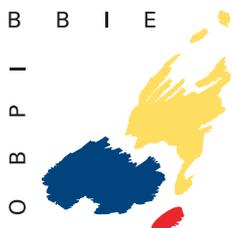
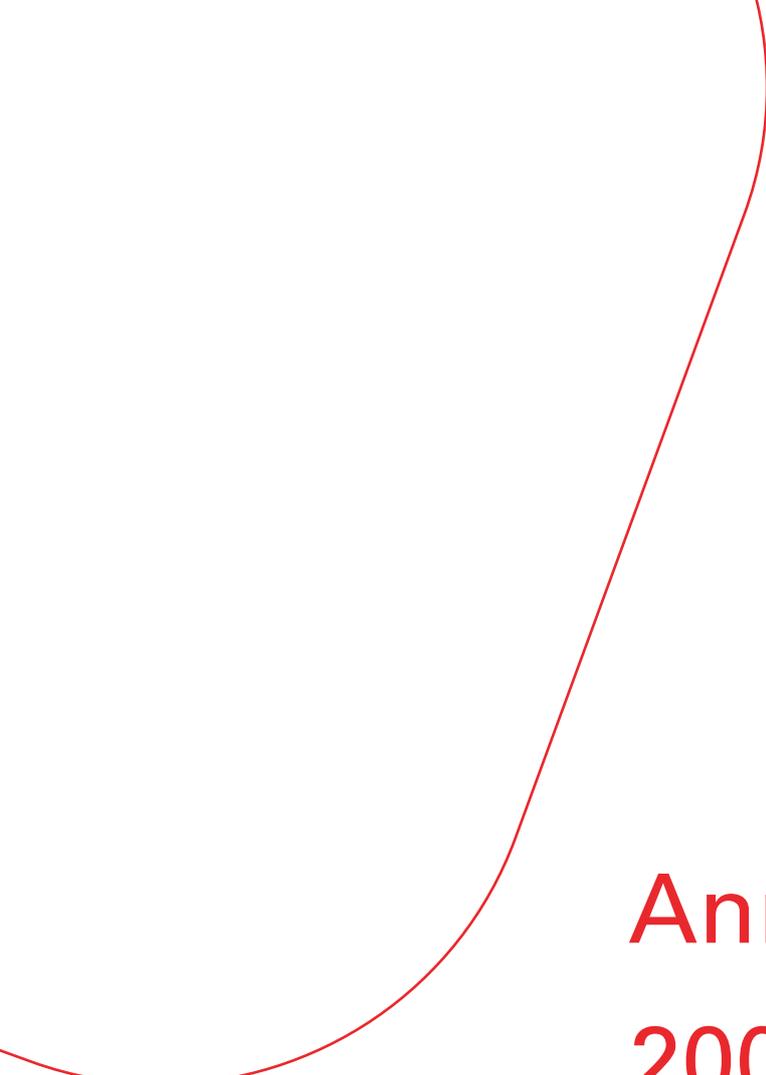


Annual Report 2006



BENELUX
OFFICE FOR
INTELLECTUAL
PROPERTY

Doing business
successfully starts
with registration



Annual Report 2006

Index

1	Report from the Directors' Committee	5
2	Mission, vision and objectives	11
2.1	Benelux Office for Intellectual Property	12
2.2	Strategic vision of the organisation	15
2.3	Mission and core values	15
2.4	Organisational objectives	15
3	Registration and legal affairs	17
3.1	The new Convention	18
3.2	Statistics	21
3.3	Opposition	21
3.4	Legal Affairs	22
4	Cooperation, information services and promotional activities	25
4.1	Doing business successfully starts with registration	26
4.2	Website	29
4.3	Trade fairs	29
4.4	Presentations	30
4.5	SMEs	30
5	Management	35
5.1	Improving our processes and procedures	36
5.2	Communication policy	37
5.3	IT	38
5.4	Personnel	41
6	Figures and statistics	45
6.1.	Financial report	46
6.2.	Workforce data	52
6.3.	Trademarks, designs and ideas	54
7	Information and data	63
7.1	Joint Management Bodies	64
7.2	National offices	68
	Terms and definitions	71



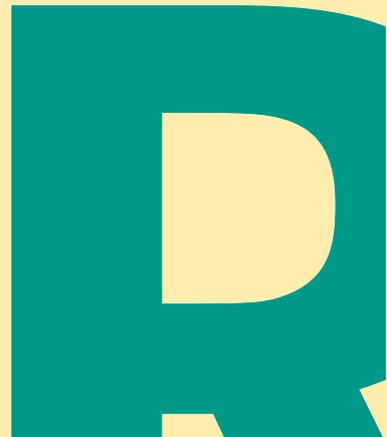
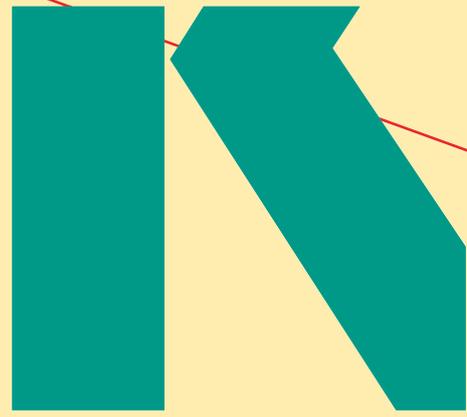
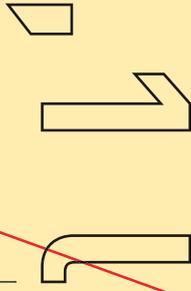
27

