Overview of OHIM: OHIM at a glance

Luis Berenguer, Cabinet
SEMINAR ON COMMUNITY TM & DESIGNS PROTECTION
Moscow, 7 march 2012

Mission & Legal framework

MISSION

The OHIM is a Community body (a regulatory agency of the EU, created by the Council upon proposal of the Commission);

▌ …with legal, administrative, technical and financial autonomy vis-à-vis the central EU Institutions;

MISSION

…whose task is to grant trade mark & design titles of protection valid and enforceable throughout the whole EU territory;

The **Community Trade Mark** (CTM) and the **Registered Community Design** (RCD) were created in order to offer simple, fast and cost effective trade mark and design protection for companies operating in the internal market of the **European Union.**

Resources & Facilities

OHIM has it physical seat in **Alicant**e in **Spain.**

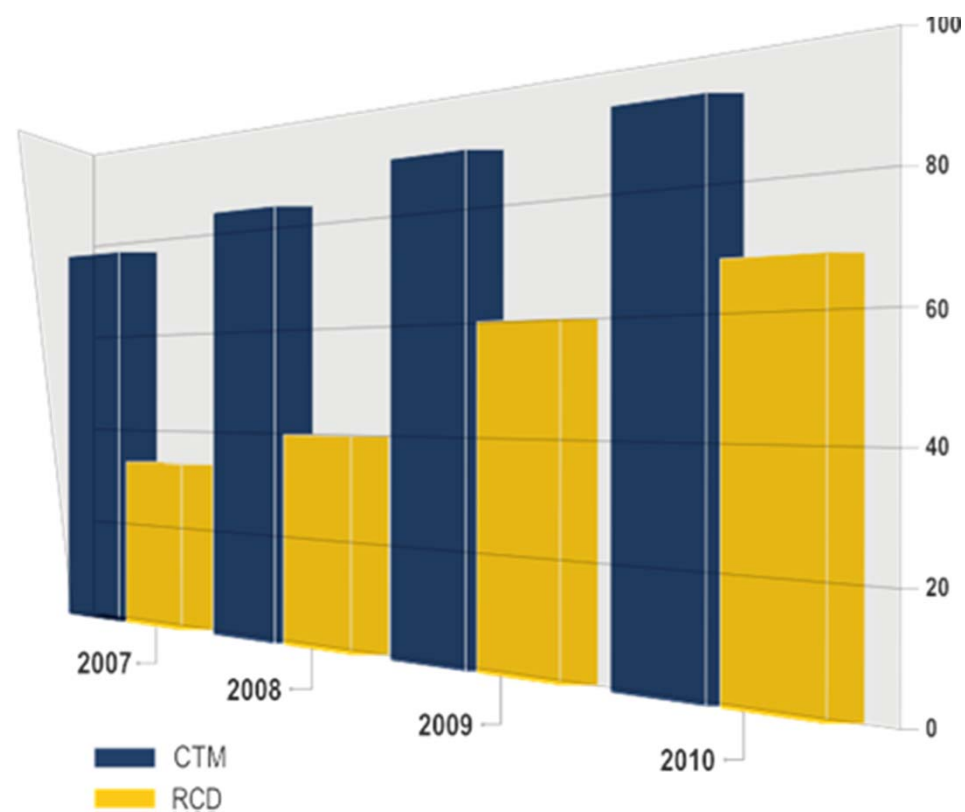However, OHIMs **actual** "virtual" **seat is on-lin**e, namely on:

