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## 8<sup>TH</sup> TM5 ANNUAL MEETING

### Record of Discussion

Chiba, Japan

9 - 10 December 2019

The China National Intellectual Property Administration (CNIPA), the European Union Intellectual Property Office (EUIPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and the United States Patent and Trademark Office (USPTO), hereinafter referred to as the “Partners,” held the 2019 TM5 Annual Meeting in Chiba, Japan, from 9 - 10 December 2019.

The World Intellectual Property Organization (WIPO) was present as an observer.

At its 8<sup>th</sup> meeting, Partners exchanged status updates on the progress of cooperation projects and discussed new proposals to be adopted as TM5 Projects.

#### Updates on the Status of Cooperation Projects

The following 14 projects were discussed:

- Bad Faith Trademark (JPO): the JPO presented the upgraded case examples and the Partners agreed to post it on the TM5 Website. The Partners also approved the JPO’s proposal on creating a booklet about bad faith information and measures in the form of manga and updating the report which was published in 2015.
- Image Search (JPO): each of the Partners agreed to expand the scope of the project. The partners took note of keeping sharing the current status of the Image Search in their office, including utilization, accuracy, challenges etc., through the TM5 Website.
- Quality Management (JPO/EUIPO): the Partners took note of the progress made in this project and reached consensus to conclude once all deliverables have been met. Regarding the JPO part, a consensus was reached to close the part.
- User Association Involvement (EUIPO/JPO): the Partners approved JPO’s proposal to hold the 4<sup>th</sup> Joint Workshop on “Protection of store design as a trademark” at the INTA Annual Meeting which will be held in Singapore in April 2020. The EUIPO reported on the current state of the Partner Offices reports on the surveys conducted by the respective User Associations. It was agreed that the project would enter



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operational mode which would include the annual workshops held by JPO, endeavor to hold the User Sessions at Mid-Term and Annual Meetings, and the launching of questionnaires to User Associations.

- TMview (EUIPO): EUIPO reported on the status of ongoing technical work with CNIPA for their integration into TMview.
- Priority Rights (EUIPO): the Partners took note of the progress made in relation to this project. EUIPO reported on the phase one study that will soon be published on the TM5 website in a user-friendly version. The Partners discussed the potential of extending the project to cover a work stream related to the implementation of a blockchain solution.
- TM5 Website (KIPO): the Partners welcomed the enhancements made by KIPO and shared suggestions for further development.
- Comparative Analysis on Examination Results (KIPO): the Partners reviewed the analysis made by the KIPO and agreed to further develop the project with additional cases.
- Provide Information how to describe product names for users (KIPO): the Partners took note of the progress and the results of the comparison, agreeing to further develop the project with additional cases.
- Raising Awareness about Trademark Infringement (KIPO): the Partners took note of implementation plans proposed by the KIPO and agreed to cooperate with the plans in 2020.
- ID List (USPTO): the Partners took note of Argentina's interest in joining the project, continued expanding the number of terms, and implemented voting website improvements. The Partners agreed to invite new participants and to return the draft MOC as soon as possible .
- Common Status Descriptors (USPTO): the Partners noted progress on summary reports, and outstanding issued invitations. The Partners also agreed to invite new participants.
- Non-Traditional Trademarks (USPTO): the Partners took note of the questionnaire for searching three-dimensional marks and discussed potential next steps regarding color marks.
- Fraudulent Solicitations (USPTO/EUIPO): the Partners agreed to issue a user questionnaire on solicitations received and discussed next steps, including a common database.

After the updates were given, a consensus was reached to close the following project after it had been concluded that the deliverables set had been reached:

- Quality Management (JPO/EUIPO)



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### **Discussion and Adoption of New TM5 Projects**

The Partners discussed two new TM5 Projects. EUIPO will revise the project briefs in light of the discussion. It was agreed that the projects may be approved by electronic means.

- E-commerce (EUIPO)
- Risk Management (EUIPO)

The EUIPO opened a discussion between the Partners on:

- Common Communication Action
- Common Initiatives on New Technologies

### **Discussion and Agreement on 2020 TM5 Secretariat and Host**

The Partners reached consensus that USPTO will host the 2020 9<sup>th</sup> TM5 Mid-term Meeting on April 25<sup>th</sup>, 2020, the User Session on April 26<sup>th</sup>, 2020, and the Annual Meeting. The Partners agreed that USPTO will begin acting as Secretariat at the conclusion of the 2019 Annual Meeting and will serve in that role through the 2020 TM5 Annual Meeting.