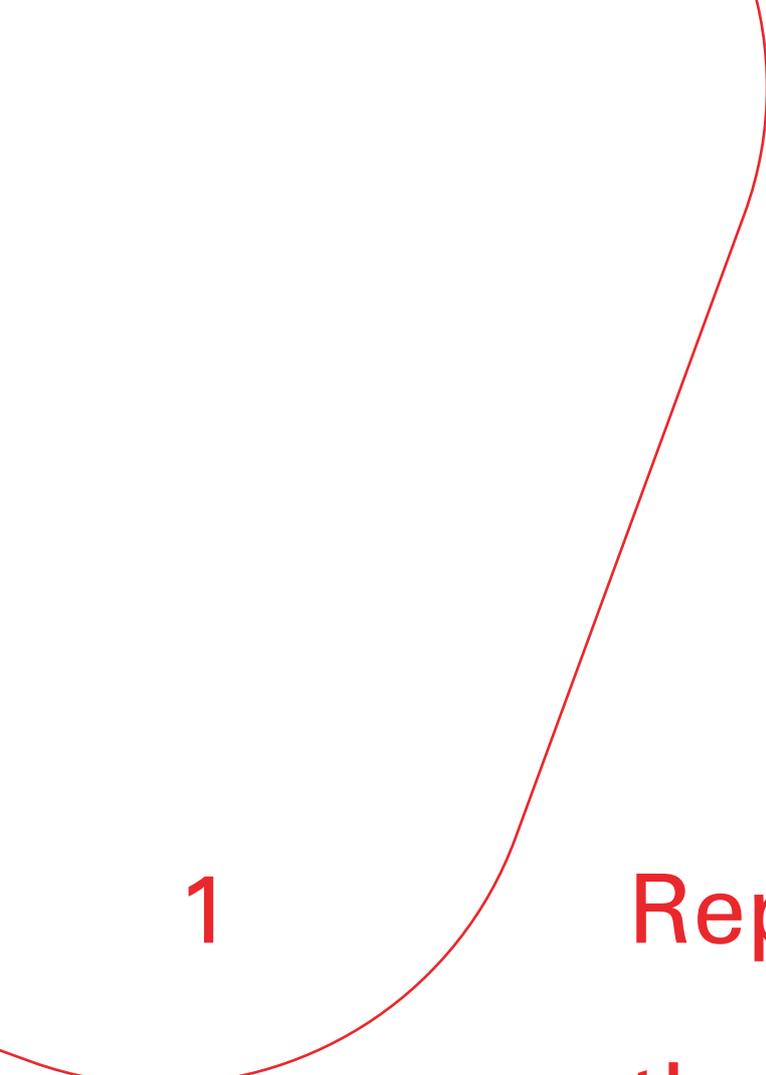
10

0,5

5

26





1

Report from the Directors' Committee



The year 2006 was an exceptional year: thanks to our attractive, extremely quick and modernised registration procedures, we recorded the highest number of filings of trademarks in the long history of our Office. We also managed to halt the decline in the number of filings of designs, and the number of i-DEPOT applications is increasing steadily.

All this means that I can look back on the past year with great satisfaction: the Benelux Office for Intellectual Property is still fulfilling all parts of the role it was set up to perform, even in the current European context, which at first glance certainly appears to be less than ideal for us!

The year 2006 was remarkable for another reason too: on 1 September 2006, the new Benelux Convention on Intellectual Property (BCIP) came into force, which was a momentous event that we celebrated in an appropriate way with our employees and the ambassadors and official representatives of our three countries. Additionally, negotiations with the Dutch government started on the location of our offices.

Turning now to our internal organisation, 2006 was no less eventful than previous years. This was no surprise either, as we have to continually modernise and improve ourselves if we want to provide a better service to our customers than our competitors can give.

'High quality, reliable, quick service: this is what we are especially good at and what helps to give us our competitive edge.'

For the fourth year in a row, we achieved a positive result, and not only that - we posted our second best ever result since the Benelux Trademarks Office was set up in 1970! This unusually high surplus will be added to the reserves, so that ultimately it will benefit our customers, i.e. companies and other organisations. After all, this is one way in which we can make sure that we don't have to raise our charges and fees due to the increased cost of living in our three countries. In this connection, it pleases me to be able to report that our fees are still lower than those charged in our neighbouring countries.

Nevertheless, we will have to be vigilant in the coming years, for two reasons. First, our political masters are discussing the future of the Benelux region, in connection with the ending in the year 2010 of the Treaty establishing the Benelux Economic Union. Secondly, the European Commission has initiated a debate about a possible reduction in the OHIM's taxes.

Looking at the future of the Benelux union, I am pleased to report that all the authorities involved in this political discussion have nothing but praise for our Office. Just look at the whole host of glowing reports on us produced by political bodies and academic research agencies, which have unanimously rated the work that we do as 'outstanding'. This should provide some reassurance, but it doesn't make the challenge facing us in the coming years any less great: we must be seen to provide even more content and innovation in connection with the role that the legislators recently assigned to our Benelux Organisation.

