



# ANNUAL REPORT 2000

OFFICE FOR HARMONIZATION  
IN THE INTERNAL MARKET  
(TRADE MARKS AND DESIGNS)



A great deal of additional information on the European Union is available on the Internet. It can be accessed through the Europa server (<http://europa.eu.int>).

Cataloguing data can be found at the end of this publication.

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*The Community trade mark office in Alicante is still in its early days. But its first steps have been promising since, over the last two years, its activity has increased by 30 % per year.*

*Its 'life force', a direct result of its autonomy, but also of the enthusiasm and competence of all its staff members, has made it the largest agency in the European Union.*

*I see this as proof of the important role that the Community must play in creating new legal instruments that will develop an environment favourable to the growth of businesses and trade within this large single market.*

*Industrial property is a field that is predisposed towards the achievement of such an objective. There is clear proof today that the Community trade mark responded to an urgent need. This will also be the case for Community designs and patents.*

*Europe needs strong industrial property. It is essential in order to strengthen the industrial fabric and employment; it is also in the interest of consumers.*

*Care must be taken not to weaken it through excessively internationalist ideas that jeopardise companies.*

*At this time, when age has forced me to give up the presidency of the OHIM, my greatest satisfaction is having had the opportunity to participate in the creation of a large agency at the service of Europe and her citizens.*

*I wish my successor, Wubbo de Boer, and all staff members good luck and every success in continuing this work and in taking up the new challenges: the setting up of designs, the enlargement of the Community trade mark system to new Member States of the European Union, links with the international trade mark (Madrid Protocol), to name but a few.*

*With the forthcoming establishment of the European School and the extension of the Office's headquarters, Alicante is establishing itself as a European capital. It is a historic opportunity for this city and for this lovely region.*

*Jean-Claude Combaldieu*







*The activity report for the year 2000 is introduced by two presidents. It is fitting that Jean-Claude Combaldieu should write his contribution, not only because he was responsible for the operation for most of the year, but more importantly, because he has good reason to look back with pride on his part in the creation of this organisation. After the impressive start for which he was responsible, I regard it as a great honour to now take his place. I extend my thanks to him for all he has done and wish him all prosperity in his retirement.*

*The speed of growth seen by the OHMI during these first years has been considerable. The number of trade mark applications has risen dramatically leading, inevitably, to both tremendous increases in the number of oppositions filed and to the number of appeals introduced against decisions taken.*

*As can be seen from the statistics, even with the additional effort furnished, it has unfortunately not always been possible to keep up with the requirements of such rapid growth.*

*Due to these developments the OHMI has already become a sizeable organisation. In 2001, we will employ over 700 people. The OHMI can no*



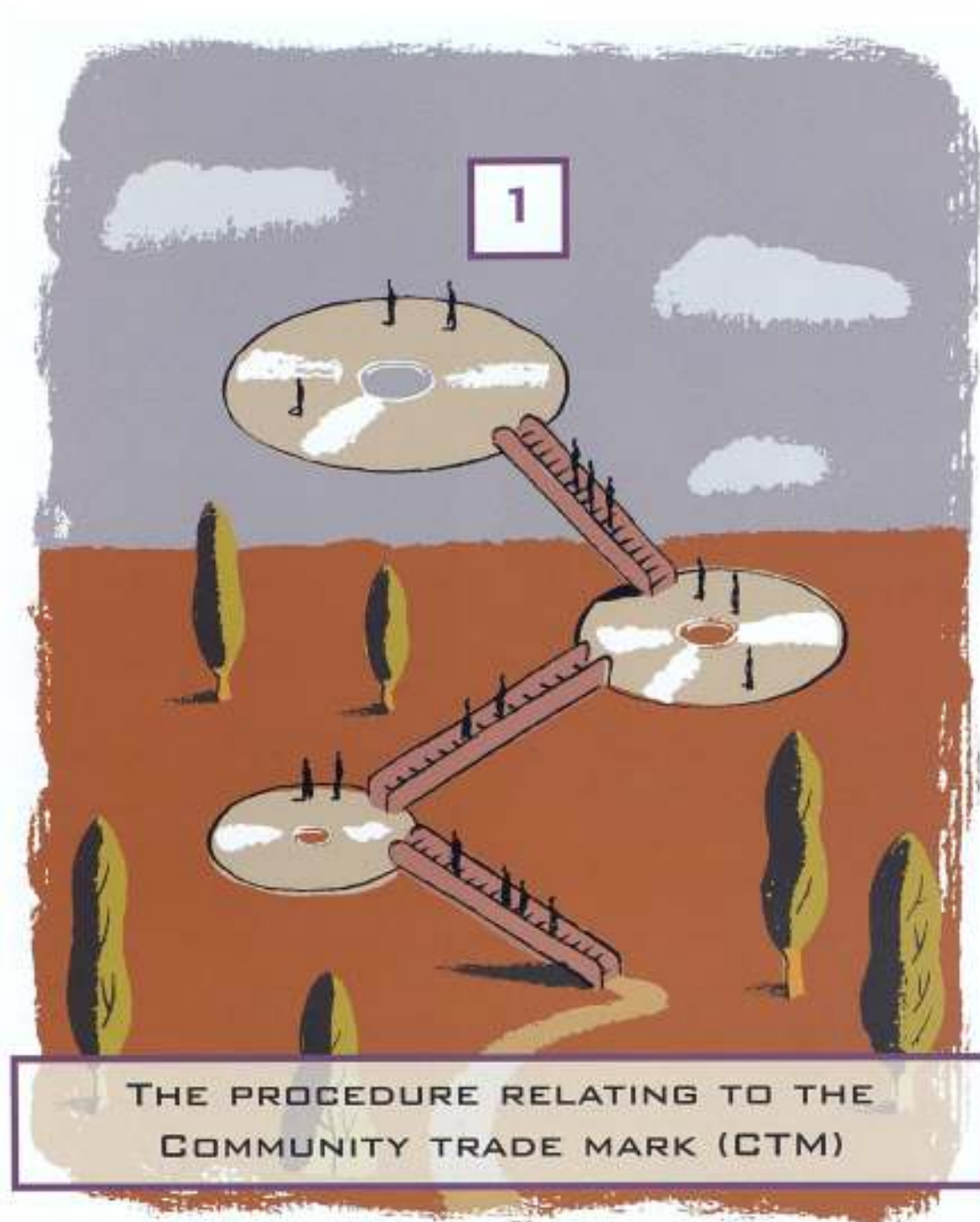
*longer be considered to be in its 'infant' stage. Therefore, in order to meet the demands of future developments and challenges, these having already been listed by my predecessor, a fresh look may need to be taken at certain aspects of the internal organisation and structure.*

*To step back from time to time and review is something which is necessary to any organisation, and even more so after a period of extreme growth. This will be yet another new challenge and as I have every confidence in the excellence of our staff, I am sure they will meet this new challenge with energy and dedication.*

*With this in mind, I trust that this report will furnish the reader with clear and interesting information on the administration of the Community trade mark system entrusted to our organisation.*

*Wubbo de Boer*





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## 1.1 Examination

The division received almost 58 000 new applications during the year. The number of cases not finally disposed of (either by acceptance, withdrawal or final refusal) rose from less than 18 000 to more than 25 000.

### 1.1 / Early stages of the procedure

The processing of new applications, issuing of receipts and according filing dates was broadly in line with the level of new applications.

### 1.1 2 Classification

About 49 000 applications were classified in the course of the year. While this was higher than in any previous year it was significantly below the level required to keep pace with incoming applications.

### 1.1 3 Formal and absolute grounds examination

In the course of the year, the division dealt with more than 44 000 applications up to the point of acceptance on absolute grounds. About 1 800 applications, the vast majority from earlier years, were the subject of decisions of final refusal by examiners. 24.37 % of such decisions are appealed.

There are about 3 800 cases (compared to about 3 000 at the end of 1999) where the application can proceed either to acceptance or refusal only after the exchange of correspondence between the Office and the applicant or his representative has been finalised.

### 1.1 4 Publication

More than 43 000 applications reached the stage of publication. In reaching this stage, not only did they pass through each of the

previous stages, but were also translated into all the official languages of the Community.

## 1.2 Opposition

The year 2000 was the third year in which the Opposition Division was fully operational.

### 1.2 / General activity

In the year 2000, the Opposition Division received 11 495 oppositions. This figure means that the ratio between published applications and oppositions is 27 %. However, only 20 % of published applications were actually opposed within the opposition period.

13 438 opposition proceedings were already under way at the beginning of 2000, so the division actually had to handle 24 933 cases during the course of the year.

11 554 oppositions were examined for admissibility and 11 694 applicants were notified of an opposition, the adversarial stage of the proceedings commenced 5 364 cases.

During the year a total of 9 914 opposition proceedings were concluded. Out of these, 7 454 (75.18 %) cases were closed without proceeding to judgment following:

- a withdrawal of the application (2 085 cases, 27.97 %),
- a limitation of the application (3 120 cases, 41.86 %),
- a withdrawal of the opposition (1 981 cases, 26.58 %),
- an agreement between the parties which left the application unmodified (64 cases, 0.85 %).





In addition, 204 oppositions (2.74 %) were deemed not to have been entered owing to lack of payment of the opposition fees.

A total of 3 221 decisions were rendered. Out of these, 141 (4.38 %) dealt with inadmissibility issues, 2 319 (71.99 %) dealt with substantive issues and 761 (23.63 %) concerned the distribution of costs. Of the decisions on substance, 338 (14.58 %) decisions rejected the trade mark application in its entirety, 436 (18.8 %) rejected the application in part and 1 545 (66.62 %) rejected the opposition.

In about 78 % of the cases English was the language of the proceedings. The second most used language of proceedings was German (10 %). This was followed by French (7 %), Spanish (4 %) and Italian (1 %).

#### 1.2 2 Computerisation of the division

The year 2000 saw even further computerisation of the work of the division. The final tools to allow opposition files to be completely managed by computer are expected to become operational at the beginning of 2001.

#### 1.2 3 Staff and general administration

This year the internal organisation of the division was restructured in the light of experience over the last three years. The main objective was to maximise human resources and to improve the overall output. The new structure means that there are now three opposition groups, each group containing four units. A unit is a working team responsible for dealing with oppositions from their arrival at the Office until the proceedings are concluded. Each unit has three lawyers, two assistants and three secretaries. A decision is taken collectively by the three lawyers. The new structure became effective on 10 July 2000, the date on which the division moved to its new location at Agua Amarga.

Once more, recruitment was a significant task in the Opposition Division. During the year the number of staff working in the division has increased from 84 to 97. Amongst these there are 31 lawyers, 26 assistants and 40 secretaries, including temporary and auxiliary staff.

15.09.1997

#### 1.3 Registration

##### 1.3 1 Administration of the Trade Marks Register

###### *Objective*

The Service for the Administration of the Trade Marks Register (SATMR) is one of the services of the Legal Department. This service administers the Community Trade Mark Register. This basically involves guaranteeing the soundness of all data recorded and ensuring that any amendments are made — under the control of the service — in accordance with established procedures. The register is kept in the form of an electronic database incorporated into the trade mark management system Euromarc.

###### *Areas of activity and structure:*

The SATMR is responsible for the following three areas of activity. Each of these, in turn, is entrusted to a specific working group:

- registration of Community trade marks: this task is entrusted to the CTM group, which consists of one coordinator and six assistants;





- entries in the register and files: this task is performed by the Recordal Group, which consists of one coordinator and five assistants;
- inspection of the register and files: this task is allocated to the Inspection Group, which consists of one coordinator and four assistants.

#### (c) Registration of the trade mark

This consists of allocating the status of 'registered trade mark' and the official date of registration once the file has undergone a final computerised check to verify that everything is in order. Just over 35 000 trade marks were registered in 2000.

#### (d) Dispatch for publication and issue of certificate

Once the SATMR has authorised the publication of the registration in Part B of the Community Trade Marks Bulletin and issued a notice confirming the registration, it completes the processing of the trade mark and the Trade Marks Logistics Service takes over.

#### *B. Entries in the Trade Marks Register and files*

This activity consists of (a) amending (usually updating) information already appearing in the register, (b) correcting (in the event of error) or (c) adding new data entries. Where the trade mark is registered, these amendments or corrections are recorded in the register and then published in the bulletin. If the trade mark is at the application stage, the amendments or corrections are made to the trade mark file. In both cases the applicant is notified once the procedure is completed.

The entries that are recorded in the register are those foreseen by the Community trade mark regulation (CTMR) and implementing regulations (IR). They can be divided into three categories:

- (a) entries affecting the mark as an object of property (e.g. transfers, change of names and address of proprietor or professional representative, licences, rights in rem, seizures, bankruptcies, alterations of the representation of the mark, surrenders);
- (b) entries affecting the administrative status of the mark (e.g. requests for invalidity or revocation), decisions on such matters, requests for post-registration seniorities, conversion requests;

### 1.3 2 Activities performed during the course of the year

#### *A. Registration of Community trade marks*

Registration involves the following activities:

##### (a) Request for payment of the registration fee

This request is sent, in most cases, by fax and this is done only a few days after the Examination or Opposition Divisions have transmitted the trade mark application file to the SATMR.

These letters are dispatched electronically in batches, which allows considerable volumes to be processed. Over 36 000 letters were sent out in 2000.

##### (b) Confirmation of payment of the fee

In most cases the fee is paid by a debit order on the current account, which the applicant has previously opened with the Office. In 2000, this was the case in approximately 70 % of all payments of registration fees. The remaining payments were made by bank transfer and (to a much lesser extent) by cheque. If the fee is not paid, the SATMR sends a second request — with a surcharge (25 %) — before sending notification that the application is deemed withdrawn. This only occurs in a small percentage of cases. An equally small percentage concerns applications that the party decides to withdraw voluntarily at this stage.





- (c) entries rectifying the contents of the register (e.g. correction of errors affecting the registration of a mark or an earlier entry).

Amongst the most common recordals requested are (in order of importance): transfers of ownership, post-registration seniorities, rectification of errors for registered marks and requests for conversions (into national marks).

As far as transfer of ownership is concerned, examination of the recordal request essentially relates to payment of fees, observance of formal requirements (notably a clear wish by both parties to proceed to the recordal), substantive requirements (notably the capacity to act as a CTM proprietor). The validity of the transfer itself is not examined, as this does not constitute a requirement for recordal.

The formal requirements are also examined in cases of (post-registration) seniority claims. As is known, seniority is one of the particularities of the Community mark registration; this tool enables the CTM proprietors to surrender their national mark (where it is identical to the Community trade mark) without losing the 'seniority' (earlier rights) and continue to enjoy the same rights as they would have had if the earlier trade mark had continued to be registered.

Rectification is often requested for errors contained in the registration, concerning the list of goods and services. The number of such requests is declining.

Requests for conversions are on the increase and are classified under 'recordals'. The conversion (from a CTM into a national mark) does not necessarily result in a formal recordal in the register. The payment of a fee within a particular time limit, together with the observance of certain formalities — namely the existence of data enabling the identification of the mark for which conversion is sought and the grounds for the conversion — must be examined. It is then up to the national offices to determine whether the mark will be successfully converted into a national mark.

The time limit for dealing with such requests is currently approximately two to three months from the SATMR receiving it.

The following table summarises the activities performed by SATMR in 2000 as far as recordals are concerned.

Type of recordal	Quantity
Transfers of mark	2 026
Surrenders	92
Licences	125
Rectification of errors	694
Post-registration seniorities	566
Conversions	239
Total (including all types of recordals)	3 959

### C. Inspection of the register and files

Under the CTMR, the register and the trade mark files are open to public inspection. There are certain restrictions, but these apply only with regard to files, in particular where the inspection request concerns a trade mark application not yet published or documents regarded as confidential. The SATMR has responsibility for the important function of public inspection.

Trade mark files are held in electronic form; all documents (forms, correspondence, etc.) are numbered and stored in the form of images, which can be accessed from a computer. There is no paper record.

The register may be inspected following receipt of a written request and upon payment of the appropriate fee. The interested party receives an extract, certified or otherwise, containing information on a specific trade mark shown in the register.

The file can be inspected either *in situ* at the Office, provided that a meeting has been arranged, or by correspondence, that is by requesting dispatch by post of copies of file

documents or of the entire file. The documents most commonly requested are certified copies of the requests for registration, which interested parties use to claim priority on the basis of their Community application. Inspection *in situ* currently takes place using a printout of the electronic file. At present, electronic inspection of the file, i.e. display on screen, is not yet possible.

The SATMR is also in charge of administrative cooperation with the authorities of the 15 Member States. This implies communication of information and documents concerning procedures relating to CTMs.

The table below shows the activity of the SATMR in this field in year 2000.

The turnaround time for these requests was, on average, around 5 to 10 working days from receipt of the request by the service.

Activity	Quantity
Extracts from the register (number of documents)	476
Copies of CTM applications (number of documents)	4 236
Copies of certificates (number of documents)	1 332
Copies of documents in files (pages sent)	29 408
Information contained in files (marks concerned)	185
Inspection of files (done in the Office)	11
Administrative cooperation	81

## 1.4 Cancellation

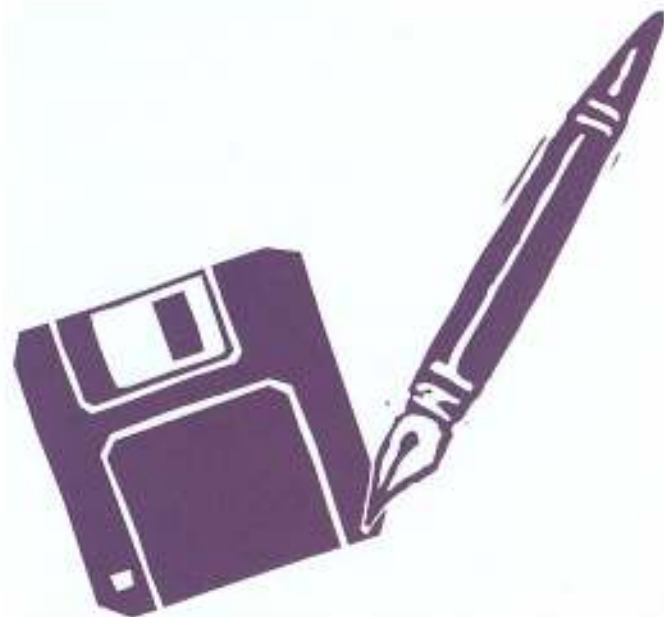
The Cancellation Division is responsible for processing requests for a declaration of invalidity and for revocation of a registered Community trade mark. In contrast to the initial years, in 2000 only a very small number of the inadmissible requests received had been directed against a CTM which had not yet been registered.

In 2000, the Cancellation Division consisted of the head, three senior agents, a registrar, and an agent allocated to the secretariat. Except for the head of division, all senior officials mainly worked for the Opposition Division, that is they worked only part time in the Cancellation Division.

