OHIM / EPO matching project

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CTM basic facts

- 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
Creation of new owners

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
## OHIM-EPO data matching: some preliminary results

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<tr>
<th>Country</th>
<th>EPO population</th>
<th>OHIM population</th>
<th>OHIM owners in EPO</th>
<th>EPO owners in OHIM</th>
<th>Pct. OHIM owners in EPO</th>
<th>Pct. EPO owners in OHIM</th>
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THANK YOU.