

**JOINT STATEMENT OF THE PARTNERS
TO THE TRADEMARK TRILATERAL,
ADOPTED AT THEIR SEVENTH ANNUAL
MEETING OF DECEMBER 10-11, 2008**

The Trilateral Partners (hereinafter referred to as “the partners”) were delighted to welcome the observers from the China Trademark Office to the seventh annual meeting of the Trademark Trilateral. The partners hope that the China Trademark Office will participate as observers at future annual meetings as well.

The partners likewise look forward to cooperating with other national intellectual property offices, and other organizations as well. In particular, the partners agreed to the following regarding cooperation with other entities.

- The partners will compile a list of projects they may pursue collaboratively with other national IP offices. The list will be discussed in the margins of the upcoming Brussels forum in March 2009.
- The partners will invite WIPO representatives to participate in discussions regarding goods and

services classification, and the Trilateral identification project.

- The partners agreed to adopt the proposed text of a Memorandum of Cooperation, to be entered into between the partners and various fourth countries. That Memorandum will allow such fourth countries to participate in an ongoing Trilateral identification project, whereby the partners maintain and update a list of commonly accepted goods and services identifications. The partners noted the following with respect to the Memorandum of Cooperation:
 - The partners may maintain a web site on which they will display: (i) any translations that the fourth country(ies) may submit pursuant to the Memorandum of Cooperation; and (ii) indications of which identifications are accepted and/or rejected in the fourth country.
 - OHIM, at its election, may transfer any identifications submitted pursuant to this Memorandum of Cooperation into its EUROCLASS system.
 - The partners noted that OHIM may include any data in its Euroclass derived from databases of any fourth country joining the above-mentioned project.

- With respect to the ongoing project to create a list of commonly accepted goods and services identifications, the Trilateral partners agreed that:
 - When OHIM submits proposed additions to that list, OHIM will provide those additions not only in English, but also in any of the other languages in which OHIM may have prepared those identifications; and
 - The number of identifications that can be submitted by one partner is raised from thirty to fifty per month. This limit will be revised when fourth countries join, in order to maintain the threshold of one hundred identifications per month, to be checked by each partner.

Additionally, the partners may cooperate on conducting a symposium on trademarks in China.

The partners will endeavor to meet as a group when their respective representatives are all present at the same international forums.

The partners will consider and expeditiously decide on OHIM's proposals regarding the exchange of common statistical indicators among the partners. Under that proposal, the partners would agree to:

- Identify experts at their respective offices who can explain the data in depth;
- Arrange for these experts to meet at the upcoming gathering in Brussels;
- Consider publishing the data compilations internally, within the partners' respective offices;
- Consider publishing the data compilations externally; and
- Consider using the trilateral website as a communication platform for exchanging information about common indicators.

The partners note that as a result of the parallel sessions on designs, there appear to be specific items for discussion by the Trilateral design experts where mutual cooperation could potentially provide benefits for users of all three offices.