

## Trade mark reform proposals expected in October

**MARQUES** took part in a meeting of trade mark users' groups with the European Commission last month, at which the recommendations made in the recent Max Planck Institute study on trade marks in Europe were discussed.

"The meeting went well and even though the Commission specified that they were not there to answer questions, the Commission seemed very keen to listen to us," said Tove Graulund, who represented **MARQUES**. "There is also a lot of agreement between the associations. Our priorities are quite similar, and there was broad agreement on all issues, which is very good for the process in my opinion. We all want to see improvements but not major changes."



Among the issues discussed were the Institute's proposals on genuine use, which would allow a mark to be registered if a similar mark used in another part of the EU has not been used for 15

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years, and the alleged cluttering of the register. All organisations rejected this proposal from the MPI.

The level and distribution of renewal fees was also discussed. All the organisations agreed that the fees should only be distributed for “services rendered”. Most organisations agreed that just one class should be included in the filing fee. **MARQUES** stressed again that the change, however, was only acceptable if the filing fee was reduced to reflect this, and that a filing fee for three classes should remain the same as it is today.

The 10-point agenda of the meeting is available on the **MARQUES** website page devoted to the study. <http://www.marques.org/EuropeanCommissionStudy>

Also available on this site are the MPI report, the Allensbach survey and **MARQUES'** submissions and statements, among other materials.

The Commission has said it plans to publish draft revisions to the Trade Marks Directive and the CTM Regulation in October this year. It will take into account the MPI Report, as well as consultation among users and other interested parties.

**MARQUES** has also responded to the five-year OHIM Strategic Plan, announced by President António Campinos and approved by the Administrative Board last month. The plan restructures the Office, sets out new priorities for quality and cooperation and provides for the Office to take on extra responsibilities, such as for the EU Counterfeiting

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Observatory. It also covers human resources and an improved IT strategy.

The plan involves an increase in expenditure of some €120 million, but this figure includes nearly €70 million to improve and enlarge OHIM's office in Alicante and some of the €50 million co-operation fund.

Tove called the plan “very positive” and “thorough” and said the costing was “very reasonable in view of the scope of the plan”. She particularly welcomed Campinos's initiatives to improve the quality of examination: “The time has come to look at quality. Yes, we want things done fast but we also want them done really, really well.”

The video of the **MARQUES** seminar on the Max Planck report, held in London in April, is available on the **MARQUES** website. <http://www.marques.org/Elink?ID=0197>