

2023 TM5 Annual Meeting
Record of Discussion
September 11-13, Incheon, Korea

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”) met for the 2023 TM5 Annual Meeting in Incheon, the Republic of Korea. The World Intellectual Property Organization (WIPO) was present at the meeting as an observer.

Updates on Pendency Reduction Efforts

The Partners exchanged their pendency status and reduction efforts.

Updates on the Status of Common Projects

The following projects were discussed:

• Fraudulent Solicitations (USPTO and EUIPO):

The Partners agreed to close the project within this year.

• Common Status Descriptors (USPTO):

The Partners agreed to close the project in the next two years.

• ID List (USPTO):

USPTO provided an update on the status of the ID List.

• Non-traditional Marks (USPTO):

The Partners agreed to provide responses to the questionnaire regarding color marks.

• Trademark Protection in Opposition and Appeal (review) Procedure (CNIPA and EUIPO)

The Partners agreed to publish the report containing practices and regulations regarding opposition procedures on the TM5 website and also agreed to have further discussion on the questionnaire for the appeal (review) procedure.

• Trademark Archives Management and Administration (CNIPA)

The Partners agreed to close the project.

• Staff Exchange (EUIPO)

The Partners provided information on their respective situations regarding staff exchanges and agreed to support the program to the extent possible.

• TMview (EUIPO)

EUIPO will provide the Partners further clarification on its proposed future activities under the project.

• User Involvement (EUIPO)

EUIPO described the new materials published in the SME corner of the website.

• Joint Communication Action (EUIPO and KIPO)

The Lead Offices agreed to share their communication plan for 2024 including potential social media plans.

• Common Statistical Indicators (EUIPO)

EUIPO informed that the 2022 data had been published in PowerBi, PDF and Excel formats on the website.

• User Involvement (EUIPO & JPO)

The Partners approved JPO’s proposal to hold the Joint Workshop on “How to determine the likelihood of

confusion at the examination stage” at the INTA Annual Meeting which will be held in Atlanta, Georgia, USA, in May 2024.

- **Bad Faith (JPO)**

The Partners approved JPO’s proposal to hold the government-to-government bad faith seminar in Vietnam in January 2024.

- **IT Support for Trade Mark Examination (JPO)**

The Partners agreed to hold the IT Experts Meeting in conjunction with the 2024 TM5 Working-level Meeting.

- **Combatting Infringement (KIPO)**

The Partners agreed to close the project by holding a brief session regarding the project at the 2024 TM5 Annual Meeting.

- **TM5 Website (KIPO)**

KIPO shared the website renewal plan which will incorporate the Partners’ feedback.

Discussion and Adoption of New TM5 Projects

- **Trademarks in Virtual Space (KIPO)**

The Partners discussed a newly proposed TM5 Project led by KIPO on “Trademarks in Virtual Space”. The project was adopted and KIPO agreed to implement the project considering workloads of the Partners. The objective of the project is to learn from each other’s filing trends and examination guidelines/practices related to virtual goods and services.

- **Green TM5(EUIPO)**

The Partners discussed a newly proposed TM5 Project led by EUIPO on “Green TM5”. The project was adopted and EUIPO agreed to implement the project considering workloads of the Partners. The objective of this project is to share ongoing green initiatives.

Joint Statement

The Partners adopted the 2023 Joint Statement.

TM5 User Session

The Partners hosted a user session with participants from all TM5 Partner jurisdictions. The Partners provided office updates and Q&A session, and users gave presentations on current trademark issues.

2024 TM5 Meetings Host

The Partners agreed that JPO would serve as Secretariat and Host of 2024 TM5 work and meetings as of the conclusion of the 2023 TM5 Annual Meeting.