www.oami.europa.eu

The **vast majority** of CTM and RCD applications are done **on-line**.
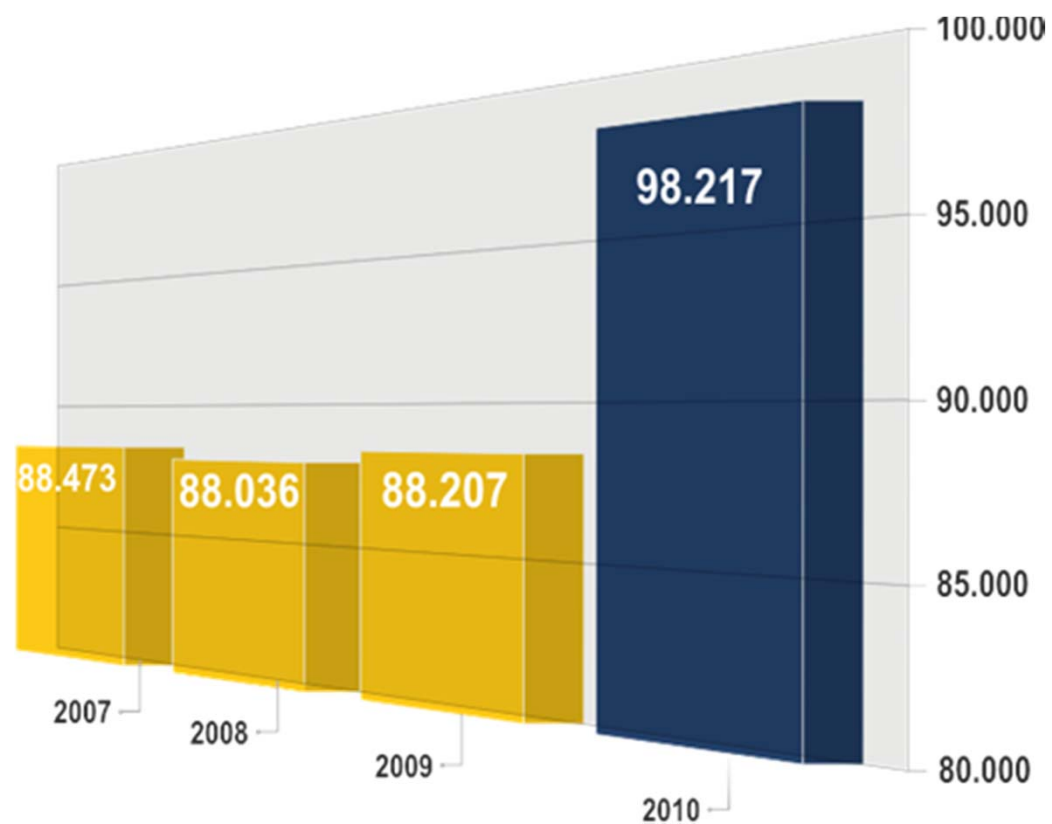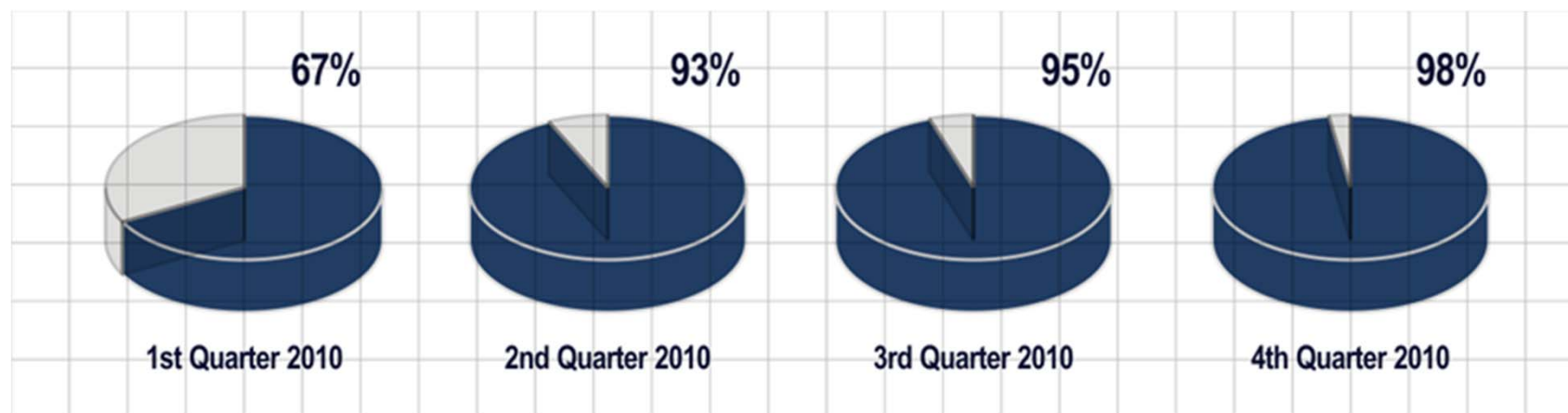
E-filing (CTM and RCD, 2007-2010)

CTM Figures

CTM APPLICATIONS RECEIVED (2007-2010)

CTMs PUBLISHED WITHIN 11 WEEKS (%)
(Straightforward cases excl, opposed or appealed)
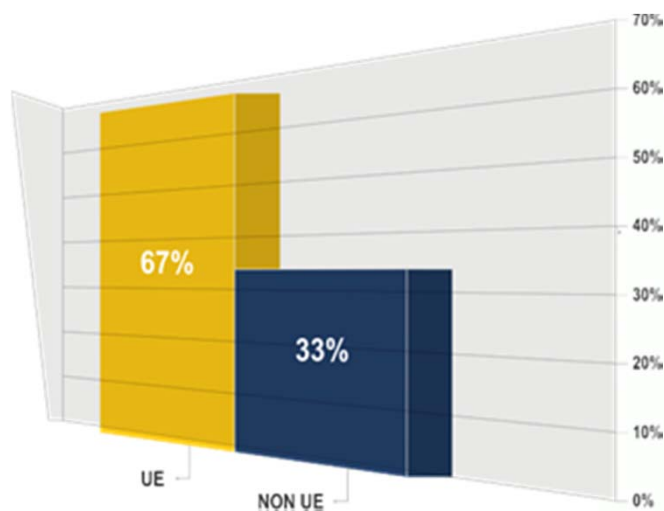
COUNTRY OF ORIGIN: TOP 5

DE	19,91 %
US	18,29 %
UK	11,63 %
IT	8,44 %
ES	8,29 %

More than 350 000 companies using the CTM system

CTM applications – top filers

▌Intra EU CTM applications: count for around 70% of the total applications.
CTM top filers: Germany, United Kingdom, Italy, Spain and France

