will charge you fees if you sign up for 'Standard' or 'Workgroup'.

Can I request assistance with using Objective Connect?

Yes, if you have encountered a problem with Objective Connect you can contact IP Australia or alternatively the Objective Connect Help Centre