The Cooperation Fund draws to a close

Innovation and results – inside the Latvian Office

Distinctive collaboration – CP3

Reaching common ground across the EU

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European TMDN News is edited by the Office for Harmonization in the Internal Market (OHIM) and is published every four months.

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What makes a practice a common practice? Agreement, obviously. But before agreement, there is hard work, research, discussion, sharing of opinions and debate.

And if the practice in question is particularly diverse between one Member State and another – or even many Member States – then a great deal of analysis is needed to reach common ground.

That focus on converging practices in a collegiate spirit of joint working is at the heart of the Convergence Programme, a core part of the European Trade Mark and Design Network, and one which is focused firmly on users.

The Convergence Programme is a natural complement to the work carried out by OHIM’s Cooperation Fund. While the Fund concentrates on developing IT tools and systems for EU national and regional offices, and for users, the Convergence Programme is all about harmonising practices across different offices; helping to increase predictability and certainty for users at national and at EU level, as well as creating consensus.

To do this, the Convergence Programme links OHIM, EU national and regional IP offices and User Associations in an effort to reach common ground in areas where IP offices have different practices. Each project within the Programme is supported by a working group, made up of experts from national and regional EU IP offices, non-EU IP offices acting as observers, User Associations and in some cases international organisations such as WIPO. The aim of each project is to develop a set of common

“The Convergence Programme links OHIM, EU national and regional IP offices and User Associations in an effort to reach common ground in areas where IP offices have different practices.”
guidelines, reflected in a common practice document, for examiners and users.

That was the very framework which underpinned the third Convergence project – Distinctiveness: Figurative Marks containing descriptive/non-descriptive words, known as CP3 for short. The idea behind the project was to find common ground among national offices when assessing trade mark applications which contained a figurative element (for example; a logo) and descriptive and/or non-distinctive words.

To the layperson, this might sound rather esoteric. To trade mark professionals, however, it is of clear and pressing importance, with important related case law to take into account in this area. It is something which affects users right across the EU, so naturally, the role and participation of every working group member was critical during the lifespan of the project.

Sabine Link, senior trade mark examiner at the German Patent and Trademark Office, has been part of the project since it started in 2012. “I attended every meeting of the working group,” she says. “For the preparation of the meetings we filled in surveys and we searched for suitable examples from our national courts. During the meetings we had fruitful discussions, trying to understand offices with different practices, but also trying to convince each other. It was a long process and a lot of work but the outcome is very satisfying.”

Antoneta Cvetić, the head of Service in charge of substantive examinations, oppositions and revocations of trade marks at the State Intellectual Property Office of the Republic of Croatia points out that the effort involved in the CP3 working group was not just confined to the meetings. “We have been involved since the beginning, and we had a representative on all working groups at OHIM,” she explains. “But given the amount of effort needed we also had a representative inside our Office, because we tried very much to look into all the documents and look into all the practical examples to see how that would affect our current practice. So there was a lot of work, at the level of the working groups here in OHIM but in our Office too, with our examiners.”

“All involved in the project knew that consensus on this issue would allow users, all across the EU, to benefit from more timely, reliable and consistent decisions by OHIM and EU IP offices.

Working Group members have been examining the following criteria and determined for each of them individually the thresholds for passing the absolute grounds examination.

With respect to the word elements in a mark:
- Typeface and font
- Combination with colours
- Combination with punctuation marks and other symbols
- Position (sideways, upside-down, etc.)

With respect to the figurative elements in a mark:
- Use of simple geometric shapes
- The position and proportion (size) of the figurative element in relation to the word element
- Whether the figurative element is a representation of, or has a direct link with, the goods and services
- Whether the figurative element is commonly used in trade in relation to the goods and/or applied for
And finally, with respect to both the word and figurative elements in the mark, the working group came up with conclusions on how combinations of the above criteria affect distinctiveness.

Out of scope are: language issues (word elements are considered fully descriptive in any language), interpretation of disclaimers and acquired distinctiveness through the use of the trade mark.