By 31 December, 114 requests for cancellation were received in 2000 (estimation; 100). The majority of these were filed in the second half of the year, and thus could not be finalised owing to procedural time limits. One request for revocation was submitted, based on grounds other than insufficient usage. The major ground for revocation, non-use, cannot be invoked prior to the year 2003 since the first registrations of Community trade marks took place in 1998.

Including the cases carried over from 1999, the division examined 171 files, and settled 49 cases. In nine cases, the CTM was declared invalid. As regards the language of the proceedings, which is always a language of the Office, the distribution was as follows (in %; rounded off): English 60; German 21; French 8; Spanish 7, and Italian 4. With respect to the nationality of the applicant, some 27 % are from Germany; from Spain (10); from the United States (9); from France (8), from the United Kingdom (8); from Sweden (6); from Italy (6); from Belgium (5); from Austria (4), from Ireland (3), and from Switzerland (3). The remainder were filed from various countries from all over the world.

The division regularly contributed to what is called 'on-the-job-training' for national offices, in the forefront of which are the applicant countries in the enlargement of the European Union.



## 1.5 Logistical support for procedures

### 1.5 / Technical Service

The Technical Service of the Vice-Presidency for Legal Affairs is an interdepartmental unit responsible for supplying centralised aid to the other operational departments, and for preparing new forms, both paper and electronic versions.

#### Soundness of personal data in the database

In order to guarantee the uniformity and soundness of the database, one section is responsible for keying-in and updating the data on all parties involved in the Euromark system: proprietors, agents, opposing parties,



etc. For the year 2000, this represented over 30 000 changes which affected trade mark files, relating to changes of name, address or representative. Added to this is the keying-in of almost 29 000 new proprietors and over 3 000 new representatives.

#### **Community searches and Vienna classification**

A second section deals with Community searches. This section carried out almost 45 000 searches and produced the same number of search reports; it also drew up the Vienna classification of over 19 500 figurative marks.

#### **Batch mailing**

Another task is to monitor the automatic dispatch of letters, which allowed almost 110 000 letters to be sent out over the year.

The Coordination Service is also the Complaints Unit of the Office. In 2000, the Coordination Service handled some 40 complaints, which contributed to the improvement of internal proceedings. The complaints procedure is used as an instrument for obtaining feedback from our clients about the service provided by the Office. The wording of one of the standard letters, for example, was misleading until it was pointed out through a complaint. This standard letter has been replaced by a clearer one. In some cases, like this one, the solution of a complaint requires the joint effort of multiple services throughout the Office.

Information technology (IT) being a key resource in our Office, the Coordination Service also deals with this issue. It coordinates, together with the IT correspondents of each service, all IT needs and priorities for development of the Vice-Presidency for Legal Affairs, thus contributing to the restructuring and improvement of working processes.

A benchmarking exercise organised in coordination with the Accounting Service and the British Patent Office helped find areas for improvement within the Office, as well as consolidating some reporting systems.

Among the various units of the Vice-Presidency for Legal Affairs, the Coordination Service is also responsible for planning and analysis. This service prepares, in coordination with the heads of the different services and divisions, quarterly reports regarding activity, budget and other management issues.

1.5 2

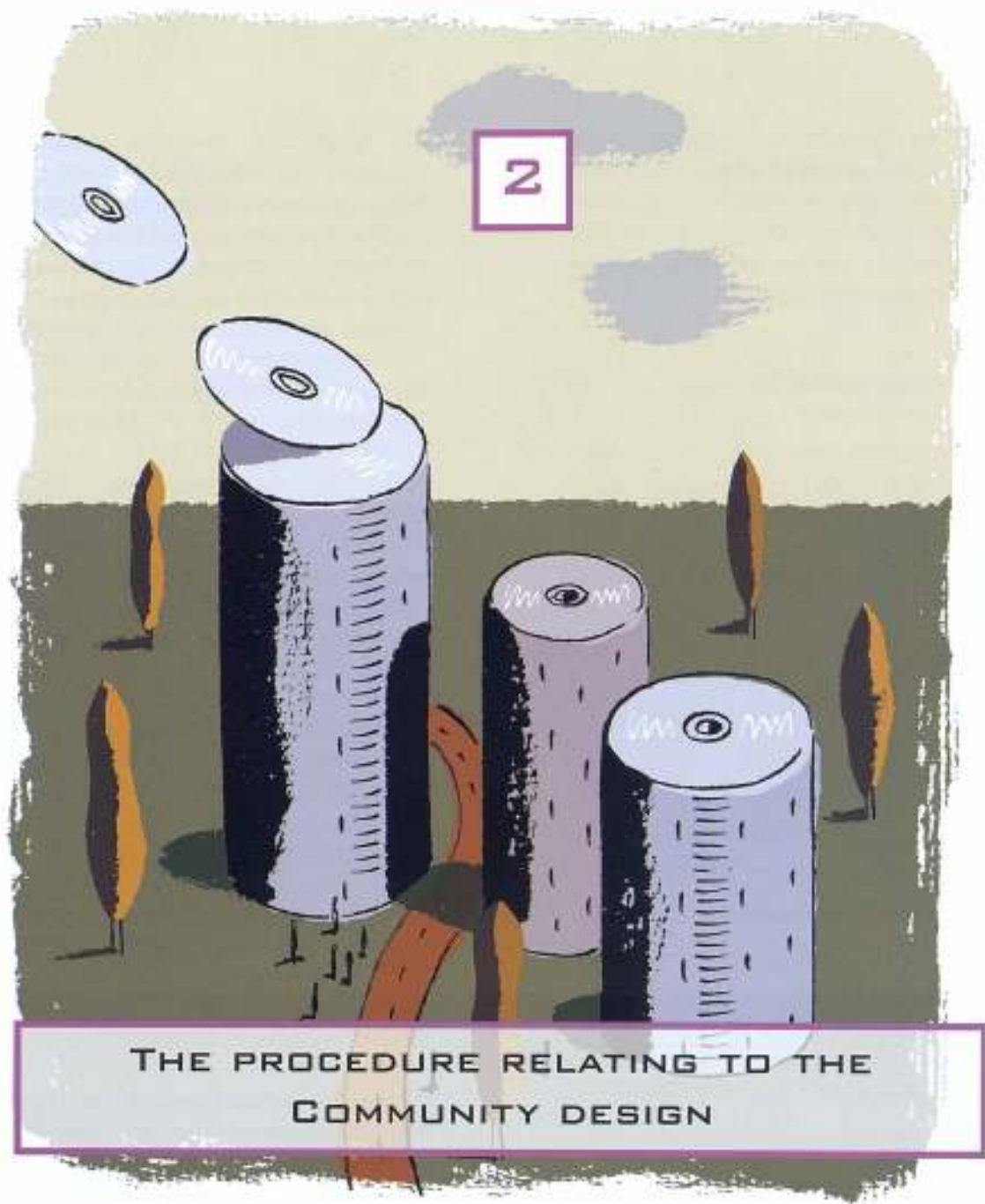
#### **Coordination Service**

The Coordination Service of the Vice-Presidency for Legal Affairs is responsible for coordinating the various activities of the latter, particularly as regards recruitment and organisation of tasks.

With regard to recruitment, the Coordination Service has worked alongside the Personnel Service with respect to the analysis of profiles and candidates required by the different units as well as to the management of office requirements, training needs and placement of newly recruited staff within the Legal Vice-Presidency.

Whereas the recruitment of the lower grades within the Vice-Presidency for Legal Affairs has already been stabilised in the year 2000, the situation of the recruitment of higher grades still needs a strong effort in the year 2001.





*In 2000, a new division was established. It is responsible for the preparation of the introduction of the future Community design, and for coordinating the necessary actions to prepare the Office for the accession of new Member States to the European Union.*

During the year, the draft regulation on the Community design, which had been treated as a priority by both Presidencies of the Union, progressed satisfactorily. In order to have a full background knowledge of this industrial property title and also to allow it to make sure that some practical aspects be taken into account by the negotiators, the Office participated, upon invitation by the Commission, in the meetings of the Council working group in Brussels.

Following the agreement reached by the Council on 30 November on two important outstanding issues concerning the proposed regulation, namely the rules concerning unregistered designs and the protection of spare parts of complex products, the prospects for an early introduction of the Community design are now good. It is hoped that the final adoption of the regulation may take place in 2001. Once adopted, the Commission will prepare the implementing and fees regulations which are central for the OHIM as they give all detailed rules to be applied in the everyday life of the system. It is the role of the Designs and Enlargement Division to make sure that the Office is capable of applying these rules as from day one of the first design filings.

Preparations are under way and are progressing satisfactorily. At this stage, the division has, in close coordination with the Legal Department, dedicated itself mainly to the first draft for an implementing regulation. It is working closely with other services to define the needs of users of the future computer system Eurodesign.

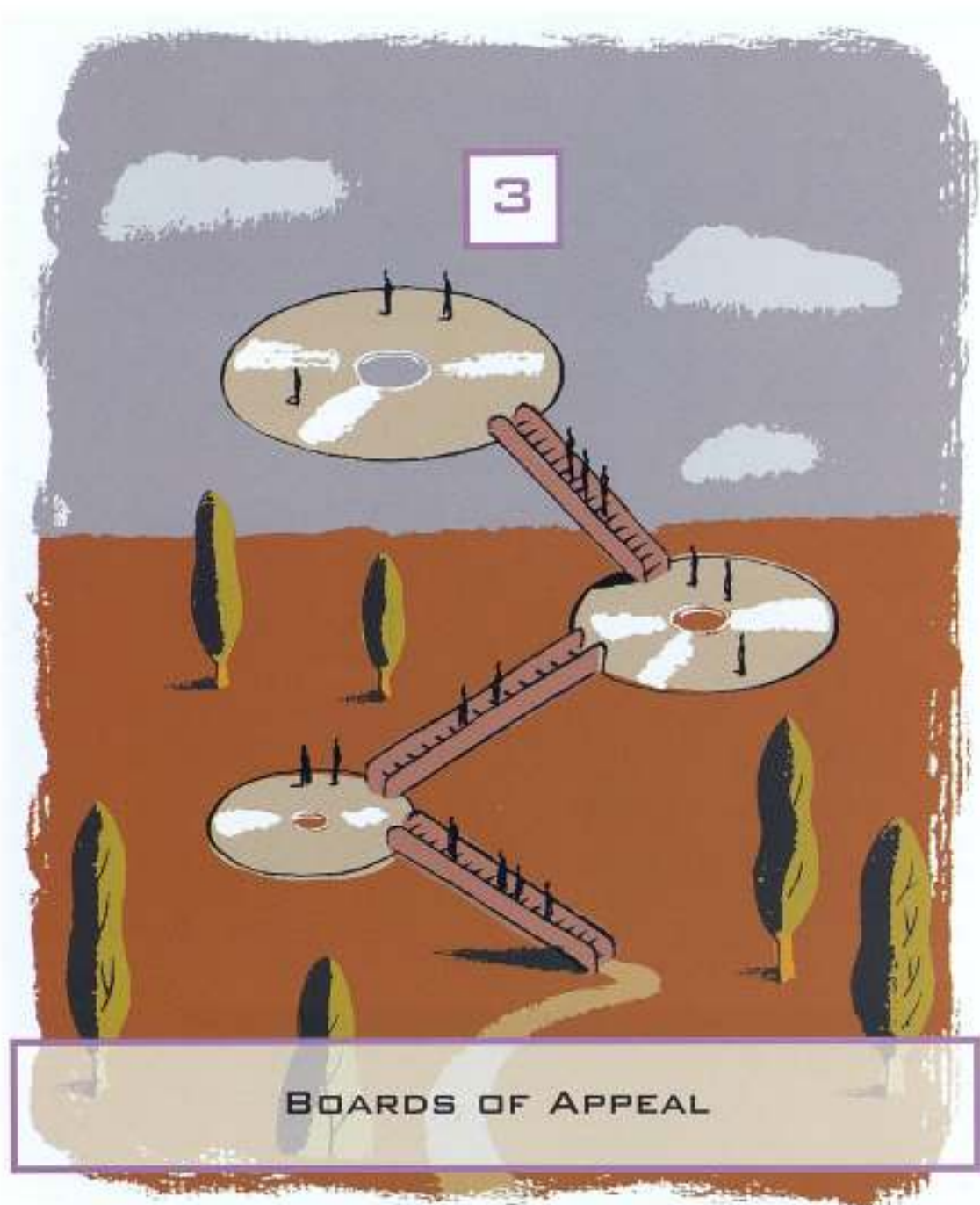
The implications of the accession of further Member States to the EU are considerable in many respects for the Office and the Community trade mark and design systems. In particular, there will be considerable budgetary consequences for reasons linked both to the new official languages of the Union and the obligation under which the Office will have to publish future Community trade marks and designs published in these new languages, as well as further costs incurred by the new procedures.

The division was involved in defining the needs for the Office to cope with the practicalities of the arrival of new Member States to the Community trade mark system, in terms of administrative, financial and technical matters. In this context, in May 2000, the Office organised in Alicante the first meeting of heads of national offices from the candidate countries in order to give momentum to the cooperation initiatives established with these countries in view of their future accession to the CTM system.

The Office is organising numerous training and information activities for candidate countries. The division is in charge of coordinating the participation of personnel from the services of the legal vice-presidency in them.







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### 3.1 Tasks and activity

The Boards of Appeal are responsible for appeals lodged against the decisions of the examiners, Opposition Division, Cancellation Division and Administration of Trade Marks Division, and Legal Division. Although part of the Office, they take their decisions independently and are not bound by any instruction in these decisions.

In the performance of their tasks, the four Boards of Appeal, each consisting of one chairperson and two members, are assisted by a registrar, legal assistants and a secretariat.

The activity of the Boards of Appeal kept increasing during 2000 to reach 1 236 new appeals received, which means a monthly average of over 100 new appeals. This trend is expected to continue in the coming year. These new appeals may be divided into 493 *ex parte* and 743 *inter partes* cases, the vast majority of the latter being appeals against opposition decisions with just eight against cancellation decisions. This shift towards *inter partes* cases represents a radical change from previous years.

The Boards of Appeal gave 459 decisions in 2000. They issued 361 *ex parte* decisions (233 confirmations, 94 total invalidations, 18 partial invalidations and 16 decisions of inadmissibility) and 98 *inter partes* decisions (49 confirmations, 30 total invalidations, 4 partial invalidations, 5 decisions of inadmissibility and 10 decisions confirming the settlements reached by the parties). The invalidity decisions taken in relation to opposition decisions related mainly to procedural questions. The rulings by the Boards on the merits of an opposition confirmed the decisions in most cases. Furthermore, 101 appeals were resolved without decisions, essentially due to the withdrawal of the application or of the appeal. Finally, interlocutory revision was granted in 32 cases.

The language distribution of the appeals received in 2000 is as follows: 68.2 % of appeals chose English as the procedural language; 16.5 % German; 7.1 % French; 5.2 % Spanish; 2.3 % Italian; 0.3 % Danish; 0.3 % Swedish; and 0.1 % Dutch.

By the end of 2000, 31 appeals — including two in *inter partes* cases — had been lodged against decisions of the Boards of Appeal before the Court of First Instance of the European Communities, which, in turn, delivered six judgments, one of which is subject to appeal before the Court of Justice.

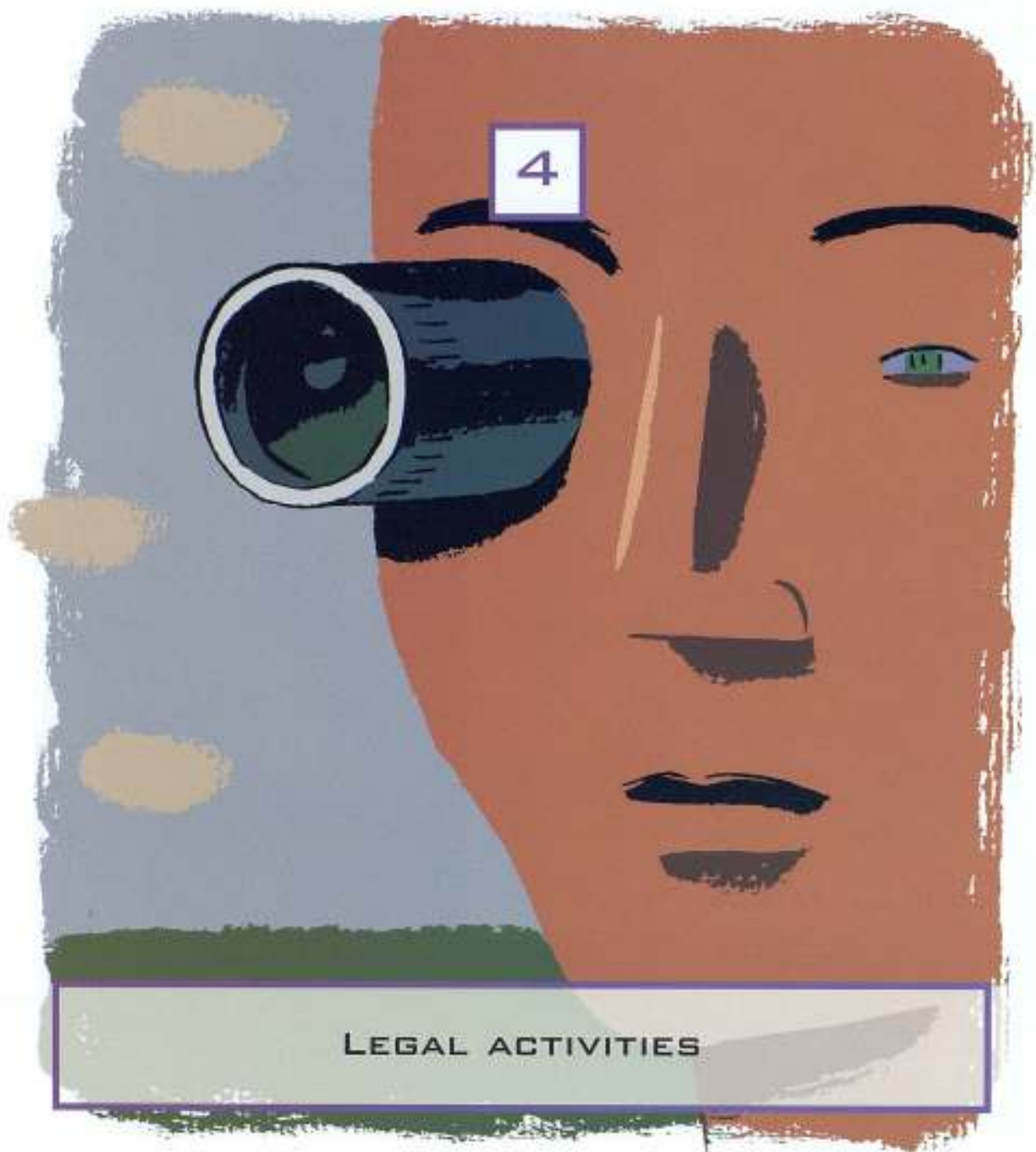
As of 31 December 2000, 1 348 files were pending before the Boards of Appeal, including 599 in the preparation stage. Of these, 217 appeals concerned cases received in 1999. The average time for processing an appeal, from the filing of the notice of appeal to the rendering of the decision, was 14.4 months.

