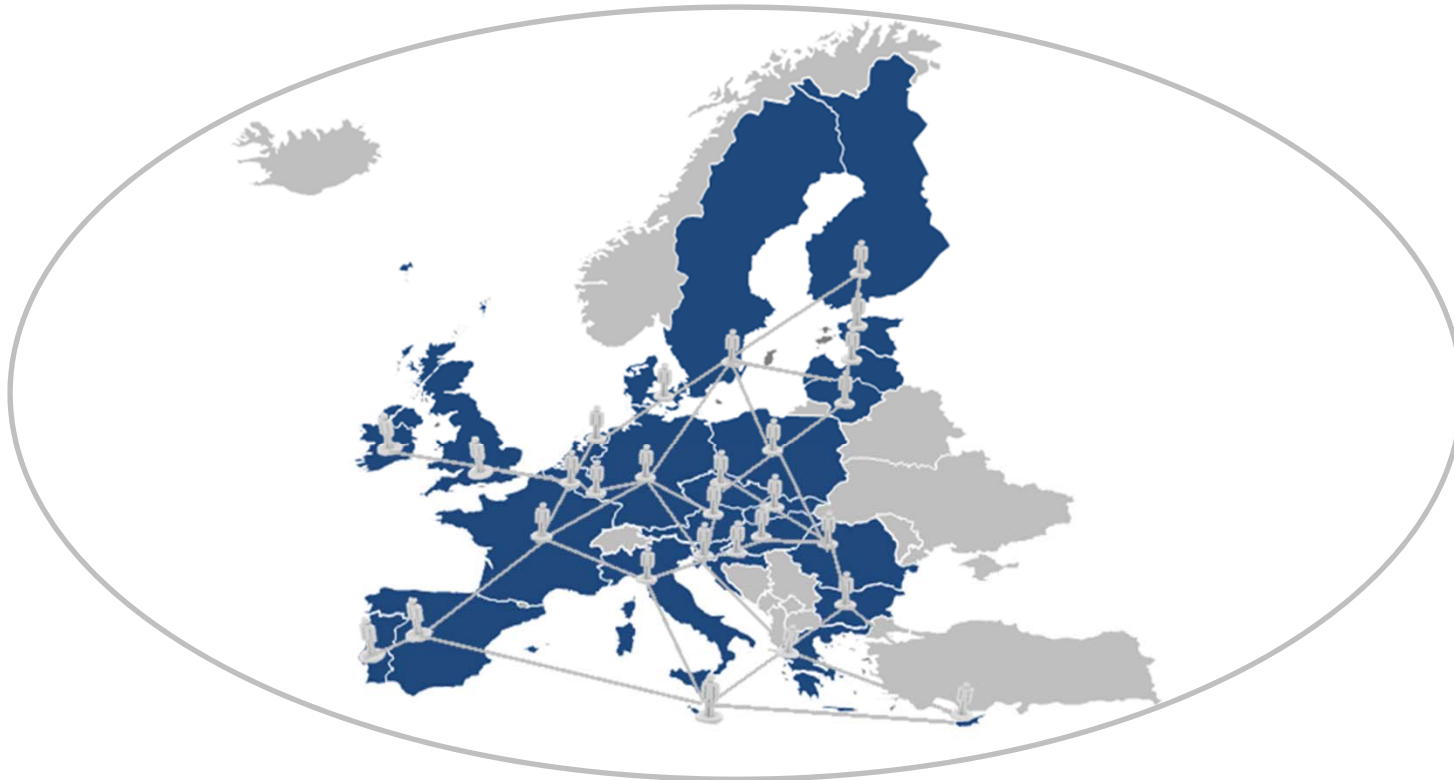


Bridging the national and EU Trade Mark systems



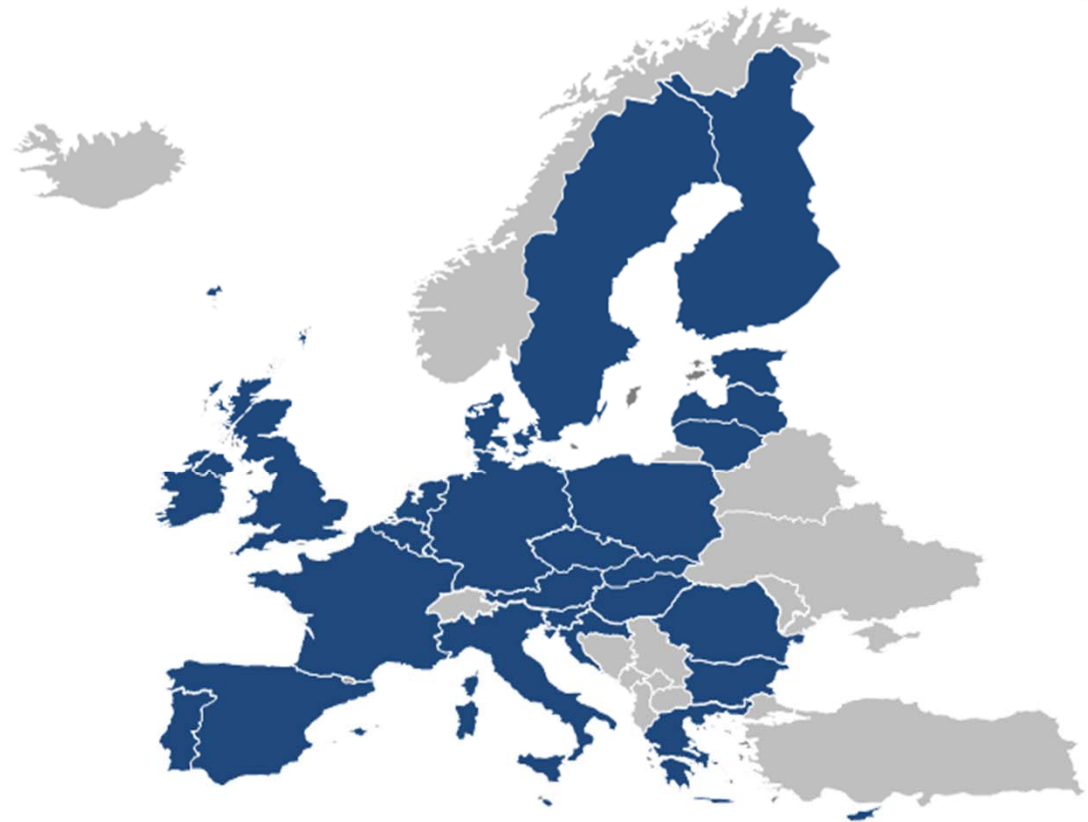
