

## 5<sup>TH</sup> TRADEMARK TRILATERAL COOPERATION MEETING

### JOINT STATEMENT

The Japan Patent Office, the United States Patent and Trademark Office and the Office for Harmonization in the Internal Market (Trade Marks and Designs) held the 5<sup>th</sup> Trademark Trilateral cooperation meeting in Alicante between the 11<sup>th</sup> & 13<sup>th</sup> of December, 2006.

As is customary, each of the offices informed the meeting of the initiatives and developments in their respective jurisdictions since the last trademark Trilateral meeting in Washington D.C in 2004.

Regarding progress made with the Trilateral ID/classification manual, note has been taken that the trilateral IDs affected by the 9<sup>th</sup> Edition of the Nice Classification have been dealt with by the three offices.

In the area of IT tools, the OHIM offered a demonstration of the EUROCLASS product and presented the EUROREGISTER project. It was considered that EUROCLASS could be useful in the event of any future extension of the Trilateral classification project to other IP offices. The JPO and the USPTO considered EUROREGISTER an interesting project; consequently, they would follow its progress closely.

In the area of IT cooperation, the three offices expressed their agreement to continue exchanging information on a number of specific projects. These include the ST66 standard for trademark data transfer, the use of software solutions, including open source software, the development of automatic image recognition software, the creation of a catalogue of business web services, e-business services, including e-caveat and e-filing, the use of single or dual database architecture, and the federation of classification and registers.

The Trilateral offices agreed to open the current project concerning the Trilateral ID/classification manual to other IP offices, on a limited basis. While any new offices participating in this project would not become members of the Trilateral group, their cooperation in this project will be welcome. The conditions and technical requirements for any such cooperation will be set out by the Trilateral offices.

The Trilateral offices recognize the importance of continued engagement and cooperation with the Chinese trademark office. The Trilateral offices hope to schedule an exchange of information on operational issues with the Chinese office, perhaps on the margins of the next Trilateral meeting.

In light of this, it was agreed that the Chinese trademark office be informed of Trilateral activities and projects that may be of interest to them.

In addition, the Trilateral offices agreed that, to the extent practicable, they will inform one another of bilateral cooperation activities undertaken between themselves and the Chinese trademark office.

It was also decided that the Trilateral website, which had been developed and enhanced by the JPO, be used to facilitate the exchange of information between the Trilateral offices over the course of the year.

The offices exchanged information about the current status, and the future, of the Madrid Protocol. The offices are hopeful that the continuing development of the trilateral identification and classification project will lessen users' uncertainty about identifications and classifications, and that this, in turn, will lessen the number of refusals that are issued.

The offices recognize the importance of expanding membership in the Madrid Protocol, and will continue to explore which means may facilitate such expansion. In that connection, the offices may consider whether greater flexibility in the basic registration requirements may be desirable.