

4 March 2005

Mr Erik Nooteboom  
Head of Unit  
European Commission  
Internal Market DG; E/2  
C100 04/30  
200 rue de la Loi  
1049 Bruxelles

Dear Mr Nooteboom,

Re: PROPOSAL FOR A REGULATION ON THE FEES PAYABLE TO THE OHIM

UNICE welcomes the Commission proposal for a reduction of the fees payable to the OHIM. UNICE has always supported a fee reduction for Community trademarks (CTMs), mainly in relation to application/registration and renewal fees. The proposed lowering of fees for e-filings is also a positive step as already implemented or proposed by some national offices.

UNICE has always opposed diverting any surplus of OHIM's budget to other EU institutions. This surplus is to benefit the users of the CTM system.

The CTM system includes the possibility of having search reports but at the same time possible conflicts between rights are decided prior to registration on the basis of action taken by the parties rather than "ex officio" action. It is therefore key for users to utilise streamlined and effective opposition procedures.

Even with the proposed fee reduction, there remains a considerable surplus that in UNICE's view should primarily be used to improve the overall quality of the services provided by OHIM, in particular in terms of timeliness and effectiveness during the examination, opposition and appeal stages.

UNICE will follow closely the discussions among the Member States, the Commission and OHIM on this issue and is eager to further contribute to this important debate.

Yours sincerely,



Jérôme P. Chauvin  
Director, Company Affairs Department