João Negrão
EUIPO
Bucharest, 5 March 2019

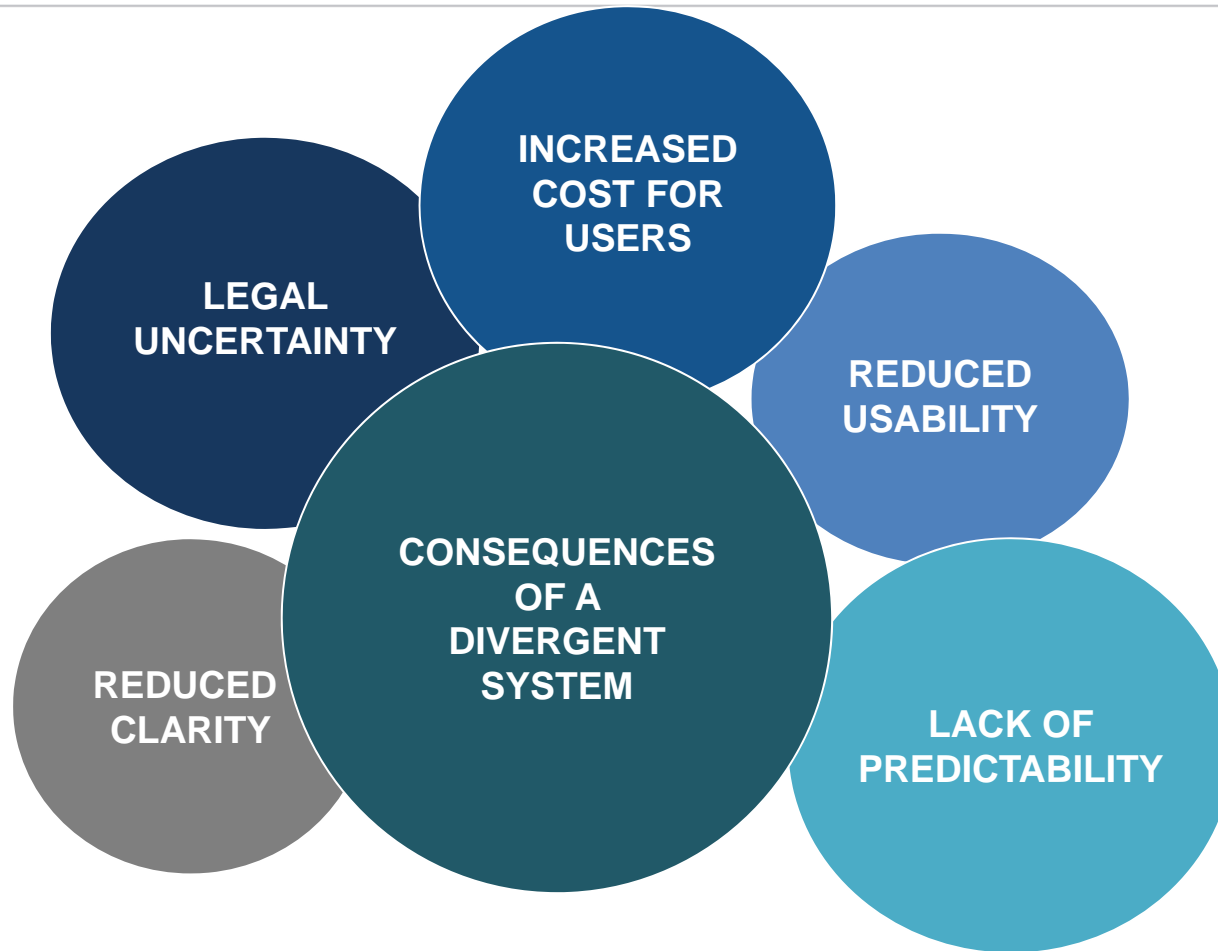
 **EUPN**
EUROPEAN UNION
INTELLECTUAL PROPERTY NETWORK