▌Non-EU CTM top filers: US, Switzerland, Japan, Canada and Australia

● UE
● NON UE

Source: OHIM
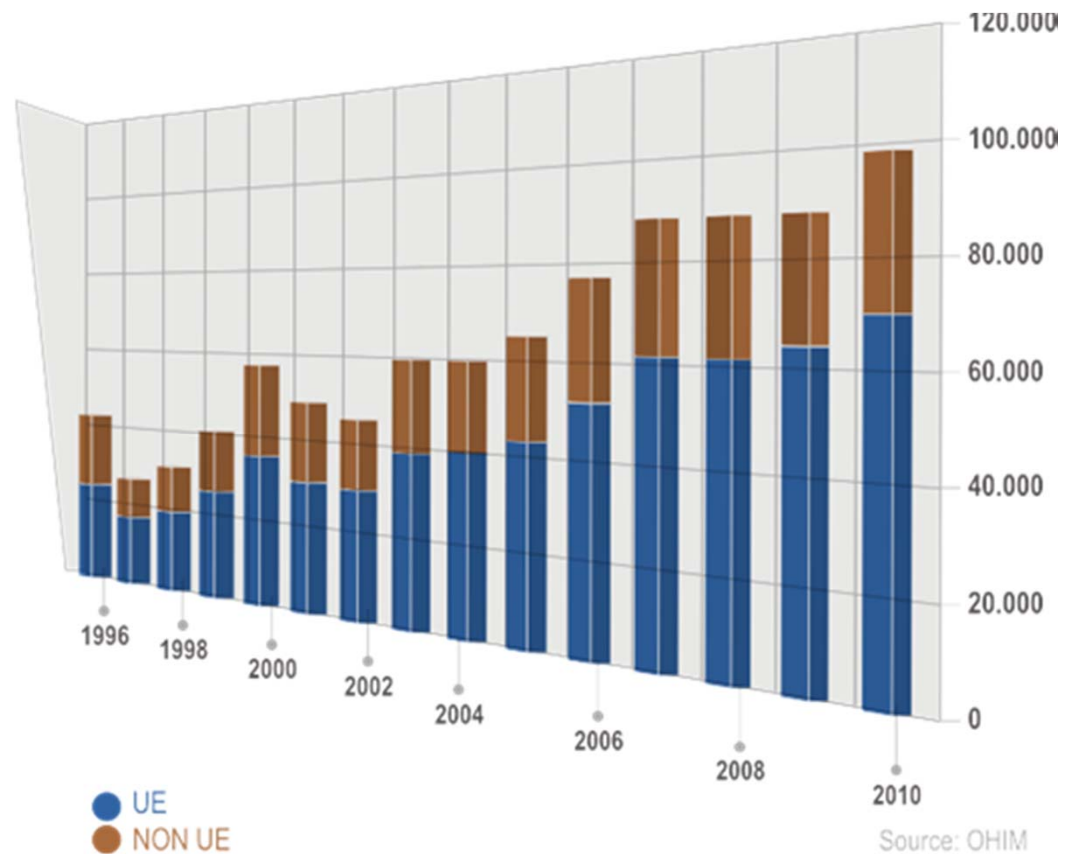
CTM applications- type of companies

▌The vast majority of new CTM owners are SMEs which is a change from the start where 35% were SLEs.
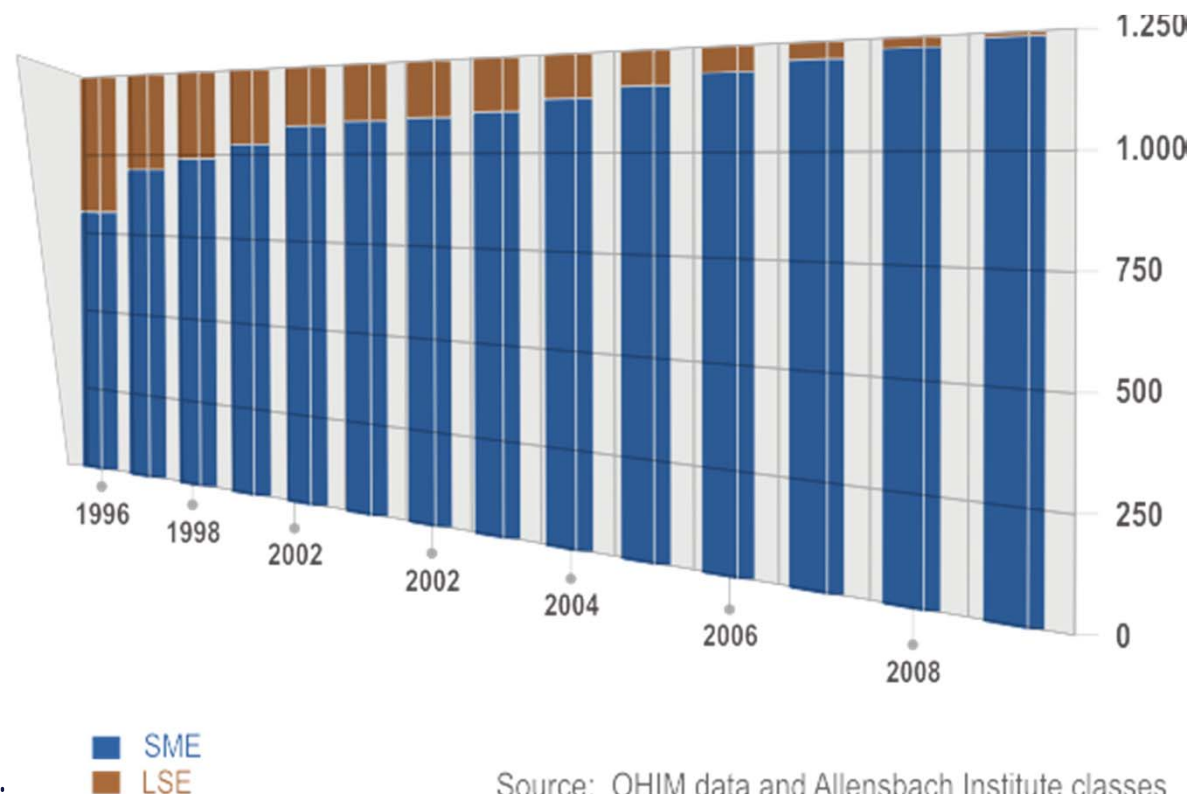
■ SME
■ LSE

Source: OHIM data and Allensbach Institute classes

CTM applications- sectorial

Top 10 Nice Classification Code	CTMA related to this Class	% against received in the year
09	24,933	25.36%
35	24,409	24.83%
42	17,049	17.34%
41	15,748	16.02%
25	13,096	13.32%
16	12,206	12.42%
05	9,950	10.12%
03	8,770	8.92%
38	8,420	8.56%
30	7,302	7.43%
Total Received:		98,313