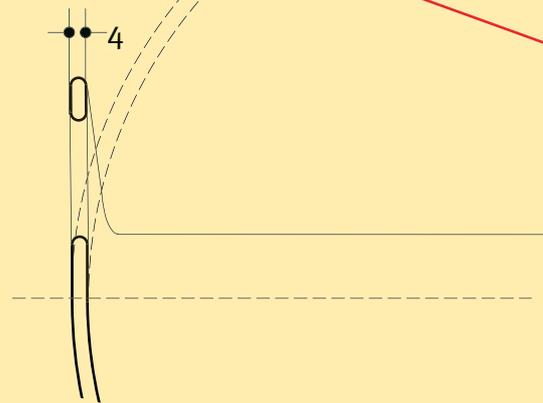
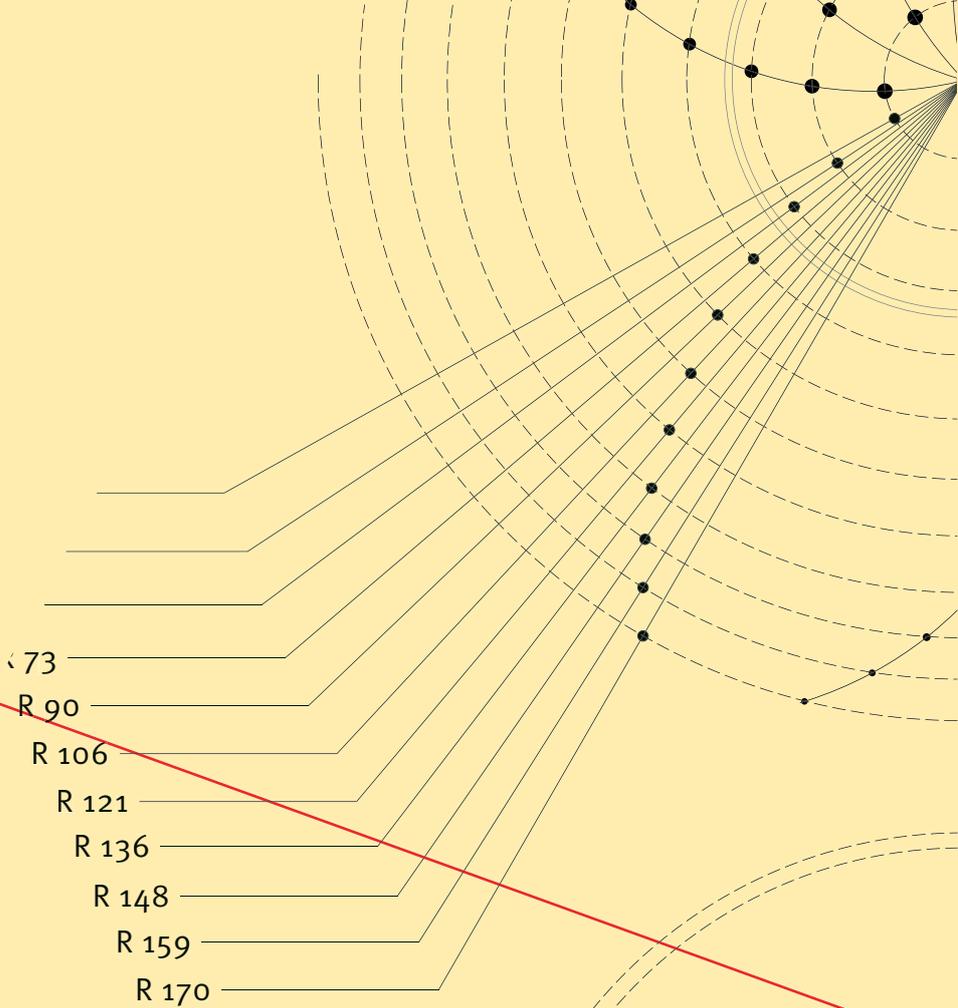
One aspect of these challenges is the threat posed by a possible reduction in the fees charged by the OHIM in Alicante. We naturally agree that the taxes must be reduced if the realised surplus exceeds a certain level but I expressly oppose - and I am certainly not the only one to oppose - a purely accounting-based approach to the determination of the 'price' of the Community Trade Mark.

As if we're talking about a standard consumer good sold by a commercial company! I would also like to draw your attention to the extremely important role played by all national offices in the promotion of intellectual property rights, including in relation to the Community Trade Mark and Community design. Finally, I would like to advocate a full discussion of the concept of 'normal use in the Community' as set out in Council Regulation no. 40/49 (EC) of 20 December 1994 on the Community Trade Mark, and in particular in respect of the joint interpretation that the Commission and the Council issued for the concept in 1995. Under this interpretation, there is already said to be 'normal use' as soon as a (European) Community Trade Mark is being used in a single EU Member State. Given the expansion of the EU that has now taken place, I would urge that there be a review, either of the concept as such or of the above joint interpretation issued by the Commission and the Council. There is all the more reason to do this when we consider that more than half of the opposition procedures opposing a Benelux trademark filed with our Office are based on a Community Trade Mark that will probably never be used within our domain. The above could lead to a distortion of the equilibrium that the European legislator wants to achieve between Community Trade Marks and national trademarks. Remember that the latter constitute the great majority of trademarks filed by our SMEs, because they don't want pan-European protection for their trademarks!

This thorny question is one that will definitely occupy us in the coming months and years, of that I am convinced!

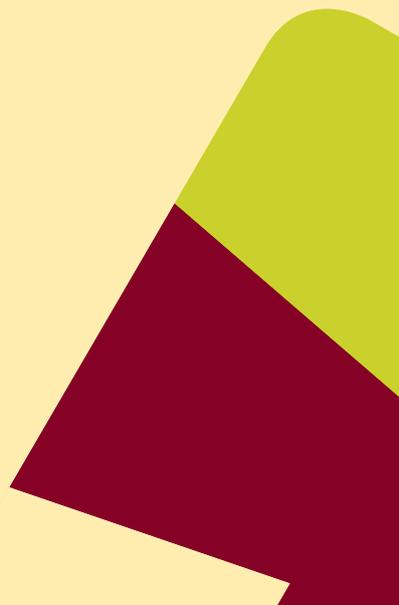
Before closing this foreword and wishing you an enjoyable read, I would like to thank all my colleagues in the Office from the bottom of my heart for their outstanding work in 2006. The merger and changeover of our two former Offices into the new Benelux Office for Intellectual Property has required a huge effort on the part of our employees, in addition to their normal work, which recently has concentrated on processing the great number of new filings in the first quarter of the year in connection with the launch of the new '.eu' domain name. The very positive results from the Office's customer satisfaction survey carried out by the University of Amsterdam are an excellent and well-earned reward that we can all share in. What you have all achieved is remarkable!

