

**ROYAL GOVERNMENT OF BHUTAN
ROYAL CIVIL SERVICE COMMISSION
JOB DESCRIPTION FORM**

1. JOB IDENTIFICATION:

- 1.1 Position Title: Examiner (Trademark/Patent/Design)
- 1.2 Position Level: P4
- 1.3 Major Group: Trade, Industry & Tourism Services Group
- 1.4 Sub-Group: Intellectual Property Services
- 1.5 Job Code No.: 18-781-02
- 1.6 Job Location: *(Complete as appropriate)*: Thimphu
Ministry: Trade and Industry; Division: Intellectual Property
Division; Section: Registry of Trademark/Registry of
Patents/Registry of Industrial Designs;
- 1.7 Title of First Level Manager *(Official title of the Manager)*: Director
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2. PURPOSE, DUTIES AND RESPONSIBILITIES *(Describe the purpose, duties and responsibilities, indicating what is done and how it is done. Duties should be presented in decreasing order of relative importance):*

PURPOSE:

The primary purpose of Examiner is to examine patent, trademark and design applications to ascertain whether they meet the technical and legal requirements of relevant laws so that effective property rights can be granted and maintained in inventions, trademarks and industrial designs in Bhutan;

DUTIES AND RESPONSIBILITIES	% of time
<p>1. <u>Trademark Examiner</u></p> <ul style="list-style-type: none"> • Receive applications and assignment of application numbers • Carry out formal examination of applications • Carry out check of proper classification of goods and services with reference to the Nice Classification and correct fee payments • Carry out substantial examination of applications: <ul style="list-style-type: none"> ○ Search of database for similar marks ○ Determination as to registrability of mark with reference to requirements laid down in the Industrial Property Act and rules there under • Communicate objections, if any, related to registrability of mark to applicant • Dispose observations and submissions made by applicant relating to objections raised • Prepare the Examination Report • Assign accepted applications for publication in the Official Bulletin • Prepare manuscript of Official Bulletin for printing. • Advisory Services to Applicants 	<p>20</p> <p>60</p> <p>5</p> <p>5</p>
<p>2. <u>Patent Examiner</u></p> <ul style="list-style-type: none"> • Receive applications • Examine the formal requirements of the applications such as proper description of claims, filing of abstracts, drawing, etc. • Examine subject matter for patentability • Classify patent applications under the Strasbourg Classification system of patents (IPC) • Entry of application in database • Refer application for search to international search • Refer application for formal search to international examining authority • Receive search and examination reports 	<p>20</p>
<ul style="list-style-type: none"> • Communicate with applicant with regards to reports received from search and examination authorities 	<p>60</p>

3. KNOWLEDGE AND SKILLS REQUIREMENTS *(Minimum requirement for performance of work described (Level of Education, Knowledge, Skill and Ability):*

3.1 Education:

Bachelors

3.2 Training:

Training in intellectual property

3.3 Length and type of practical experience required:

Minimum of 4 years experience in relevant field as Asst. Examiner or equivalent experience

3.4 Knowledge of language and specialized requirements:

Excellent written and spoken English. Knowledge of computer essential.

4. COMPLEXITY OF WORK *(Describe the intricacy of tasks, steps, processes or methods involved in work, difficulty and originality involved in work):*

The work of Examiner is technically highly complex involving expert knowledge of diverse subjects, including market conditions and the technological processes of modern industries and advancements in scientific research. The work also involves highly legalistic processes in applying provisions of the Industrial Property Act to applications for grant of rights.

5. SCOPE AND EFFECT OF WORK *(Describe the breadth of work performance and the effect the work has on the work of others or on the functions of the organisation):*

An examiner needs to apply legal and technical processes rigorously in examination of applications for grant of property rights in intellectual property. The examination processes can involve many long hours and even days per application. This is an absolute necessity because an intellectual property right has become a vital factor in the social, cultural and techno-economic development of the country. Indiscriminate grant of such rights would do great harm to the country and it is here that the Examiner plays the crucial role of guardians of the government in applying their expertise in screening out applications that do not deserve grant of rights while approving grant to those that merit it so that country genuinely benefits.

6. INSTRUCTIONS AND GUIDELINES AVAILABLE:

6.1 Instructions (*Describe controls exercised over the work by the Superior; how work is assigned, reviewed and evaluated*):

The Director will assign works to the Examiners. Examiners will work under the overall supervision of the Director

6.2 Guidelines (*Indicate what written or unwritten guidelines are available, and the extent to which the employees may interpret, adapt or devise new guidelines*):

Functions under the Industrial Property Act, the Rules under the Act, and Office Work Manuals

7. WORK RELATIONSHIPS (*Indicate the frequency, nature and purpose of contacts with others within and outside the assigned organisation (other than contacts with superiors)*):

Meetings would be frequently held with applicants and their legal representatives in the course of work besides consultation meetings in-house.

- 8. SUPERVISION OVER OTHERS** *(Describe responsibility this position has for supervision of other employees, including the nature of supervisory responsibilities and categories and number of subordinates, both directly and indirectly supervised):*

Supervisory role over assistant examiners under their work jurisdiction

- 9. JOB ENVIRONMENT** *(Describe physical demands required, such as walking, standing, lifting heavy objects, etc., and/or any risks or discomforts like exposure to hazards such as exposure to chemicals, infections, radiation, extreme weather and other hostile working conditions. Will the person be required to travel in this position? If so, how often?):*

No risk