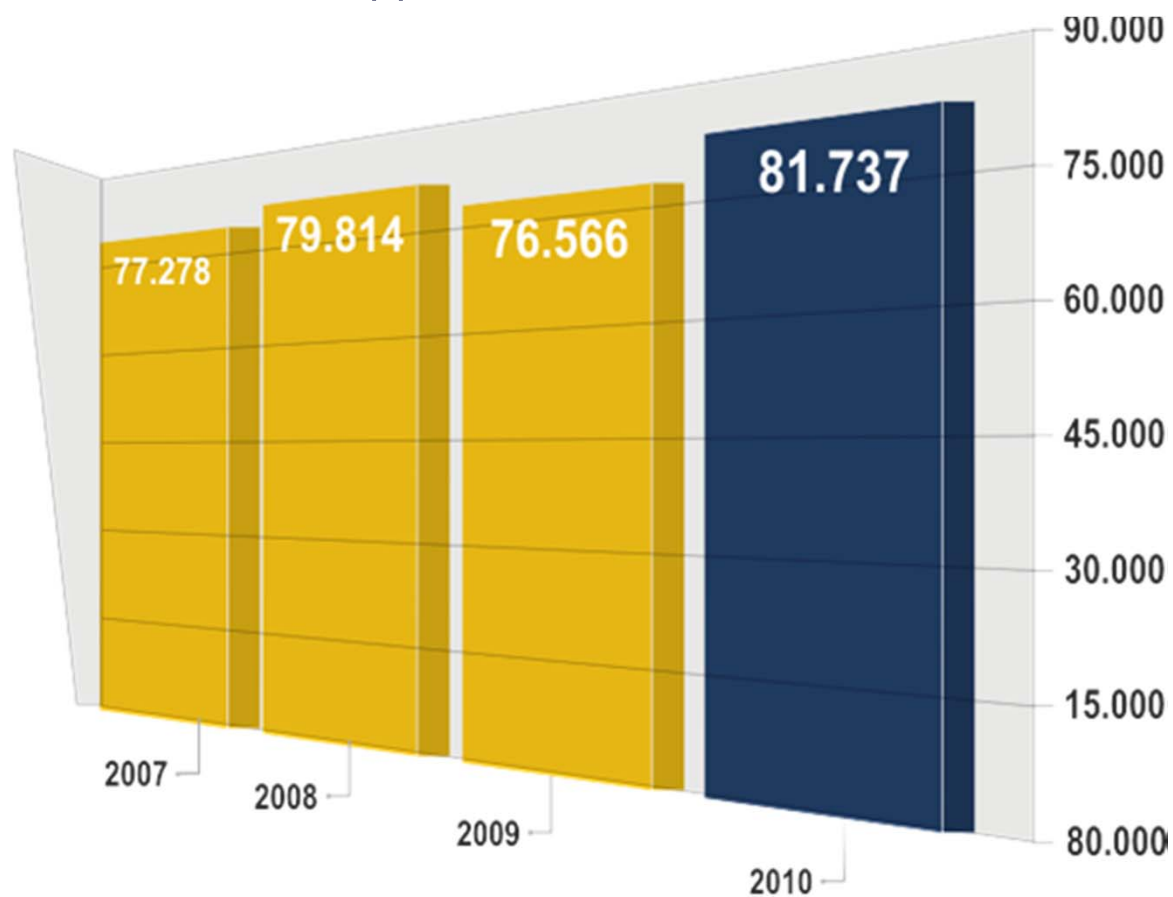▌ The 10 most common Goods & Services covered by a CTM.

RCD Figures

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

DESIGN RECEIVED (Inc. International Apps) (2007-2010)

RCDs REGISTERED within 45 Days (%)
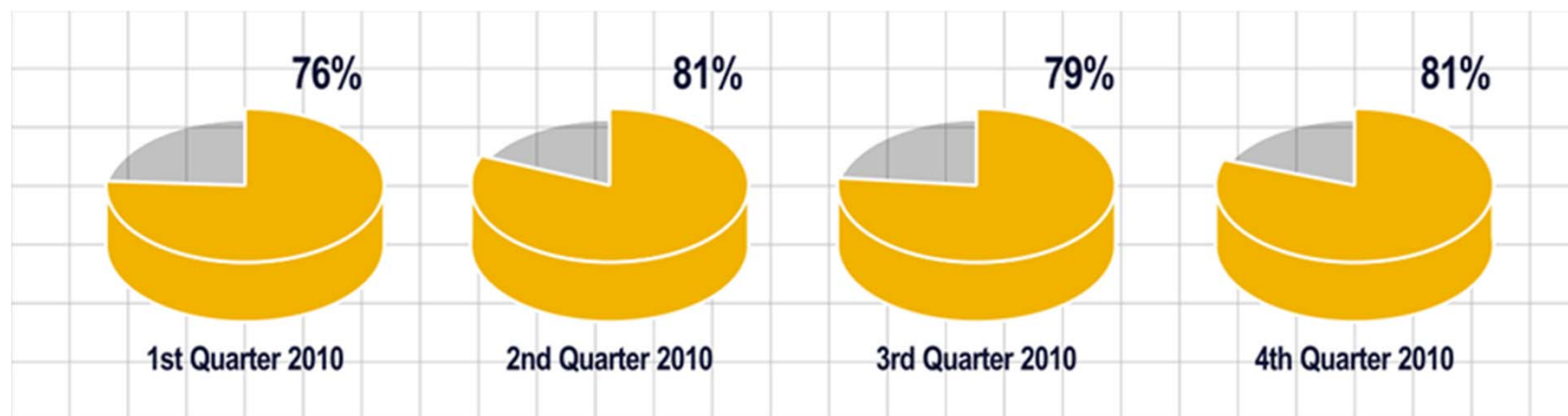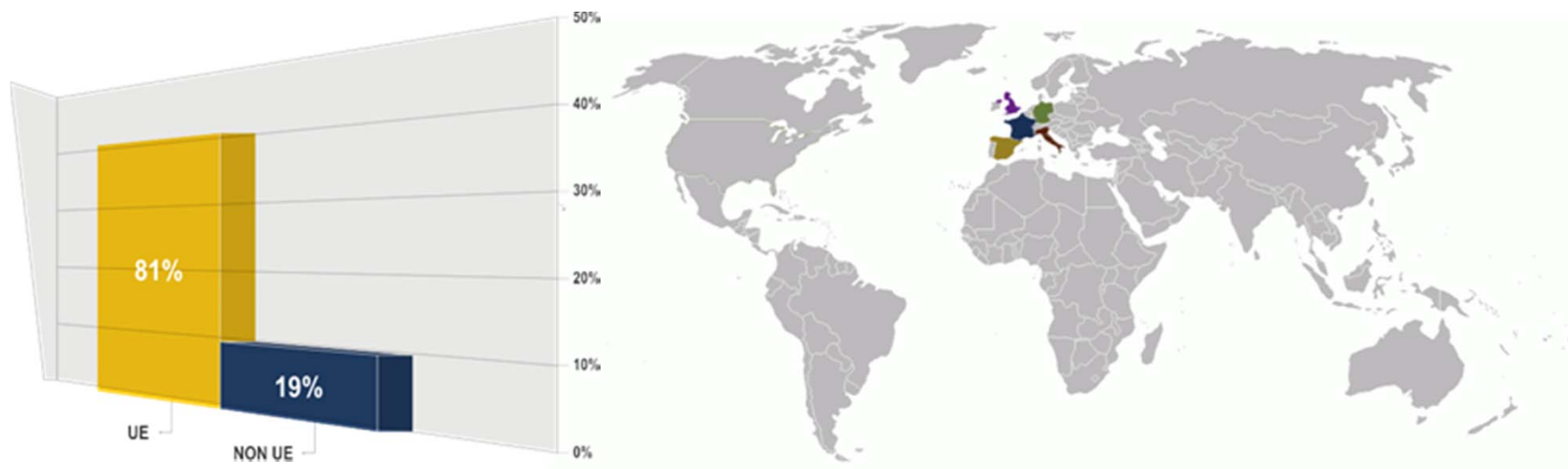
COUNTRY OF ORIGIN: TOP 5	
DE	24.48 %
IT	14.56 %
FR	8.64 %
US	8,21 %
UK	6.71 %