The final Common Communication represents agreement on everything decided to be in scope in the project. Sabine Link says the work involved provoked reflection at national level.

According to Sabine Link, “the project was about an issue which is relevant for the daily work of trade mark examiners and therefore is of great practical importance.”

“At the beginning, it was quite surprising to see that we have the same law but interpret it in very different ways,” she points out. “The project gave the offices the opportunity to compare their current practice with the practice of other European offices and to ask themselves: Are we too strict or are we too lenient? Do we have to change? It was very useful to have the meetings to exchange our views, explain our different approaches and thus converge step by step. Some offices changed considerably. The project showed how productive working together can be.”

“It’s really beneficial for our users to have the same legal certainty in other countries to be sure that they can achieve the same registration as in our country”

Antoneta Cvetić

Antoneta Cvetić is in no doubt that users will see a positive effect from the hard work undertaken at working group level and the resulting Common Communication. “It’s going to have a twofold benefit,” she says. “Firstly, in relation to our Croatian national practice – basically, with CP3, which gives both principles and the examples we will make it part of our Manual, which gives more predictability and legal certainty to the users. Secondly, given the fact that we became a recent member of the EU, the EU became quite important for our users so it’s really beneficial for them to have the same legal certainty in other countries to be sure that they can achieve the same registration as in our country.”

CP3 is a collaborative effort between OHIM, 24 EU IP Offices, User Associations (AIM, ECTA and EFIPA), and three non-EU IP offices. The project was endorsed by OHIM’s Administrative Board in June 2015, and the Common Communication will be published on all implementing IP office websites later this year.
Distinctive

An example of a geometric shape with descriptive words, which renders each of the marks distinctive as a whole.

Non-distinctive

Handwritten and handwriting-style typefaces

Flavour and Aroma

The text is presented in an original manner. The particular configuration is capable of affecting the customer’s perception of the word elements.

Number of participating EU offices:
EU – 25
Non-EU – 3

Number of criteria examined in the Common Practice – 81
Number of meetings – 14
Amid the hustle and the bustle of the successful Latvian Presidency of the EU, which spanned the first half of this year, another challenge was ongoing at the Patent Office of the Republic of Latvia.

This challenge would have a huge effect on the Office’s daily work, and would involve much collaboration and cooperation with OHIM. Over the past two years, the Office has been busily implementing e-filing for trade marks and designs as well as the e-Services package and Back Office, developed by the Cooperation Fund.

“Our joint efforts with OHIM have brought tremendous results in a very short timeframe”, Sandris Laganovskis, Director of the Patent Office of the Republic of Latvia, points out. “That meant that already at the end of last year, you could file trade mark applications on line. Today, this facility is used by more than 20% of all our applicants”.

The Latvian Patent Office is expecting that figure to increase over the coming months, and is also expecting to see design e-filing peaking too, given that the design application went live in January.

“It’s a great achievement” he says, “and great thanks are due to all the involved people in our Office and also in OHIM. The fact is that we only have one IT colleague and five experts in our national trade mark division, so we could not have done it alone.”

Trade mark e-filing was launched in Latvia with a public event to introduce it to users. The system means that for the first time in the history of the Patent Office, applications can be made 24 hours a day, 7 days a week, quickly and easily.

The Software Package suite of applications, along with other tools and services developed through the Cooperation Fund, has radically changed the IP landscape for Latvian users. Sandris Laganovskis points to the success of TMview in Latvia as a particularly example. “When we speak to our users, TMview is always mentioned as the best tool.
Professionals use it several times a day and it shows how, in a relatively small timeframe, it has integrated itself into professional life”.

The Latvian Office, along with the Slovenian Office, also joined the OHIM delegation at the INTA annual meeting in San Diego this year, to inform users about the successful results of the Latvian Presidency and to share experiences with the CF tools.

“Our joint efforts with OHIM have brought tremendous results in a very short timeframe”

Sandris Laganovskis
Director of the Patent Office
of the Republic of Latvia

It’s easy to forget, with all this activity, that just seven years ago Latvia was hit with a massive financial crisis. “I always say that we, as a Patent Office, are the mirror of the economy”, Sandris Laganovskis notes. “We saw a very sharp decline in trade mark applications during the financial crisis, but now the numbers are rising. Our lowest points were during 2009 and 2010, but now those figures are increasing again, so these past five years have been good.”

