

Trade mark reform package approved by the European Parliament

Plenary sessions [15-12-2015 - 12:45]

Updates to make registering trade marks cheaper, quicker and more reliable for firms were approved by the Parliament on Tuesday. These new rules, informally agreed with the Council of Ministers, will also make it possible to impound counterfeit goods in transit through EU territory.

"The trade mark system in Europe functions well but is in need of a modernisation. Parliament has consistently kept the users of the system at the forefront of the discussion and we are glad to see a system that will provide a lot of added value for users," said rapporteur Cecilia Wikström (ALDE, SE).

"The reforms that we are now agreeing to will not imply a revolution of the European trade mark system but will bring the legislation in line with the times we are living in. The new rules will allow better protection for rights holders through a strengthening of both the national and European trade mark systems. At the same time we have safeguarded freedom of expression, like parody and artistic freedom and the ensured access to generic medicines for developing countries," she added.

By not accepting any amendments to the Council's position in first reading, MEPs adopted the new law.

More efficient and cheaper trade mark registration

The updated rules will retain the dual system of national and EU trade marks covering all 28 member states, whilst streamlining and further harmonising national and EU trade mark registration procedures and modernising registration requirements. The registration of new types of trade mark, such as sound, will also be easier in future.

A new, better tailored fee structure for EU trade mark registration will also make trade mark protection on average cheaper, especially for SMEs, for example by reducing renewal fees.

Combating counterfeit products

While ensuring that legitimate trade interests are not affected, the new rules will provide better means to fight against counterfeit goods in transit through EU territory. Throughout the negotiations, MEPs stressed the need to ensure smooth transit of generic medicines to developing countries.

MEPs also wanted to ensure that fundamental rights and freedoms, including artistic expression, will be safeguarded as long as it is at the same time in accordance with honest practices in industrial and commercial matters.

"European Union Intellectual Property Office"

The new rules also include several improvements to the structure and governance of the EU office responsible for trade marks (OHIM), which will be called "European Union Intellectual Property Office" (EUIPO). MEPs ensured that the Parliament would also have a seat in the management board of the office.

Press release

Procedure: Co-decision (ordinary procedure), second reading agreement

Disclaimer: this is an informal message intended to help journalists covering the work of the European Parliament. It is neither an official press release nor a comprehensive record of proceedings.

Further information

- Adopted text will be available here (click on 15.12.2015)
: <http://www.europarl.europa.eu/plenary/en/texts-adopted.html>
- Video recording of debate (click on 14.12.2015)
: <http://www.europarl.europa.eu/ep-live/en/plenary/search-by-date>
- Directive - Trade marks: approximation of the laws of the Member States
: <http://data.consilium.europa.eu/doc/document/ST-10374-2015-REV-1/en/pdf>
- Regulation - European trade mark
: <http://data.consilium.europa.eu/doc/document/ST-10373-2015-REV-1/en/pdf>
- Profile of rapporteur Cecilia Wikström (ALDE, SE)
: http://www.europarl.europa.eu/meps/en/96677/CECILIA_WIKSTROM_home.html
- Procedure file - European trade mark (Regulation)
: [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0088\(COD\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0088(COD)&l=en)
- Procedure file - Trade marks: approximation of the laws of the Member States (Directive)
: [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0089\(COD\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0089(COD)&l=en)
- European Commission - Fact Sheet: Package to modernise the European Trade Mark System – FAQ
: http://europa.eu/rapid/press-release_MEMO-15-4824_en.htm
- EP research: Agreement on Community trademark reform
: [http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/572813/EPRS_ATA\(2015\)572813_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/572813/EPRS_ATA(2015)572813_EN.pdf)

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