RCD applications - countries

▌Since the start in 2003 around 80% of the RCD applications came from within the EU.

▌Intra EU RCD top filers: Germany, Italy, France, United Kingdom and Spain

▌Non-EU top filers: US, Japan, Switzerland, China and South Korea
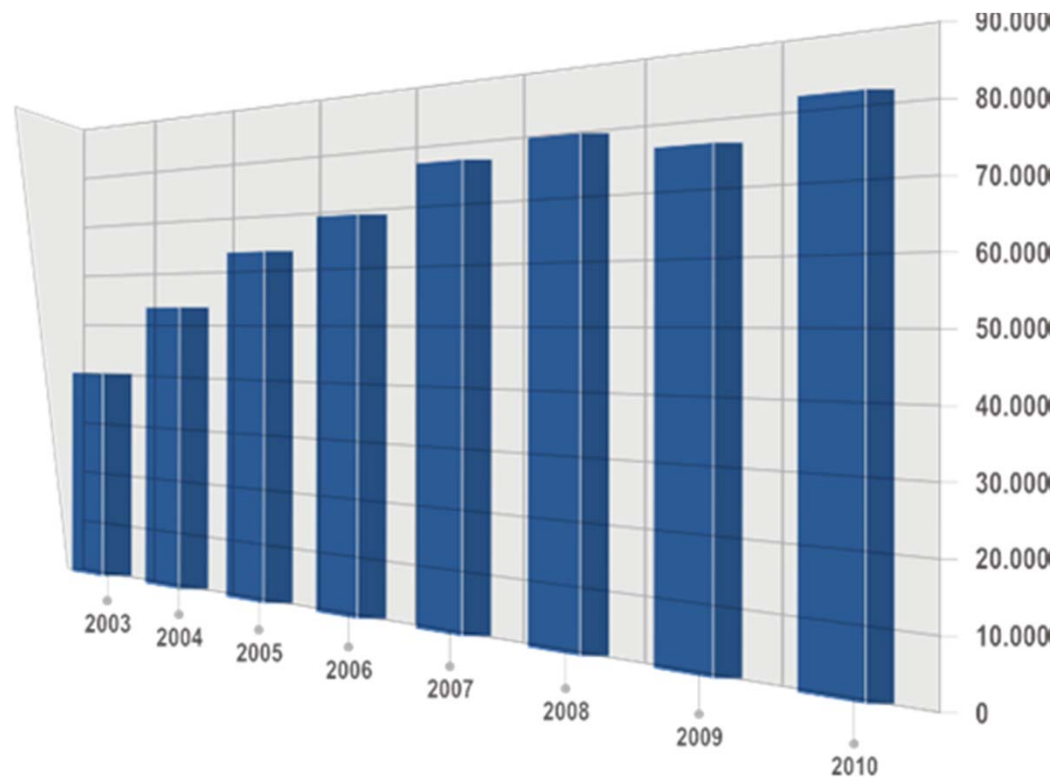
Source: OHIM

RCD applications- sectorial

Top 10 Eurolocarno Code	RCDs related to this Class	% against received in the year
06	9,463	12.64%
02	8,547	11.42%
09	5,246	7.01%
26	4,963	6.63%
23	4,783	6.39%
14	4,553	6.08%
07	4,206	5.62%
08	3,612	4.82%
32	3,604	4.81%
12	3,584	4.79%
Total Received:		74,873

▌The 10 most common Goods & Services covered by a RCD.

