



European Communities Trade Mark Association

Brussels, 28 July 2015

## MINUTES

**34<sup>th</sup> Annual General Meeting  
Hotel Grand Elysée, Hamburg, Germany  
Thursday, 11 June 2015 at 8.45**

### **1. Opening by the President**

The President, F. Peter Müller, opened the meeting and welcomed everyone.

He thanked the Local Organising Committee, the Professional Organising Company (Ziegfeld Enterprises) and G&G Meetings for their parts in arranging the conference.

### **2. Miscellaneous information and remarks concerning the Agenda**

There were no remarks.

### **3. Approval of the Minutes of the 33rd Annual General Meeting held in Alicante, Spain on Thursday, 19 June 2014**

There were no comments and the Minutes were thus officially approved.

### **4. Matters arising from said Minutes**

There were no matters arising.

### **5. President's Report**

The President, F. Peter Müller, presented his report for the period June 2014 to June 2015 (enclosed) in the format of a PowerPoint presentation.

The Strategic Plan, which was approved by the ECTA Council in Tallinn in 2014, defined 5 goals for ECTA to be followed for the next 6 years. It had been established by F. Peter Müller in co-ordination with the Management Committee and Bárbara Díaz Alaminos, Manager Legal Affairs.

A shortlist of issues which F. Peter Müller aims to accomplish during his Presidency, with topics that have already been accomplished highlighted in light green, are as follows.

#### **▪ Develop Membership Benefits (DMB)**

- *Organize high level conferences, workshop and debates:* ECTA Conferences are core and Hamburg's attendance is a record after Barcelona in 2009. Several workshops were held which will be rolled-out throughout Europe.
- *Reinstall ECTA Bulletin:* The first issue, produced by ECTA Publications Committee, distributed at the Hamburg Conference is in paper format but will be continued as an electronic bulletin 3 times per year.

- *Develop an interactive and modernized website:* The new modernised website has been launched, a conference app is now available.
- *Create Webinars:* This is currently being worked on with the aim of workshops being broadcast.
- *ECTA Expert Exchange:* Speakers will be invited to the ECTA Office in Brussels in September to discuss an up-to-date topic which will be broadcast online.
  
- **Broaden ECTA`s Expertise (BEE)**
  - *Copyright issues and Unfair competition:* The ECTA Council has agreed to establish a Copyright Committee in respect of copyright issues overlapping with Trade Mark and Design issues. Another committee for issues which overlap with the daily work of members related to trade marks and designs is also being looked at (anti-trust issues, tax issues, etc..)
  - *Different Speakers at workshops / conference (academia, anti-IP, industry):* Speakers who are non-IP or anti-IP will be approached in order to broaden ECTA's horizon and engage and embrace speakers from other areas.
  
- **Reinforce External Partnerships (REP)**
  - *Maintain good relationships with WIPO, OHIM and EU Commission:* ECTA has very good relationships with OHIM and the European Commission and the relationship with WIPO has been reinforced with the establishment of a WIPO Link Committee which has met with WIPO five times over the past six months.
  - *Maintain and enhance good relationships with EU Council, EU Parliament and enhance relationship with national legislators (Council involvement) as well as national trade mark offices:* This is still being worked on and regular meetings (3-4 each year) are held in Brussels with the institutions. ECTA has a high reputation and is welcomed because of its unbiased view.
  
- **Strengthen the Internal Organization (SIO)**
  - *Improve communication to members and transparency of ECTA's internal work and decision making:* Communication is handled by ECTA's Legal Communicator, Daniela Derksen via the ECTA website, Flash, a new monthly Newsletter and Social media like LinkedIn, Twitter and Facebook.
  - *Larger office space:* The Secretariat has moved into a larger office and members were invited to visit the office if in Brussels.
  - *Engage new employee:* With the appointment of the Legal Communicator, ECTA has more capabilities of working in difference areas.
  - *New Software and Hardware to facilitate tasking:* This is still to be investigated.
  - *Strengthen legitimacy and transparency of MC:* Transparency has been improved by making known the workings of the Management Committee, Council etc. through various new procedures.
  - *Increase participation and develop output of Committees / Engage Vice-Chairs and Secretaries / Use of Task Managers:* New guidelines have been prepared, the Second Vice President, Sozos Christos Theodoulou, has engaged new procedures to streamline committee work and output.
  - *Annual Meeting: Increase quality / involvement on sessions:* Improvements are on-going and the 2014 survey results indicate that 70-80% of members value ECTA conferences and rate them as good or very good.
  - *Prepare fixed guidelines for session Chairs to follow in organising their panels:* Better guidelines for Moderators / Session Chairs are being developed.
  
- **Broaden Financial Basis (BFB)**
  - *Sponsorship Opportunities:* This is being investigated.

## ▪ **Challenges**

- *Rapid Reaction forces:* Teams will be established to enable responses within short periods of time.
- *Resourcing knowledge of members:* Investigations are ongoing as how to ensure that members' knowledge is captured.
- *Look beyond our IP-horizon*
- *Allocate our resources effectively and efficiently:* Workers are pro-bono and ECTA work is not their first priority.
- *Remain independent*

## ▪ **Highlights**

- *Excellent team in Brussels: Bárbara Díaz Alaminos, Cathy van Vuuren, Daniela Derksen and Petra Haenitsch.*
- *New Office*
- *New ways of communication: Facebook, Twitter, LinkedIn, Newsletter, Special Flash, Blog, e-Bulletin*
- *New Website*
- *New Conference APP*

## ▪ **Goal**

The aim is to maintain the status of a recognised expert spokesman on all questions related to the protection and use of trade marks, designs and domain names and related rights, such as copyrights or unfair competition, in and throughout the European Union and to remain the big ECTA family.