Alongside all this work has been the Latvian Presidency of the EU. It meant two years of preparation, leading to six months of intense work and effort, and a series of concrete results. By anyone’s standards, it was a great success.

Agreements which will affect the lives of hundreds of millions of EU citizens were reached on a host of issues. Over eight hundred public diplomacy events took place in 76 countries, and nearly one and a half thousand meetings took place in Brussels. Latvia transformed itself into an international policy hub with declarations, statements and meetings rolling out – on average; over one meeting for every day of the Presidency.

“We took the Presidency very seriously,” underlines Sandris Laganovskis. “We started preparation a couple of years in advance, and the early start proved very useful”.

Sandris Laganovskis, his 64-strong team in the Office and his colleagues in the Ministries had an extremely busy and challenging six months, given the complex IP matters that came as part of the Presidency activities parcel. “It was very intense and interesting for us,” he recalls, pointing to the trade mark package, the unitary patent, trade secrets and the Lisbon revision on geographical indications as four key issues for the Latvian IP team.

The Latvian Presidency also saw a flurry of high-level conferences and initiatives around IP, including an event in March of this year – the international conference “IP and Beyond” which attracted over 150 delegates from around the world, including high level guests from WIPO, OHIM and the EPO, along with users, judges and patent attorneys.

Growing the innovation culture in Latvia is a key priority for policy makers, and the IP office has a crucial part to play in that initiative. “We want to be more innovative and move to innovation with high added value,” Sandris Laganovskis explains. “The IP office has to participate in this process as much as possible, and raise awareness on this issue – one of our most important roles is to keep explaining how important this is.”

Data and facts help the awareness raising process, and in that context, Sandris Laganovskis is appreciative of the work done by the EU Observatory on Infringements of Intellectual Property Rights, a department within OHIM, in its economic and statistical remit. “For us, the Observatory is like water for someone who is thirsty”, he says, “because it allows us to substantiate our work and provide numbers from Latvia.”

Other initiatives, like the Latvian Office’s Trade Mark of the Year Award, now in its fourth year, also help to raise awareness of the value of IP.

The status of the Latvian IP office is due to change too, where under the new Industrial property law in Latvia which will come into effect on January 1 2016. For the first time in its history, the Office will be self-financed. Sandris Laganovskis is clearly relishing the challenges and opportunities that this new state of affairs will bring. “I think this will be beneficial for users,” he remarks. “We now have so many ideas in mind as to how we can develop the system further”.

The logo for Latvia’s Presidency was based around the theme of a millstone – an ancient innovation which has stood the test of time. It stands for prosperity, stability and energy, Latvia’s Prime Minister told the European Parliament at the start of this year. The concept of innovation and creativity thus became the symbol of a successful Presidency – a fact not surely lost on the users and supporters of Latvia’s IP system.
The Fund has helped transform the IP landscape in the EU, providing state of the art IT tools and services in national and regional EU IP offices, with almost 350 implementations across the ETMDN.

The extraordinary joint session of OHIM’s Administrative Board and Budget Committee, which met on the 18th and 19th of September, 2008, agreed to the setting up of a €50 million programme, for “projects closely related to harmonisation and the protection, promotion and/or enforcement of trade marks and designs”, made available to the EU national and regional IP offices.

The Cooperation Fund was something new, and something that worked on a truly pan-European level, bringing EU national and regional IP offices, user associations and OHIM staff together in working groups which met on a regular basis to track progress. It hit the ground running in 2010, and by mid-2012, it became clear that it had exceeded all expectations; by this time, IP offices had stated their intention to use well over 370 tools and services.

By November 2012, over three hundred people across the EU were working to launch ten IT tools. OHIM staff joined around the clock with national and regional office experts, user association representatives and partner colleagues from international organisations, to make sure each and every rollout went smoothly and successfully. In Finland, ‘The Cooperation Fund was something new, and something that worked on a truly pan-European level.”