### 3.2 Organisation and staff

The fourth Board of Appeal began its activities on 1 November 2000. On 30 September 2000, the Chairperson of the first Board of Appeal resigned and the vacant post could not be filled until 1 January 2001. Meanwhile, the Chairperson of the second Board of Appeal also acted as Chairperson of the first Board.

The Chairperson of the second Board of Appeal also acted as Chairperson for Administrative Matters.

In addition to its registry, the Boards also have a Scientific Service which provides interdepartmental services to all Boards (concerning research, linguistic problems, etc.) and is also staffed with additional legal assistants who are not allocated to a specific Board.



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#### 4.1 Structure

The Legal Department consists of six sections corresponding to the main tasks of the department, namely:

- *the Legal Affairs and Litigation Service;*
- *the Legislation and International Legal Affairs Service;*
- *the Professional Representation Service;*
- *the Service for the Administration of the Trade Marks Register;*
- *the Service for Coordination and Financial and Staff Affairs;*
- *the Legal Documentation Service.*

#### 4.2 The work of the Legal Department

##### 4.2 / Definition of policies and standards, legal advice and documentation

In 2000, the Legal Department continued to draw up decisions and communications of the President of the Office of a general nature, in particular with regard to the application of the Community trade mark system. A part of the opposition guidelines, dealing with unregistered rights in opposition proceedings, was prepared and sent out for a first consultation to the interested circles. It is expected that an official draft will be issued early in 2001. Work in preparing other guidelines on proceedings before the Office continued. An overview on the content and format of national search reports was established, and a separate synoptical information brochure on the provisions of national law concerning conversion was published.

##### 4.2 2 Legal Affairs and Litigation Service

In the year 2000, the work of the Legal Affairs and Litigation Service focused mainly on the following six areas:

- *Supporting other services and departments within the Office with regard to legal issues*

At the request of other services and departments of the Office, the service continued providing a large number of legal opinions on matters related to trade mark law, civil law, employment law, administrative law and fiscal law. In particular, many legal issues arose due to the new OHIM headquarters in Agua Amarga being completed and whole departments moving to the new offices. All the opinions were given on the basis of national, Community or international legislation.

- *Advising applicants and their representatives concerning legal problems encountered in Community trade mark legislation*

The policy of the Legal Affairs and Litigation Service has always been to provide maximum assistance to applicants and representatives in order to help them to understand the Community trade mark system. As in past years, in the year 2000 the service continued to answer questions from interested parties relating to Community trade mark legislation (basic regulation, implementing regulation and fees regulation).

Members of the Service participated in conferences and seminars, with the aim of improving awareness and comprehension of the Community trade mark system and the Office's role in the process. These conferences took place in Member States as well as candidate States.

- *Representing the Office before the Court of First Instance of the European Communities and the Court of Justice of the European Communities in appeals against decisions of the Boards of Appeal lodged pursuant to Article 63 of the Community trade mark regulation*

This activity is mainly the responsibility of the Legal Affairs and Litigation Service. However, members of other services of the Legal Department have also been appointed agents of the Office.

There was an increase in activity in this area with over 30 new appeals being lodged in 2000. The Court of First Instance rendered six judgments. The text of all the judgments can be consulted on the Office's web page ([www.oami.eu.int](http://www.oami.eu.int)). One of those has formed the subject of an appeal to the Court of Justice of the European Communities (Case C-104/00P, DKV Deutsche Krankenversicherung AG v OHIM, *Companyline*).

- *Collaborating with the Legal Service of the European Commission in preliminary ruling cases concerning Community legislation on trade marks*

Pursuant to Article 234 (ex Article 177) of the EC Treaty, national courts of the Member States can ask the Court of Justice of the European Community for preliminary rulings concerning the interpretation of Community legislation on trade marks. According to Article 20, second paragraph, of the Protocol on the Statute of the Court of Justice of the European Communities, the Commission is allowed to file observations in all preliminary ruling proceedings.

By virtue of an agreement between the Legal Service of the Commission and the Legal Department of the Office, the Office collaborates with the Commission in preparing the Commission's observations in all the cases of preliminary rulings related to trade mark law.

In 2000, the Legal Department of the Office was called upon to give its opinion with regards to seven new preliminary ruling cases lodged before the Court of Justice.

This activity has mainly been the responsibility of the Legal Affairs and Litigation Service. However, as is the case for the litigation activity before the Court of First Instance, members of other services of the Legal Department were also involved.

- *Publication of the Official Journal*

The Legal Affairs and Litigation Service is responsible for the contents of the Official Journal of the Office and plays an important role in the distribution of information relating to the activities of the Office.

- *Revising translations of documents produced by the Office*

The Legal Affairs and Litigation Service has a group of lawyer-linguists responsible for the revision of translations into the five languages of the Office. They revise a large number of legal documents produced by the Office, in particular those which are published in the Official Journal of the Office, such as important decisions taken by the Boards of Appeal, Opposition and Cancellation Divisions, as well as decisions and communications of the President and guidelines on proceedings before the Office. The lawyer-linguists are also responsible for revising translations of internal and administrative documents.



## 4.2 3 Legislation and International Legal Affairs Service

### • *European Community*

The year 2000 again saw no progress on the Commission proposal approving the accession of the European Community to the Madrid Protocol, and the corresponding proposal for an amendment to the Community trade mark regulation. The Commission had tabled these proposals in 1996, but towards the end of 1997 the proposals encountered political difficulties at the level of the European Council. At the present point in time, no prognosis can be made about when the negotiations on these proposals will resume in Brussels. On the other hand, substantial progress was achieved during 2000 in the preparation for the establishment of a Community design.

### • *World Intellectual Property Organisation (WIPO)*

Representatives from the Office continued to participate in the meetings of the Standing Committee on the Law of Trade Marks, Industrial Designs and Geographical Indications of the WIPO, which met twice during 2000. The Standing Committee finalised provisions on trade mark licensing. These provisions were adopted by the Assembly of the Paris Union in September 2000, as a recommendation. Although in the form of 'soft law', they supplement the provisions of the Trade Mark Law Treaty on the formal requirements of registrations of transfers. The Office will apply the WIPO recommendation on trade mark licensing in the framework of the procedures concerning registration of licences.

Another significant step forward in the work of the Standing Committee was the achievement of an overall consensus on provisions concerning the use of trade marks on the Internet. These provisions are designed to serve as guidance in situations of conflicting use of signs (trade marks, trade names) on

the Internet in different countries by different proprietors, with a view to allowing legitimate use of those signs on the Internet and of preventing global prohibitions of use where conflict arises only in one or several particular countries. Again, these provisions, in the form of recommendations, are worded more in the form of general orientations and guidance since the complexity of the issues of trade mark conflicts and of infringement of trade marks through use on the Internet do not allow for straightforward solutions, but call for a careful assessment of competing interests.

## 4.2 4 Professional Representation Service

The principal activities of this service, are:

- the management of the list of professional representatives which was established according to Article 89 (1)(b) of the CTMR. This includes inscriptions, deletions, modifications;
- the administration of general authorisations filed at the Office.

As regards the management of the list of professional representatives, in 2000, 318 applications for inclusion on the list were received (245 were received in 1999), 272 of which were approved (237 in 1999). The Office issued a negative decision in 14 cases (7 cases in 1999). No appeal was filed.

At the end of 2000, there were a total of 5 725 professional representatives registered on the list. The distribution per country of origin is shown in the following table.





Country	Number
Denmark	80
Germany	1 898
Spain	377
France	678
Ireland	107
Italy	707
Austria	57
Portugal	75
Finland	46
Sweden	191
United Kingdom	1 105
Benelux	404
<b>Total</b>	<b>5 725</b>

In 2000, eight applications for exemption were addressed to the President of the Office pursuant to Article 89 (4) CTMR (four applications for exemption were filed in 1999). Seven applications were based on the requirement of five years and one on nationality. At the end of the year, two were pending, three had been accepted, two had been rejected and one was withdrawn.

A total of 57 representatives (26 in 1999) were removed from the list following their deletion from the national register, because of death (14), withdrawal of entitlement (36), or on individual request (7).

The second activity of the service relating to general authorisations covered:

- the registration of a total of 17 211 new general authorisations at the end of 2000 (compared to 17 212 in 1999), bringing the total of general authorisations already registered to 67 922.

- the management of general authorisations following mergers, changes of name, etc., involved checking and modifying 1 387 general authorisations in 2000.

#### 4.2 5 Service for the Administration of the Trade Marks Register

The work of this service has already been described above in Sections 1.3.1–1.3.4.

#### 4.2 6 Service for Coordination and Financial and Staff Affairs

This service of the Legal Department is responsible for the following areas of activity:

- coordination of the Office's representation before the Court of First Instance and the Court of Justice;
- administration and processing of all correspondence exchanged between the OHIM and the Court of First Instance and the Court of Justice in all types of appeal; registration and distribution of mail;
- administration and processing of all correspondence exchanged between the Office and the Commission in the framework of the cooperation between the Legal Service of the Commission and the Legal Department of the Office relating to preliminary ruling requests before the Court of Justice which raise questions concerning the Community trade mark;
- provision of logistics and documentary support to the lawyers working on trade mark appeals, including research into legal practice and theory;
- monitoring observation of the deadlines for various appeal proceedings;
- replying to various internal legal consultations in the fields of Community financial law and Community law on public service;



- coordination of logistics aspects linked to the appointment and working conditions of various members of the Legal Department;
- link between the various members of the Legal Department and the IT Division with regard to management of computer tools and programs;
- assistance to the Director of the Legal Department in his activities of coordinating the various services in the department, including producing the minutes for inter-departmental meetings;
- administration of trade mark budget heading 3598 concerning litigation costs relating to the Community trade mark.

#### Overview of the various activities

The activity performed by this service during 2000 can be summarised as follows:

- administrative and procedural management, logistical and documentary supplies and support, in
  - 35 cases brought against the Office before the Court of First Instance and the Court of Justice;
  - 11 cases concerning requests to the Court of Justice for preliminary rulings on the Community trade mark, treated in the framework of the cooperation agreement between the Legal Service of the Commission and the Legal Department.

- written replies to a number of internal legal consultations in areas of Community financial law and Community law on public office;
- management of around 40 interviews with candidates for posts in the Legal Department and the reception of five new members;
- secretarial services for around 20 inter-service meetings;
- administration of budgetary line 3590:
  - forecasts BRS 2000;
  - forecasts Budget 2001;
  - settlement Budget 2000;
  - recovery of costs in one case.

#### 4.2 7

#### Legal Documentation Service

Throughout 2000, the service continued to collect and distribute documentation, both in electronic and paper form, relating to the Office's activities in the three basic categories of legislation, case-law and legal theory.

As part of this work, it carried out the analysis and systematic indexing of selected documents via the internal DocuMarc database, wherever possible in five languages. Particular attention was paid to the decisions of the Boards of Appeal and the rulings of the Court of First Instance and the Court of Justice in matters of industrial property. The service also reviewed specialist journals from the library and selected and indexed the most interesting articles.

The service effected a considerable number of documentary searches on the Internet and via other sources, both for its own needs and at the request of other departments and services of the Office.

Finally, it received 1 200 requests for paper documents (700 in 1999) and 18 000 pages were photocopied (17 500 pages in 1999).





*Transparency towards the clients of the Office and the general public is one of the central elements of the OHIM's policy. Regular consultations are held with the organisations which represent the interested circles at national, European and international level.*



The Office has set up an especially close link with the 14 international non-governmental organisations which represent the trade mark and industrial property community at a European level. The OHIM cooperates with these organisations, in particular by holding special meetings, within the framework of the OAMI Trade Mark Group. This group was set up in 1998 as a central interface

between the OHIM and its clients concerning all aspects of the practical functioning of the Community trade mark system. The fourth meeting was held in July 2000. Among the main topics of the meeting were the protection of retail as a service, the system of national search reports and the examination standards concerning absolute and relative grounds for refusal.

The 14 organisations are:

- *Association des industries de produits de marques (AIM)*  
(European Association of Industries of Branded Products);
- *Association internationale pour la protection de la propriété industrielle (AIPPI)*  
(International Association for the Protection of Industrial Property);
- *Conseil européen des fédérations de l'industrie chimique (CEFIC);*
- *Committee of National Institutes of Patent Agents (CNIPA);*
- *European Communities Trade Mark Association (ECTA);*
- *European Federation of Pharmaceutical Industries and Associations (EFPIA);*
- *Fédération européenne des mandataires de l'industrie en propriété industrielle (Femipi)*  
(European Federation of Agents of Industry in Industrial Property);
- *Fédération internationale des conseils en propriété industrielle (FICPI)*  
(International Federation of Industrial Property Attorneys);
- *International Chamber of Commerce (ICC);*
- *International Trade Mark Association (INTA);*
- *Licensing Executives Society International (LES1);*
- *Association of European Trade Mark Owners (Marques);*
- *Union des confédérations de l'industrie et des employeurs d'Europe (UNICE);*  
(Union of Industrial and Employers' Confederations of Europe);
- *Union of European Practitioners in Industrial Property (UNION).*



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## 6.1 Regulatory information

Article 85 of the Community trade mark regulation (CTMR) provides for the regular publication of the Official Journal and the bulletin.

### 6.1 / Official Journal

The OHIM's Official Journal provides a range of valuable information on the Community trade mark system. It is a monthly publication, for which the Legal Department is responsible and which ran to 2 200 pages during 2000, not counting the two supplementary issues on the Office's budget. Its content is almost entirely reproduced on OAMI-Online, particularly communications and decisions of the President and decisions relating to oppositions and appeals.

The following were published in 2000: decisions by the Council of Ministers relating to the Office, decisions and communications of the President of the Office, guidelines on proceedings before the Office, Community directives and regulations, and significant rulings on trade marks by the Court of Justice and the Court of First Instance of the European Communities. Various acts by the Administrative Board and the Budget Committee and the most significant decisions made by the Opposition Division and the Boards of Appeal, were also published in addition to new entries, changes, amendments and deletions in the list of professional representatives.

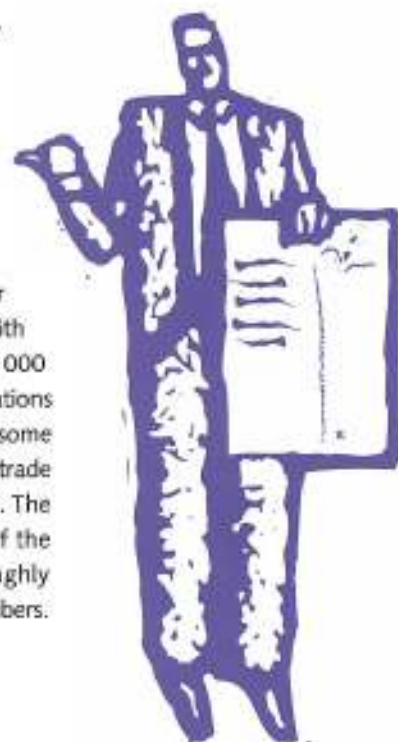
Since the Official Journal was first published in 1995, the number of subscribers has remained constant at more than 1 300. The Official Journal is also sent to all the national offices in the European Union and to a number of offices and institutions in non-member countries, with which the OHIM is forging and maintaining links through the Technical Cooperation Division.

### 6.1 2 Community Trade Marks Bulletin

The bulletin is still the Office's main publication in terms of volume of publication and importance.

#### • *Bulletin — paper version*

The bulletin continued to be published with 104 issues in 2000 (two per week), amounting to over 66 000 pages, with more than 41 000 trade mark applications in Section A and some 34 000 registered trade marks in Section B. The paper version of the bulletin has roughly 460 paying subscribers.



#### • *Bulletin on CD-ROM*

In 2000, 52 editions of the bulletin on CD-ROM, each setting out the contents of the two paper editions of the bulletin produced per week, were sent to over 165 paying subscribers.





## 6.2 General information

### 6.2 / OAMI-Online

In 2000, new information was added to the OHIM Internet site (job vacancies, for instance) as well as a search engine for the entire site called OAMI-Search.



The number of daily searches rose from 8 000 per day to 17 000 in December, hence an increase of over 100 % within the year.

OAMI-Online has, generally speaking, become a vital source of information. In particular, by the end of 2000, it listed 3 753 rejected trade marks, 2 254 opposition decisions, 719 appeals decisions and 21 cancellation decisions.

Lastly, the site is used to offer online databases on trade marks and representatives.

## 6.2 2 Community trade mark databases

### EUROM

The year 2000 was the first full year of publication of the CD-ROM encompassing all Community trade marks, known as EUROM. This is a quarterly publication containing all Community trade mark applications published in the Community Trade Marks Bulletin. EUROM was sent to 162 paying subscribers in 2000.

In 2000, the data was provided on the basis of two volumes per quarter (one for the text, one for the images); from now on, the text will no longer be separated from the images and the entries will follow in sequence.

### CTM-Download

With CTM-Download, updated files can be downloaded daily from OAMI-Online site, using the 'databases' option. The number of licensees (21) remained unchanged in 2000.

In July 2000, the second version of CTM-Download was produced at the request of the national offices and the Office's other customers. It enabled additional data to be entered (date of first publication, date of registration, Vienna classification and more detailed information on the headings in the Community Trade Marks Bulletin).

### CTM-Online

The year 2000 was the first full year of operation of CTM-Online, which had been launched at the end of 1999. Offering online access to information relating to Community trade marks, this service was very successful, reaching 5 000 searches at the end of 2000.

## 6.2 3 Other publications

Finally, the Office provides a whole range of other products to its customers, most of which can be found on its Internet site.

The table below presents the list of subscriptions available for some of these publications.

