

2021 TM5 Annual Meeting

TM5

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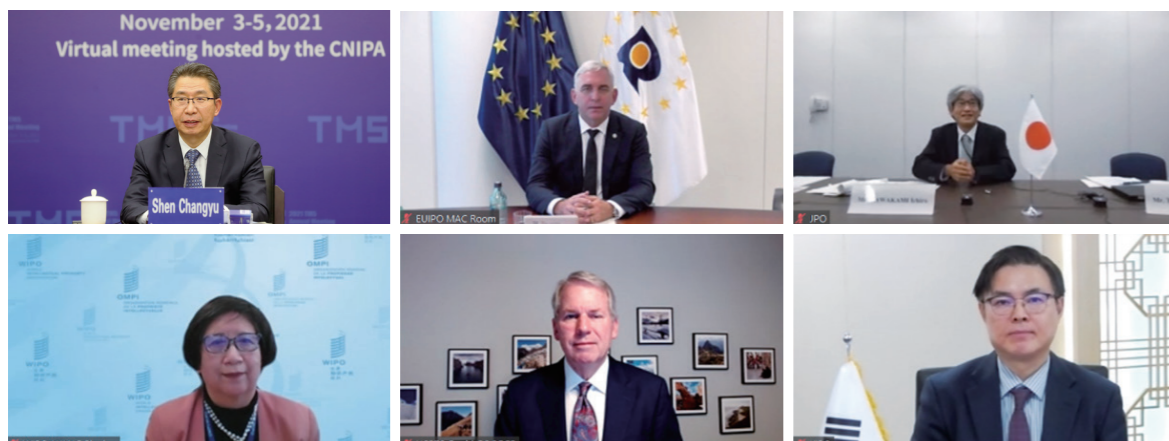
Introduction of the 2021 TM5 Annual Meeting

TM5 Annual Meeting 2021

Virtual Meeting November 3-5, 2021

The China National Intellectual Property Administration (CNIPA), the European Union Intellectual Property Office (EUIPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and the United States Patent and Trademark Office (USPTO) (known as "Partners") met online on November 3-5, 2021, for the TM5 Annual Meeting hosted by the CNIPA. The meeting was also attended by the World Intellectual Property Organization (WIPO) as an observer.

At the closed session on November 3-4, the Partners discussed 16 ongoing projects and 2 new projects proposed by the CNIPA and the EUIPO. With their goals achieved, 2 projects on Comparative Analysis on Examination Results and Product Names were successfully concluded. New projects concerning Trademark Protection in Opposition and Appeal (Review) Procedure and Trademark Archives Management and Administration were adopted. In addition, the Partners exchanged information on improvement and



optimization of the TM5 operation mechanism, in order to further enhance the efficiency of the forum. The Partners also discussed the '2021 Joint Statement of the TM5 Partners' and reached consensus on the texts.

At the user session on November 5, the user representatives from the five countries/regions were informed of each Partner's progress and the different cooperative projects. The users were invited to share their views with the Partners on the challenges presented by the pandemic and their expectations. The Partners described the measures they had taken to minimise the effects of the pandemic and to meet users' needs.

The EUIPO will act as Secretariat for the group upon conclusion of the 2021 Annual Meeting and will serve in the role until the end of the 2022 Annual Meeting.



Messages from the heads of the delegations



Dr. Shen Changyu
Commissioner

CNIPA:

The pandemic is still raging on and the world economy struggles for an all-around recovery. In this new circumstance, the five offices need to work together to jointly promote the improvement of examination procedure for greater efficiency and quality, speed up digitalization of IT system, establish a more convenient, user-friendly and reliable registration system to better serve users across the world for economic prosperity and recovering.

EUIPO:

As IP offices, we all have a role to play, and the consensus in Europe at least, is that our role needs to become a more integral part of the innovation Eco-system.

The demands are not just for more IP rights, but for more improved services. It is important that we share knowledge, cooperate and take full advantage of the technological innovation.



Mr. Christian Archambeau
Executive Director



Mr. Kawakami Ichiro
Director-General of the Trademark and
Customer Relations Department

JPO:

Because of the pandemic, our way of life, our way of work have changed fundamentally. Remote working and online activities are rising. For JPO, this pandemic has also create opportunity for us to reform our way of work, so we want to drive digital transformation, on one hand, to provide conveniences to the users, and on the other hand, to rise the productivity of the work of JPO.



