



# OHIM / EPO matching project

Nathan Wajsman  
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- Established 1996
- Unitary right covering all Member States
- Valid for 10 years, can be renewed as many times as desired
- Types: word, figurative (most common) but also sound, olfactory, 3D
- Refers to specific goods and services
  - Nice classification: 45 classes (34 goods, 11 services)
  - Example: class 32 (beers, mineral water, fruit drinks and juices...)  
class 33 (alcoholic beverages, except beers)
- Use requirement (but no *ex-officio* examination)
- Possibility for opposition (pre-registration) or cancellation (post-registration) proceeding
- Co-existence with national trademarks



- Established 2003
- Unitary right covering all Member States
- Valid for 5 years, can be renewed 5 times for a total of 25 years
- Possibility to defer publication for up to 30 months
- No opposition, only formalities checks at application
- Possibility for post-registration invalidity proceeding
- Co-existence with national designs
- Unregistered designs (3 years from then time product is introduced to market)



Basic information regarding the trademarks, designs and owners stored in several databases and tables:

- Euromarc ++
  - [mark](#)
  - [own](#)
  - [owner](#)
- RCD-Exa
  - [rcdappli](#)
  - [rcd](#)
  - [rcdown](#)

In practice for statistical purposes we use the datawarehouse tables:

- [dim\\_mark](#)
- [dim\\_owner](#)
- [dim\\_design](#)



New owner is created when:

- the name contains an additional word, e.g. Coucou Manufacturing Corporation instead of Coucou Corporation
- there is a difference in the legal form of the applicant
- there is a difference in the address
- there is a difference in the state of incorporation

But not always the cases are clear-cut

- difference in the postal code
- difference in the street number
- some legacy problems due to different rules in the past



Currently the OHIM databases store information on:

- over 1 mln trademark applications
- over 160 000 design applications
- over 500 000 owners/applicants

So far, the data available in datawarehouse is limited only to OHIM applications and registrations but it can potentially be extended thanks to the information available in TMview.



- Ground work for study of impact of IP-intensive industries in the EU economy
- Objective: to create a matched EPO-OHIM-Orbis data set:

*The end result of the matching exercise is a matched database, which will contain approximately 150-200 thousand companies (OHIM ids) and a similar number of EPO ids with the number of CTMs, RCDs and patents owned by each company, along with the industry classification (NACE) used by Eurostat. In a nutshell, this will tell us which industries own the IP rights registered by OHIM and EPO.*

- Later expansion to EU national trademark and design databases



<u>Country</u>	<u>EPO population</u>	<u>OHIM population</u>	<u>OHIM owners in EPO</u>	<u>EPO owners in OHIM</u>	<u>Pct. OHIM owners in EPO</u>	<u>Pct. EPO owners in OHIM</u>
BE	15503	9571	1128	1878	12%	12%
CZ	1188	3253	124	131	4%	11%
DE	228679	77461	17152	26648	22%	12%
DK	9964	7451	1470	1919	20%	19%
ES	13737	44474	2585	3281	6%	24%





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

**THANK YOU.**