

**OHIM lays groundwork for fee surplus reallocation
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International procedures
National procedures

The Office for Harmonization in the Internal Market (OHIM) is proposing to appoint a management team within the office of the president to decide how to spend the €50 million earmarked for the Technical Cooperation Fund, *WTR* has learned.

At a series of meetings in Alicante this week, OHIM explained to member states that since the money is owned by an EU agency its reallocation has to comply with strict regulations. However, observers report that some member states, which had expected to have a more direct say in how to allocate the funds, were surprised by this announcement. The proposed management board is expected to be up and running and considering which projects should receive funding early next year.

"I think it's a very wise proposal," commented Tove Graulund, a former chairman of MARQUES and director trademark & legal at Zacco, who attended some of the meetings. "The reallocation process will have to be a compromise for all in any case. It is important to have some impartial people looking at it."

Last year, it was decided by OHIM's governing body to create the Technical Cooperation Fund from part of the fee surplus generated by Community trademark applications. Proposals for the fund from MARQUES and other user organizations aim to improve the technical capabilities of EU national offices, bringing them more in line with OHIM's processes. "We must have in every office freely searchable databases available online, as well as online filing tools and payment by credit card," Graulund added. "We must get all national offices up to speed at the electronic level. OHIM's MYPAGE system is a good model to follow."

Despite the progress made at the recent meetings, it is clear that the reallocation process will not be easy. Speaking at the 10th International Trademark Conference, organized by FORUM - Institut für Management and held at OHIM, Vincent O'Reilly, the agency's director of IP policy, emphasized the challenge ahead: "Twenty-seven countries have to agree on how the share-out will work; that will be interesting."