Time to take stock: the Cooperation Fund nears the finish line
national office experts even took the lead on the complex e-filing project, implementing it into their own systems on a trial basis and providing valuable feedback for their colleagues to incorporate into future rollouts of e-filing.

“Throughout its life, the Cooperation Fund has been more or less constantly on the move.”

The November 2012 launch, known by Fund staff as the “big bang”, proved to be a collaborative triumph. Tools developed for, and crucially also developed by, national offices, user associations, international partners and OHIM were launched through a common portal. The tools were entirely free to use, each reflecting a different aspect of the IP process.

Nearly three years later, the Fund is still powering on, as it enters its final phase. The full integration of the Back Office into the Polish Patent Office’s systems in June 2015 was a real high point, representing as it did years of patient work and collaboration with Polish experts on the ground, deployed developer teams and OHIM staff.

As for the big, complex services which formed part of the initial Software Package component of the Fund (at €20 million, its biggest single project), the complicated work to integrate them into national and regional office systems is advancing. 17 offices are expected to implement e-filing for trade marks, 16 will implement e-filing for designs, 18 will implement the e-Services package and the Back Office will be taken up by 12 offices in total.

Throughout its life, the Cooperation Fund has been more or less constantly on the move. Deployed project managers have been placed in EU national and regional IP offices to assist with the implementation process, meeting regularly together in Alicante to review progress. Teams of deployed developers have bolstered local teams on the ground. OHIM’s rollout teams have been embedded in national and regional offices for weeks at a time, and over 100 on-site workshops have been held in EU national and regional IP offices during 2014 alone.

The Fund may be ending its life, but its legacy will continue. With its relentless focus on providing the best possible experience for end users and its commitment to building a strong and successful ETMDN, it has laid down foundations for future ways of mutually beneficial and collaborative working between EU IP office partners for years to come.

To this end, OHIM is currently developing its benefit valuation methodology, to be able to report on the expected results of the Fund to the national and regional IP offices and the user community at large. Additionally, final reporting is due by all participants, enabling the programme can officially come to an end.

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### The Fund in numbers

- 377 intents to implement tools and services
- An average of 14 implementations per national and regional office
- 21 projects, 19 tools
- 100,000 working days
- 11 user organisations involved
- €50 million
- 25.9 million trade marks in TMview*
- 4+ million designs in Designview

* as well as an additional 2.5 million trade marks in ASEAN TMview
Focus on tools

Linking rights holders and enforcement – the EDB moves ahead

Police, customs authorities and more and more rights holders are using the tool.

The Enforcement Database (EDB) is a bridge between rights holders and enforcement authorities. It is completely free to use, and provides a direct link between businesses and enforcement to make it easier to detect counterfeit goods, and prevent them reaching the marketplace.

Developed by the Cooperation Fund for the EU Observatory on Infringements of Intellectual Property Rights, a department within OHIM, it allows rights holders to record information about their intellectual property rights. The development of the tool was supported by a working group, which drew heavily on EU national and regional IP office experience, as well as enforcement experts and colleagues from the European Commission.

Enforcement authorities, like customs and police, can then access this information when they need to – when they investigate a suspicious shipment, for example, or when they need to take action against suspected infringements.

Rights holders have complete discretion in terms of what they choose to put in the tool. They might choose to add product information, distinguishing features, transport routes or anything else they think might help enforcers to tell their genuine products from counterfeit ones.

“The rights holders have complete discretion in terms of what they choose to put in the tool.”

The EDB is completely secure. It has been built to the same exacting security standards...
Focus on tools

as those used by major banks and financial institutions and is SOC 2 security certified. Customs across the EU can access its information via the secure network developed by the European Commission’s Directorate General for Taxation and Customs Union.

The EDB is available in 23 EU languages, making it easier for customs officers and enforcement authorities to access relevant information in their own language. It also allows electronic generation of applications for action (AFAs), which are requests for EU customs authorities to take action against infringing products. This is particularly useful in situations involving EU Member States that do not already offer a way to file these types of requests online.