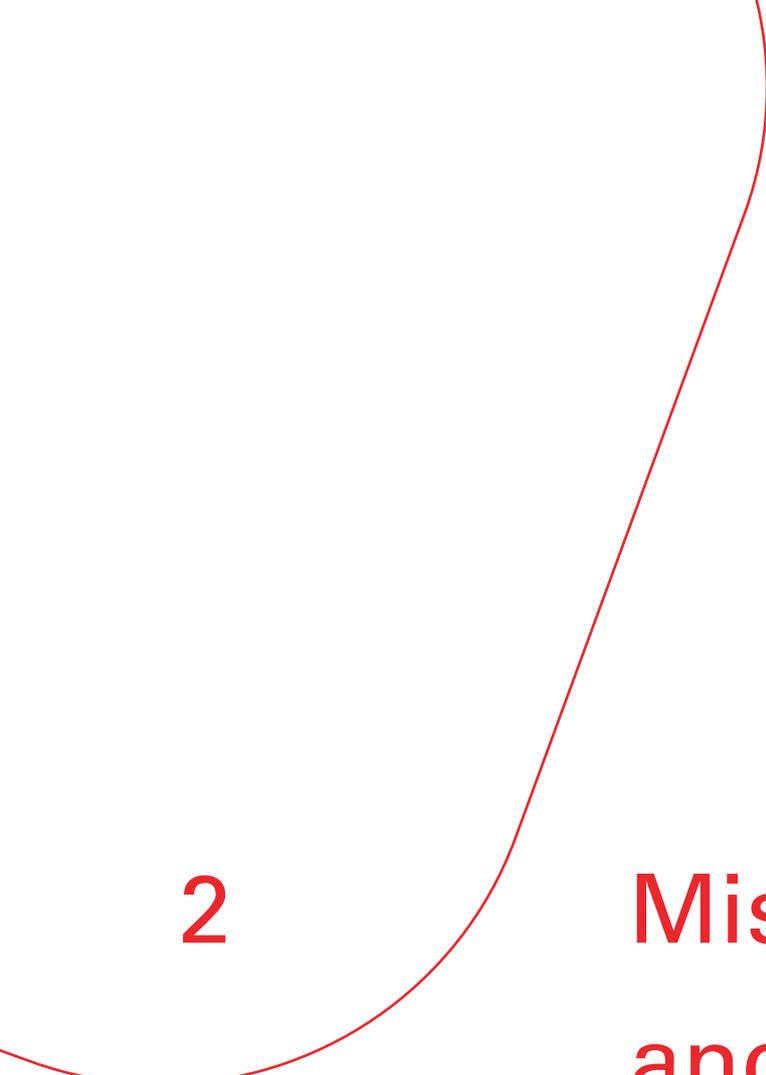
Edmond Simon
Director General



cre

thf





2

Mission, vision and objectives

2.1 Benelux Office for Intellectual Property

The Benelux Office for Intellectual Property (BOIP) is the official institution in the Benelux region responsible for the registration of trademarks and designs. The BOIP is part of the Benelux Organisation for Intellectual Property (BORGIP), an international organisation that is supervised by its Management Board. This Board is staffed by representatives of all three Benelux countries.

The Organisation has been assigned the following tasks and duties:

- a. to implement the Benelux Convention on Intellectual Property (BCIP) and the implementing regulations.
- b. to promote the protection of trademarks and drawings/designs in the Benelux countries.
- c. to carry out the related legal tasks in such areas as intellectual property, as directed by the Management Board.
- d. continual evaluation and, if necessary, amendment of the Benelux laws on trademarks and designs, in the light of international and Community developments.



'Initially, you have to keep a good idea to yourself'

"I am a graphic designer and often think up new designs. Recently I came up with a design that was ripe for a great deal of commercial exploitation. I want to take it further but first want to discuss it a bit with fellow professionals. But what would I do if someone stole my idea? Then I remembered a presentation about trademark and design protection that I went to while I was still studying at the Art Academy in Liège. During this presentation, the guest speaker talked about the i-DEPOT envelope procedure used by the Benelux Office for Intellectual Property, which you can use to record the date when you came up with your idea. This puts you in a better position should someone claim that he came up with your idea. There are two parts to the i-DEPOT envelope. You place a proof of your idea in each part, which you may have recorded on a CD-ROM, for instance. You send the envelope to the BOIP in the Netherlands, who keep one part in their archive and return the other part to you. The speaker gave us another good tip too: keep your own logbook of innovations, to record the development process for your idea and the details of the people you talked to and the arrangements and agreements you made with which parties on which dates. Also include relevant correspondence and any signed confidentiality agreements. This means that if there is ever a dispute, you can use the logbook and the i-DEPOT envelope as documentary evidence."

Doing business successfully starts with registration



'Trademark specialists are experts to their fingertips'

"When I saw on the Internet that someone was using my trademark, at first I didn't know what to do. I know about running a business, but I don't know all the ins and outs of the law. So, I decided to call the BOIP, the Benelux Office for Intellectual Property, for advice. The BOIP's expert explained that the BOIP provides information to businesses about the correct trademark registration procedure, but that it is neither able nor permitted to advise on individual cases. This is because the BOIP is the independent and impartial administrator of the Trademarks Register. He advised me to contact a trademarks agent or specialist lawyer, and said that these experts would certainly be able to advise me about the steps I needed to take to protect my trademark. I wrote down the details of the website of the Benelux Association of Trade Marks and Design Law that he gave me, had a look round and got some more information by phone. I now have my own trademarks advisor. It means that I no longer need to worry about my trademarks, as my agent will call me if anything needs doing and will take care of everything."

**Doing business
successfully starts
with registration**

2.2 Strategic vision of the organisation

Just as it is with other organisations, continuity is a primary business objective of the BOIP. In order to safeguard this continuity, it is important that the number of registrations increases. Raising our public profile and expanding the range of tasks that we can perform can help us to achieve this. This is also the strategic view of the Management Board, which wants to strengthen the foundations underpinning the new organisation by ensuring that member states entrust new tasks in the field of intellectual property to the BOIP.

The ideal situation for a business is that it can call on the BOIP for the registration of its intellectual property rights in the Benelux countries, and we want businesses to automatically think of the BOIP when they are considering such registration. This is why in the coming years our organisation aims to become more widely known and respected in the Benelux countries as the registration office for intellectual property.

In order to achieve this ambition, the organisation must work on becoming even more professional: it must improve the quality of its service, further raise its profile and thus get the businesses to register with us. This ambition is formulated in the BOIP's mission statement.

