



7.10.2015

MISSION REPORT

following the visit to OHIM in Alicante, Spain (23-24.09.2015)

Committee on Legal Affairs

Members of the mission:

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Introduction

The Office for Harmonisation in the Internal Market (OHIM) was created as a decentralised agency of the European Union in 1993. It has been based in Alicante, in Spain, since 1994, where it manages the registration of the Community trade mark and the registered Community design.

In June 2012, OHIM was entrusted with the European Observatory on Infringements of Intellectual Property Rights, which brings public and private stakeholders together in the fight against piracy and counterfeiting.

On 23-24 September 2015, three Members of the Committee on Legal Affairs – competent for OHIM pursuant to Annex VI of the Rules of Procedure travelled to Alicante with the purpose of reviewing the state of play of the works of the Observatory and learning about the challenges that OHIM will face after the upcoming entry into force of the new Trademarks Package.

Summary account of meetings

The delegation started on 23 September 2015 with a working dinner hosted by the President of OHIM, António Campinos. Fabrice Claireau, Head of Cabinet, João Negrão, Director for International Cooperation and Legal Affairs Department, and Patrice Pellegrino, Head of OHIM's representation office in Brussels, also attended the dinner.

On Thursday 24 September, the delegation was welcomed again by António Campinos, who emphasised the good timing of the visit, which takes place shortly after the agreement on the negotiations of the Trademarks Package, which will in particular involve changes in the governing body of OHIM, on which the Parliament will now have a seat.

President Campinos announced his wish to address the Committee on Legal Affairs in order to present OHIM's five year strategic plan for 2016-2020. He described the changes undergone by OHIM since 2010, which now has a robust IT system and a modern working environment. OHIM has more than 250.000 users and receives applications from more than 190 countries.

A discussion took place regarding OHIM's surplus and its use for reinvesting in the modernisation of the Office and in 21 projects under the cooperation fund with national offices, the aim being to achieve a balanced budget by 2020.

OHIM is also working towards a 50/50 gender balance in management posts.

The delegation then visited OHIM's premises and listened to Ralph Pethke, Director of the Operations Department, who described the operations system for managing applications for registry, oppositions and cancellations. He also explained the work pooling system, which has

raised productivity enormously.

Members were introduced to the e-filing system and were given a practical demonstration of how to register a trade mark and a design.

A **working lunch** with Christian Archambeau, Vice-President of the Office, took then place.

Next, the delegation visited the new Auditorium.

Paul Maier, Director of the EU Observatory, presented the work of the **Observatory** and the recent study on the importance of intellectual property in the creation of growth and jobs, focussing on the particular case of SMEs.

A short individual interview with Members took then place.

Next, **Dimitris Botis**, Deputy Director of the Legal Affairs Department, presented the changes which will take place following the reform of the trademark system. As regards governance aspects, OHIM will become the European Union Intellectual Property Office, the President will become the Executive Director, and Parliament will have a representative on the management board.

Finally, President Campinos thanked the delegation for the visit, and a discussion took place regarding possible new competences of the office, for example in the field of geographical indications.

Conclusions

The visit to the office was timely, as it took place just after an agreement on the revision of the trademark system, and very useful, not only in terms of learning about the changes experienced by the office since the committee's last visit in 2011, but also as an opportunity to reflect on possible new Parliament's initiatives in the field of intellectual property rights.