



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE
INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS
INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Cartagena, Colombia, 20-24 January 2013

"Establishment of a specialised Trade Mark and Design Tribunal according to Article 257 TFEU"

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Cartagena, Colombia, passed the following Resolution:

Noting that the overall duration of cases and backlog at the EU General Court steadily increases and **further noting** that over one third of the total cases before the General Court are cases relating to the Community Trade Mark (CTM) Regulation;

Observing that a proposal to appoint 12 additional judges at the General Court was rejected by the European Parliament and the EU Council;

Emphasising that Article 257 of the Treaty on the Functioning of the European Union (TFEU) offers the possibility for the European Parliament and the EU Council to establish specialised courts attached to the General Court to hear and determine certain classes of action or proceeding brought in specific areas;

Believing that establishing a specialised Trade Mark and Design Tribunal under Article 257 TFEU to hear appeals against the decisions of the OHIM Board of Appeals would be highly beneficial for the EU IP system in general and specifically also for coping with the workload at the General Court;

Urges the European Parliament and the EU Council to establish such a specialised Trade Mark and Design Tribunal under Article 257 TFEU to hear appeals against the decisions of the OHIM Board of Appeals.