Mr. Mok Sung Ho
Director General, Trademark&Design
Examination Bureau

KIPO:

The pandemic has greatly impacted our way of life and our work. During the time past, there are a lot of obvious changes in the trademark environment. I think in the last two years, these changes are most prominent.

I would like to wish TM5 and WIPO's cooperation partnership great success, making great contributions to the international trademark system, benefiting the users with better services.

USPTO:

We are very grateful to have this valuable forum, where we can have such productive exchanges. And in that light, I would like to thank all the Partners for your continuous efforts and collaboration.

From Bots to blockchain, we are implementing IT solutions as well to increase our efficiency and the quality of our trademark application processing.



Mr. David Gooder
Commissioner for Trademarks

WIPO:

WIPO pays the highest attention to the work of TM5 and we are very proud of our involvement with the TM5 work ever since, although in the capacity of observer. I am personally very much encouraged by the remarks made by the heads of the delegations, because the situation in respect of the trademark in each of your offices really encouraging to us while working in Geneva handling the international registration of trademarks.



Ms. Wang Binying
Deputy Director General

Joint Statement

2021 Joint Statement of the TM5 Partners

5 November 2021

The China National Intellectual Property Administration (CNIPA), the European Union Intellectual Property Office (EUIPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and the United States Patent and Trademark Office (USPTO) (collectively known as the "Partner Offices") met online on 3-5 November 2021, for the TM5 Annual Meeting hosted by the CNIPA. The meeting was also attended by the World Intellectual Property Organization (WIPO) in an observer capacity.

The Partner Offices acknowledge that the digitalization of economies and development of new emerging technologies are transforming the intellectual property (IP) landscape, with the process accelerated by the pandemic. Technological advances provide opportunities for greater quality and efficiency in the Partner Offices and cost-effective services for users, as well as challenges to the existing system.

During the Annual Meeting, the Partner Offices reiterated their common goals of promoting and furthering the development of user-friendly, highly efficient, and interoperable trademark systems and trademark procedures through cooperative projects, and providing high-quality services for users, including small and medium-sized enterprises and the public.

During the Annual Meeting, the Partner Offices confirmed the importance of strengthening cooperation, particularly for trademarks in digital and

new emerging technologies, to respond to the changing needs of trademark owners. The Partner Offices will endeavor to focus efforts on the following areas:

—Continue project-focused cooperation while striving to explore new areas of cooperation: share best practices and pursue initiatives in relation to trademarks in digital and new emerging technologies, promote cooperation to facilitate mutual understanding of respective trademark systems, and enhance interoperability among various operating practices and trademark procedures;

—Further refine and improve the cooperation framework: endeavor to achieve sustainable implementation of existing and new cooperative initiatives, and continue to cooperate adaptively;

—Continue engagements with users and stakeholders: continue providing timely information about the Partner Offices and TM5; encourage user involvement by providing feedback on TM5 projects to bring more user-friendly results; and

—Continue to work closely with WIPO: cooperate toward optimising the functioning of the IP ecosystem, as well as facilitating wider and more cost-effective services for users, such as electronic transmission of documents.

Achievements

A Closed Projects

- Comparative Analysis on Examination Results (KIPO)
- Providing Information on How TM5 Members Describe Goods and Services (KIPO)

B Ongoing Projects

- TM5 Website (KIPO)
- User Involvement (EUIPO and JPO)
- TMview (EUIPO)
- Bad Faith (JPO)
- Non-traditional Marks (USPTO)
- Priority Rights (EUIPO)
- Risk Management (EUIPO)
- User Involvement (EUIPO and JPO)
- Joint Communication Action (EUIPO and KIPO)
- Common Statistical Indicators (EUIPO)
- TMview (EUIPO)
- Bad Faith (JPO)
- Image Search (JPO)
- TM5 Website (KIPO)
- Combating Infringement (KIPO)
- Fraudulent Solicitations (USPTO and EUIPO)
- Common Status Descriptors (USPTO)
- ID List (USPTO)
- Non-traditional Marks (USPTO)