2.3 Mission and core values

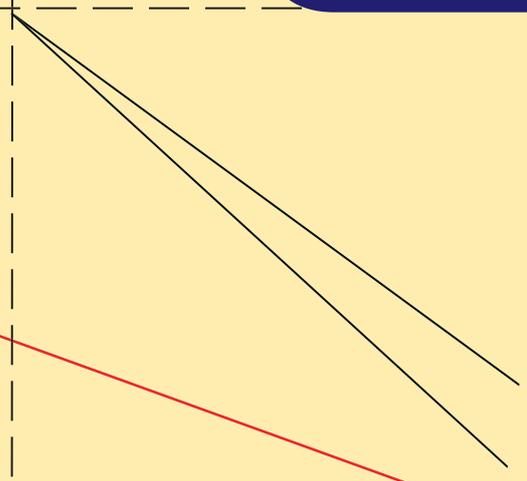
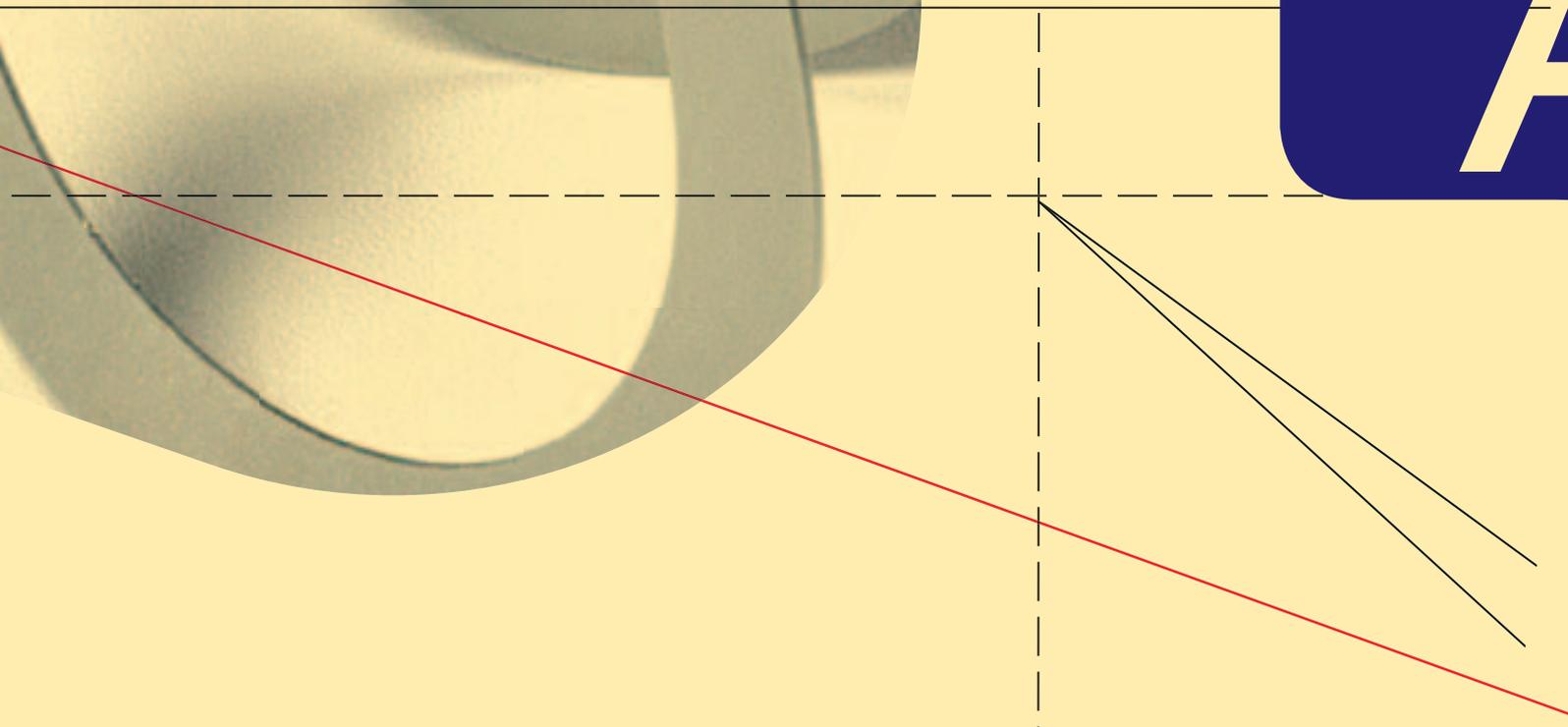
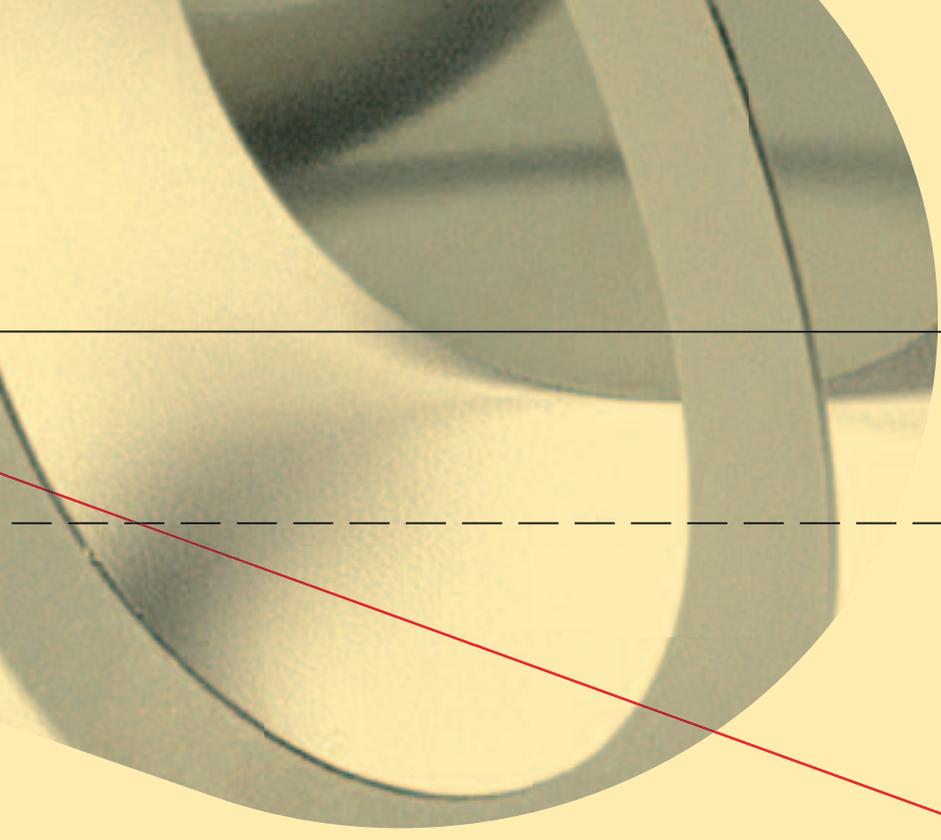
The mission of the Benelux Office for Intellectual Property is to ensure that all trademarks, designs and ideas in the Benelux region are registered and that businesses know where, why and how to protect their intellectual property.