Trade Marks

▮ Trade Mark applications in the EU

▮ Turning to trends within the EU, both CTM and national trade marks have grown between 1996 and 2008, even though the curve went down during the economic downturn in 2009

● TOTAL EU 27 FILINGS
● OHIM FILINGS

Source: WIPO and OHIM
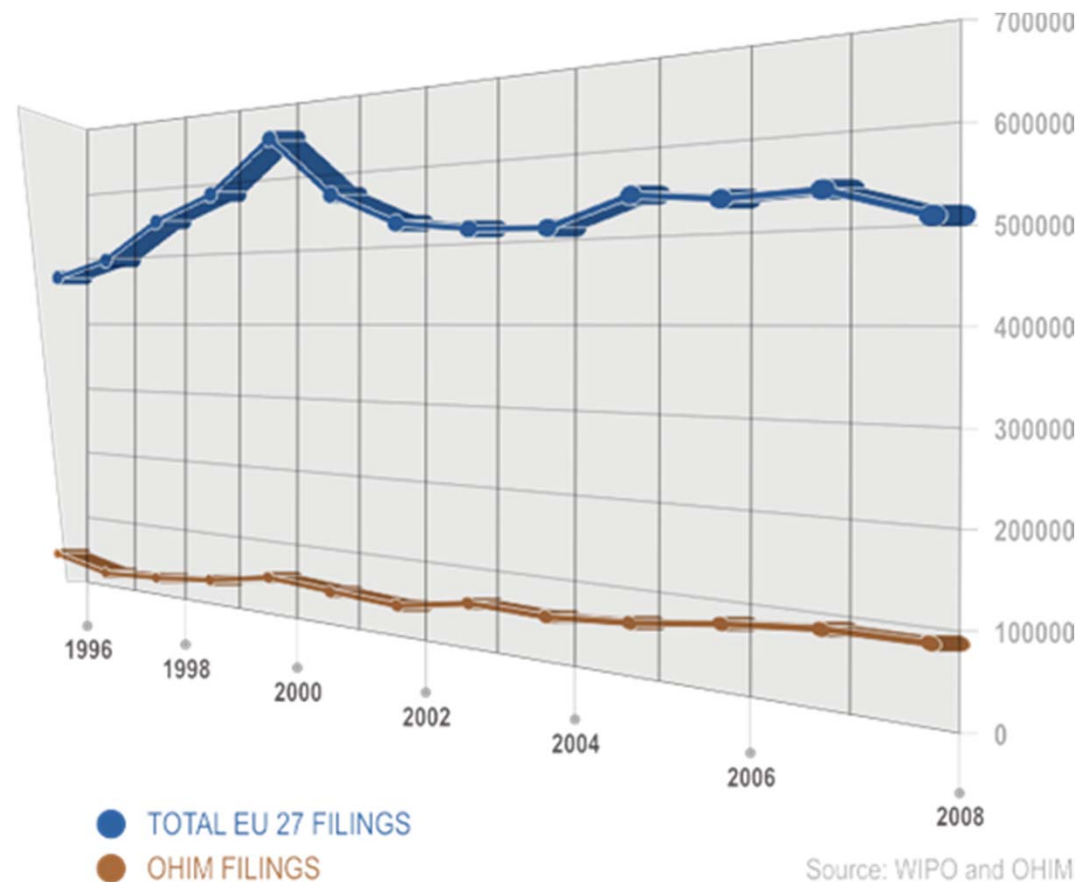
CTM & RCD applications - countries

▌Emerging economies: both CTM and RCD applications are growing, but from a very low base.

Chart 11: CTM applications in BRIC countries
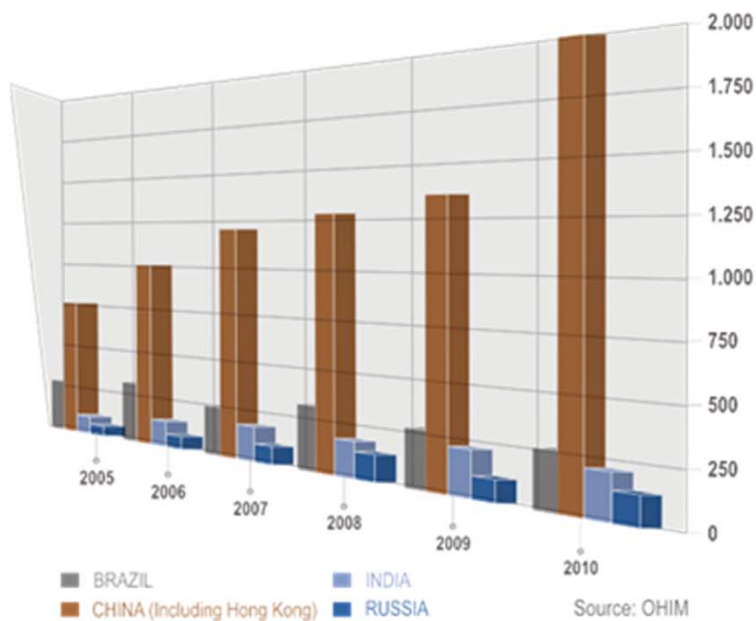
Chart 15: RCD applications in BRIC countries
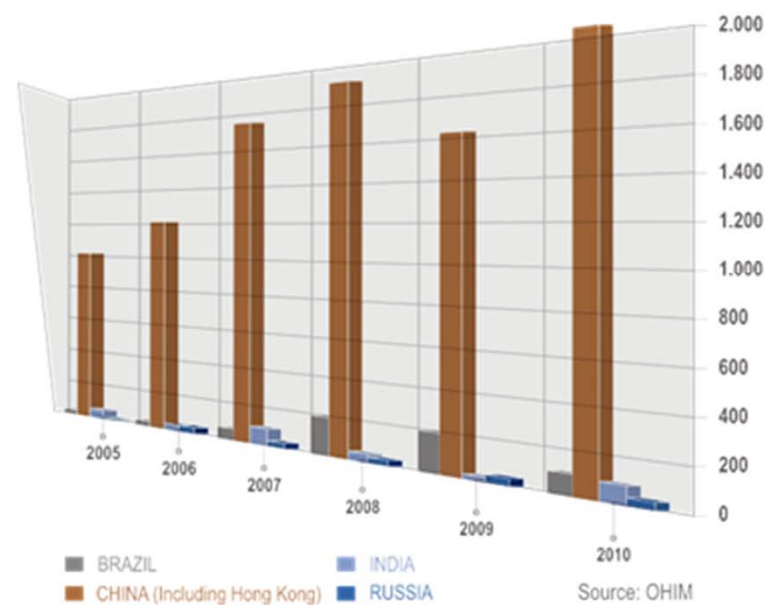
Forecasts in numbers

▌CTM and RCD
applications, CTM
oppositions

▌Forecasts based on a
"low – medium – high"
scenario.