- *List of subscriptions available for some of the abovementioned publications.*

Title	Number published during the year 2000	Available linguistic versions	Frequency
Community Trade Marks Bulletin (paper)	104	11 EU languages	Twice weekly
Community Trade Marks Bulletin (CD-ROM)	52	Interface in the Office's five languages (ES/DE/EN/FR/IT) Data in the 11 languages of the EU	Weekly
EUROM (CD-ROM)	4	Interface in the Office's five languages (ES/DE/EN/FR/IT) Data in the 11 languages of the EU	Every three months
The OAMI Official Journal (paper)	11 + 2 supplementary numbers + summary 1999	ES/DE/EN/FR/IT	Monthly
OAMI News (paper)	5	Multilingual	Every two months



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*This year's achievements range from that of creating deeper and more intense working links in areas where our cooperation was already a reality, to the expansion of the geographical area of action as well as raising interest in other regions where possible cooperation schemes could soon be established.*

*Its work is focused in three main areas:*  
*disseminating information on the implementation of the CTM system and the OHIM; promoting the filing of CTM applications from across the world; as well as consolidating the OHIM's relations with, inter alia, intellectual property (IP) offices, institutions, and international organisations involved in the trade mark or IP field in general.*

*The Technical Cooperation Division therefore acts as an interface between the Office and the many parties it deals with, whether they be public or private, national or international organisations.*

*We would like to place emphasis on this year's cooperation with the Member States and the countries applying for EU membership. In effect, during 2000 two programmes intensifying our cooperation with these partners were established. Additionally, our collaboration with the European Patent Office (EPO) and the World Intellectual Property Organisation (WIPO) continue as solidly as in the past.*



## 7.1 The European Community and Member States

The Office maintains close contact with the European Commission, particularly with regard to implementing cooperation programmes with third countries in relation to industrial property. They include countries in Asia and Latin America that have signed agreements with the European Community (see Section 7.2 below).

Links and cooperation with the national trade mark offices in the Member States of the European Union form one of the most important aspects of the OHIM's work. In this respect a programme for the dissemination of the CTM system in the Member States was launched in 2000.

This programme is not only intended for the staff of the national offices of the Member States but is also designed to incorporate representatives, agents, persons from the private sector as well as students, university professors, judges, magistrates and legal practitioners.

In total, seven training sessions in the five languages of the Office were organised between June and November. Two representatives from each national office were invited to attend the one-week sessions.

A seminar was also organised at the Finnish office in November with the aim of informing its staff members on the CTM system.

A specific workshop open to all national offices, on absolute grounds and classification, took place in Alicante in November.

In order to promote the exchange of views on examination practice, regular study visits to national offices are organised. Three study visits of OHIM examiners were carried out at the British, French and German offices.

Liaison meetings between experts from the national offices and the OHIM have been held annually since 1995. They provide for an exchange of views and information on a wide variety of issues. It was decided in 1999 to create two separate meetings in order to address in more detail the substantive and technical issues. As such, liaison meetings on 'procedure and practice' and 'IT and information' are both held annually. A delegation from WIPO usually attends the technical meeting, whereas a representative of the Commission DG for the Internal Market attends the procedure and practice meeting.



## 7.2 Technical cooperation with third countries

The OHIM's cooperation activities with third countries continued expanding and intensifying. The CTM system is becoming a well-known tool all over the world for those who want to protect their trade marks in the European Union market. As such, the OHIM's role in the IP world is steadily increasing in importance with regard to the economic and commercial potential existing in the EU.

Cooperation with third countries essentially comprises European Community programmes and bilateral programmes.

As regards bilateral cooperation memoranda of understanding were signed with Chile, the Czech Republic, Estonia, Hungary, Lithuania, Mexico, Poland, the Slovak Republic, Slovenia, Switzerland, Taiwan, Turkey, Vietnam and the Secretaría de Integración Económica Latinoamericana (SIECA) <sup>(1)</sup>.

Further to either EC or national offices' requests, the OHIM sends its official publications on a regular basis to Albania, Andorra, Bosnia-Herzegovina, the Former Yugoslav Republic of Macedonia, and the Russian Federation.

### *Examination of achievements by region:*

**Western Europe:** the signing of a memorandum of understanding with the Swiss Institute of Intellectual Property (IGE) took place in Bern on 15 May on the occasion of the visit of the President and the Vice-President of the OHIM to the IGE. After the signing, the first heads' meeting was held.

Two study visits of two OHIM experts on automation matters took place in Bern in July and December.

Activities during the first year of formalised collaboration included three technical meetings covering examination, legislation and automation. A first examiners' meeting covering both examination and opposition matters was held in December.

**Eastern Europe:** the most significant event in this region was, on the one hand, the signature of memoranda of understanding with the Czech, Estonian, Hungarian, Lithuanian, Polish, Slovenian, Slovak and Turkish offices. Signatures are currently being prepared with the Romanian and the Latvian offices.

Furthermore, the implementation of the technical cooperation programme aimed at enabling a smooth integration of the new Member States into the CTM system took place during the year. The most important events in the framework of this specific programme were the following:

The first meeting between the OHIM and the heads of the national offices of the candidate countries took place on 31 May. The OHIM presented its cooperation programme and various legal topics were discussed.

Introductory seminars on the CTM system were organised in Hungary, the Czech Republic and Bulgaria. A regional seminar for all candidate countries also took place in Slovenia during the spring.

A seminar on legal aspects of the CTM system for experts of the Estonian Office was also organised in September in Tallinn. All these seminars were open to, or coordinated with, a seminar for the private sector.

The OHIM invited representatives from the national offices of Hungary, Poland, the Czech Republic, Estonia and Slovenia to Alicante to participate in 'on-the-job training'. Nineteen experts were given specific

<sup>(1)</sup> Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.







training according to their particular needs on examination, opposition, legal matters and EDP systems.

Publication exchanges with all offices have been implemented as well as the provision of free access to the OHIM's daily updated database on CTM registrations and applications (CTM-Download).

Regarding European Community programmes, the OHIM was asked to participate in the activities organised in trade mark matters in the regional industrial property programme (RIPP) for east European countries under the Phare programme of the European Commission. In 2000, the Office participated actively in three regional intellectual property programmes, four seminars and information sessions.

The OHIM undertook some other cooperation activities with the Technical Assistance Information Exchange Office (TAIEX) of the Directorate-General for Enlargement of the European Commission. TAIEX co-financed the participation of representatives from candidate countries for the regional seminar, which was organised in Slovenia in May.

**America:** Memoranda of understanding were signed with Chile and Mexico. Under this framework the main activities undertaken were the following:

With the Instituto Mexicano de Propiedad Industrial (IMPI) there were three study visits to the OHIM focusing on its search system, examination and opposition matters. Additionally, general training on the CTM system for six IMPI staff members took place in June, October and November. Courses on general aspects of the CTM procedure and on the Vienna classification were given at IMPI. Two advisory missions were carried out by OHIM experts focusing on the publication of a CD-ROM and on the creation of a search system for figurative elements.

With the Chilean Office, the first activity was the holding of a seminar in July in Santiago de Chile, on the protection of trade marks in Europe, for the public and private sector.

Links with the United States Patent and Trade Mark Office (USPTO) are being further developed. In April, a first high level USPTO/OHIM meeting was held in Alicante. Several activities have been planned for the near future and, in particular, the possibility of establishing a trilateral dialogue with the Japanese Patent Office.

In May, the OHIM was visited by the President of the INPI Brazil. As a result of the visit, an evaluation mission of OHIM experts was sent to INPI in Rio de Janeiro in September and October.

Fourteen representatives from various ministries from Central America came for a study visit to Alicante in July. Four vice-ministers and four heads of IP offices from El Salvador, Guatemala, Honduras and Nicaragua, respectively, together with the Secretary General of SIECA, were present. The signing of a memorandum of understanding with SIECA also took place.

The Vice-President of the Argentinian office visited the OHIM in October and discussed several proposals for cooperation activities.

In November, the Office organised a seminar in Argentina, Paraguay and Uruguay on legal aspects of the CTM system.

**Africa:** The Director-General and another high representative from OAPI (Organisation africaine de la propriété intellectuelle) visited the OHIM in October.

Cooperation with ARIPO (African Regional Industrial Property Organisation) took place during 2000 and involved the exchange of publications as well as the exchange of information regarding the establishment of ARIPO's Board of Appeal.



Various presentations on the CTM system were given in Morocco in the framework of a seminar on trade marks for judges organised in February by the Spanish Patent and Trade Mark Office (OEPM).

**Asia:** On 31 December 1999, a memorandum of understanding (MoU) was signed with Taiwan. As one of the first activities implemented under the MoU, the OHIM received an expert from the IPO (Industrial Property Office) in June for a one-day study visit that entailed an overview of the examination, opposition, cancellation and appeal procedures of the Office.

The very successful EC-funded cooperation programme with Vietnam came to an end. This year's activities comprised three study visits and CTM presentations given in a roving seminar on 'The role of intellectual property in economic development' held in Hai Phong, Da Nang and My Tho in June.

In order to avoid losing the strong ties built up over the past years with the Vietnamese institutions, the OHIM will continue cooperation activities on a bilateral level by means of a memorandum of understanding between the OHIM and the National Office of Industrial Property of Vietnam (NOIP) that was signed on 6 November.

Relations with Japan are intensifying vigorously. Following the activities agreed upon by the first heads' meeting held in Alicante in 1999, an international trade mark symposium giving high relevance to the Community trade mark procedure was organised by the JPO in May. This event was a major success and attracted more than 700 participants. In the year 2000, the second heads' meeting was held in Tokyo.

Regular examiners' meetings are organised, alternating between Tokyo and Alicante; the second meeting was held in November in Alicante.

After the signature in October 1999 of a bilateral agreement with the Chinese Trade Mark Office (CTMO), one of the first activities being undertaken is the joint publication of the CTMR and IR in Chinese.

As part of the EU-China intellectual property rights (IPR) cooperation programme, a study visit of Chinese officials took place at the OHIM in June. In mid-October, a round table meeting held in Beijing with the participation of European experts took place in order to address the trade mark law revision process being undertaken in China. Furthermore, the former OHIM President, Mr Combaldieu, participated in the opening ceremony of a high profile international symposium on 'Protecting intellectual property in China — Challenges and opportunities in the 21st century' in July.

At the request of the Trade Mark Adjudication and Review Board of the CTMO, a two-day visit also took place on 28 and 29 November at the OHIM. Subjects covered included the OHIM in the framework of the EC, the CTM registration system, examination, opposition, cancellation and appeal procedures.

Regarding our relations with Korea, a first examiners' meeting was held in March, and the third heads' meeting in May, both in Alicante. A seminar on the CTM system, organised by KIPO in Seoul and Taejeon, dedicated to the private and public sector, took place in September.

A representative of the OHIM was invited to Macao to present the Community trade mark system at the fifth International Trade and Investment Fair that took place from 20 to 24 October.

At the request of the European business centres in the Philippines and Sri Lanka general seminars on the CTM were given in Manila, Cebu and Colombo.



The OHIM also participated in a two-day seminar organised by EPO in Yerevan (Armenia) from 25 to 27 October, entitled 'Industrial property awareness'. The audience comprised representatives from the relevant ministries, industry, as well as professionals in the R & D sector.

A financial agreement between the Commission and Bangladesh was signed and an agreement between the Commission and Sri Lanka is currently under negotiation. The contract and the terms of reference have been prepared. In this programme, the OHIM and EPO will be implementing agencies, with the OHIM being the leading agency.

The contract between the Commission, the EPO and the OHIM on the technical assistance project for India was signed at end of July. A fact-finding mission will be carried out at the beginning of 2001.

With regard to the ASEAN countries, the contract for the second phase of the already successful ECAP cooperation programme was signed on 31 July. The OHIM is responsible for the trade mark and design components. The programme envisages activities with seven countries (\*) and includes both national and regional elements. The project was launched in October with a start-up mission to Thailand, Singapore and the Philippines, as well as a further mission to Indonesia and Malaysia in November.

### 7.3

## Technical cooperation with the European Patent Office (EPO)

Relations with the EPO are very close. The EPO has been the leading agency in the implementation of the EC-funded EC-Vietnam industrial property project, which was the first cooperation programme in which the OHIM participated. The EPO is also the partner for the implementation of the recently signed EC cooperation programmes for India and for the ASEAN region. Similar projects are under negotiation with the Commission for Argentina, Brazil, Chile, China and south Asia, where it is also foreseen to share responsibilities with the EPO.

As a result of trilateral cooperation EPO-OEPM-OHIM a DVD-ROM for the promotion of industrial property protection is currently being prepared. This product is addressed to current and potential users of IP systems in the Latin American region.

(\*) Brunei, Indonesia, Malaysia, the Philippines, Singapore, Thailand and Vietnam.



#### 7.4 Technical cooperation with the World Intellectual Property Organisation (WIPO)

There are close links between the Office and the WIPO. In 2000, the Technical Cooperation Division (TCD) continued playing an active role within the Standing Committee on Information Technology (SCIT).

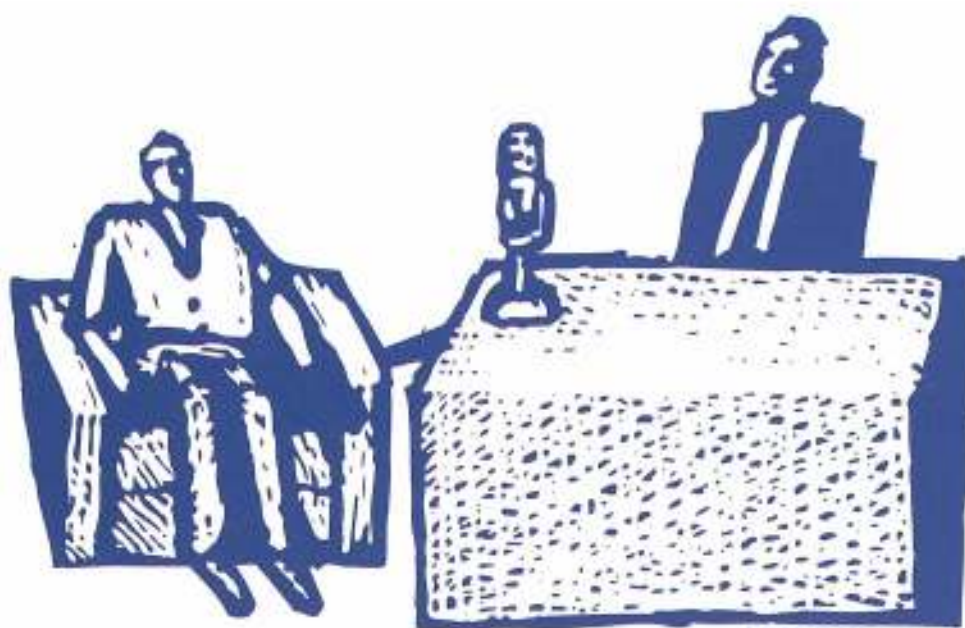
Since 1999, a representative from the TCD has participated in the meetings of the SCIT. The SCIT has been reorganised in the recent years and is currently being restructured.

#### 7.5 Visits

The TCD is responsible for organising and carrying out visits for representatives in the private sectors. In fact, more than 272 people came to visit the OHIM in 2000. People from offices of third countries, international organisations, universities, trade mark associations, but most of all trade mark representatives and agents came to visit the Office premises and meet its experts.

They were nationals from over 31 countries or groups of countries. The programmes of these visits are all carried out taking into account the specific needs and requests of the visitors.

193 people from Member States of the EU came to visit the Office, while 79 came from non-EU States.



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## B.1 Personnel and Social Administration Service

### B.1 / Recruitment and Personnel Management — Training Sector

The Recruitment and Personnel Management — Training Sector performed its usual range of activities: managing staffing levels, staff training, and career management.

#### *Recruitment*

The number of staff on the establishment plan rose from 499 at the end of 1999 (including 54 auxiliary staff) to 594 at the end of 2000 (including 74 auxiliary staff). The number of staff employed stands at 122 (while there were 27 departures). Other human resources activities were managing agency staff (average of 34 people per month), as well as selecting and processing 82 new files concerning the provision of agency staff.



Some 54 selection procedures were launched throughout the year to fill posts in the following areas:

- processing of trade mark applications (examination — cancellation — opposition);
- designs — EU enlargement;
- administration (for the Administrative and Technical Services' Department, the Technical Cooperation Division and the Secretariat of the Administrative Board, the Budget Committee and the Advisory Committee on Procurements and Contracts Service);
- legal affairs.

Fourteen selection procedures from previous years were completed in 2000. The sector managed four internal competitions based on written and oral tests. Twelve staff transfers were also completed, eight of them from other institutions of the Communities and four towards other institutions or agencies of the Communities.

In the course of these selection procedures, 3 516 applications were processed in 2000, as were 316 requests for interviews, and 249 candidates have been interviewed to date. There were 109 changes of contract (agency staff/auxiliary agent/temporary agent).





## Breakdown of personnel

### By administrative status, category and grade

Temporary staff and officials (*)		Auxiliary staff members	
Category	Number	Category	Number
A 1	0	A III	2
A 2	3	B V	6
A 3	13	C VII	60
A 4	8	D VIII	6
A 5	9	Total	74
A 6	9		
A 7	82		
A 8	2		
126 category A			
LA 5	1		
LA 7	4		
5 category LA			
B 1	5		
B 2	8		
B 3	36		
B 4	25		
B 5	55		
129 category B			
C 1	12		
C 2	9		
C 3	54		
C 4	45		
C 5	129		
249 category C			
D 1	2		
D 2	3		
D 3	6		
11 category D			
Total	520		
Total of all categories		594	

(\*) 150 temporary staff members and 370 officials.

### Training

Some 664 individual training courses were provided in 2000 as part of vocational training for the Office staff. They included:

- 74 on computers (Internet, Word, Excel, Access, Microsoft Project, LO.20, Powerpoint, Panagon, SAP, UML and Dreamweaver);
- 79 on the Community trade mark;
- 74 on Euromarc;
- 22 on DocuMarc and 42 special training courses;

Since Office staff are required to use both actively and passively the various languages of the Office in the course of their duties, 373 language courses were given (based on need and demand). Spanish, German, English, French and Italian were taught at six levels.

### B.1 2 Social administration

#### • *Emoluments and Reimbursement of Expenses — Personal Files Sector*

In 2000, 1 576 gradings and other measures were undertaken as part of recruitment procedures. In addition, 1 986 decisions and other acts were prepared in relation to the administration of individual entitlements. Furthermore, 106 new residence permits were also handled.

#### • *Working Conditions — Missions — Medical Service Sector*

The number of files processed in 2000 for missions and invitations to meetings was 390, and transport and related costs were reimbursed in respect of 28 meetings: meetings

of the Administrative Board and Budget Committee, the Application Assessment Advisory Committee, training sessions for the national offices, training sessions for applicant countries and liaison meetings. There were more than 12 000 measures of working time management, plus 95 cases of pension rights transfers.

#### **Medical service**

In 2000, 430 annual check-up and 281 pre-appointment medical examinations were done. Preventive medical care was given to 39 members of staff. The medical officer held 553 medical consultations. This represented an increase of 66.2 % as compared with 1999.

#### • *Social Administration Sector*

The work in the field of social administration increased steadily throughout 2000, more especially in the New Arrivals and Social Relations Sector, due to the increase in Office staff, and in respect of the opening of the restaurant and cafeteria in the building housing the Office's permanent seat.

#### **New arrivals and social relations**

Some 178 new staff family members were seen in the course of the year, through ongoing contacts with banks, hotel chains, travel agencies, removal firms, car dealers, car rental firms and local institutions. A total of 109 pages of information, updated regularly, are available for consultation by staff. Over 100 items of administrative information were sent out by e-mail to the staff as a whole, and 630 requests were processed in 2000.