## **6. Approval of the President's Report**

The President's report was approved.

## **7. Treasurer's Report**

The Treasurer, László Bérczes made a PowerPoint presentation (attached).

He reported that ECTA currently has 2.460.530.36 EUR in its bank accounts although the Conference costs are still to be paid. A growth of 71.691.28 EUR compared to the same period last year confirms that the financial situation is more stable than ever.

## **8. Approval of the Treasurer's Report**

The Treasurer's report was approved.

## **9. Presentation of Auditors Report**

The Treasurer, László Bérczes advised that the accounts had been audited by ECTA's auditors, Sawin and Edwards, under the laws of the UK and Ireland.

The income for 2014 was 1.231.993 EUR compared to 1.114.354 EUR in 2013 and the costs and expenses in 2014 were 1.071.897 EUR in 2014 and 1.002.846 EUR in 2013. The surplus on ordinary activities before taxation was 162,534 EUR in 2014 and 115.108 EUR in 2013. Although the growth is stable the increased growth was due to the Bucharest and Alicante Conferences having realized good surpluses while for the Hamburg Conference a large surplus is not expected due to the higher costs in Hamburg.

The planned surplus for 2014 was 64.500 EUR whereas the actual surplus on ordinary activities after taxation for 2014 was 162.046 EUR, a significant 41.67% growth compared to 2013, as a result of the success of the Alicante Conference.

## **10. Approval of Annual accounts**

The Annual accounts were approved.

## **11. Budget for 2015**

The Treasurer, László Bérczes reported that the budget for 2015 is 24.365 EUR surplus which is less than previous years due to a lower estimated surplus for the Hamburg Conference.

The total planned income for 2015 is 464.600 EUR which includes membership subscription fees of 362.100 EUR and a Conference surplus of 100.000 EUR against a total expenditure of 440.235 EUR. The modest surplus is due to the enlarged staff, higher travel costs, IT costs and website costs.

The President reminded that it is essential to rely on a surplus of at least 100.000 EUR from the Conference to cover the running costs of the Association. The aim is not to accumulate more money therefore money was spent on for example a better office, more staff, a better website, the conference application for the benefit of the members.

The budget was approved.

## **12. Election of Official Auditors**

The Treasurer, László Bérczes, proposed that the existing auditors Messrs. Sawin and Edwards of London be re-appointed under the same conditions for the ensuing year.

The proposal was approved.

## **13. Officer Election Results**

The President, F. Peter Müller, reported that two candidates, namely Max Oker-Blom for the Secretary General position and László Bérczes for the Treasurer position, were received and were re-elected during the Council Meeting.

## **14. Council Elections**

László Bérczes, in the absence of the Secretary General, reported that elections had taken place for Italy and Germany as more nominations than vacant seats had been received. Five applications for three vacancies were received for Germany and the candidates elected were Carolin Kind, F. Peter Müller and Kay Rupprecht LL.M. For Italy three applications were received for two vacancies and Domenico De Simone and Eva Fiammenghi were re-elected.

For each of the following countries, only one candidate per seat was nominated: Rainer Beetz (Austria); Carina Gommers (Belgium); Sozos-Christos Theodoulou (Cyprus); Dr. Petra Korejzová and Vladimír Rott (Czech Republic); Riina Pärn (Estonia); Helga Pernez (France); László Bérczes and Judit Lantos (Hungary); Norman MacLachlan (Ireland); Rūta Olmane (Latvia); Ausra Pakeniene and Reda Zaboliene (Lithuania); Dr. Luigi A. Sansone (Malta); Monique Granneman and Renate Adriana



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Pouw (Netherlands); Jaroslaw Kulikowski, Anna Stopinska-Slefarska and Anna Zakrocka (Poland); Rosario Cruz and João Pereira da Cruz (Portugal); Martin Guttman (Slovakia); Ignacio Diez De Rivera Elzaburu and Jordi Güell Serra (Spain); Carl Wendt (Sweden); and B.A. Ramage (United Kingdom) and the candidates were duly elected.

The President, F. Peter Müller, warmly welcomed the new Council members and thanked those who have retired from the Council for their contribution as well as those who turned in their application but were not elected. He reminded that as the Council was composed of members from every EU country, the procedure of the Council disseminating ECTA papers to national legislators is an excellent way of influencing decision makers in the respective countries.

#### 15. Future Annual Conferences

- |        |                    |                |
|--------|--------------------|----------------|
| ◆ 2016 | Dubrovnik, Croatia | 22-25 June     |
| ◆ 2017 | Budapest, Hungary  | 28 June-1 July |
| ◆ 2018 | Greece             | (dates tbc)    |

#### 16. Any Other Business

There was no other business.

#### 17. Closing of the Meeting

The President wished everyone a successful conference and thanked everybody for attending. He closed the meeting at 09.15.

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Enclosures: President's Report  
Treasurer's Report