Chart 16: Projection of CTM application expectations
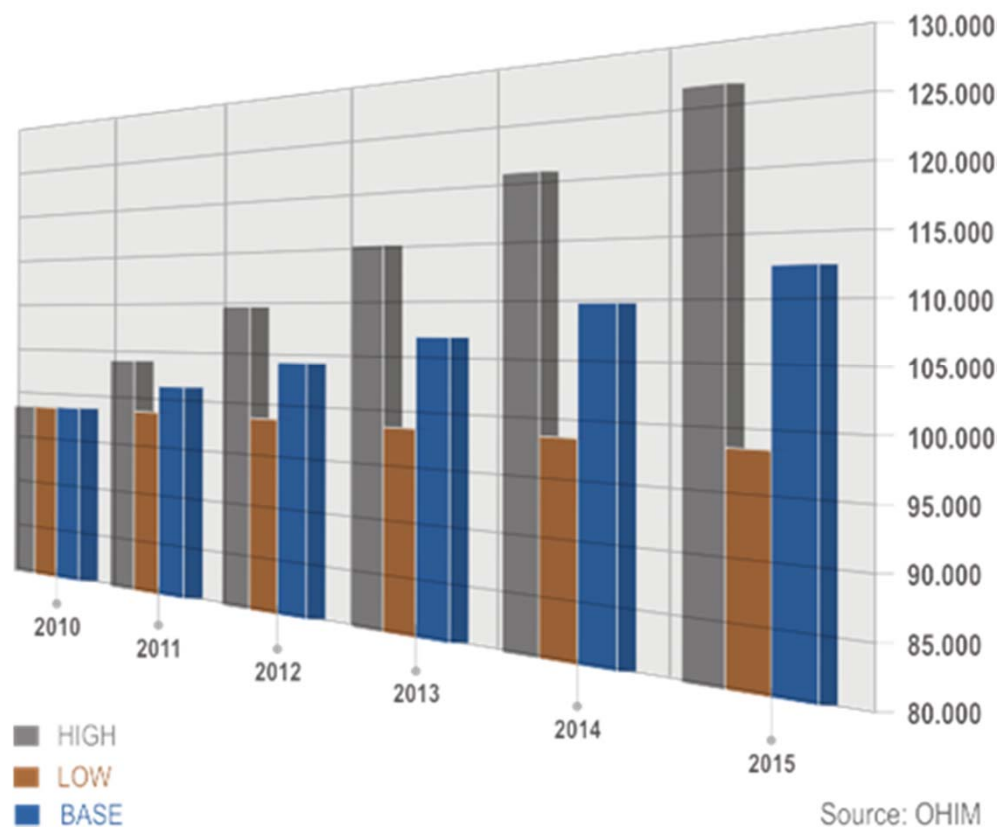
OHIM Strategy
2011-2015

The Consultation Process:

The Strategic Plan was elaborated within the context of the trends in the IP world and was consolidated through **a large consultation process** with:

- OHIM staff
- External auditors
- National, Regional, and
- International IP Offices and of course with Users

The 2011-2015 Strategic Plan has three fundamental goals

OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET
(TRADE MARKS AND DESIGNS)
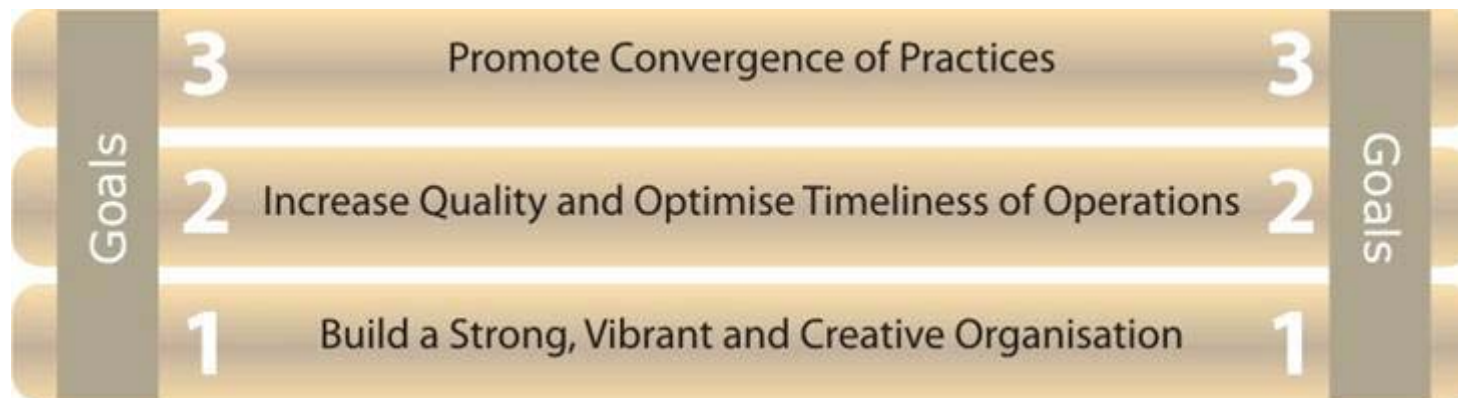
The Strategic Plan is based on the two pillars of the OHIMs functionality and in order to consolidate the success of a the last 15 years

Pillar I

Organisational Excellence

Pillar I

Pillar I
Organisational Exellence

Pillar II

International Cooperation

Pillar II

Pillar II
International Cooperation

The Strategic Plan is constituted by 32 key initiatives which have been organized
into 6 lines of action.