THE EUROPEAN TRADE MARK SYSTEM : TWO TIER SINCE 1994

- National level
- European level
- Co-existence
- Harmonisation of Laws
- Divergent practices
- Divergent User Experience







- Modernisation of IP Offices (Cooperation Fund/ECPs)
- Common Tools
- Convergence of Practices
- Common Guidelines





COMMON TOOLS

SEARCH

- TMview
- Designview
- Image Search

- Back Office TMs
- Back Office DS
- Historical Files
- User Repository

BACK OFFICE

FILING

- E-Filing TM
- E-Filing DS
- E-Services

- E-Learning
- Contact Centre Database
- User Satisfaction Survey

MGT/SUPPORT

EXAM.

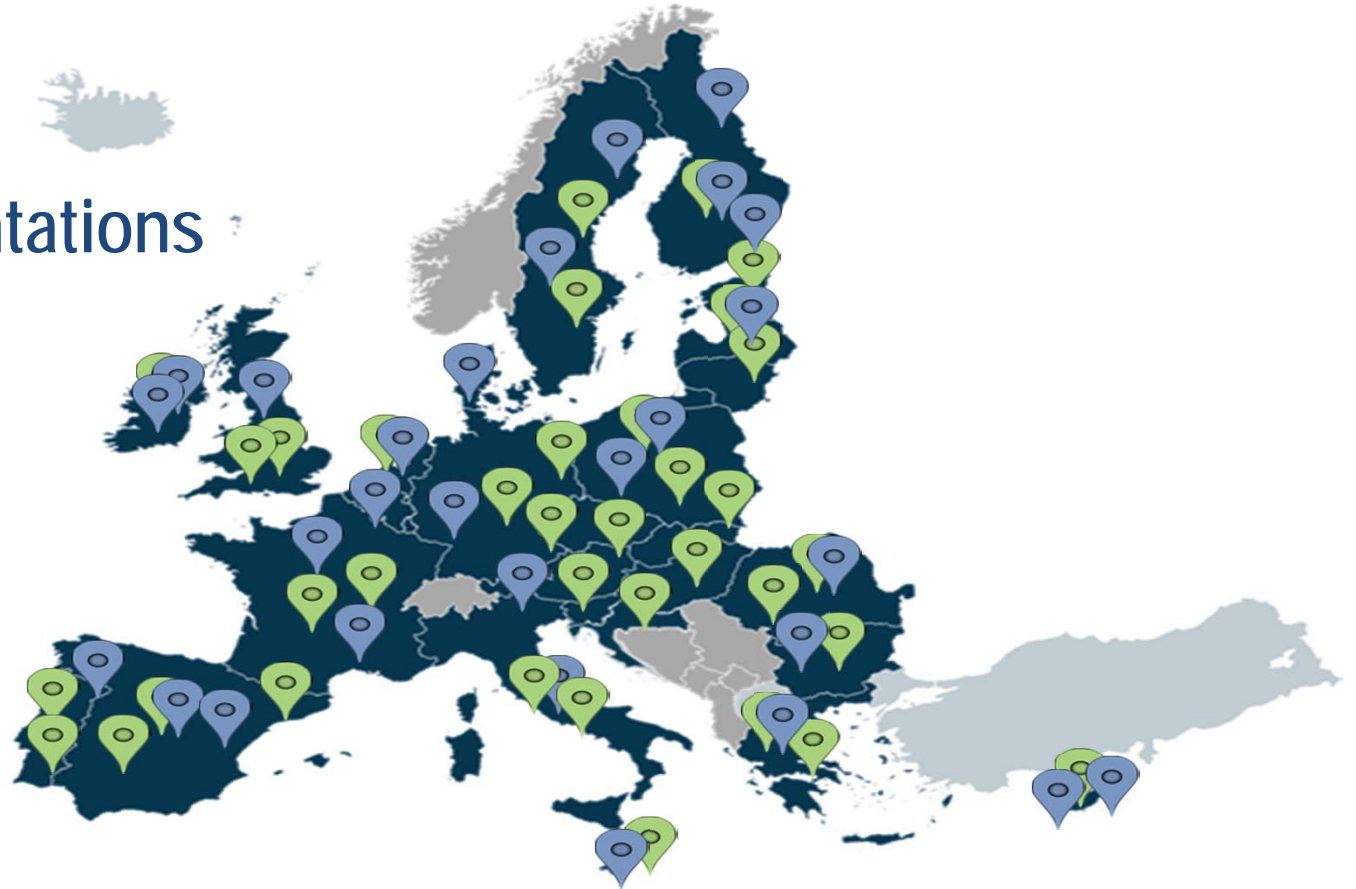
- TMClass
- CESTO
- Decision Desktop
- Similarity
- Seniority

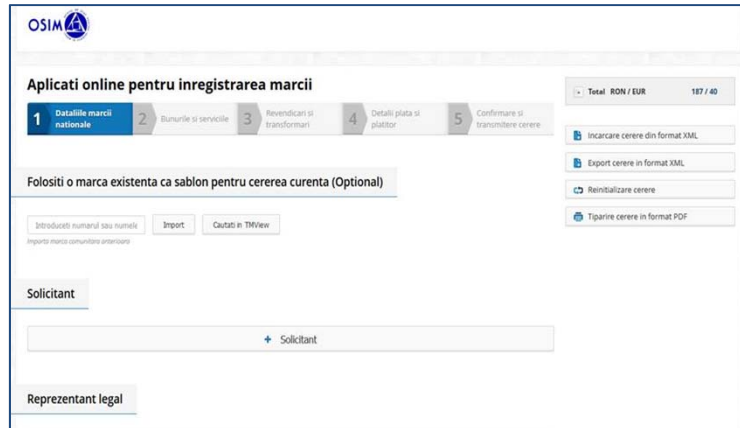
- Common Gateway
- Quality Standards
- Forecasting Methodology

ENFORCEMENT

- 4.22 Enforcement Database
- 4.23 Anti-Counterfeiting Tool

500+ Implementations





OSIM

Aplicati online pentru inregistrarea marci

Total RON / EUR 137 / 40

1 Detalii marci nationale 2 Bunurile si serviciile 3 Revendicare si transformari 4 Detalii plata si platitor 5 Confirmare si transmitere cerere

Folositi o marca existenta ca sablon pentru cererea curenta (Optional)