A total of 341 pages of small ads and items of social, sporting, artistic and cultural information were distributed to staff members by e-mail.

Around 360 notices were displayed in the Office's buildings detailing interinstitutional news, job vacancies and other information of interest to staff.

The sector provided back-up to the Office's social clubs. A new club — OAMI Cricket Club — was added to the six which already exist.

Also with regard to social relations, the Social Administration Sector organised the Christmas festivities: a cocktail party for the Office staff, a Christmas show for the children and, in line with Spanish tradition, the sale of Christmas lottery tickets.

#### **Catering services**

The Social Administration Sector took care of the Office's catering facilities: a cafeteria and self-service restaurant at the Agua Amarga building plus a cafeteria-restaurant on Calle Dr Just, beside the Aguilera building. A total of 29 941 meals were served and 160 coffee breaks for meetings and 12 cocktail parties were organised in 2000.

A large part of the work consisted of equipping and putting into operation the kitchens in the Agua Amarga building.

#### **Open-air day nursery**

An open-air day nursery was organised in February, July and August to provide Office staff with a structured environment for their children during the school holidays: 125 children took part.

#### **European School in Alicante**

At its meeting on 25 October 2000, the Board of Governors of the European Schools decided to establish a European School in Alicante. It is scheduled to open its doors in September 2002. The Social Administration Sector carried out a survey among parents likely to register their children in the future European School of Alicante.



## B.2 General Logistics Service

### B.2 1 Administration of procurements

Purchase management, works contracts, supplying and services were the object of 1 719 financial files, 264 contracts, 43 reports for the Advisory Committee for Procurement and Contracts (ACPC), 15 calls for tender and 3 calls for expressions of interest. A total of 3 250 invoices were processed. As a whole this represents an increase of 6 % in the volume of activity compared to 1999.

### B.2 2 Buildings administration

#### Permanent seat

Throughout the year 2000 the construction process of the first stage of the Agua Amarga definitive building has been concluded. The useable space reaches 21 500 m<sup>2</sup> including offices, meeting rooms and common spaces, to which must be added 18 000 m<sup>2</sup> including stock rooms, technical rooms and car parks.

In July, 350 people moved from the provisional buildings to the definitive building.

In August, the ground floor restaurant was opened with a capacity of 800 meals a day, equipped with a self-service restaurant and a dining room. Subsequent work to complete the cafeteria and kitchen was concluded along with the Mail Room, which concludes the building occupation stage.

With a view to the expansion of the Office activities and the growth of the corresponding staff, in March of the year 2000 the Office published a call for tender to draft the construction plans of phase II, with a capacity of approximately 430 people. At the end of the year 2000, the drafting of the basic project was completed.

#### Temporary seat

Due to the occupation of the definitive building in two consecutive moves, the provisional buildings on Paseo Explanada 13 and Eusebio Sempere street were vacated. Reform work has been done on parts of the Aguilera 20 building in order to adapt the offices to the needs of the Boards of Appeals and to add a new library. Consequently, the Office personnel is currently spread over five buildings: Agua Amarga, Aguilera 20, Castelar 3, Italia 32 and Dr Just 11-13.

### B.2 3 Library and Archives Section

The OHIM now possesses two libraries, one located in the building of Agua Amarga and the other in Aguilera. The Aguilera branch opened its doors at the beginning of October.

The library acquired 867 publications and built a new web site and online databases. As for marks, the archive received 254 000 new documents and dealt with 2 824 petitions. As for administration, the archive was set up and already shelves 1 012 boxes.

### B.2 4 Administrative translations

Throughout the year 2000, more than 18 000 pages of translation have been processed. The number of pages has been multiplied by 2.6 compared to 1999.



### B.3 Information Technologies Division

The Informatics Service was restructured in the year 2000. It was turned into a division in a bid to better satisfy the needs of a growing paperless Office. The new Information Technologies Division now consists of four operational services covering the following areas: 'New Technologies', 'Development', 'Production and Telecommunications', and 'Communications, Security and Support'.

#### • Administration Section

In 2000, the number of files on the conclusion and renewal of information technology contracts increased to 236 (+ 40 %), 16 of which were submitted to the Advisory Committee on Procurements and Contracts (ACPC) and three of which resulted in the publication of an invitation to tender in the *Official Journal of the European Communities*.

### B.3 1 New Technologies Service

This service was created near the end of the year 2000. Therefore sufficiently reliable statistics on its volume of activity will be available only after 2001.

### B.3 2 Development Service

#### DocuMarc

The Library Statistics system was developed and installed for users.

#### Euromarc

In the first quarter of 2000, Version 3 of Euromarc was consolidated. The main objective of this version was to improve the payment module for the accounting service. The development of Version 4 started in the second quarter of the year, and at the end of the year, the outline of Version 5 was defined, with development due to start at the beginning of 2001. This version will be dedicated to the personnel management module, in addition to other minor developments.

#### Internet

Several new developments were achieved in 2000, and in particular:

- CTM-Download (Version 2.0), CTM-Online (update), CTM-Index (the new OHIM Internet site search engine).
- CTM-Application.

Following a feasibility study that was completed in June 2000, the OHIM agreed to the development of an online request system. The first BETA version was made available to certain customers. The main functions available to customers during the BETA period are:

- CTM-Assistant — to create personalised forms;
- CTM-Basic Form — the basic request form;
- XML File Upload — the option for submitting a request in XML format.

Figures relating to activity	2000	1999	(%)
Number of bibliographical documents	8 805	7 588	+ 16
Number of copies	10 502	6 940	+ 51
Number of permanent loans	1 395	598	+ 133
Access to DocuMarc through the database	Number of searches		—
Total	36 027		—

- Euronice-Online

This tool will enable visitors to the OHIM Internet site to conduct searches in the Euronice database. The project was started at the end of 2000.

- Account-Online

In 2000, an alpha version was presented of this project that will enable current account holders with the OHIM to consult their accounts via the Internet. Each customer will have a dedicated Internet account.

- OAMinet (intranet)

A study of a document management product was carried out with a view to creating the OHIM intranet. OAMinet was launched as a prototype in a pre-production environment.

#### Other

Other new developments focused on Euronice, document management, opposition decisions, the litigation system, electronic archives, the informatics aspects of the Madrid Protocol, SAP (accountancy and financial management), RESMA and the ARCAD system.

#### Search System

In August, Version 3.0 was installed. During the year, 28 902 word searches were conducted, as well as 2 032 figurative searches and 12 342 combined searches. The average length of a search was 124.4 seconds. In the same period, 42 922 search reports were produced.

## B.3 3 Production and Telecommunications Service

#### Euromarc

Some 440 000 faxes were sent using the Euromarc system (compared with 329 000 in 1999, 246 000 in 1998 and 24 000 in 1997).

Likewise, in 2000, the total number of documents entered in the system amounted to more than 1 757 673, of which 1 667 560 were black and white pages, 25 644 colour pages and 9 529 cheques. This brought the total number of electronic documents to approximately 6 500 000.

The rate of enquiries on the Internet site amounted to over 405 000 per month.

#### Move, servers, and network

As a consequence of the move to the permanent seat of the Office in July, more than 362 workstations were installed. At the end of the year, over 500 workstations and telephone lines were connected among all the OHIM's premises.

Concerning Unix, two new servers 'Ultra Enterprise 3500' were placed in Agua Amarga, and two servers 'Ultra Enterprise 5500' were configured. Concerning NT, 35 new servers were built. The new ATM network started in production at the beginning of July.

#### The prior registration search system

The prior registration search system was consulted almost 43 000 times: 28 902 searches for word marks, 2 032 for figurative marks and 12 342 for combined marks.

#### Euronice

The following figures prove the success of the Euronice system:

Reuse of	Total	Reused in RTDB (*)	Sent for translation	Percent
Expressions	712 619	319 394	393 225	44.82
Characters	36 332 001	8 773 505	27 558 496	24.15

(\*) Reference terminology database.

Of the 53 222 translation requests in 2000, Euronice translated 5 722 in full, namely 10.75 %. With regard to the other requests, 18 984 (35.67 %) had to be sent in full to the CDT, while of the remaining 28 516 (53.58 %), Euronice was able to translate some of the terms contained in the list of goods and services.

### • *User's Support Section*

The equipment installed during 2000 includes:

- 180 personal and laptop computers;
- 34 servers;
- 26 network printers;
- 23 local printers;
- 4 video projectors.

Over 15 700 calls for assistance were received during the year, 31 % of which concerned the use of Euromarc. The average time for resolving any problems was 110 minutes. A local help-desk scheme was devised during the year 2000, providing local help services.

Lastly, computer equipment requests (CER) are now carried out by e-mail, and under the control of a new monitoring desk.

## 8.3 **Communications, Security and Support Service**

### • *Communications Section*

This is a new section, which in December 2000 took over responsibility for organising monthly meetings with those responsible for informatics topics amongst all the OHIM's services, launching an informatics journal and cooperating with the Technical Cooperation Division on visits to the Office, among other things.

### **Security**

The Office suffered no harm from any viruses in the course of 2000 (the Office received over 1 500 viruses by electronic mail alone). An anti-virus program for the Internet was installed, bringing to four the number of anti-virus levels at the OHIM (e-mail, servers, PCs and the Internet). Accessibility by surfers was improved as a result of this security measure. A set of secure sites was also established.



## B.4 Financial, Budget and Accounts Service

### B.4 / Implementation of the budget

In practice, revenue amounted to EUR 131 972 186, deriving primarily from fees collected and EUR 18 325 358 corresponding to the balance for the previous financial year.

56 994 application fees, 31 929 fees for additional classes, 6 864 opposition fees, 35 323 registration fees, 1 293 appeal fees, 99 cancellation fees and sundry other fees, amounting to EUR 109 059 784 were entered into the Office's accounts in the course of the financial year.

Furthermore, the Office received EUR 1 177 214 in 2000 from the sale of publications. Interest received amounted to EUR 3 404 431. The amount corresponding to services was EUR 5 400.

In 2000, the Office was able to finance itself from its own resources, that is to say it was able to balance the budget and meet expenditure commitments without applying for a European Community subsidy.

Actual expenditure relating to persons working for the Office amounted to EUR 35 589 370, whilst expenditure on buildings, materials and sundry other operating expenses was EUR 21 221 549 and EUR 29 786 536 on costs incurred by the institution in the course of the financial year on specific operations. The balance for the year, amounting to EUR 45 374 731, corresponds to the provision set aside to enable the OHIM to operate until the year 2006 (when trade marks will begin to be renewed) without applying for a Community subsidy. It should be noted that the Office will shortly be required to meet certain planned expenditure. Future expenditure relates to statutory obligations vis-à-vis applicants, construction costs for Phase II of the Office's permanent seat, costs arising from prepara-



tions for the accession of new EU Member States and costs linked to the introduction of Community designs.

### B.4 2 Work of the Financial, Budget and Accounts Service

#### Budget Accounts Sector

There was a significant rise in its workload as compared with 1999, in particular with regard to order forms, payments and recovery orders.

The supplementary and amending budget for 2000, the estimate of revenue and expenditure and the budget for 2001 were prepared. The processing of credit transfers was also a significant factor.

The year 2000 was the year in which budget accounting was consolidated.

#### General Accounts Sector

This sector deals with the collection of fees and payments to suppliers. It is also involved in cash management. The sector is divided into four sections (Suppliers, Current Accounts, Fee Receipt and Banking).

With regard to the Suppliers Section, the number of payment orders processed in 2000 was 4 221 (+ 20 % compared with 1999); this section also handles the payment of salaries, and related operations, follow-up and collection of non-fee-related recovery orders, third-party files and deals with the depreciation of the Office assets.

The Banking, Fee Receipt and Current Accounts Sections, which are directly involved in the trade mark processing procedure, saw the number of trade mark applications processed reach 56 994, and also had to enter into the accounts registration fees (about 35 000), opposition fees (some 6 800), appeal fees (roughly 1 290) and a large number of other fees.

Repayment of fees rose steeply in 2000, amounting to a total of 1 681 (up 60 %). The number of current accounts opened at the Office exceeded the figure of 850 reached the previous year.



With regard to correspondence linked to customer payments, most of the letters were computer generated and are now sent directly by fax using the Euromarc software. This made it possible to absorb the increase in the number of letters.

The General Accounts Sector provided significant support to the Office's Accounting Officer in dealing with cash management. Several calls for tender and investigations into terms and conditions were launched.

#### **Analytical Accounts Sector**

In 2000, the Analytical Accounts Sector was created with one clear objective: to establish an analytic accounting system for the Office. It installed a preliminary analytical accounting system. An initial report covering the first six months of 2000 was presented.

The sector also cooperated with procedures for the selection of suppliers, providing analyses relating to the financial standing of certain tenderers.

#### **Activities relating to the computerisation of the service and miscellaneous**

In the course of 2000, an electronic mail system was created within the Financial, Budget and Accounts Service. Several projects were undertaken in conjunction with the Information Technologies Division, concerning: SAP (update), electronic banking systems (evaluation and test), current accounts (opening procedure).

The Financial, Budget and Accounts Service also participated actively in debate and analysis of the Office's long-term financial outlook,



## Budgetary forecast of the Office from 1996 to 2001

Revenue	Year					
	1996	1997	1998	1999	2000	2001
Revenue accruing from the operation of the Office	17 805 000	54 049 800	65 580 675	94 728 750	114 665 000	128 870 000
European Community subsidy	14 580 000					
Balance from the previous year			2 948 525	20 734 710	18 325 357	37 940 257
<b>Total</b>	<b>32 385 000</b>	<b>54 049 800</b>	<b>68 529 200</b>	<b>115 463 460</b>	<b>132 990 357</b>	<b>166 810 257</b>
<b>Expenditure</b>						
Expenditure relating to persons working with the Office	12 658 055	15 878 300	22 233 300	36 890 000	39 787 000	47 595 500
Buildings, equipment and miscellaneous operating expenditure	13 029 250	21 723 500	27 399 400	34 612 600	23 780 100	21 615 700
Expenditure deriving from the processing of trade marks and from publications	6 697 695	16 448 000	12 313 375	28 621 300	31 483 000	35 532 000
Provision for future expenditure			6 583 125	15 339 560	37 940 257	62 067 057
<b>Total</b>	<b>32 385 000</b>	<b>54 049 800</b>	<b>68 529 200</b>	<b>115 463 460</b>	<b>132 990 357</b>	<b>166 810 257</b>

## Implementation of the Office's Budget from 1996 to 1999

Revenue	Year			
	1996	1997	1998	1999
Revenue accruing from the operation of the Office	13 430 035	55 258 414	68 741 221	88 237 405
European Community subsidy	8 291 000			
Balance from the previous year			3 111 252	20 734 711
<b>Total</b>	<b>21 721 035</b>	<b>55 258 414</b>	<b>71 852 473</b>	<b>108 972 116</b>
<b>Expenditure</b>				
Expenditure relating to persons working with the Office	9 304 693	14 602 004	20 329 914	33 021 833
Buildings, equipment and miscellaneous operating expenditure	11 551 402	21 223 885	20 060 401	30 979 913
Expenditure deriving from the processing of trade marks and from publications	5 931 632	16 378 731	12 229 513	28 238 409
Provision for future expenditure (*)	- 5 066 692	3 053 794	19 232 645	16 731 961
<b>Total</b>	<b>21 721 035</b>	<b>55 258 414</b>	<b>71 852 473</b>	<b>108 972 116</b>

(\*) In 1996, the Office had not received a part of the European Community subsidy, amounting to ECU 6 289 000.



## **8.5 Trade Marks Logistics Service**

Within the ATSD, the Trade Mark Logistics Service is responsible for a whole series of administrative tasks which relate directly to trade marks. The service liaises mainly between the Office and its external partners in the trade mark registration procedure.

### **8.5 / Interface with the national offices with regard to the production of national search reports**

More than 49 000 trade mark applications were sent to central industrial property offices for search reports to be produced on Community trade marks applications filed. 2000 was the first year in which all the reports were received at the Office electronically, facilitating printing and storage. They were then forwarded to the applicants or to their representatives by post, together with the registration certificates issued at the end of the procedure (34 000 were sent out in 2000).

### **8.5 2 Relations with the Translation Centre in Luxembourg (CdT)**

In 2000, the Office received about 51 000 translations from the Translation Centre, representing approximately 176 000 pages of 1 500 characters each.

### **8.5 3 Relations with the Office for Official Publications of the European Communities (EUR-OP)**

All the Office's publications and in particular the Community Trade Marks Bulletin are handled by the Office for Publications. A new call for tenders was launched in 2000 for the production of the Community Trade Marks Bulletin with the assistance of EUR-OP.

## **8.5 4 Relations with the public**

The Information Section provides all kinds of information on the Community trade mark by telephone (between 100 and 130 calls per day) and by e-mail, and sends out documents by post. It also handles all incoming documents relating to trade marks applications deposited both in the Aguilera building in the city centre and in the new permanent seat at Agua Amarga, to which the section moved.

## **8.5 5 Euronice**

Version 2 of Euronice was developed in the second half of 2000. It contains 17 modifications, the most important being the integration of a new module which permits frequency studies and will simplify internal validation work.

In response to the interest shown by Community trade mark applicants in a database containing expressions already endorsed by the Office, the Euronice online database was developed in 2000. This program should permit the consultation of the database via OAMI-Online. In the meantime, Euronice has been available in PDF format via OAMI-Online since the summer of 2000.

It would be useful for the Examination Division to be able to use the Euronice database as a classification aid, hence the new Euroace project launched in 2000, which should be completed in 2001.

## 8.6 Mail Dispatch and Trade Mark File Documentation Service

This service, which is responsible for processing all the mail of the Office, is divided into three different sections:

1. The Mail Sorting Section, which handles the receipt and dispatch of all the correspondence of the Office, keeps a record of all incoming and outgoing items, deals with franking (155 000 letters) and archiving.
2. The Mail Preparation Section, which deals with the digitalisation and entry into the Euromarc system of all documents relating to the Community trade mark registration procedure, i.e. it undertakes their conversion into electronic format — 2 158 000 pages were scanned in 2000. One of its other tasks is to monitor the transmission of documents — 450 000 faxes in 2000.
3. The Electronic Mailing Section is in charge of indexing and distributing documents to the relevant services and the incorporation of documentation into the Community trade mark files concerned; this amounts to 259 000 mails for 2000.

## 8.7 Procedures and Legal Support Service

Under the direct authority of the Director of the Administrative and Technical Services Department (ATSD), the Procedures and Legal Support Service (PLS) developed its activities during the year 2000 in the four following fields:

### 8.7 / Personnel

- Pre-litigation processing: the service has been assigned with the interpretation of the statutory rules and with the processing of complaints.
- Drafting rules: decisions of the President of the Office, notes of a general nature and individual notes raising specific questions, are drawn up by the service.
- Relations with staff representatives: the PLS is the direct interlocutor of the Staff Committee (SC) and 'organisations syndicales et professionnels' (OSP) on a daily basis. The service organises (preparation, proceeding and follow-up) the technical coordination meetings with the staff committee.
- Strategic aspects: the service draws up general orientation staff policy documents.