<http://tmfive.org>

The screenshot shows the TMS website with a navigation menu including ABOUT TMS, PROJECTS, STATISTICS, REFERENCES, NEWS AND EVENTS, TMS MEETINGS, and SITE MAP. The main content area features a large announcement for the 'TMS Annual Meeting 2021' held virtually via Zoom from November 3-5, 2021. To the right, there is a 'Projects' section with filters for CNIPA, EUIPO, JPO, KIPO, and USPTO. Three project descriptions are visible: 'Trademark Archives Management and Administration', 'Trademark Protection in Opposition and Appeal (Review) Procedure', and 'User Involvement* for SMEs'. A 'LATEST UPDATED' section at the bottom mentions the 'Publication of TMS Product Names Catalogue'.

C *New Projects*

—Trademark Protection in Opposition and Appeal (Review) Procedure (CNIPA and EUIPO)

Objective:

This project plans to deepen users' understanding of the practice of trademark opposition and appeal (review) in TM5 Partner offices and to provide information to the users on how to protect their legitimate rights and interests more effectively through comparing the legal system and practice of trademark opposition and appeal (review) in TM5 Partner offices and by typical cases.

—Trademark Archives Management and Administration (CNIPA)

Objective:

The project aims to share the information related to the manner and scope of the archives preservation, management and administration, both in paper and electronic form, within TM5 offices. By learning from the experience of others', the offices can improve the management and operation of the trademark paper and electronic archives.

D *TM5 operation mechanism*

The Partners discussed improvement and optimization of the TM5 operation mechanism, agreed to further exchange views on optimizing and improving operation mechanism of TM5 and will engage in consultation.

Consultation with users

On 5 November, the TM5 user session was held virtually. The TM5 Offices and the user representatives from TM5 jurisdictions discussed topics on challenges and responses to the pandemic and the post-pandemic era.



Mr. HE Zhimin
Deputy Commissioner of CNIPA

To promote a user-friendly trademark system, provide better services to market players, improve the competitive advantage of companies and drive economic growth, since 2012, TM5 Offices have made a lot of efforts to support users. Fruitful outcomes have been achieved in aspects such as promotion of trademark awareness, facilitation of trademark registration, combat with bad faith filing and infringement, etc. Also, TM5 have established regular, smooth mechanisms for communication with the users to make sure the outcomes of our cooperation indeed meet users' needs.

Challenges faced by users & Expectations



CN Users
Ms. Wang Minghong
Midea Group Co., Ltd.

- TM5 consistent examination criteria, simplified & flexible procedure, more convenience & less burden to applicants
- Standardized & mutually recognized G/S
- More flexible & less strict similarity determination, TMOs grant of opposition fees to encourage opposition/enforcement



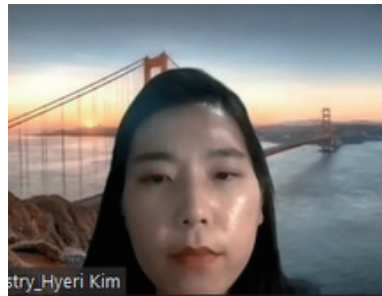
EU Users
Mr Richard Goddard
The Chartered Institute of Trade Mark Attorneys (CITMA)

- Extension of time periods
- Requests for extension of time/suspension
- Electronic communication
- Electronic documents
- Remote hearings / trials
- Fees



JP Users
Mr. Motohiro Katsumi
Japan Patent Attorney Association (JPAA)

- Accept letter of attorney without signature in hard copy
- Accept electronic letter of attorney
- Accept electronic signature and scanned copies
- Send information by E-mail
- End to end paperless process