Currently 27 of the 28 EU customs authorities have joined the EDB, and in the past few months, police forces across the EU have begun to join too. The Guardia di Finanza in Italy and the Guardia Civil and National Police in Spain are already using the tool.

Joining the EDB is completely free, and easy to do; signup takes place online and applicants are sent a registration code by post. The only requirement is that applicants have at least one trade mark or design at the time of application. Rights owners can choose whether to manage their EDB account in-house, or instruct an agent to do it for them. It’s important to stress that, for security reasons, the IPR owner’s registered physical address is the first point of contact for EDB membership, with the rights holder deciding who then administers the user account and login credentials. Currently over 200 companies are signed up to the tool, with more joining every day.

Additionally, all EDB users are invited to take part in the EDB Forum, which takes place in OHIM’s headquarters in Alicante, Spain on September 8-9. Participation is free for enforcement authorities and rights holders, who will be able to share their issues and questions with enforcers. Users are also invited to take part in sectorial and regional knowledge building meetings which are regularly organised by the EU Observatory on Infringements of Intellectual Property Rights.

For more information on the EDB, see the dedicated EDB webpage, or contact observatory.edb@oami.europa.eu

OHIM is working on a link with the Interface Public-Members system developed by the World Customs Organisation to allow transfer of data between the two tools. This follows on from a Memorandum of Understanding signed by the two organisations in June last year, and means rights owners will not need to provide the same information to both systems.

For enforcers, however, the value of the EDB lies in the information contained within it. All data within the tool is based on official, verified records, and when rights holders join, they are invited to give contact details of a person or persons within their companies who can be contacted quickly in case of need.

“All data within the tool is based on official, verified records”

EDB in numbers:

Available in 23 languages
27 EU customs authorities using the tool
200+ companies signed up
Nearly 400 products within the tool
The User Perspective

Taking AIM

The European Brands Association and IP in the EU

“I may be somewhat unusual in the world of IP,” Dawn Franklin suggests, “in that I am not a lawyer.” But for over 20 years she’s been involved in supporting brands both in the UK and at EU level, through the European Brands Association, AIM.

AIM is part of the fabric of the European Trade Mark and Design Network through its involvement with OHIM and the national and regional EU IP offices. An AIM representative acts as observer to OHIM’s ABBC. The association also takes part in the Liaison Meetings and plays an active role not only in the working groups set up around the ETMDN projects, but also in the working groups in the EU Observatory on Infringements of Intellectual Property Rights.

Her link with the association came from her background in-house with several multinational companies, like Hertz and Mars, and her present work as a business consultant, “making a bridge between legal and marketing,” as she puts it herself, helping large and small companies build and protect their own brands.

Trade marks, Dawn Franklin is quick to point out, form an important basis of the “package” of a brand, “like the foundation stone of a cathedral,” she explains. “I’m very passionate about distinctive branding, because that’s what’s fair for consumers. I was one of the founder members of the British Brands Group, set up 20 years ago, to tackle parasitic copying and look-alike packaging, which can mislead consumers and unfairly trade on the reputation of the brand owner.”

That zeal for brand protection led her to become involved in AIM, the EU-wide brands association based in Brussels. It has as its mission the creation of an environment of fair and vigorous competition for brands, via an organisation that groups 1,800 companies of all sizes in 22 countries, employing two million workers and with €350 billion in sales across the EU.
Within AIM, Dawn Franklin has been involved in the Trade Mark Committee for many years as a member and then as its Chairman, which meant interfacing with OHIM, and before its foundation, with the preparation of the Regulation that would give it life. “From the very beginning we saw the importance of not only thinking nationally but also EU-wide or at a global level,” she points out.

“For Dawn Franklin and AIM, the national and the European systems are both vital, from a business point of view. “You have to have the national and European systems running side by side,” she says. “Big companies may well have products specific for national markets and they may not need or be able to obtain a CTM. I have a small business, and I work with a lot of small businesses and charities. They know that branding is important but they don’t necessarily need an EU-wide trade mark. Those kinds of decisions must be business driven. I always keep coming back to the key messages here – it’s all about consumers and it’s all about businesses.”