### 8.7 2 General administration

- Legal support. The service drafts, according to needs of the vice-presidency, documents of a highly legal nature in all the general administration fields.
- Administrative Board (AB)/Budgetary Committee (BC): the service is charged with drawing up AB and BC session documents (primarily introductory notes), that fall under the competence of the ATSD.

- Relations with the Community institutions and the agencies: the PLS contributes to the preparation and to the monitoring of activities of existing entities in this field (agency presidents' and directors' meetings, agency administration managers' meetings).

#### B.7 3 Procedures

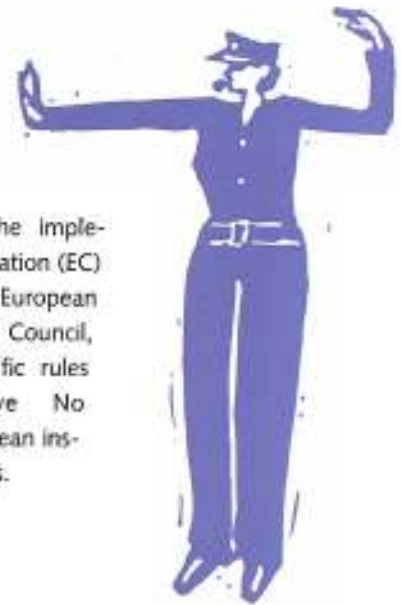
With regards to procedures, the service is responsible for studying solutions that are appropriate to the specific nature of the Office's activity and structure, in order to improve the administrative machinery in the VPTA. Due to the nature of the work performed in this field, it is impossible to produce meaningful statistics. The activity in this field is of two kinds:

- the first consists of short evaluations and designing of procedures, each performed over an average of two months. In 2000, the Recruitment and Personnel Management Sector, the Mail Dispatch Sector and the General Logistics Service were subject to a performance and staffing needs evaluation. Procedures were designed for the EC-India intellectual property programme, financed by the Commission and managed by the Technical Cooperation Division of the Office;
- the second consist of long-term projects requiring creative solutions and inter-service coordination. Those projects are typically carried out over several years. In 2000, the service initiated two such projects: the development of the Office intranet and the development of transferring in-house software to generate customised contracts. And from 1999, the project concerned with migrating the procurement procedures and its tools onto SAP was continued.

#### B.7 4 Data Protection Officer

The head of the service was appointed Data Protection Officer (DPO), within the framework of the implementation of the Community rules relating to the protection of privacy and personal data subject to automated processing.

In 2000, the activity in this field consisted in preparatory work (drafting procedures) for the implementation of Regulation (EC) No 45/2001 of the European Parliament and the Council, laying down specific rules to apply Directive No 95/46/EC to European institutions and bodies.







**SERVICE OF THE SECRETARIAT FOR THE  
ADMINISTRATIVE BOARD, THE BUDGET  
COMMITTEE AND THE ADVISORY COMMITTEE  
ON PROCUREMENTS AND CONTRACTS**

*This service, which is directly responsible to the Vice-President for Technical and Administrative Affairs, has as its remit the provision of secretarial and organisational support to the Administrative Board, the Budget Committee and the Advisory Committee on Procurements and Contracts.*

In 2000, the service successfully organised the following meetings: the 16th, 17th, 18th and 19th meetings of the Administrative Board, which were held in March, June, September and December, respectively, and the 16th, 17th and 18th meetings of the Budget Committee, which were held in March, June and September respectively. In addition, two joint meetings of the Administrative Board and of the Budget Committee were held in June and September.

Furthermore, pursuant to the Administrative Board's Decision CA-99-18, of 5 October 1999, to set up an Advisory Committee for the Evaluation of Applications for Selection Procedures concerning Posts of Chairpersons and Members of the Boards of Appeals of the Office, the service successfully organised four meetings of the advisory committee in March, April, September and November, during which a total of 91 applications were examined and interviews were held with 16 candidates.

In May 2000, the service carried out a survey amongst the members of the Administrative Board and Budget Committee aimed at improving efficiency in the transmission of documents and also reducing paper consumption. As a result, approximately 1 200 of the 3 900 individual transmissions of letters, meeting documents, etc. (totalling approximately 98 000 pages) to the members and observers, were sent by e-mail. The monthly Community trade mark statistics continued to be sent by e-mail to all the members and observers.

The service is also responsible for the internal distribution of documentation (1 890 internal mailings), the updating of files, archive management and the transmission of lists of the members of the Administrative Board and the Budget Committee, summaries of decisions taken during the meetings, budgets adopted during the meetings, etc. for publication in the Office's Official Journal and on OAMI-Online.

In collaboration with the Finance, Budget and Accounts Service, the service also worked on the five language versions of the three budgetary documents which were submitted to the members of the Budget Committee for approval: a supplementary and amending budget (SAB) for 2000, an estimate of revenue and expenditure for 2001 and a budget for 2001. A set of these three documents in the five languages of the Office amounts to approximately 1 800 pages. Moreover, the 2000 SAB and the 2001 budget were published in the five languages of the Office in the OHIM's Official Journal and on OAMI-Online. They were also published as a summary in the *Official Journal of the European Communities*, in the 11 official languages (OJ L 224 and L 312, respectively). The service prepared camera-ready manuscripts for all these publications, which ran, all languages combined, to 654 pages.

In 2000, the service successfully organised 11 meetings of the Advisory Committee on Procurements and Contracts (ACPC) and four written procedures. It carried out a formal check of 44 reports submitted to the ACPC for its opinion. These reports mainly related to contracts connected with the fitting out and occupation of Phase I of the permanent seat, the architect's project for Phase II, the renewal or extension of various contracts relating to the temporary premises occupied by the Office, the purchase or lease of technical and computer equipment and the provision of IT services. The service organised the ACPC meetings and drafted the minutes and opinions to be transmitted to the members and to the relevant services of the Office. Approximately 130 pages of minutes and opinions were drafted and sent in a total of 443 individual transmissions.





## STATISTICAL ANNEX

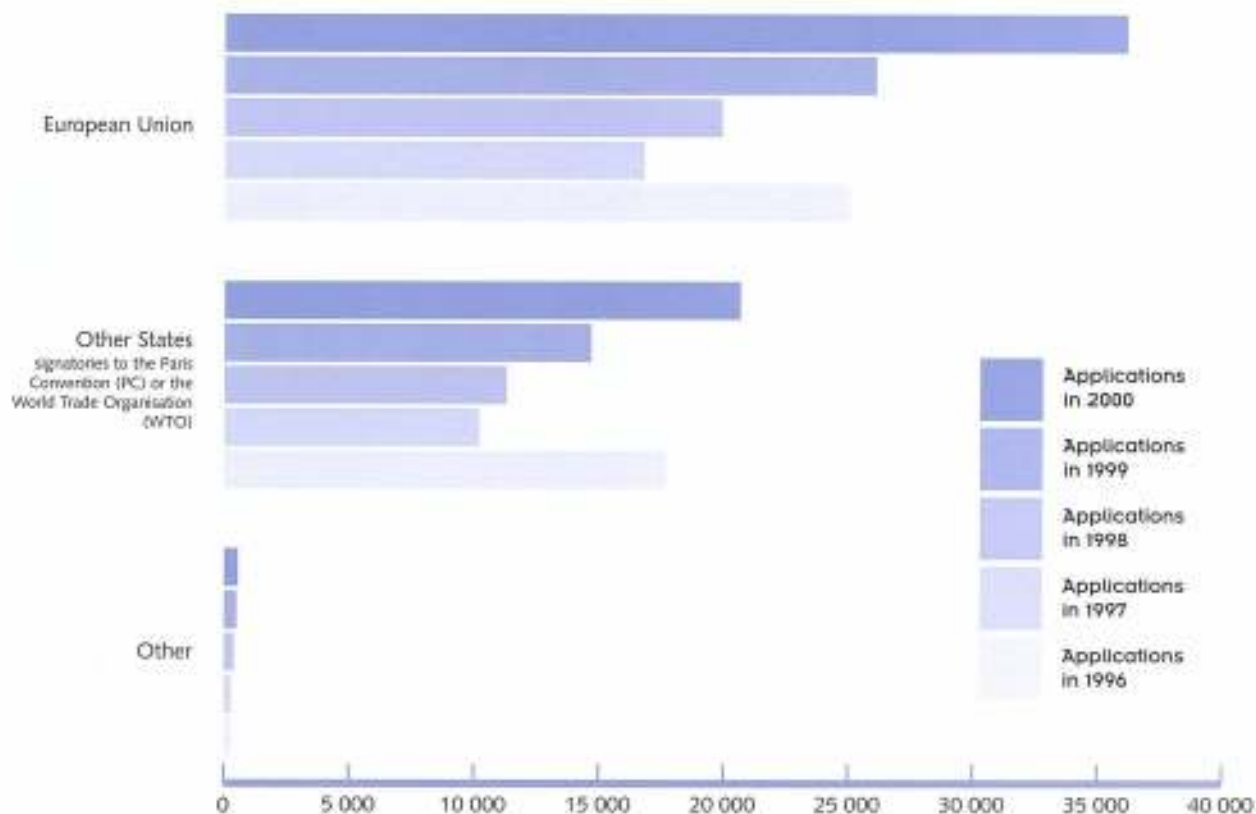
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# 1 Breakdown of applications by origin

Origin	Applications (1996–99)	% world	Applications in 2000	% world	Total	% world
European Union	87 715	61.31	36 119	63.01	123 834	61.80
Other States signatories to the Paris Convention (PC) or the World Trade Organisation (WTO)	53 964	37.72	20 649	36.02	74 613	37.23
Other States — Reciprocity findings	929	0.65	362	0.63	1 291	0.64
Other States and territories	451	0.32	194	0.34	645	0.32
Stateless and refugee status	3	0.00	0	0.00	3	0.00
<b>Total</b>	<b>143 062</b>	<b>100</b>	<b>57 324</b>	<b>100</b>	<b>200 386</b>	<b>100</b>



## 2 Breakdown by European Union country

Member States	Applications (1996-99)	% EU	% world	Applications in 2000	% EU	% world	Total	% EU	% world	
BELGIUM	2 197	2.50	1.54	767	2.12	1.34	2 964	2.39	1.48	B
DENMARK	2 326	2.65	1.63	813	2.25	1.42	3 139	2.53	1.57	DK
GERMANY	23 476	26.76	16.41	9 935	27.51	17.33	33 411	26.98	16.67	D
GREECE	339	0.39	0.24	163	0.45	0.28	502	0.41	0.25	EL
SPAIN	8 836	10.07	6.18	3 466	9.60	6.05	12 302	9.93	6.14	E
FRANCE	8 367	9.54	5.85	3 402	9.42	5.94	11 769	9.50	5.87	F
IRELAND	1 224	1.40	0.86	640	1.77	1.12	1 864	1.51	0.93	IRL
ITALY	9 922	11.31	6.94	4 227	11.70	7.37	14 149	11.43	7.06	I
LUXEMBOURG	624	0.71	0.44	281	0.78	0.49	905	0.73	0.45	L
NETHERLANDS	3 848	4.39	2.69	1 518	4.20	2.65	5 366	4.33	2.68	NL
AUSTRIA	2 223	2.53	1.55	739	2.05	1.29	2 962	2.39	1.48	A
PORTUGAL	850	0.97	0.59	350	0.97	0.61	1 200	0.97	0.60	P
FINLAND	1 357	1.55	0.95	513	1.42	0.89	1 870	1.51	0.93	FIN
SWEDEN	3 225	3.68	2.25	1 375	3.81	2.40	4 600	3.71	2.30	S
UNITED KINGDOM	18 901	21.55	13.21	7 930	21.96	13.83	26 831	21.67	13.39	UK
Total	87 715	100	61.31	36 119	100	63.01	123 834	100	61.80	

### 3 Other States — Signatories to the Paris Convention (CP) or the World Trade Organisation (WTO)

Signatory States	Applications (1996-99)	%	% world	Applications in 2000	%	% world	Total	%	% world
ANTIGUA AND BARBUDA [AG]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
ARGENTINA [AR]	108	0.20	0.08	104	0.50	0.18	212	0.28	0.11
ARMENIA [AM]	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00
ARUBA [AW]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
AUSTRALIA [AU]	1 241	2.30	0.87	627	3.04	1.09	1 868	2.50	0.93
BAHAMAS [BS]	146	0.27	0.10	40	0.19	0.07	186	0.25	0.09
BAHRAIN [BH]	8	0.01	0.01	3	0.01	0.01	11	0.01	0.01
BANGLADESH [BD]	0	0.00	0.00	2	0.01	0.00	2	0.00	0.00
BARBADOS [BB]	62	0.11	0.04	31	0.15	0.05	93	0.12	0.05
BELIZE [BZ]	3	0.01	0.00	1	0.00	0.00	4	0.01	0.00
BOLIVIA [BO]	2	0.00	0.00	0	0.00	0.00	2	0.00	0.00
BRAZIL [BR]	230	0.43	0.16	122	0.59	0.21	352	0.47	0.18
BRUNEI [BN]	8	0.01	0.01	0	0.00	0.00	8	0.01	0.00
BULGARIA [BG]	8	0.01	0.01	4	0.02	0.01	12	0.02	0.01
CANADA [CA]	1 725	3.20	1.21	818	3.96	1.43	2 543	3.41	1.27
CHILE [CL]	105	0.19	0.07	59	0.29	0.10	164	0.22	0.08
CHINA [CN]	162	0.30	0.11	33	0.16	0.06	195	0.26	0.10
COLOMBIA [CO]	60	0.11	0.04	19	0.09	0.03	79	0.11	0.04
COOK ISLANDS [CK]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
COSTA RICA [CR]	13	0.02	0.01	6	0.03	0.01	19	0.03	0.01
CROATIA [HR]	3	0.01	0.00	1	0.00	0.00	4	0.01	0.00
CUBA [CU]	19	0.04	0.01	11	0.05	0.02	30	0.04	0.01
CYPRUS [CY]	65	0.12	0.05	52	0.25	0.09	117	0.16	0.06
CZECH REPUBLIC [CZ]	20	0.04	0.01	12	0.06	0.02	32	0.04	0.02
DOMINICA [DM]	0	0.00	0.00	2	0.01	0.00	2	0.00	0.00
DOMINICAN REPUBLIC [DO]	25	0.05	0.02	8	0.04	0.01	33	0.04	0.02
ECUADOR [EC]	26	0.05	0.02	9	0.04	0.02	35	0.05	0.02
EGYPT [EG]	8	0.01	0.01	4	0.02	0.01	12	0.02	0.01
ESTONIA [EE]	2	0.00	0.00	2	0.01	0.00	4	0.01	0.00
FAROE ISLANDS [FO]	3	0.01	0.00	0	0.00	0.00	3	0.00	0.00
FII [FI]	3	0.01	0.00	0	0.00	0.00	3	0.00	0.00
FRENCH POLYNESIA [PF]	1	0.00	0.00	1	0.00	0.00	2	0.00	0.00
GIBRALTAR [GI]	46	0.09	0.03	24	0.12	0.04	70	0.09	0.03
GREENLAND [GL]	2	0.00	0.00	0	0.00	0.00	2	0.00	0.00
GUATEMALA [GT]	19	0.04	0.01	6	0.03	0.01	25	0.03	0.01
GUYANA [GY]	1	0.00	0.00	4	0.02	0.01	5	0.01	0.00
HAITI [HT]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00



Signatory States	Applications (1996-99)	%	% world	Applications in 2000	%	% world	Total	%	% world
HONDURAS [HN]	6	0.01	0.00	1	0.00	0.00	7	0.01	0.00
HONG KONG [HK]	489	0.91	0.34	240	1.16	0.42	729	0.98	0.36
HUNGARY [HU]	44	0.08	0.03	8	0.04	0.01	52	0.07	0.03
ICELAND [IS]	15	0.03	0.01	4	0.02	0.01	19	0.03	0.01
INDIA [IN]	103	0.19	0.07	67	0.32	0.12	170	0.23	0.08
INDONESIA [ID]	51	0.09	0.04	15	0.07	0.03	66	0.09	0.03
IRAN [IR]	11	0.02	0.01	0	0.00	0.00	11	0.01	0.01
ISRAEL [IL]	550	1.02	0.38	323	1.56	0.56	873	1.17	0.44
IVORY COAST [CI]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
JAMAICA [JM]	24	0.04	0.02	7	0.03	0.01	31	0.04	0.02
JAPAN [JP]	3 861	7.15	2.70	1 161	5.62	2.03	5 022	6.73	2.51
JORDAN [JO]	11	0.02	0.01	2	0.01	0.00	13	0.02	0.01
KENYA [KE]	2	0.00	0.00	1	0.00	0.00	3	0.00	0.00
KUWAIT [KW]	16	0.03	0.01	8	0.04	0.01	24	0.03	0.01
LATVIA [LV]	2	0.00	0.00	0	0.00	0.00	2	0.00	0.00
LEBANON [LB]	22	0.04	0.02	12	0.06	0.02	34	0.05	0.02
LIBERIA [LR]	8	0.01	0.01	1	0.00	0.00	9	0.01	0.00
LIBYA [LY]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
LIECHTENSTEIN [LI]	162	0.30	0.11	80	0.39	0.14	242	0.32	0.12
LITHUANIA [LT]	1	0.00	0.00	1	0.00	0.00	2	0.00	0.00
MADAGASCAR [MG]	0	0.00	0.00	1	0.00	0.00	1	0.00	0.00
MALAYSIA [MY]	80	0.15	0.06	32	0.15	0.06	112	0.15	0.06
MALDIVES [MV]	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00
MALTA [MT]	25	0.05	0.02	16	0.08	0.03	41	0.05	0.02
MAURITIUS [MU]	35	0.06	0.02	27	0.13	0.05	62	0.08	0.03
MEXICO [MX]	289	0.54	0.20	123	0.60	0.21	412	0.55	0.21
MONACO [MC]	114	0.21	0.08	30	0.15	0.05	144	0.19	0.07
MOROCCO [MA]	6	0.01	0.00	0	0.00	0.00	6	0.01	0.00
NAMIBIA [NA]	2	0.00	0.00	1	0.00	0.00	3	0.00	0.00
NETHERLANDS ANTILLES [AN]	186	0.34	0.13	53	0.26	0.09	239	0.32	0.12
NEW CALEDONIA [NC]	3	0.01	0.00	0	0.00	0.00	3	0.00	0.00
NEW ZEALAND [NZ]	240	0.44	0.17	98	0.47	0.17	338	0.45	0.17
NICARAGUA [NI]	9	0.02	0.01	10	0.05	0.02	19	0.03	0.01
NIGER [NE]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
NIGERIA [NG]	3	0.01	0.00	1	0.00	0.00	4	0.01	0.00
NIUE [NU]	0	0.00	0.00	3	0.01	0.01	3	0.00	0.00
NORTH KOREA [KP]	2	0.00	0.00	0	0.00	0.00	2	0.00	0.00