KR Users
Ms. Kim Hyeri
Amorepacific Corporation

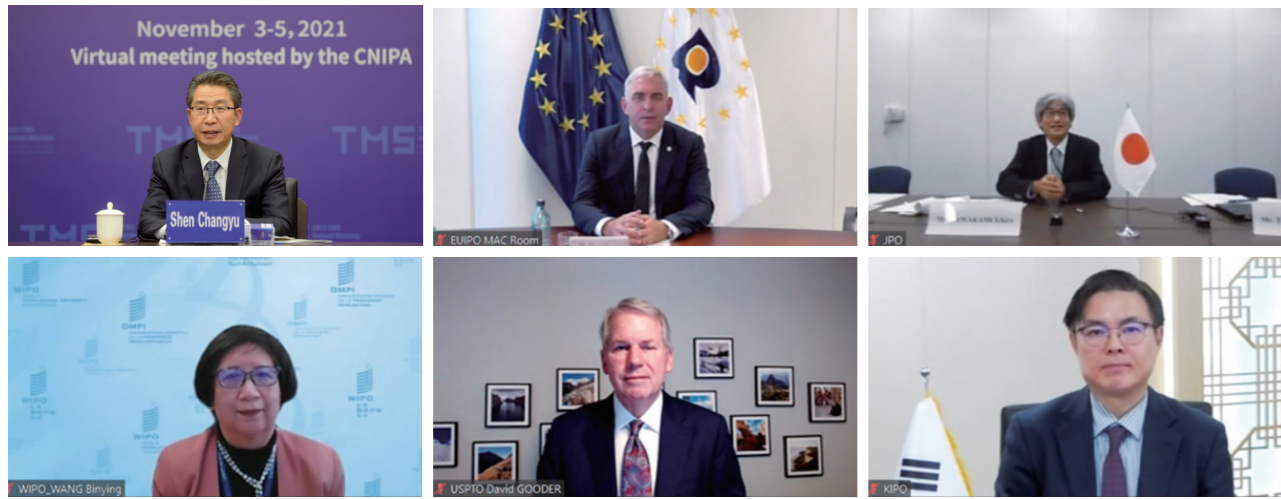
- Difficulties in identifying goods and services
- Uncertainty on whether the actual used goods would be considered as falling in the designated goods' scope as registered
- Wish the Trademark Registries could provide with more detailed examples of designated goods/services related to web & mobile apps reflecting the recent trends



US Users
Ms. Elisabeth Escobar
International Trademark Association
(INTA)

- Reduce or eliminate formality requirements
- Consider the feasibility of streamlining authentication requirements

