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President of the ECTA

ECTA was created in 1980 with the aim of bringing together professional practitioners in the Member States of the European Community in the field of trademarks and later also designs. These people are trademark agents, trademark attorneys, lawyers practising in industry and anyone considered as specialist practitioners in this area of expertise.

During the course of time, membership has also been extended to include Associate and Affiliate Members.

Today ECTA has more than 1100 members and for some years now we have been recognised as a Non-Governmental Organisation by WIPO-World Intellectual Property Organisation- and we are regularly invited to attend its trademark meetings. We are also recognised by the European Commission as one of the leading associations in the field of trademarks.

There is no doubt that this has been achieved as a result of ECTA's hard work over many years, particularly its contribution to the drawing up of two important documents: The First Council Directive of 21st December 1988 to approximate the Laws of the Member States relating to trademarks - THE HARMONIZATION DIRECTIVE - and Council Regulation (EC) N° 40/94 of 20th December 1993 on the Community Trademark - THE CTM REGULATION.

With the entry into force of this Regulation and the opening of the OHIM - Office for Harmonization in the Internal Market - ECTA saw the implementation of much of what it had striven for during all those years.

We were therefore extremely proud to attend the official opening ceremonies of the OFFICE, and the strong links between us are being strengthened even further as time goes by.

Little more than a year and a half has since passed and there is naturally a lot that remains to be done and many problems to be dealt with.

However, the OHIM knows that it can continue to count on us as it has always done in the past to promote the Community Trade Mark at our Conferences, where there is always room for delegates of the Office and the Commission to voice their opinion, and through our Committees which examine the various problems that arise. We recently set up the ECTA OHIM link Subcommittee, a subcommittee of the Law Committee which acts as a liaison between the Office and ECTA and holds regular meetings where problems concerning practice before the OHIM are discussed, not only in order to inform and alert the Office to the difficulties that users of the system are coming up against in their daily business, but also to study and give an opinion on proposals for new guidelines and any other rules deemed appropriate.

As I have already mentioned, it is too early to sit back and relax and the initial success of the OHMI with the incredibly large number of applications that have been filed must continue in order to provide users with a system they deserve and can fully rely on.

Furthermore, the question of professional representation must also be reviewed. In fact, ECTA has always fought for qualified professional representation before the Office, since this is the only way to promote the smooth-running of the competent authorities and the success of the system. This issue must therefore be borne in mind in future revisions of the Regulation.

In all these areas the OHMI can continue to count on our full support, which will always be of a constructive, reliable and friendly nature- and ECTA likewise knows that this will be mutual.

## THE OFFICE IS IMPROVING ITS ORGANISATION/PRODUCTIVITY

Due to the avalanche of trade mark applications, which by the end of 1997 could reach 70 000, the Office has reviewed and improved the organisation of its workload.

According to the internal system, set up to measure productivity, it seemed that some of the targets, eg. a minimum of 20 000 publications in 1997, may not have been reached.

Therefore, an internal audit was carried out under the authority of the Financial Controller. This audit revealed a sluggishness in the organisation of the workload and a need to specify the responsibilities of the staff, some of whose tasks were at times excessive or repetitive.

Following the auditors' proposals, the President of the Office has taken steps to reorganise the sectors linked to Examination. The main areas of action are the following:

- reorganisation, to create a more vertically structured Examination Division with work groups lead by heads of groups.
- according to their linguistic knowledge, examiners take complete responsibility for the files given to them right up to publication.

- each group is aware of its main targets and each member of staff also knows the quantitative and qualitative standards to be followed. Added to an improved internal communication to associate everyone with the life of the Office and its progress, the steps taken have had an immediate result and productivity has increased considerably.

- procedures have been simplified as far as possible while respecting the legal limitations established by the CTMR.

- processing of priority and seniority claims has also been simplified.

- at present control of translations is limited to the second language, when the application language is not one of the five languages of the Office.

- reinforcement of the Examination Division's administrative management, responsible for all the material aspects, especially monitoring productivity, sending and receiving translations and search reports.

The personnel have welcomed this internal reorganisation which provides them with more motivating work.

The OHIM's aim is to provide satisfaction both for its clientele and its staff.

## OHIM CONTACTS WITH USERS AND THEIR ORGANIZATIONS

The Office relies on contacts with organizations representing trade mark proprietors and professional representatives at all levels of its activities. These contacts are essential for the Office in formulating, developing and communicating its policy.

There are various levels of such contacts.