Signatory States	Applications (1996-99)	%	% world	Applications in 2000	%	% world	Total	%	% world
NORWAY [NO]	316	0.59	0.22	120	0.58	0.21	436	0.58	0.22
OMAN [OM]	0	0.00	0.00	3	0.01	0.01	3	0.00	0.00
PAKISTAN [PK]	12	0.02	0.01	1	0.00	0.00	13	0.02	0.01
PANAMA [PA]	45	0.08	0.03	9	0.04	0.02	54	0.07	0.03
PARAGUAY [PY]	3	0.01	0.00	4	0.02	0.01	7	0.01	0.00
PERU [PE]	11	0.02	0.01	5	0.02	0.01	16	0.02	0.01
PHILIPPINES [PH]	24	0.04	0.02	2	0.01	0.00	26	0.03	0.01
POLAND [PL]	32	0.06	0.02	14	0.07	0.02	46	0.06	0.02
PUERTO RICO [PR]	26	0.05	0.02	9	0.04	0.02	35	0.05	0.02
QATAR [QA]	0	0.00	0.00	1	0.00	0.00	1	0.00	0.00
REPUBLIC OF KOREA [KR]	199	0.37	0.14	121	0.59	0.21	320	0.43	0.16
ROMANIA [RO]	2	0.00	0.00	4	0.02	0.01	6	0.01	0.00
RUSSIAN FEDERATION [RU]	26	0.05	0.02	11	0.05	0.02	37	0.05	0.02
SAINT KITTS AND NEVIS [KN]	5	0.01	0.00	3	0.01	0.01	8	0.01	0.00
SAINT LUCIA [LC]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
SAN MARINO [SM]	14	0.03	0.01	9	0.04	0.02	23	0.03	0.01
SINGAPORE [SG]	260	0.48	0.18	109	0.53	0.19	369	0.49	0.18
SLOVAKIA [SK]	7	0.01	0.00	0	0.00	0.00	7	0.01	0.00
SLOVENIA [SI]	9	0.02	0.01	4	0.02	0.01	13	0.02	0.01
SOUTH AFRICA [ZA]	222	0.41	0.16	138	0.67	0.24	360	0.48	0.18
SRI LANKA [LK]	10	0.02	0.01	4	0.02	0.01	14	0.02	0.01
SWAZILAND [SZ]	1	0.00	0.00	0	0.00	0.00	1	0.00	0.00
SWITZERLAND [CH]	2 663	4.93	1.86	1 001	4.85	1.75	3 664	4.91	1.83
SYRIA [SY]	0	0.00	0.00	2	0.01	0.00	2	0.00	0.00
THAILAND [TH]	61	0.11	0.04	45	0.22	0.08	106	0.14	0.05
TRINIDAD AND TOBAGO [TT]	10	0.02	0.01	4	0.02	0.01	14	0.02	0.01
TUNISIA [TN]	12	0.02	0.01	9	0.04	0.02	21	0.03	0.01
TURKEY [TR]	342	0.63	0.24	39	0.19	0.07	381	0.51	0.19
UKRAINE [UA]	6	0.01	0.00	0	0.00	0.00	6	0.01	0.00
UNITED ARAB EMIRATES [AE]	44	0.08	0.03	4	0.02	0.01	48	0.06	0.02
UNITED STATES OF AMERICA [US]	39 044	72.35	27.29	14 609	70.75	25.48	53 653	71.91	26.77
URUGUAY [UY]	10	0.02	0.01	6	0.03	0.01	16	0.02	0.01
VENEZUELA [VE]	35	0.06	0.02	25	0.12	0.04	60	0.08	0.03
VIRGIN ISLANDS OF UNITED STATES [VI]	4	0.01	0.00	2	0.01	0.00	6	0.01	0.00
YUGOSLAVIA [YU]	1	0.00	0.00	1	0.00	0.00	2	0.00	0.00
ZIMBABWE [ZW]	4	0.01	0.00	0	0.00	0.00	4	0.01	0.00
<b>Total</b>	<b>53 964</b>	<b>100</b>	<b>37.72</b>	<b>20 649</b>	<b>100</b>	<b>36.02</b>	<b>74 613</b>	<b>100</b>	<b>37.23</b>

#### 4 Reciprocity findings — Article 5(l)(d) CTMR

States	Applications (1996–99)	%	% world	Applications in 2000	%	% world	Total	%	% world
ANDORRA [AD]	30	3.23	0.02	17	4.70	0.03	47	3.64	0.02
TAIWAN [TW]	899	96.77	0.63	345	95.30	0.60	1 244	96.36	0.62
<b>Total</b>	<b>929</b>	<b>100</b>	<b>0.65</b>	<b>362</b>	<b>100</b>	<b>0.63</b>	<b>1 291</b>	<b>100</b>	<b>0.64</b>

#### 5 Breakdown by country — non-CP/WTO members

Other countries and territories	Applications (1996–99)	%	% world	Applications in 2000	%	% world	Total	%	% world
ANGUILLA [AI]	3	0.67	0.00	0	0.00	0.00	3	0.47	0.00
BERMUDA [BM]	128	28.38	0.09	41	21.13	0.07	169	26.20	0.08
BOUVET ISLAND [BV]	0	0.00	0.00	1	0.52	0.00	1	0.16	0.00
BRITISH CHANNEL ISLANDS [IC]	78	17.29	0.05	34	17.53	0.06	112	17.36	0.06
BRITISH VIRGIN ISLANDS [VG]	162	35.92	0.11	63	32.47	0.11	225	34.88	0.11
CAYMAN ISLANDS [KY]	50	11.09	0.03	36	18.56	0.06	86	13.33	0.04
CAPE VERDE [CV]	0	0.00	0.00	2	1.03	0.00	2	0.31	0.00
NEPAL [NP]	0	0.00	0.00	3	1.55	0.01	3	0.47	0.00
SAUDI ARABIA [SA]	26	5.76	0.02	10	5.15	0.02	36	5.58	0.02
SEYCHELLES [SC]	1	0.22	0.00	3	1.55	0.01	4	0.62	0.00
TURKS AND CAICOS ISLANDS [TC]	2	0.44	0.00	0	0.00	0.00	2	0.31	0.00
VANUATU [VU]	0	0.00	0.00	1	0.52	0.00	1	0.16	0.00
WESTERN SAMOA [WS]	1	0.22	0.00	0	0.00	0.00	1	0.16	0.00
<b>Total</b>	<b>451</b>	<b>100</b>	<b>0.32</b>	<b>194</b>	<b>100</b>	<b>0.34</b>	<b>645</b>	<b>100</b>	<b>0.32</b>



## 6 Breakdown by country — Top 30

Country	Applications (1996-99)	% world	Country	Applications in 2000	% world	Country	Total	% world	
UNITED STATES [US]	39 044	27.29	UNITED STATES [US]	14 609	25.49	UNITED STATES [US]	53 653	26.77	1
GERMANY [D]	23 476	16.41	GERMANY [D]	9 935	17.33	GERMANY [D]	33 411	16.67	2
UNITED KINGDOM [UK]	18 901	13.21	UNITED KINGDOM [UK]	7 930	13.83	UNITED KINGDOM [UK]	26 831	13.39	3
ITALY [I]	9 922	6.94	ITALY [I]	4 227	7.37	ITALY [I]	14 149	7.06	4
SPAIN [E]	8 836	6.18	SPAIN [E]	3 466	6.05	SPAIN [E]	12 302	6.14	5
FRANCE [F]	8 367	5.85	FRANCE [F]	3 402	5.93	FRANCE [F]	11 769	5.87	6
JAPAN [JP]	3 861	2.70	NETHERLANDS [NL]	1 518	2.65	NETHERLANDS [NL]	5 366	2.68	7
NETHERLANDS [NL]	3 848	2.69	SWEDEN [S]	1 375	2.40	JAPAN [JP]	5 022	2.51	8
SWEDEN [S]	3 225	2.25	JAPAN [JP]	1 161	2.03	SWEDEN [S]	4 600	2.30	9
SWITZERLAND [CH]	2 663	1.86	SWITZERLAND [CH]	1 001	1.75	SWITZERLAND [CH]	3 664	1.83	10
DENMARK [DK]	2 326	1.63	CANADA [CA]	818	1.43	DENMARK [DK]	3 139	1.57	11
AUSTRIA [A]	2 223	1.55	DENMARK [DK]	813	1.42	BELGIUM [B]	2 964	1.48	12
BELGIUM [B]	2 197	1.54	BELGIUM [B]	767	1.34	AUSTRIA [A]	2 962	1.48	13
CANADA [CA]	1 725	1.21	AUSTRIA [A]	739	1.29	CANADA [CA]	2 543	1.27	14
FINLAND [FIN]	1 357	0.95	IRELAND [IRL]	640	1.12	AUSTRALIA [AU]	1 868	0.93	15
AUSTRALIA [AU]	1 241	0.87	AUSTRALIA [AU]	627	1.09	FINLAND [FIN]	1 870	0.93	16
IRELAND [IRL]	1 224	0.86	FINLAND [FIN]	513	0.89	IRELAND [IRL]	1 864	0.93	17
TAIWAN [TW]	899	0.63	PORTUGAL [P]	350	0.61	TAIWAN [TW]	1 244	0.62	18
PORTUGAL [P]	850	0.59	TAIWAN [TW]	345	0.60	PORTUGAL [P]	1 200	0.60	19
LUXEMBOURG [L]	624	0.44	ISRAEL [IL]	323	0.56	LUXEMBOURG [L]	905	0.45	20
ISRAEL [IL]	550	0.38	LUXEMBOURG [L]	281	0.49	ISRAEL [IL]	873	0.44	21
HONG KONG [HK]	489	0.34	HONG KONG [HK]	240	0.42	HONG KONG [HK]	729	0.36	22
TURKEY [TR]	342	0.24	GREECE [EL]	163	0.28	GREECE [EL]	502	0.25	23
GREECE [EL]	339	0.24	SOUTH AFRICA [ZA]	138	0.24	NORWAY [NO]	436	0.22	24
NORWAY [NO]	316	0.22	MEXICO [MX]	123	0.21	MEXICO [MX]	412	0.21	25
MEXICO [MX]	289	0.20	BRAZIL [BR]	122	0.21	TURKEY [TR]	381	0.19	26
SINGAPORE [SG]	260	0.18	REPUBLIC OF KOREA [KR]	121	0.21	SINGAPORE [SG]	369	0.18	27
NEW ZEALAND [NZ]	240	0.17	NORWAY [NO]	120	0.21	SOUTH AFRICA [ZA]	360	0.18	28
BRAZIL [BR]	230	0.16	SINGAPORE [SG]	109	0.19	BRAZIL [BR]	352	0.18	29
SOUTH AFRICA [ZA]	222	0.16	ARGENTINA [AR]	104	0.18	NEW ZEALAND [NZ]	338	0.17	30

## Breakdown by language of filing

*Breakdown by first language of filing*

First language	Applications (1996-99)	%	Applications in 2000	%	Total	%
English	61 303	42.85	25 497	44.48	86 800	43.32
German	28 070	19.62	11 601	20.24	39 671	19.80
Dutch	13 933	9.74	4 111	7.17	18 044	9.00
French	10 696	7.48	4 196	7.32	14 892	7.43
Italian	10 003	6.99	4 377	7.64	14 380	7.18
Spanish	9 956	6.96	3 988	6.96	13 944	6.96
Swedish	3 696	2.58	1 538	2.68	5 234	2.61
Danish	2 813	1.97	1 055	1.84	3 868	1.93
Finnish	1 325	0.93	504	0.88	1 829	0.91
Portuguese	963	0.67	314	0.55	1 277	0.64
Greek	302	0.21	143	0.25	445	0.22
Irregularity (not defined)	2	0.00	0	0.00	2	0.00
<b>Total</b>	<b>143 062</b>	<b>100</b>	<b>57 324</b>	<b>100</b>	<b>200 386</b>	<b>100</b>

*Breakdown by second language of filing*

Second language	Applications (1996-99)	%	Applications in 1999	%	Total	%
English	75 034	52.45	29 693	51.80	104 727	52.26
French	41 498	29.01	16 966	29.60	58 464	29.18
Spanish	11 675	8.16	3 560	6.21	15 235	7.60
Dutch	8 180	5.72	3 346	5.84	11 526	5.75
Italian	6 620	4.63	3 759	6.56	10 379	5.18
Irregularity (not defined)	55	0.04	0	0.00	55	0.03
<b>Total</b>	<b>143 062</b>	<b>100</b>	<b>57 324</b>	<b>100</b>	<b>200 386</b>	<b>100</b>

# B Breakdown by class

Class	Applications (1996-99)	%	Applications in 2000	%	Total	%
1	8 206	2.28	2 237	1.39	10 443	2.00
2	2 771	0.77	730	0.45	3 501	0.67
3	11 114	3.09	3 660	2.27	14 774	2.83
4	2 240	0.62	650	0.40	2 890	0.55
5	12 429	3.45	4 419	2.74	16 848	3.23
6	6 831	1.90	2 047	1.27	8 878	1.70
7	9 828	2.73	2 948	1.83	12 776	2.45
8	3 384	0.94	981	0.61	4 365	0.84
9	42 362	11.77	20 934	12.98	63 296	12.14
10	6 665	1.85	2 255	1.40	8 920	1.71
11	7 640	2.12	2 357	1.46	9 997	1.92
12	6 944	1.93	2 233	1.38	9 177	1.76
13	487	0.14	159	0.10	646	0.12
14	5 367	1.49	1 674	1.04	7 041	1.35
15	781	0.22	279	0.17	1 060	0.20
16	25 268	7.02	10 528	6.53	35 796	6.87
17	4 467	1.24	1 288	0.80	5 755	1.10
18	8 638	2.40	2 619	1.62	11 257	2.16
19	4 718	1.31	1 509	0.94	6 227	1.19
20	6 621	1.84	2 209	1.37	8 830	1.69
21	6 011	1.67	2 141	1.33	8 152	1.56
22	1 486	0.41	386	0.24	1 872	0.36
23	752	0.21	217	0.13	969	0.19
24	5 009	1.39	1 576	0.98	6 585	1.26
25	19 349	5.38	6 050	3.75	25 399	4.87
26	1 617	0.45	408	0.25	2 025	0.39
27	1 641	0.46	563	0.35	2 204	0.42
28	9 584	2.66	3 607	2.24	13 191	2.53
29	8 220	2.28	2 599	1.61	10 819	2.08
30	9 789	2.72	3 003	1.86	12 792	2.45
31	4 342	1.21	1 449	0.90	5 791	1.11
32	6 095	1.69	1 934	1.20	8 029	1.54
33	5 603	1.56	2 128	1.32	7 731	1.48
34	1 882	0.52	548	0.34	2 430	0.47
35	16 687	4.64	13 826	8.57	30 513	5.85
36	9 361	2.60	6 498	4.03	15 859	3.04
37	7 959	2.21	3 609	2.24	11 568	2.22
38	11 099	3.08	11 004	6.82	22 103	4.24
39	7 440	2.07	3 719	2.31	11 159	2.14
40	2 779	0.77	1 220	0.76	3 999	0.77
41	15 714	4.37	9 620	5.96	25 334	4.86
42	30 413	8.45	19 354	12.00	49 767	9.55
Irregularity (not defined)	375	0.10	140	0.09	515	0.10
Total	359 968	100	161 315	100	521 283	100



# 9 Breakdown by class — Top 42

	Class	Applications (1996–99)	%		Class	Applications in 2000	%		Class	Total	%
1	9	42 362	11.77		9	20 934	12.98		9	63 296	12.14
2	42	30 413	8.45		42	19 354	12.00		42	49 767	9.55
3	16	25 268	7.02		35	13 826	8.57		16	35 796	6.87
4	25	19 349	5.38		38	11 004	6.82		35	30 513	5.85
5	35	16 687	4.64		16	10 528	6.53		25	25 399	4.87
6	41	15 714	4.37		41	9 620	5.96		41	25 334	4.86
7	5	12 429	3.45		36	6 498	4.03		38	22 103	4.24
8	3	11 114	3.09		25	6 050	3.75		5	16 848	3.23
9	38	11 099	3.08		5	4 419	2.74		36	15 859	3.04
10	7	9 828	2.73		39	3 719	2.31		3	14 774	2.83
11	38	9 789	2.72		3	3 660	2.27		28	13 191	2.53
12	28	9 584	2.66		37	3 609	2.24		30	12 792	2.45
13	36	9 361	2.60		28	3 607	2.24		7	12 776	2.45
14	18	8 638	2.40		30	3 003	1.86		37	11 568	2.22
15	1	8 206	2.28		7	2 948	1.83		18	11 257	2.16
16	29	8 220	2.28		18	2 619	1.62		39	11 159	2.14
17	37	7 959	2.21		29	2 599	1.61		29	10 819	2.08
18	11	7 640	2.12		11	2 357	1.46		1	10 443	2.00
19	39	7 440	2.07		10	2 255	1.40		11	9 997	1.92
20	12	6 944	1.93		1	2 237	1.39		12	9 177	1.76
21	6	6 831	1.90		12	2 233	1.38		10	8 920	1.71
22	10	6 665	1.85		20	2 209	1.37		6	8 878	1.70
23	20	6 621	1.84		21	2 141	1.33		20	8 830	1.69
24	32	6 095	1.69		33	2 128	1.32		21	8 152	1.56
25	21	6 011	1.67		6	2 047	1.27		32	8 029	1.54
26	33	5 603	1.56		32	1 934	1.20		33	7 731	1.48
27	14	5 367	1.49		14	1 674	1.04		14	7 041	1.35
28	24	5 009	1.39		24	1 576	0.98		24	6 585	1.26
29	19	4 718	1.31		19	1 509	0.94		19	6 227	1.19
30	17	4 467	1.24		31	1 449	0.90		31	5 791	1.11
31	31	4 342	1.21		17	1 288	0.80		17	5 755	1.10
32	8	3 384	0.94		40	1 220	0.76		8	4 365	0.84
33	2	2 771	0.77		8	981	0.61		40	3 999	0.77
34	40	2 779	0.77		2	730	0.45		2	3 501	0.67
35	4	2 240	0.62		4	650	0.40		4	2 890	0.55
36	34	1 882	0.52		27	563	0.35		34	2 430	0.47
37	27	1 641	0.46		34	548	0.34		27	2 204	0.42
38	26	1 617	0.45		26	408	0.25		26	2 025	0.39
39	22	1 486	0.41		22	386	0.24		22	1 872	0.36
40	23	752	0.21		15	279	0.17		15	1 060	0.20
41	15	781	0.22		23	217	0.13		23	969	0.19
42	13	487	0.14		13	159	0.10		13	646	0.12