Dawn Franklin believes the Cooperation Fund has been a great success over the past five years of its life. “What I liked about it was that it started with questions to our users,” she says. “They were asked: what exactly is it that you need? At AIM we concentrated on practical things, with clear KPIs, and we focused on controlling budgets and using money wisely.” Two tools developed by the Fund that stand out for her as being of particular benefit are TMview, allowing users to conduct preliminary checks to avoid infringing others, and the User Satisfaction Survey, which she believes “should put users at the heart of the business of OHIM and the national offices.”

The EU Observatory on Infringements of Intellectual Property Rights is also a focus of AIM’s work. “Counterfeiting and piracy is a very important issue for our members,” Dawn Franklin points out. “For the bigger companies it’s a constant scourge, and for many smaller companies it’s also a problem – what’s being copied could be their one and only brand and their business in its entirety.”

Dawn Franklin is clear about the objective of her work, and that of her colleagues at AIM, with OHIM and its partner offices in the ETMDN. It is to work jointly to improve conditions for IP and brand protection across the EU, or as she puts it, “we all work together to have the best trade mark system possible.”
Converging views – the user association meetings

Users have always been at the heart of the ETMDN.

They form part of the working groups which support each project, giving valuable input and advice. Their feedback is sought formally and informally through a range of initiatives, from bilateral meetings to user group forums, and their views help guide and shape the direction of travel of each output.

The Convergence Programme, launched in 2011, links OHIM with IP Offices and User Associations in an effort to reach common ground in areas where IP offices have different practices. It complements the work being done to create common IT tools taking place under the Cooperation Fund.

The Convergence Programme’s results and outputs are aimed firmly at users. Hence, the input of user associations is critical to the projects nested underneath the portfolio. Users sit on the working groups associated with each project, and follow the work done throughout the process of project development.

With that in mind, the Convergence Programme has begun a series of intensive meetings with users. The first meeting took place on March 26, and the second kicked off in Brussels on June 18.

The first meeting centred on CP3 (see cover story) ahead of its presentation to the Administrative Board and Budget Committee of OHIM in June. AIM, BUSINESSEUROPE, ECTA, FICPI, INTA, MARQUES and UNION were represented at the meeting.

At the June meeting, representatives from AIM, APRAM, ECTA, FICPI, GRUR, ITMA, INTA and MARQUES, along with a representative from the Deutsche Patent-und Markenamt (DPMA) met the Convergence team working on the project.

The objective was to discuss the conclusions reached by the CP6 working group members on the principles of the Common Practice on the graphic representation of a design.

The meeting looked at many aspects of the project, which is one of two Convergence Programme projects on designs (the other is CP7 – Harmonisation of Product Indications).

The aim of the meeting was to get user feedback and input on the progress made so far, and to hear directly from user associations about the projects and their direction.
The Tunisian IP Office Institut National de la Normalisation et de la Propriété Industrielle (INNORPI) joins TMclass


These latest additions bring a total of 45 national and regional IP Offices, including OHIM, WIPO and OAPI, into the tool.

TMclass now offers users the opportunity to search and translate terms to and from any of the 34 available languages.

This successful integration is the result of the joint effort and cooperation within the framework of the International Cooperation Programme managed by OHIM in collaboration with its international partners.

The Pan-European Seal IP Campus Pilot 2015

The Pan-European Seal IP Campus Pilot 2015 took place at OHIM’s premises between 11 and 13 May. Organised by OHIM and the European Patent Office, this IP awareness and dissemination event gathered together the 14 trainees of OHIM’s Pilot Edition of the Pan-European Seal, as well as other in-house trainees, bringing the total number of participants to 34.

The event included conferences on intellectual property (IP) related topics, such as the economic value of EU trade marks and designs, the Community trade mark legislative reform, patents and economic growth, counterfeiting and piracy, design law, and IP in the fashion industry. Additionally, the programme included two visits to local IP intensive industries, a discussion panel on the role of IP in the global economy, and two career guidance sessions in the IP field.