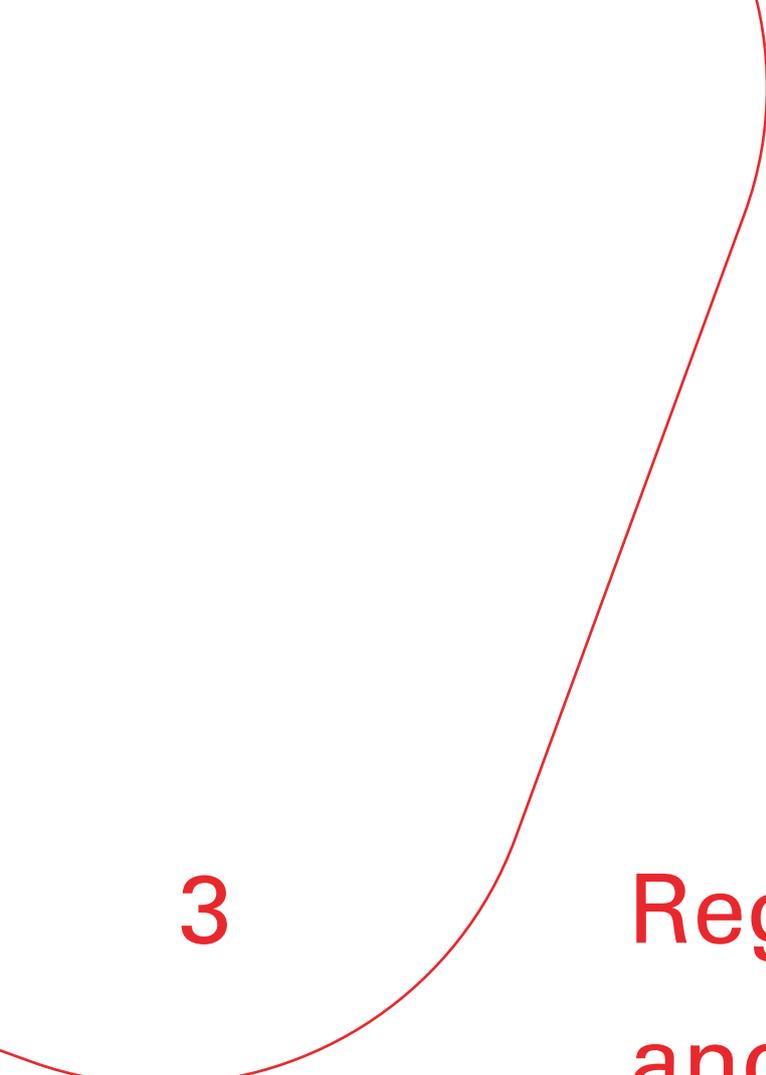
The BOIP has set itself the goal of maintaining a competitive edge as a professional service provider in the field of intellectual property registrations. We base our approach and our work on our five core values: self-assurance, flexibility, reliability, accessibility and a contemporary outlook.

2.4 Organisational objectives

The strategic objectives of the Management Board consist of four clearly-defined organisational objectives that are themselves based on our mission, which have been translated into specific (multi-year) departmental plans and projects. These four objectives are:

- 1) Improving our image.
- 2) Improving the quality of our service.
- 3) Raising our profile.
- 4) Focusing on efficiency, in order to keep registration costs under control.





3

Registration and legal affairs

3.1 The new Convention

In recent years, much of our work has focused on preparing for the implementation of the Benelux Convention on Intellectual Property (BCIP). On 1 September 2006, the implementation of the regulations on trademarks and designs was assigned to the Benelux Office for Intellectual Property (BOIP). The old laws have been transformed into the uniform and clear legislative text of the Convention. We hope that the user will find the Convention an easy-to-use reference work.

The new Convention contains a number of far-reaching amendments that must be implemented throughout the organisation. This means a lot of work for our workforce. The changes to the tasks and duties of the Registration Department will have a direct and positive influence on the users of our services. In the filing procedure, for example, it is no longer mandatory to carry out a search if there have been previous registrations. In other words, the obligation to confirm an application no longer applies, which means that a trademark can now be registered quicker and more efficiently. In addition, a number of formalities have been scrapped or relaxed, including the scrapping of the mandatory power of attorney and the ending of the practice of antedating when submitting a filing. Many practical rules, which were previously incorporated into the application regulation, will from



‘Protect your company name with a trademark registration’

“When I started up my company, I naturally registered my company name with the Chamber of Commerce. And that is that - or so I thought. Until I received a phone call from a lady who informed me that she had already filed a trademark registration for the company name that I was using. I wasn’t allowed to use the name any more. This was a big shock, as the folders with the special opening offers had already been printed. She said I should contact the Benelux Office for Intellectual Property (BOIP) to get more information. They were able to confirm that this lady had already filed a trademark registration for my chosen name - she had used it for her nail studio. She had already registered her trademark before I started using my company name, so as it turned out she did have the rights to it. The same day I invited some friends round and between us we came up with a new company name. I immediately registered it as a trademark with the BOIP, as no-one wants to get a phone call like that a second time!”

**Doing business
successfully starts
with registration**



'Trademark registration has proved its worth in court'

"A few years ago, we registered our company logo as a trademark. This proved to be a very good move recently when we heard through the grapevine that a competitor had entered the market who was using a logo that was very similar to ours. This was bad for business, as our logo is a symbol of the quality that we offer our customers. We even received complaints about products that weren't ours - they were our competitor's! So, we took him to court, where our earlier registration of our logo with the Benelux Office for Intellectual Property proved decisive. The court ruled in our favour and prohibited our competitor from using his logo."