Photo gallery



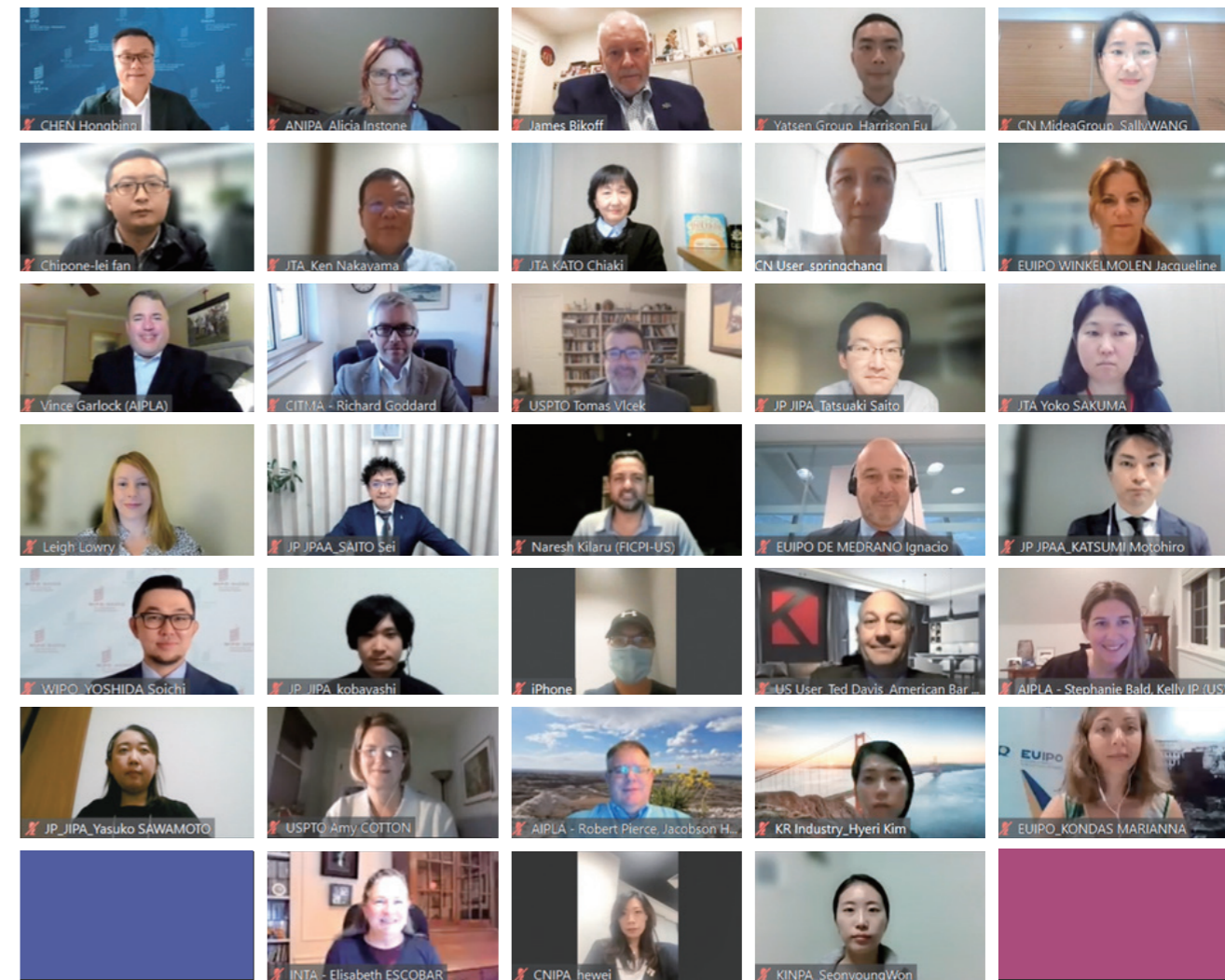
3 November, 2021 Internal Session

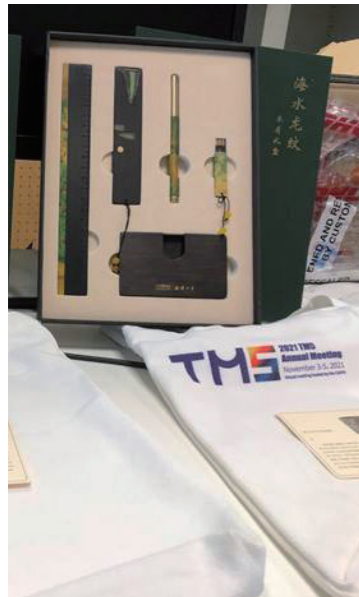
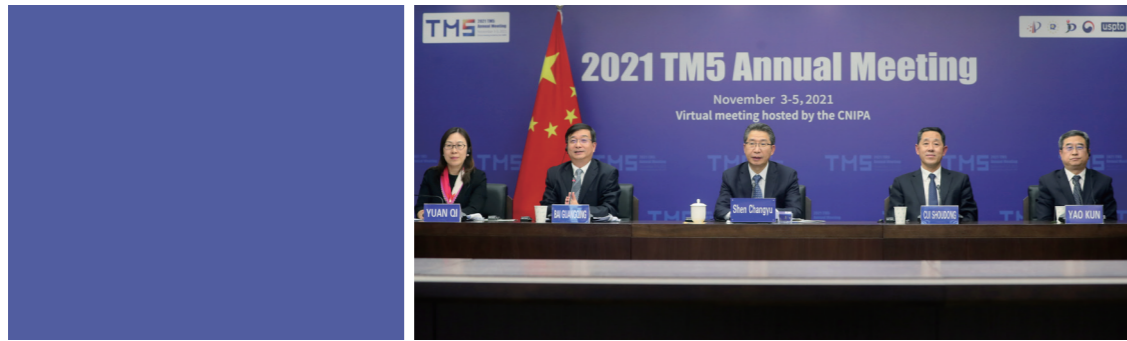
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5 November, 2021 User Session





The LOGO was designed by CNIPA for the 2021 TM5 annual meeting. The arc in the letter 'M' symbolizes a bridge linking the TM5 partners together, while the five colors (red, yellow, light blue, navy and black) in the number '5' are taken from the LOGO of each office, which represent the closer cooperation among the TM5 framework.

2021 TM5 Annual Meeting

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3-5 November, 2021

Virtual meeting hosted by the CNIPA

