

WEEKLY NEWS - APRIL 19, 2010 Hungary wants greater role for national IP offices

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The Hungarian government has urged EU member states to ensure that national trade mark protection is maintained as a "reasonable option" for trade mark applicants in Europe

It made its call in amendments it submitted to [draft Council conclusions on the future revision of the EU's trade mark system](#) published on Wednesday.

Its proposed amendments also call on the European Commission to propose changes to the trade mark regulation and directive that would involve OHIM in combating counterfeiting, "in particular through fostering its cooperation with the National Offices and the European Observatory on Counterfeiting and Piracy".

The original draft conclusions, prepared by the Spanish presidency of the EU, suggested that OHIM's role and mission be expanded.

Tove Graulund, MARQUES' observer on OHIM's Administrative Board, which is made up of representatives from each EU member state, told *Managing IP* that many of the conclusions in the draft document are being proposed too early, since they pre-empt the findings of a [study into the working of the European trade mark system](#) being undertaken by the Max Plank Institute.

The Institute is due to host a meeting with users of the trade mark system to discuss proposals on Thursday.

Graulund said users' groups are particularly concerned about proposals to extend OHIM's remit into fighting fakes. Last year the five trade mark user groups that sit as observers on OHIM's Administrative Board warned the European Commission that if IP offices moved into anti-counterfeiting work it would be a "significant departure" from their activities.

"Anti-counterfeiting work in Europe is a mess. The Commission needs to simplify its own anti-counterfeiting responsibilities - at the moment it is divided between a number of directorates. They don't want to add another player in the field before they do that," Graulund said.

And she added that she suspected that Hungary's proposal to give national offices a role in anti-counterfeiting work was designed to allow it to apply for OHIM subsidies.

The proposals were due to have been discussed at a meeting of the Working Party on Intellectual Property (Trade Marks) on Thursday.