



FÉDÉRATION INTERNATIONALE DES CONSEILS  
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF  
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION  
VON PATENTANWÄLTEN

## Resolution of the Executive Committee, Venice, Italy, 4-6 October 2004

### Trade Mark Opposition proceedings in the European Union

**FICPI**, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Venice, Italy, 4-6 October 2004, passed the following Resolution:

**Recognising** the importance of high quality and consistent processing of trade mark applications by trade mark offices;

**Believing** it is in the best interests of users of the trade mark system and of the public to achieve quality processing of trade mark applications on a timely basis;

**Believing** that it is necessary to achieve quality of registration to provide a presumption of validity and avoid cluttering of registers to the disadvantage of third parties;

**Recognising** that the opposition component of trade mark processing is very important, particularly when no substantive examination of conflicts occurs during initial examination of an application; and

**Observing** that current targets set by OHIM for the determination of oppositions are now set substantially below the number of oppositions being commenced thereby creating a backlog

**FICPI resolves that:**

- (1) Trade mark offices should be encouraged to offer high quality processing and careful consideration of trade mark applications;
- (2) Processes, including opposition, aimed at considering competing interests thereby adding value to resulting registrations should be offered;
- (3) Offices should be encouraged to process applications and where appropriate offer opposition proceedings on a timely basis avoiding the creation of substantial backlogs; and
- (4) Offices should be encouraged to offer the foregoing services by competent personnel for reasonable fees to achieve the necessary quality, consistency and timeliness.