At the first level, the Office has established cooperation agreements with a number of international non-governmental organizations (NGOs) active at the European level. There are currently thirteen such organizations, and the relevant information on each of them is published monthly in the Official Journal of the Office. These organizations are generally best known by their acronyms. They are, in alphabetical order, the following:

AIM (Association européenne des industries de produits de marques),

AIPPI (Association internationale pour la protection de la propriété industrielle),

CEFIC (Conseil européen de l'industrie chimique),

ECTA (European Communities Trade Mark Association),

EFPIA (European Federation of Pharmaceutical Industries Associations),

FEMIP (Fédération européenne de mandataires de l'industrie en propriété industrielle),

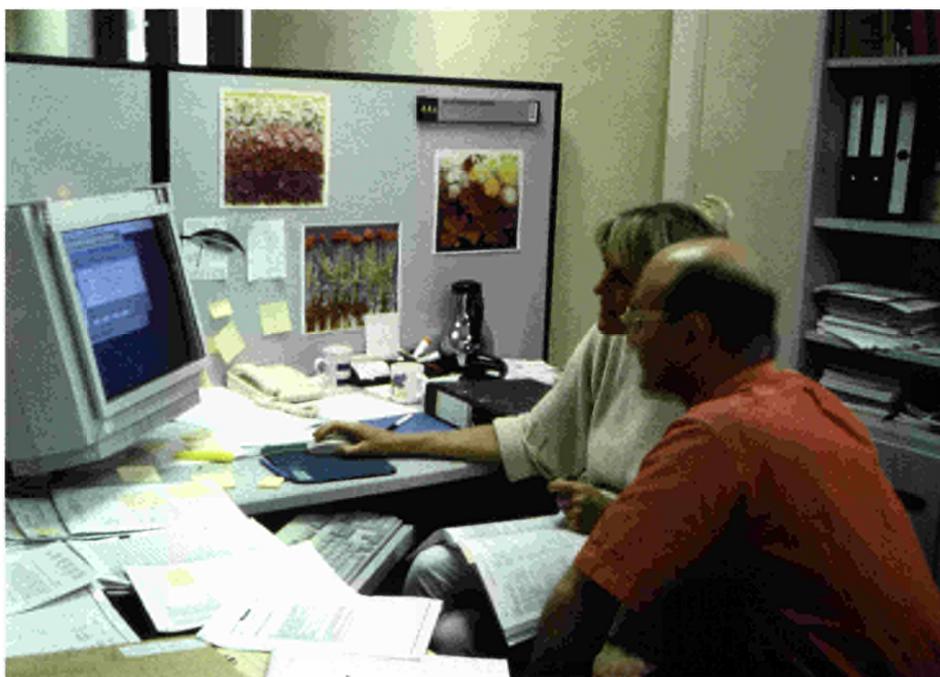
CNIPA (Committee of National Institutes of Patent Agents),

ICC (International Chamber of Commerce),

INTA (International Trademark Association),

MARQUES (Association of European Trade Mark Proprietors),

FICPI (Fédération internationale des conseils en propriété industrielle),



UNICE (Union des confederations de l'industrie et des employeurs d'Europe).

UNION (Union of European Practitioners in Industrial Property).

At the second level, there are numerous contacts with individual organizations from the Member States and also from third countries which have expressed an interest in the Office's activities.

At the third level, the Office is faced with a growing stream of requests for information from individual proprietors and practitioners.

There are various manners in meeting the demand for information and exchange of views.

The publications of the Office - most notably the Official Journal and this newsletter OAMI NEWS - seek to provide the public with all relevant information about the Office and its activities.

The Office formally communicates documents to the thirteen NGO's previously listed for information and comment - such as drafts of Examination Guidelines etc. The Office also relies on these organizations for distribution of information, such as standard forms produced for the various types of proceedings before the Office. Furthermore, the Office has agreed to hold meetings with these organizations in Alicante to discuss matters of mutual interest. Such meetings have taken place with ECTA, FICPI, and CNIPA, and further such meetings are scheduled with other organizations.

As regards national organizations the Office will not be able of establishing similarly "formal" relations, given the large number of such organizations in the fifteen Member States. However, the Office has agreed to include such national organizations as have expressed a corresponding desire in the system of written communications. The Office welcomes comments from these organizations just as much as those coming from the thirteen "official" NGOs. The Office has also declared its willingness to hold meetings with such organizations whenever this appears appropriate. Thus, the Office will propose a "British Day" in the near future.

Individual requests for information are fulfilled essentially through

correspondence for which the Information Section and the Legal Department are primarily responsible.

Finally Office representatives have participated and will continue to participate as speakers in meetings organized by organizations at the national and international level, which allows an explanation of Office policy

directly and to a large number of actual or potential users of the Community trade mark system.

The Office will continue to reflect on the best way to maintain contact with its users and will develop additional methods in the course of time, including communication through the Internet.