**Doing business
successfully starts
with registration**

now on be published as decisions of the Director General. This means that such practical measures can be implemented more quickly, allowing the BOIP to respond even better to the wishes and needs of Benelux businesses.

3.2 Statistics

In 2005, the introduction of the new .eu domain names led to a huge increase in the number of applications, an increase that slowed somewhat in 2006. All the same, the number of filings in 2006 was still about 20% higher than in 2004. The BOIP examiners proved able to shoulder this heavy workload, whilst still being able to maintain the desired quality and keep to the maximum turn-around times. This is also due to the investments that we have made in recent years to make work procedures more efficient.

In 2006, the number of filings for designs rose by more than 10%. It seems therefore that the downward trend in the number of design filings in recent years has been reversed. I-DEPOT, a service that businesses can use to record the creation date of an idea, is becoming more popular too. In 2006, almost twice as many applications were received as in the previous year. This shows that i-DEPOT satisfies a customer need.

3.3 Opposition

The change introduced on 1 January 2006 means that an opposition may now be submitted against any published trademark for any class of goods or services. This has led to a great increase in the number of opposition procedures instituted.

The aim of the opposition procedure is to get the parties involved to try to reach a mutual settlement during the 'cooling-off period'. If the parties are unable to do this then the BOIP will make a final decision. In practice, it is clear that parties do indeed use this procedure for this purpose, as in many cases the procedure is either concluded during the cooling-off period or else the parties ask for a postponement at that time. It is clear that in many cases parties need a bit more time to settle their dispute.

The new Convention and the accompanying implementing regulations contain a few items that dot some i's and cross some t's in the opposition procedure. For example, it is now possible to file an opposition against a limited number of goods or services within a particular class. Clients can also pay the opposition tariff in two instalments, the first when submitting the forms and the second after the cooling-off period, when the actual opposition procedure between the parties commences.

The opposition procedure is a useful strategy for the trademark holder to monitor and retain his trademark rights. On the other hand, it is also a good idea to use it for new registrations, so that before the actual registration users can see what they will have to deal with.

3.4 Legal Affairs

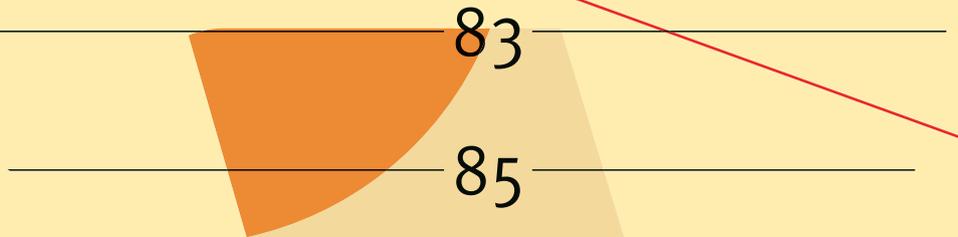
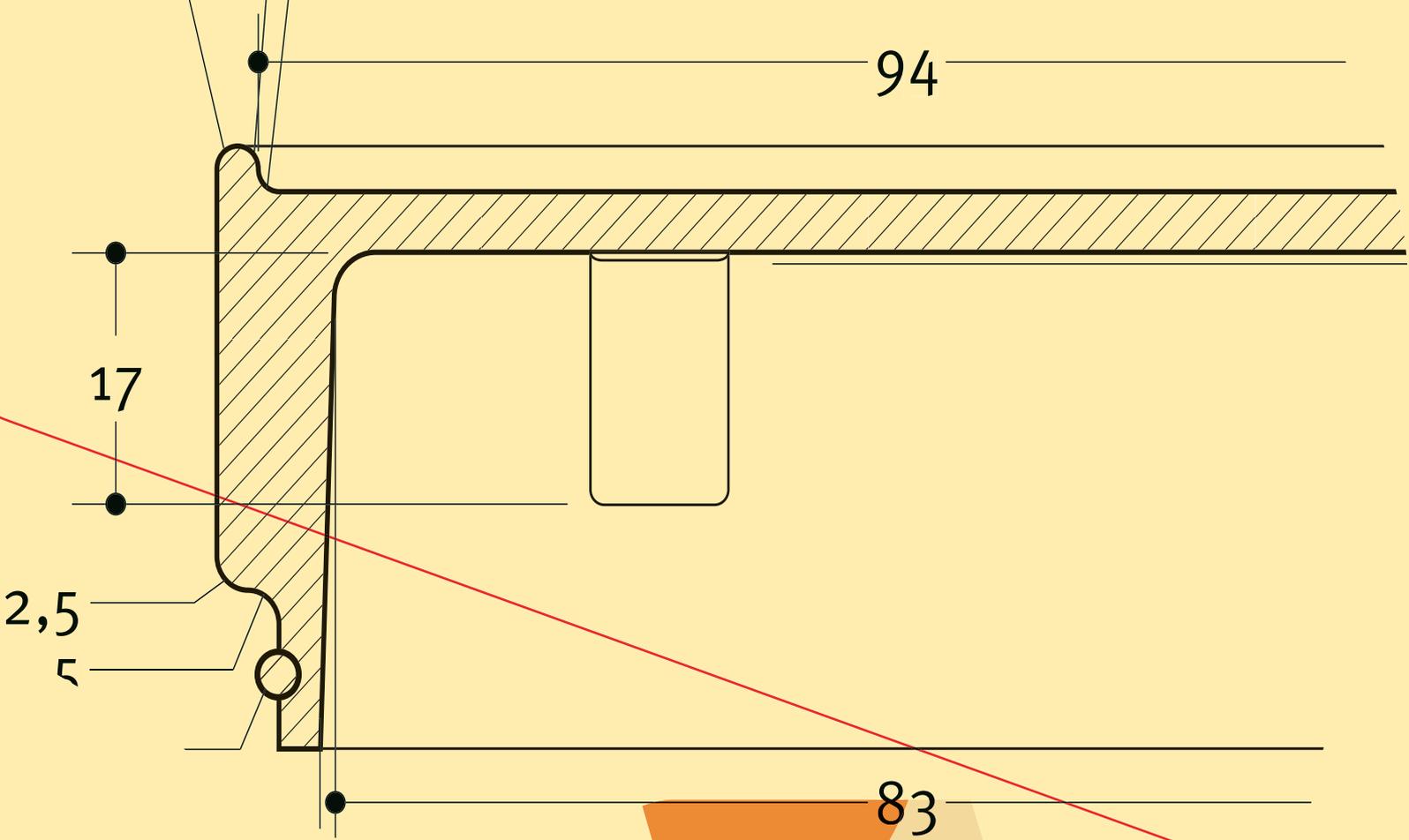
The BOIP's legal affairs activities ensure that an entitled party can be sure that his registration is sound. After all, parties are allowed to file an opposition to a trademark that is now registered in the Benelux register; in other words, potential objectors to a trademark have had the opportunity to express any objections they may have. A registered trademark has also been tested on absolute grounds, which gives its owner greater certainty that the validity of his trademark will not be cast into doubt at a later date.