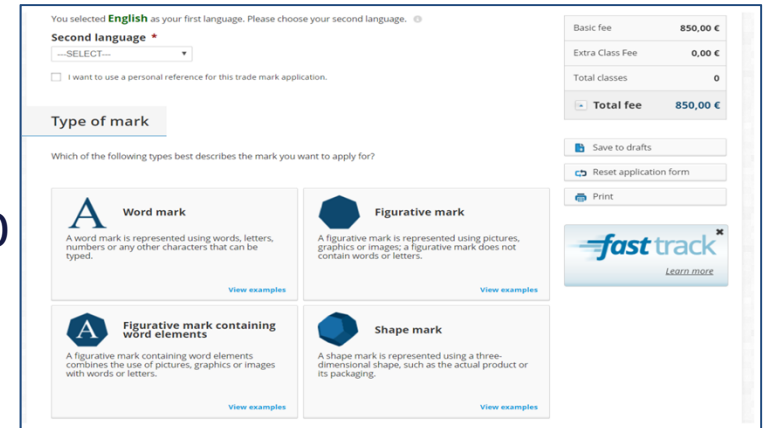
Introduceti numarul sau numele Importa marca comunitara anterioara

Solicitant

Reprezentant legal

Romania

EUIPO



You selected **English** as your first language. Please choose your second language.

Second language

Basic fee 850,00 €

Extra Class Fee 0,00 €

Total classes 0

Total fee 850,00 €

Type of mark

Which of the following types best describes the mark you want to apply for?

Word mark
A word mark is represented using words, letters, numbers or any other characters that can be typed.

Figurative mark
A figurative mark is represented using pictures, graphics or images; a figurative mark does not contain words or letters.

Figurative mark containing word elements
A figurative mark containing word elements combines the use of pictures, graphics or images with words or letters.

Shape mark
A shape mark is represented using a three-dimensional shape, such as the actual product or its packaging.

fast track



Pedido de registo de marca online

Total Taxas 126,17

1 Detalhes da marca 2 Produtos e servicos 3 Marcas semelhantes 4 Os seus dados pessoais 5 Confirmação e dados para pagamento

Detalhes da marca

Nesta primeira etapa, irá indicar o tipo de sinal e a marca a registar.

Tipo de sinal

Qual dos seguintes tipos e sub-tipos de sinal descreve melhor a marca que quer registar?

Verbal
Uma marca verbal contém exclusivamente palavras, letras, números ou qualquer carater que possa ser digitado/desdigitado. Não inclui qualquer elemento figurativo.

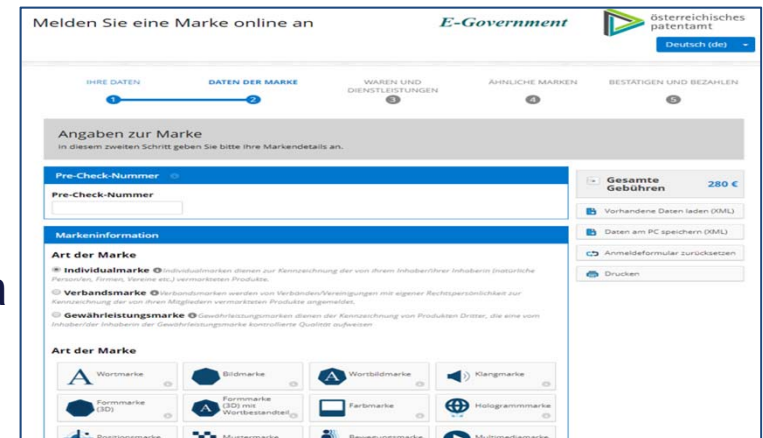
Figurativa
Uma marca figurativa é exclusivamente composta por imagens ou desenhos. Não contém palavras, letras ou números.

Mista
Uma marca mista contém imagens ou desenhos, usados juntamente com palavras, letras ou números.

Tridimensional
A marca tridimensional protege a forma de um produto ou de respetiva embalagem. Pode ser combinado o uso de uma forma tridimensional com elementos verbais ou figurativos.

Portugal

Austria



Melden Sie eine Marke online an

E-Government österreichisches Patentamt

ihre DATEN 1 DATEN DER MARKE 2 WAREN UND DIENSTLEISTUNGEN 3 ÄHNLICHE MARKEN 4 BESTÄTIGEN UND BEZAHLEN 5

Angaben zur Marke

In diesem zweiten Schritt geben Sie bitte Ihre Markendetails an.