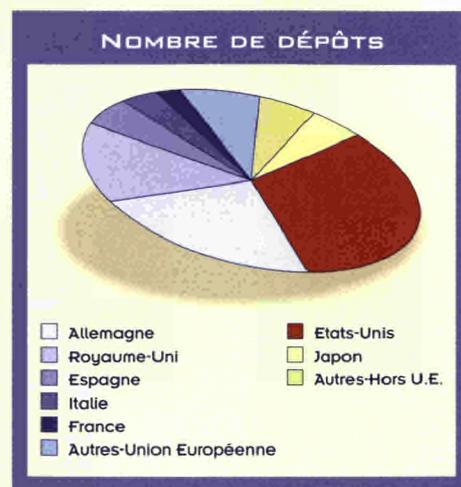


QUELQUES CHIFFRES sur l'OHMI au 15 juin 1997:

1) dépôts de marques communautaires  
 Nombre de dépôts encodés dans EUROMARC 54.709  
 - répartition géographique des déposants (sur base des dépôts encodés dans EUROMARC):

Union européenne:	31 575	58,75 %
Allemagne	9 190	17,10 %
Royaume-Uni	7 073	13,16 %
Espagne	3 424	6,37 %
Italie	2 981	5,55 %
France	2 517	4,68 %
Pays Bas	1 392	2,59 %
Suède	1 161	2,16 %
Danemark	893	1,66 %
Autriche	823	1,53 %
Belgique	773	1,44 %
Finlande	474	0,88 %
Irlande	354	0,66 %
Portugal	228	0,42 %
Luxembourg	175	0,33 %
Grèce	117	0,20 %
Hors Union européenne	22 166	41,25 %
dont :		
E.U.A	16 158	30,07 %
Japon	1 725	3,21 %
Suisse	1 135	2,11 %
Canada	601	1,12 %
Australie	380	0,71 %

- nombre d'accusés de réception envoyés: 54.571  
 - nombre de dates de dépôts accordées: 42.297



2) nombre de mandataires agréés auprès de l'OHMI : 4.875  
 3) nombre de comptes courants ouverts auprès de l'OHMI : 434  
 4) effectif de l'OHMI: 239

## TECHNICAL COOPERATION DIVISION

The main task of the Technical Cooperation Division (TCD) is the coordination of technical relations between professional representatives of the OHIM and National Offices of Member States of the EU, trade mark offices of third countries, international organisations and other sectors concerned with trade marks, such as universities, associations, etc.

Since its creation, the OHIM has a policy of technical cooperation with the view to favouring relations between the Office and various national and private organisations. In this context the TCD is the link between the Office and "the outside world" in maintaining technical continuous contact with professional circles.

The TCD is the "gateway" between the OHIM, National Offices and third countries. It acts in bringing about a greater knowledge and understanding of the Office but most importantly, of the CTM system.



## Technical Cooperation Programmes

At the request of the European Commission, the OHIM is taking part in several EU assistance programmes in intellectual property rights and more particularly, is in charge of the trade mark element. The TCD is responsible for the organisation, coordination and follow-up of these programmes. These programmes include the training of staff, seminars and general support matters.

## Liaison Meetings

Another task of the TCD, in cooperation with the relevant services of the Office, is the organisation of the Liaison Meetings between the OHIM and experts from National Offices. At these meetings, discussions are held concerning the workings of the Office, and particularly those concerning the National Offices in the CTM procedure.

## Seminars and Meetings

The TCD represents the OHIM in seminars and carries out presentations on the Community trade mark system in various training sessions and meetings organised by National Offices, associations and international organisations.

## Visits

The TCD has set up a visitors programme, particularly for experts from National Offices and the trade mark offices of third countries, but also for delegations from universities and professional organisations. In cooperation with the parties concerned, the TCD arranges visits to the Offices' facilities, along with meetings with experts from various divisions within the Office according to the visitors' specific needs.

### USEFUL NUMBERS

- Standard telephone number:  
+ 34-6-513 91 00
- General information telephone number:  
+ 34-6-513 92 43; + 34-6-513 92 72
- General information fax number:  
+ 34-6-513 91 73  
Explanations concerning the application form, questions concerning the registration procedure (priority, seniority, fees, etc.), CD-ROM giving details of the CTM applications, request of documents/literature (leaflets, application forms including electronic filings, authorisations, opening of current accounts, reference guide to official texts, places where to buy the Official Journal of the Community, etc.).
- Fax for CTM applications and any correspondence relating to such applications, as well as for all other proceedings relating to CTMs (opposition, appeal, etc.):  
+ 34-6-513 13 44
- Telephone information concerning means of payment  
+ 34-6-513 93 40  
Opening of current accounts, bank transfers, payments by cheques, etc.
- Telephone information about representation:  
+ 34-6-513 91 17  
List of professional representatives, new entries, allocation of ID numbers, authorisations, etc.
- Telephone information concerning certified copies:  
+ 34-6-513 92 20  
Fax request of certified copies:  
+ 34-6-513 91 14
- Telephone information concerning publications:  
+ 34-6-513 91 02  
Information on OHIM's Official Journal, the Bulletin of CTM, etc.