# 10 Breakdown by number of classes per application

Class	Applications (1996-99)	%	Applications in 2000	%	Total	%
1	58 390	40.81	18 928	33.02	77 318	38.58
2	23 585	16.49	8 804	15.36	32 389	16.16
3	39 431	27.56	17 223	30.05	56 654	28.27
4	8 592	6.01	5 001	8.72	13 593	6.78
5	4 617	3.23	2 880	5.02	7 497	3.74
6	2 817	1.97	1 749	3.05	4 566	2.28
7	1 558	1.09	906	1.58	2 464	1.23
8	994	0.69	561	0.98	1 555	0.78
9	560	0.39	343	0.60	903	0.45
10	403	0.28	192	0.33	595	0.30
11	384	0.27	153	0.27	537	0.27
12	242	0.17	115	0.20	357	0.18
13	190	0.13	73	0.13	263	0.13
14	149	0.10	42	0.07	191	0.10
15	135	0.09	61	0.11	196	0.10
16	96	0.07	37	0.06	133	0.07
17	88	0.06	26	0.05	114	0.06
18	80	0.06	35	0.06	115	0.06
19	71	0.05	19	0.03	90	0.04
20	70	0.05	20	0.03	90	0.04
21	41	0.03	22	0.04	63	0.03
22	27	0.02	14	0.02	41	0.02
23	30	0.02	5	0.01	35	0.02
24	44	0.03	5	0.01	49	0.02
25	21	0.01	11	0.02	32	0.02
26	26	0.02	12	0.02	38	0.02
27	7	0.00	9	0.02	16	0.01
28	16	0.01	5	0.01	21	0.01
29	6	0.00	6	0.01	12	0.01
30	8	0.01	2	0.00	10	0.00
31	7	0.00	2	0.00	9	0.00
32	12	0.01	2	0.00	14	0.01
33	6	0.00	1	0.00	7	0.00
34	9	0.01	3	0.01	12	0.01
35	1	0.00	1	0.00	2	0.00
36	36	0.03	6	0.01	42	0.02
37	2	0.00	1	0.00	3	0.00
38	10	0.01	3	0.01	13	0.01
39	7	0.00	2	0.00	9	0.00
40	2	0.00	2	0.00	4	0.00
41	2	0.00	3	0.01	5	0.00
42	130	0.09	31	0.05	161	0.08
Irregularity (not defined)	160	0.11	8	0.01	168	0.08
Total	143 062	100	57 324	100	200 386	100

## 1.1 Breakdown by type of trade mark

Type of mark	Applications (1996-99)	%	Applications in 2000	%	Total	%
Word	91 651	64.06	37 832	66.00	129 483	64.62
Figurative	49 042	34.28	18 896	32.96	67 938	33.90
Three dimensions	1 384	0.97	471	0.82	1 855	0.93
Other	985	0.69	125	0.22	1 110	0.55
<b>Total</b>	<b>143 062</b>	<b>100</b>	<b>57 324</b>	<b>100</b>	<b>200 386</b>	<b>100</b>

## 1.2 Breakdown by priority

Number	Applications (1996-99)	%	Applications in 1999	%	Total	%
0	110 854	77.49	40 522	70.69	151 376	75.54
1	30 715	21.47	15 895	27.73	46 610	23.26
2	905	0.63	529	0.92	1 434	0.72
3	340	0.24	216	0.38	556	0.28
4	107	0.07	68	0.12	175	0.09
5	65	0.05	43	0.08	108	0.05
6	36	0.03	18	0.03	54	0.03
7	10	0.01	18	0.03	28	0.01
8	4	0.00	3	0.01	7	0.00
9	7	0.00	0	0.00	7	0.00
10	4	0.00	4	0.01	8	0.00
11	2	0.00	0	0.00	2	0.00
12	4	0.00	1	0.00	5	0.00
13	3	0.00	0	0.00	3	0.00
14	1	0.00	1	0.00	2	0.00
16	0	0.00	1	0.00	1	0.00
20	1	0.00	0	0.00	1	0.00
22	1	0.00	0	0.00	1	0.00
24	1	0.00	0	0.00	1	0.00
25	0	0.00	1	0.00	1	0.00
42	0	0.00	3	0.01	3	0.00
43	2	0.00	1	0.00	3	0.00
<b>Total</b>	<b>143 062</b>	<b>100</b>	<b>57 324</b>	<b>100</b>	<b>200 386</b>	<b>100</b>



### 13 Breakdown by seniority

Number	Applications (1996-99)	%	Applications in 2000	%	Total	%
0	120 307	84,09	53 941	94,10	174 248	86,96
1	11 215	7,84	2 418	4,22	13 633	6,80
2	2 023	1,41	253	0,44	2 276	1,14
3	1 304	0,91	131	0,23	1 435	0,72
4	893	0,62	75	0,13	968	0,48
5	852	0,60	77	0,13	929	0,46
6	960	0,67	67	0,12	1 027	0,51
7	1 138	0,80	81	0,14	1 219	0,61
8	721	0,50	59	0,10	780	0,39
9	541	0,38	32	0,06	573	0,29
10	546	0,38	35	0,06	581	0,29
11	502	0,35	30	0,05	532	0,27
12	409	0,29	39	0,07	448	0,22
13	393	0,27	27	0,05	420	0,21
14	214	0,15	14	0,02	228	0,11
15	166	0,12	8	0,01	174	0,09
16	125	0,09	8	0,01	133	0,07
17	83	0,06	9	0,02	92	0,05
18	91	0,06	1	0,00	92	0,05
19	81	0,06	3	0,01	84	0,04
20	62	0,04	3	0,01	65	0,03
21	45	0,03	1	0,00	46	0,02
22	42	0,03	1	0,00	43	0,02
23	27	0,02	1	0,00	28	0,01
24	26	0,02	0	0,00	26	0,01
25	30	0,02	0	0,00	30	0,01
26	31	0,02	0	0,00	31	0,02
27	23	0,02	1	0,00	24	0,01
28	23	0,02	1	0,00	24	0,01
29	13	0,01	1	0,00	14	0,01
30	11	0,01	1	0,00	12	0,01
31	15	0,01	1	0,00	16	0,01
32	8	0,01	0	0,00	8	0,00
33	9	0,01	0	0,00	9	0,00
34	3	0,00	0	0,00	3	0,00
35	4	0,00	0	0,00	4	0,00
36	9	0,01	0	0,00	9	0,00
37	7	0,00	0	0,00	7	0,00
38	8	0,01	1	0,00	9	0,00
39	6	0,00	0	0,00	6	0,00
40	8	0,01	0	0,00	8	0,00
41	6	0,00	0	0,00	6	0,00

Number	Applications (1996-99)	%	Applications in 2000	%	Total	%
42	7	0.00	0	0.00	7	0.00
43	3	0.00	0	0.00	3	0.00
44	2	0.00	0	0.00	2	0.00
45	2	0.00	1	0.00	3	0.00
46	4	0.00	0	0.00	4	0.00
48	4	0.00	0	0.00	4	0.00
50	1	0.00	0	0.00	1	0.00
51	5	0.00	1	0.00	6	0.00
52	3	0.00	0	0.00	3	0.00
53	1	0.00	0	0.00	1	0.00
54	2	0.00	0	0.00	2	0.00
55	2	0.00	0	0.00	2	0.00
56	2	0.00	0	0.00	2	0.00
57	5	0.00	0	0.00	5	0.00
58	1	0.00	1	0.00	2	0.00
59	2	0.00	0	0.00	2	0.00
60	1	0.00	0	0.00	1	0.00
61	3	0.00	1	0.00	4	0.00
62	1	0.00	0	0.00	1	0.00
65	4	0.00	0	0.00	4	0.00
68	2	0.00	0	0.00	2	0.00
69	1	0.00	0	0.00	1	0.00
70	3	0.00	0	0.00	3	0.00
73	2	0.00	0	0.00	2	0.00
74	3	0.00	0	0.00	3	0.00
76	1	0.00	0	0.00	1	0.00
78	1	0.00	0	0.00	1	0.00
79	1	0.00	0	0.00	1	0.00
80	1	0.00	0	0.00	1	0.00
83	1	0.00	0	0.00	1	0.00
88	1	0.00	0	0.00	1	0.00
92	1	0.00	0	0.00	1	0.00
94	1	0.00	0	0.00	1	0.00
96	1	0.00	0	0.00	1	0.00
97	1	0.00	0	0.00	1	0.00
103	1	0.00	0	0.00	1	0.00
112	1	0.00	0	0.00	1	0.00
116	1	0.00	0	0.00	1	0.00
132	1	0.00	0	0.00	1	0.00
143	1	0.00	0	0.00	1	0.00
236	1	0.00	0	0.00	1	0.00
Total	143 062	100	57 324	100	200 386	100

#### 1.4 Registered Trade Marks

	Total 2000	Total 1996–2000
Registered trade marks	34 733	93 802

#### 1.5 Opposition Division

	Total 2000	Total 1996–2000
Oppositions received <sup>(1)</sup>	11 495	33 511
Oppositions resolved <sup>(2)</sup>	9 914	19 063
Where a case does not proceed to judgment	7 454	15 423
Decisions	2 460	3 640
<sup>(2)</sup> % — <sup>(1)</sup>	86 %	57 %
Pending		14 448

#### 1.6 Cancellation Division

	Total 2000	Total 1996–2000
Request for <sup>(1)</sup> cancellation received	113	192
Requests for <sup>(2)</sup> cancellation concluded	49	71
Applications concluded without a formal decision	13	24
Decisions	36	47
<sup>(2)</sup> % — <sup>(1)</sup>	43 %	37 %
Pending		121

#### 1.7 Board of Appeal

	Total 2000	Total 1996–2000
Appeal received <sup>(1)</sup>	1 236	2 368
Appeal resolved <sup>(2)</sup>	562	1 020
Interlocutory revision	32	97
Cases closed without formal decision	71	140
Decisions	459	783
<sup>(2)</sup> % — <sup>(1)</sup>	45 %	43 %
Pending		1 348





1	Administrative Board members	71
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Situation on 31.12.2000



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Sverige	Carl-Anders IFVARSSON Rolf SWÄRD (*)	Patent- och Registreringsverket Patent- och Registreringsverket
United Kingdom	Aileen BRIMELOW Peter LAWRENCE (*)	The Patent Office The Patent Office
Commission	Heinz ZOUREK Thierry Stoll (*) (*)	Commission européenne Commission européenne

(\*) Alternate.

(\*) José Mota Maia until 20.3.2000.

(\*) Lucien van Bokstaele until 6.10.2000.

(\*) José Mota Maia until 30.11.2000.

(\*) Susan Birns until 25.6.2000.

## MEMBERS OF THE BUDGET COMMITTEE

Situation on 31.12.2000



Peter LAWRENCE (\*)  
*Chairman*

François GROMERSCH (\*)  
*Deputy Chairman*

Country	Name	Organisation
Belgique/België	François GROMERSCH	Ministère des affaires économiques/ Ministerie van Economische Zaken
	Leopold WUYTS (*)	Office de la propriété industrielle de l'administration de la politique commerciale
Danmark	Hans JAKOBSEN	Patent - og Varemærkestyrelsen
	Dorrit PETERSEN (*)	Patent - og Varemærkestyrelsen
Deutschland	Raimund LUTZ (*)	Bundesministerium der Justiz
	Cornelia RUDLOFF-SCHÄFFER (*)	Bundesministerium der Justiz
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	Adamada NIKOLAKOPOULOU/ Αδαμαντία ΝΙΚΟΛΑΚΟΠΟΥΛΟΥ (*)	Υπουργείο Εμπορίου
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	Jesús CONGREGADO LOSCERTALES (*)	Oficina Española de Patentes y Marcas
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	Benjamin VIDAUD-ROUSSEAU (*)	Institut national de la propriété industrielle
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	Colm TREANOR (*)	Department of Enterprise, Trade and Employment
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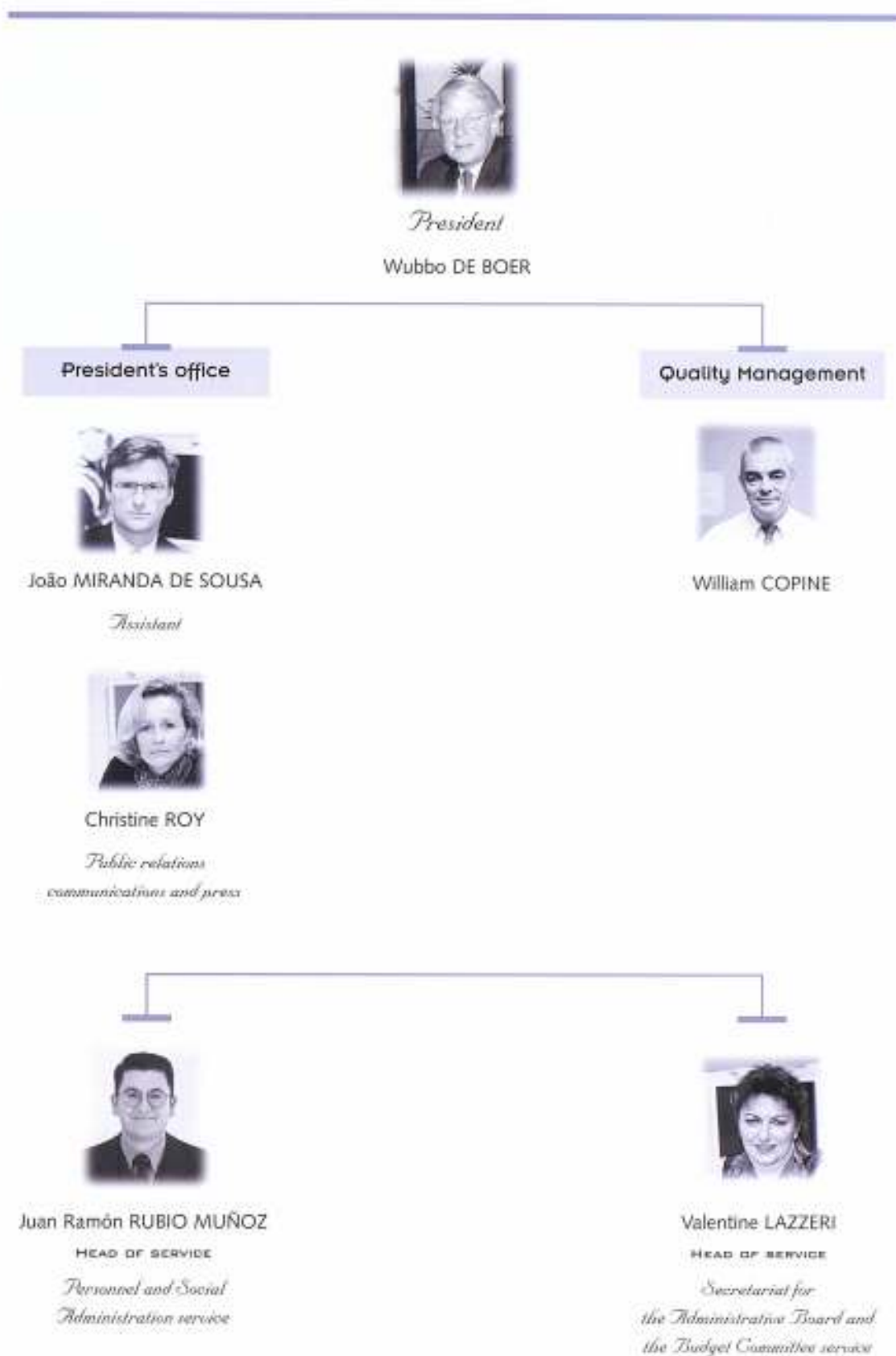
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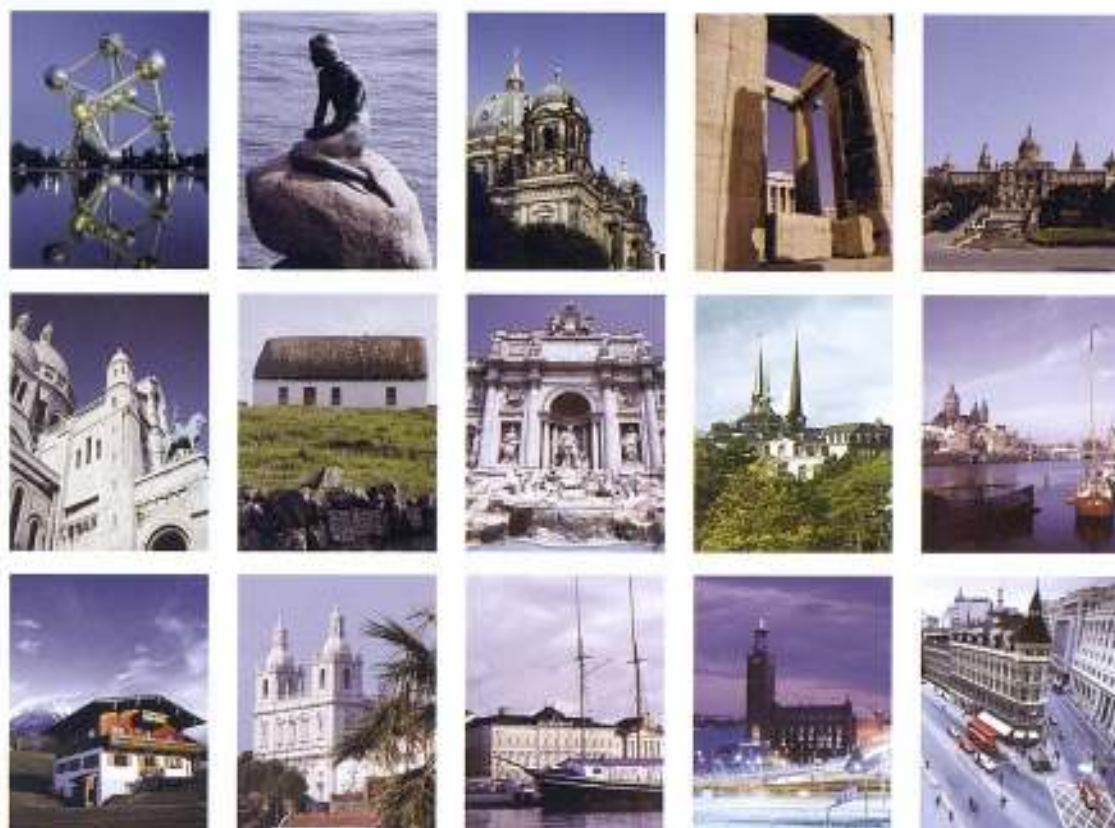
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