Pre-Check-Nummer

Gesamte Gebühren 280 €

Markeninformation

Art der Marke

Individualmarke
Verbandsmarke
Gewährleistungsmarke

Art der Marke

Wortmarke Bildmarke Wort-Bildmarke Klangmarke

Formmarke (3D) Farbmarke Hologrammarke

Positionsmarke Mustermarke Bewegungsmarke Multimediale Marke

KEY PERFORMANCE INDICATORS

Code	Indicator Name	Unit	Target 2018	2018 Q4
3.1	National Offices satisfaction with ECP Tools (Back Office)	%	73%	78%

Code	Indicator Name	Unit	Target 2018	2018 Q4
3.3	eFiling in the network done using ECP tools	%	73%	80.1%

CONVERGENCE OF PRACTICES

CP1 Harmonisation of Classification – General Indications

CP2 Convergence of Class Headings

CP3 AG – Figurative marks containing non-distinctive words

CP4 Scope of protection of Black & White Marks

CP5 RG – LoC (Impact of non-distinctive/weak components)

CP6 Graphical representation of designs

CP7 Harmonisation of Product Indications

CP8 Use of a TM in a form differing from the one registered

CP9 Distinctiveness of shape marks containing other elements when the shape itself is non-distinctive

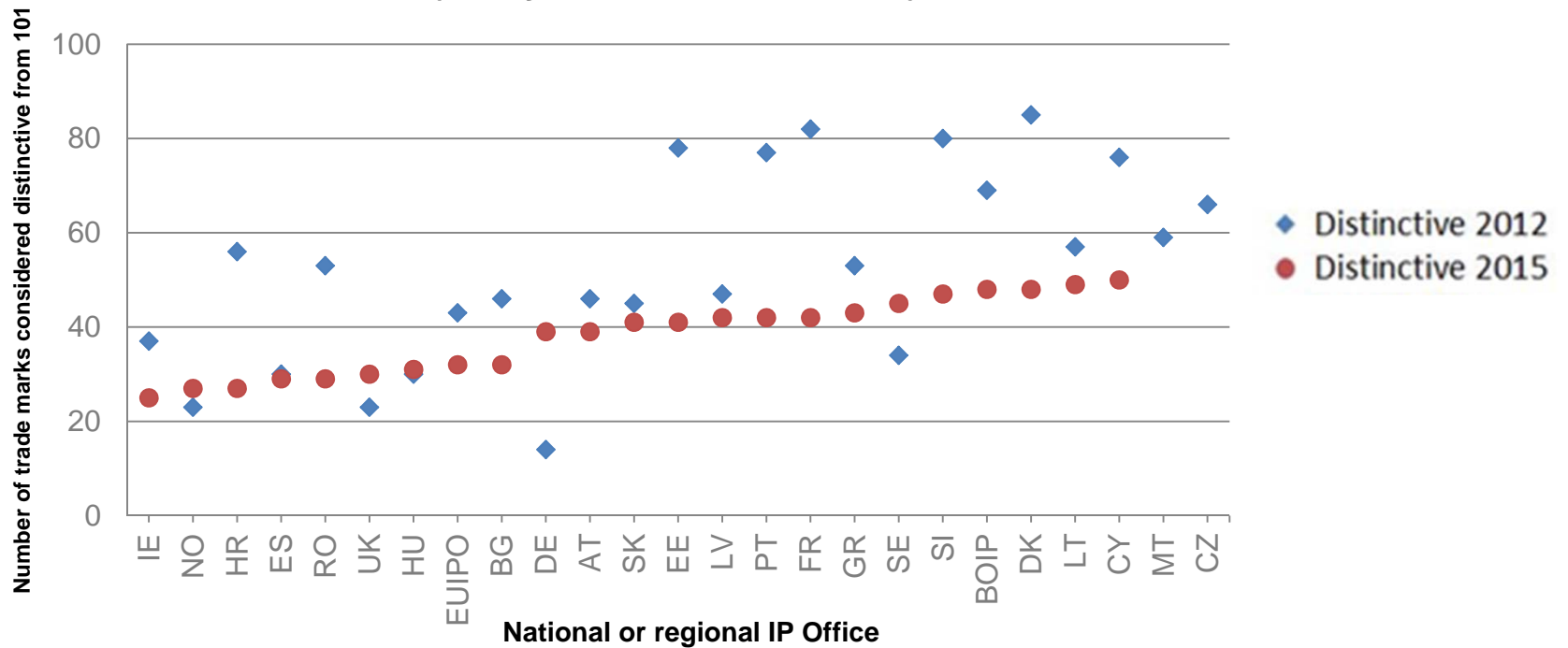
CP10 Criteria for assessing disclosure of DS on the internet