The Pan-European Seal Professional Traineeship Programme is a comprehensive IP programme which bridges academia and the IP labour market, promoted in partnership with the EPO and managed by the OHIM Academy, together with strategic University partners. The Pilot Edition was launched in October 2014 with 14 graduates from the Institutes belonging to the EIPIN Network.
Companies owning IP rights outshine competitors in economic performance

Companies owning intellectual property rights (IPRs) have, in general, 29% higher revenue per employee, about six times as many employees and pay wages that are up to 20% higher than firms which do not own IPRs.

These are the main findings of a study carried out by the Office for Harmonization in the Internal Market (OHIM) acting through the EU Observatory on Infringements of Intellectual Property Rights.

The study, which is based on official public financial data from more than 2.3 million European firms, covers companies which own patents, trade marks and designs at both national and EU level.

One of the key findings in the study is that a modest share of small and medium sized enterprises (SMEs) in Europe own patents, trade marks or designs. It also finds that those SMEs which own such rights have almost 32% higher revenue per employee – a significantly higher economic performance, showing significant relative benefits associated with the ownership of IPRs. SMEs are companies which employ fewer than 250 people and which have an annual turnover not exceeding 50 million euro.

Poland fully implements Back Office

The Polish Patent Office (PPO) has finally gone live with the Back Office for trade marks and designs, developed by the Cooperation Fund.

The PPO is the first IP Office to go-live with the whole functionality provided by the tool, including:

- Registration process for trade marks and designs
- Oppositions/Cancellations proceedings for trade marks and designs
- Recordals for trade marks and designs
- Appeals
- International registrations for trade marks and designs
- International applications for trade marks

The overall aim of the Cooperation Fund is to benefit users across the EU by providing modern, state of the art tools and services for EU national and regional offices. The integration of the Back Office system in the PPO was possible due to the close cooperation between OHIM and Polish colleagues.

Five IP offices across the EU are already using the Back Office, including the Finnish Patent and Registration Office (PRH), which along with the PPO was a pilot office for the Back Office system and defined its core functionalities.
Iceland joins Designview

As of 18 May 2015, the Icelandic Patent Office (ELS - IPO) has made their design data available to the Designview search tool.

The integration of ELS - IPO is a concrete result of the International Cooperation programme managed by OHIM in collaboration with its international partners.

With ELS - IPO on-board, there are now 31 participating offices in Designview. With the addition of more than 3,500 designs from ELS - IPO, Designview now provides information and access to more than 4.2 million designs in total.

Since the introduction of Designview on 19 November 2012, the tool has served about 935,000 searches from 137 different countries, with users from Spain, Germany and the UK among the most frequent visitors.

Italy and Croatia implement Forecasting

The Forecasting Tool, developed by the Cooperation Fund, has been implemented in the Italian and Croatian offices, bringing the total number of implementing offices in the ETMDN up to 15.

The tool provides a best practice forecasting model in an easy-to-use web application. Any data that is a driver for trade mark or design filings will be stored and analysed on their correlations. This will allow the user to perform analysis on the data directly or refresh reports previously defined.

The tool aims to provide a planning, budgeting and forecasting environment that supports business modelling, enabling each office to develop timely, reliable forecasts, budgets and resource planning.
E-filing training in Malta

IP experts in the Industrial Property Registrations Directorate (IPRD) within the Commerce Department in Malta have given a round of training sessions to IP professionals on the new e-filing system developed by the Cooperation Fund.

The sessions were the first of a series of sessions targeting intellectual property registrations heavy users. The first session focused on the e-filing of trademark applications via the Commerce Department website available at www.commerce.gov.mt or the IP Portal available at www.ips.gov.mt.

Since the integration of e-filing with the new trademark back office (from December 2014), around twenty five per cent of the national trademark applications received have been e-filed.

The office’s target is to increase the e-filing uptake to sixty per cent by the end of 2015.