Lines of Action

6	Development of the European Network (Enabling International Co-operation)
5	Improvement & Broadening of Quality (Holistic Quality)
4	Establishment of the IP Academy and Knowledge Repository (Thought Leadership)
3	Expansion & Optimisation of the Working Environment (Building the Future)
2	Simplification & Modernisation of Information Systems (OHIM 3.0)
1	HR Reform and Cultural Renewal (Excellence through People)

Office for Harmonization in the Internal Market
(Trade Marks and Designs)

As a result of this OHIM will achieve organitation of excellence and contibute to develop the **EUROPEAN TRADEMARK AND DESIGN NETWORK**

OHIM STRATEGY

VISION 2015
European Trademark and Design Network

3 Promote Convergence of Practices **3**

2 Increase Quality and Optimise Timeliness of Operations **2**

1 Build a Strong, Vibrant and Creative Organisation **1**

Goals

Pillar I

Organisational Excellence

Lines of Action

Pillar II

International Cooperation

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(Enabling International Co-operation)

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Knowledge Repository (Thought Leadership)

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(Excellence through People)

Pillar I

Pillar II

The Objectives:

The 2011-2015 Strategic
Plan has three
fundamental objectives

The Pillars:

The Strategic Plan is a
tool inspired by the two
pillars of the OHIMs
functionality and in order
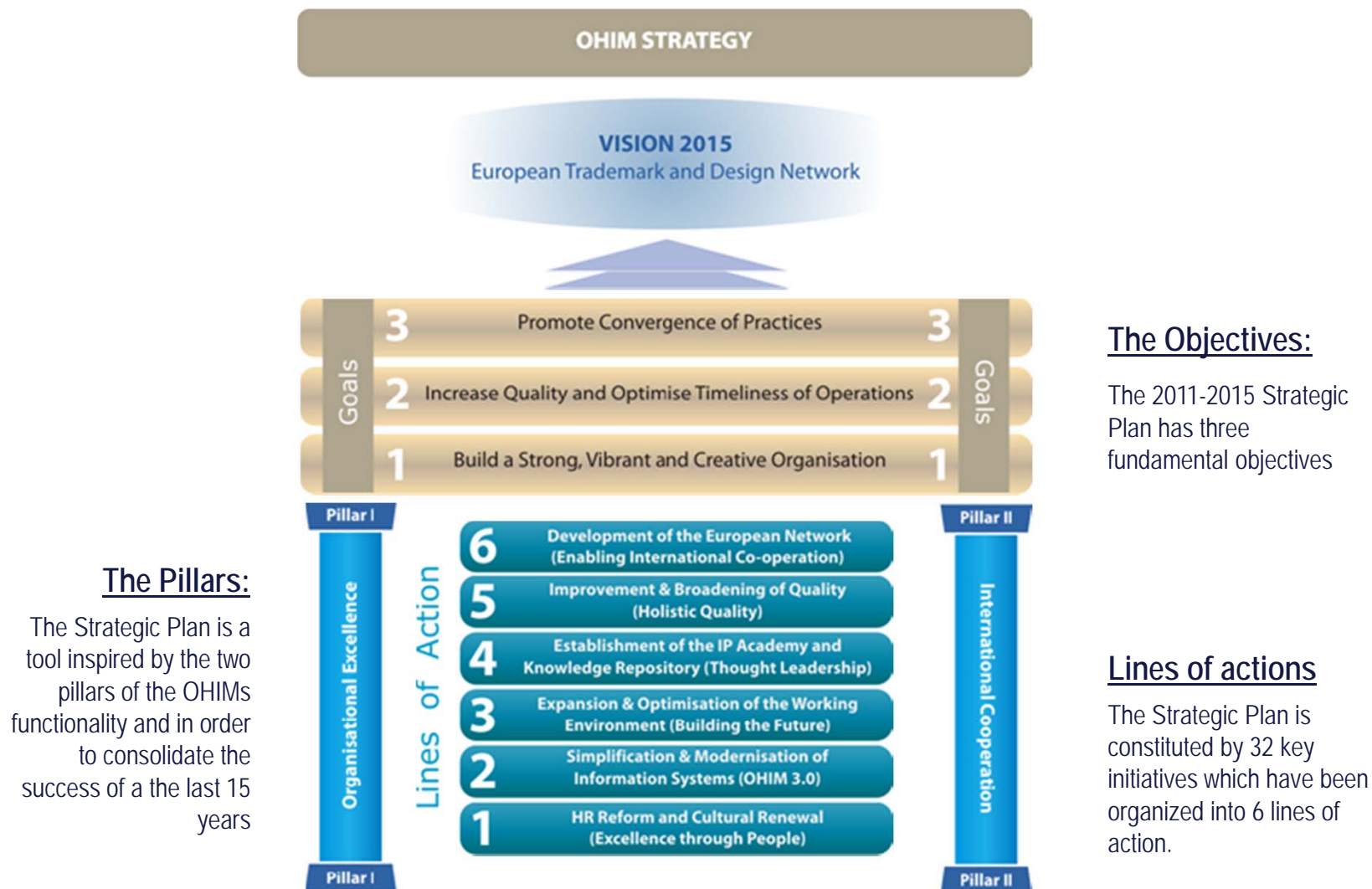to consolidate the
success of a the last 15
years

Lines of actions

The Strategic Plan is
constituted by 32 key
initiatives which have been
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THANK YOU.

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