CP11 New types of marks

CP12 Evidence in appeal proceedings

BENEFITS: CP3 Distinctiveness – Figurative Marks containing descriptive/non-distinctive words

CP3 Distinctiveness by national or regional IP Office
(Survey results for 2012 and 2015)



LEGAL REFORM

- EUTMR and TMD
- Modernise and streamline TM Systems in Europe
- Mirroring effect between EUTMR and TMD
- Legal Framework for Cooperation



TRANSPOSITION OF THE TM DIRECTIVE

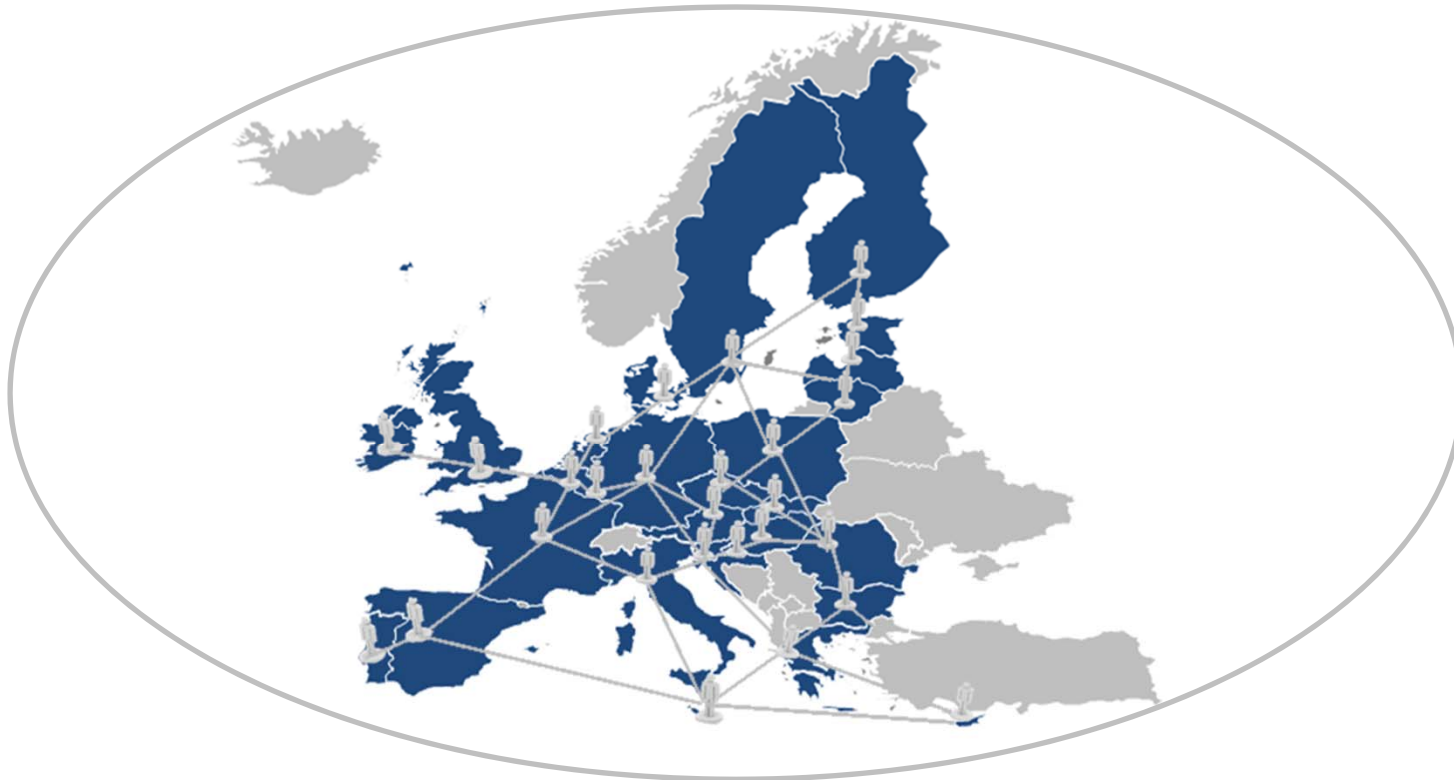
- Technical support to EU IP Offices:
 - Reference texts
 - Transposition network

- Common Communication on the representation of new types of trade marks:
 - Accepted types of marks
 - Definitions and means of representation
 - Acceptable electronic file formats

- CP11 New types of marks



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Thank you