BOIP implements e-filing for trade marks

The Benelux Office for Intellectual Property (BOIP) has implemented trade mark e-filing developed by the Cooperation Fund.

Users of BOIP’s services will be able to avail of the following benefits:

An intuitive and user-friendly interface

Quick and easy to find and select all the relevant goods and/or services

Immediate PDF confirmation in user mailboxes, with the application number and a financial overview

The overall aim of the Cooperation Fund is to benefit users across the EU by providing modern, state of the art tools and services for EU national and regional offices. The integration of the trade mark e-filing system in BOIP was possible due to the close cooperation between OHIM and Benelux colleagues.
Decree No 2015-595 of the French government was published on 3 June 2015, allowing artisans and companies to protect their products according to different criteria. It is now possible to file cases for consideration to the French National Institute of Intellectual Property (INPI).

A geographical indication is a sign used on products that have a specific geographical origin and/or qualities, reputation or characteristics that are essentially attributable to that geographical area.

Geographical indications imply a specific link between the product and the geographic area. They thus allow the development of qualities such as manufacturing techniques and traditions associated with the place of origin of the products. Examples could include Calais lace or Limoges porcelain.

Franz Amtmann (Austria) and Philippe Maugars (France), together with their teams at Dutch company NXP Semiconductors, scooped an award in the Industry category for their contribution to the development of Near Field Communication (NFC) - a contact-free, secure technology for data transfer between mobile devices.

Mr Amtmann described the Award as one of the “personal highlights of my life”, with Mr Maugars adding that now his friends and family are “starting to understand what we do”.

A full programme of events was organised by the German Patent and Trade Mark Office (DPMA) to coincide with World Intellectual Property Day on April 26. This year’s actions had a musical theme, with the slogan “Get Up, Stand Up For Music” at its core.

Additionally a whole series of country-wide events was organised, including workshops, panel discussions, information stands and an exhibition, targeting small and medium-sized enterprises (SMEs), students and startups.
World Anti-Counterfeiting Day in Portugal

To celebrate World Anti-Counterfeiting Day, INPI Portugal participated in a conference entitled “Cooperation – a key element against counterfeiting”, which took place in Vigo, Spain, on June 2.

This event was carried out in partnership between the Spanish Patent and Trademark Office (OEPM) and the Spanish Association for the Defense of the Brand (ANDEMA).

Representatives of the Spanish police and rights holders also attended.

OEPM: Summer School at the Universidad Menéndez Pelayo

The tenth edition of the successful summer school organised by the Spanish Patent and Trade Marks Office (OEPM) gets underway this year in the Universidad Menéndez Pelayo in Santander, Spain.

The theme of this year’s programme is the problem of counterfeiting, including the dangers of purchasing counterfeit products and public attitudes to counterfeiting.

WIPO seminar in Finland

The World Intellectual Property Organization (WIPO) and the Finnish Patent and Registration Office (PRH) organised a joint seminar in Helsinki on Global Intellectual Property Strategies and WIPO Services on June 8.

The comprehensive programme covered the Patent Cooperation Treaty, global branding strategy and the Madrid system, global IP databases and alternative dispute resolution.
Calendar of Future IP Events

CTM protection according to Greek National Law and the CTM Regulation
Athens, Greece  14-15 Sep 2015

TM5 Annual Meeting
Vienna, Austria  15-18 Sep 2015

GRUR
Annual Meeting
Freiburg im Breisgau, Germany  23-26 Sep 2015

INTA
INTA Trademark Administrators and Practitioners Meeting
Alicante, Spain  14-15 Oct 2015

Turkey Roving Seminar
Istanbul, Turkey  26 Oct 2015

Administrative Board and Budget Committee Meeting
Alicante, Spain  24-26 Nov 2015
## Projects

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*National & Regional IP Offices: implementations as of 21 of April 2015 - Implementation figures do not include OHIM.*
### Chart

**Legend**
- ![Intent to implement](image)
- ![Implemented](image)

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*National & Regional IP Offices: implementations as of 21 of April 2015 - Implementation figures do not include OHIM.*
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Building a stronger IP network in Europe…

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