



European Communities Trade Mark Association

Warsaw, 8 June, 2006

President's Report 25th Annual General Meeting

At the Management Committee Meeting in August 2004 the status of ECTA was discussed. The discussion took place on the basis of a so called SWOT analysis, ie strengths, weaknesses, opportunities and threats with regard to the association were looked upon. It was noted, among other things, that the basis of ECTA, consisting of its traditions, organised administrative routines, stable economy and experienced personnel, was strong. There were quite some opportunities as well with the newly established position within ECTA, the legal coordinator, and the new Commission within EU as promising starting points. Some weaknesses and threats could, however, also be spotted. For instance the focus on fine-tuning routines rather than developing the association and its services, the lack of efficient meeting routines of the Council and a modernization of the Committees, the lack of an overall view of the association when rendering opinions on various matters as well as the increasing competitive pressure from other associations within the field of Intellectual Property Rights (IPR) were mentioned.

At the very same Management Committee Meeting an Action Plan for the coming two years was approved with the aim to transform the weaknesses into strengths and the threats into opportunities. In order to achieve the overall view and establish some guidelines for how to develop the IPR field and profession it was decided to write a Position Paper, which, as we all know, was approved by the Council in Rome in October last year. It was furthermore decided to increase the publication activity as a step in developing the service to the members. The decisions to invest in modernising the web page, establishing an Info Database including the DARTS link and publishing bimonthly flashes serve the same purpose. By restructuring the Council agenda and distributing the necessary information for decision making together with the agenda the Council meetings have become more efficient and hopefully as a consequence hereof give more room for important discussions among the members. The Committee meetings have been enhanced by inviting external speakers to the meetings, etc. In order to serve the membership even better it has been decided to combine every Council meeting, if ever possible, with a round table presenting an important topic to the participants. The experiences from both Copenhagen and Rome have been very positive. The decisions to arrange round tables between Council meetings, I think of the seminar in Hamburg on designs this spring, and the annual Conference and to introduce a workshop on e-business within and allow exhibition booths at the Conference clearly take the development a step further.

It is obvious that the quality of the information produced and the meetings arranged by ECTA always can be, and also should be, discussed, but what is very clear is that the activity level, which last year in my report was claimed to have increased, has remained on a high level and even accelerated and everything undertaken to serve the members better.

The representatives of ECTA have in addition, as usual, actively participated in various meetings during the past year. The annual meeting with the representatives of the Commission took place on February 1, 2006, in Brussels. A meeting with WIPO was held a week later in Geneva. On March 3 ECTA hosted the so called Joint Meeting with the sister associations in Girona in Spain. The OHIM Link Committee Meeting was held in Alicante on March 13, 2006. All mentioned meetings have been most rewarding and useful and



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conducted in a very friendly and constructive atmosphere. In addition ECTA has been represented at quite a few other meetings, such as the Diplomatic Conference on the TLT in Singapore during the latter half of March, the INTA meeting in Toronto in the beginning of May, the meetings of BMM in Bergen op Zoom in the Netherlands, and GRUR in Halle in Germany, and many more. In this context it should be particularly mentioned that our Second Vice President Simon Reeves as industry representative was invited to participate in the Commission's press conference on the ".EU".

The 25th Anniversary Conference of ECTA took place in London from 8 to 11 June 2005. The theme for the Conference was "Past, Present and the Future - 25 years caring for a balance of rights". The approx. 600 delegates had the opportunity to listen to lectures on "The evolution of the European system" and the evaluation of it, on "The possibility to import external, non-European features, into the European system", case law reviews, enforcement of IPR:s, domain names, particularly the introduction of the .eu, and "ADR as a solution for IPR conflicts". Both the professional contribution and the social events were excellent. All of us are very grateful to David Tatham, the Chairman of the organizing committee, and his team for a successful and memorable conference.

The Autumn Council Meeting was held in Rome in early October last year as already indicated above. Domenico de Simone together with the other Italian Council members arranged a very successful meeting in most impressive surroundings. The round table was again very much appreciated and the lectures delivered by the two Italian professors Cesare Galli (The scope of trade mark protection and the "new" trade mark infringement) and Marco Ricolfi (What is infringing use under EU harmonised trade mark laws) were excellent. The lectures have been published in the latest Gazette No. 52. The book of photographs covering the meeting and distributed after it by the Roman Council members is a piece of art and was and is very much appreciated by all the participants.

The various committees and their members have been active throughout the past year, both by rendering opinions and involving themselves in the publications and various meetings representing ECTA.

The Management Committee has convened four times, once in Antwerp in the ECTA Office last year in November, two times in Helsinki, i.e., in early fall 2005 and late April the current year and once in Girona in connection with the Joint Meeting in March this year.

As a conclusion it can be claimed that ECTA is even stronger than before and more able to serve the members and affect the IP Architecture in a direction, which serves both existing right holders and new entrants in a balanced way. Although this conclusion is certainly not wrong, it would be clearly so to be satisfied with what has been done and just continue as before. The competition for attention continues and the need to develop the IPR:s continue as well, wherefore it is crucial that ECTA on its part continues to develop its activities and its service offering to the members. Only by doing so ECTA will remain an association, which professionals want to join and which opinions will be regarded worthwhile to listen to.

Everything mentioned would naturally not have been possible without the contribution by quite a few active persons. The people I here have in mind are the members of our committees and their very active chairmen and the excellent staff of the office, i.e., Keith Havelock, Norman MacLachlan, Sandrine Peters, Sue Van Looy and Cathy Van Vuuren. My very warm and sincere thanks to all of you as well as to my colleagues Mireia Curell and Simon Reeves. To Mireia goes a special thanks for her support, good spirits and important contribution in taking responsibility for the professional program both in London and now in



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Warsaw. It has been a pleasure to work together with you. I do wish you all good luck in the future with your important work.

Max Oker-Blom
President (2004 – 2006)