In the matter of refusals on absolute grounds, in 2006 some clarity was achieved in respect of the trademark establishment issue. The European Court of Justice (ECoJ) issued a ruling in the case of EUROPOLIS and stated that a mark (i.e. trademark) must be distinctive in the entire area for which protection is being claimed. If this is not the case 'ab initio' (i.e. from the beginning), then in the case of the claim for establishment of a trademark, if this property (i.e. feature) is lacking in just part of the area then it will be sufficient to show use that will acquire this distinctiveness in precisely this more limited area. The final word has been left to the Benelux Court, which still has to consider the issue of translation.

In addition, the ECoJ answered questions posed by the Brussels Court in the THE KITCHEN COMPANY case. In this case too, the line taken by the BOIP was confirmed as correct, namely that when justifying a refusal it is permitted to treat as a group those goods referred to in a filing.

This last ruling by the ECoJ confirmed the line taken by the BOIP as correct too, which is why we may cautiously conclude that the quality of the assessment is good. In all five BOIP cases submitted to the European court, our line of reasoning was confirmed as correct.

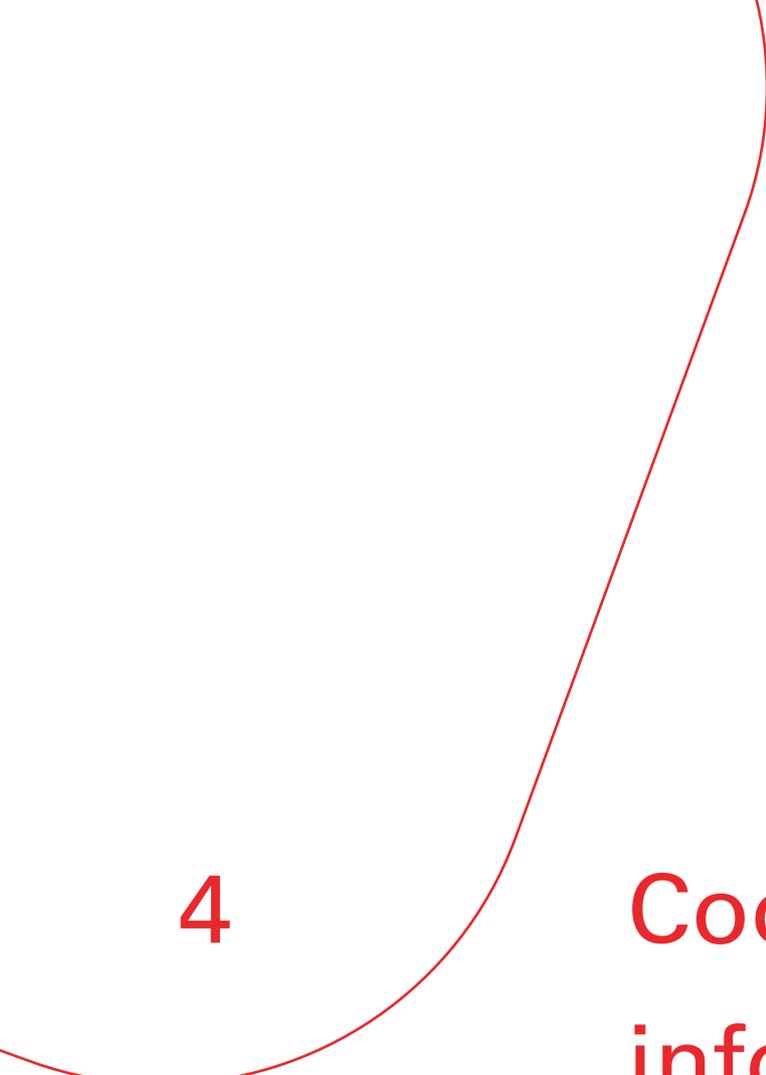
Looking at those cases that are being handled by the national institutions, the picture in 2006 was the same as in the previous year. The remarkable difference in the willingness to proceed in the courts in The Hague and Brussels has remained, as has the discrepancy in the figures for the granting and refusal of appeals by these courts. It is to be hoped for all users of the system that in the coming year greater clarity on the interpretation of Benelux law will be achieved.



GG

H





4

Cooperation, information services and promotional activities

4.1 Doing business successfully starts with registration

The implementation of the new Benelux Convention on Intellectual Property (BCIP) and the setting up of the new Benelux Office for Intellectual Property (BOIP) meant that 2006 was a special year. The new Convention and Benelux Office meant we were faced with an interesting challenge in the field of information services and promotional activities.

The new organisation had to be put on the map immediately and in a way that raised its profile. The target groups, in particular the trademark agents and other knowledge partners, had to be properly informed about all the changes resulting from the new Convention.

In 2006, all information material was brought into line with the new corporate identity style and given our new logo. All our means of communication focus on businesses. The communication material takes a personal approach and talks to businessmen and women about what is after all one of the essential aspects of business activity. The pay-off 'Doing business successfully starts with registration' is the common thread running through the brochures, the website and the advertising and trade fair materials. Personal stories of businessmen and women ('testimonials') support the pay-off. In this way, in the coming years the BOIP will be underlining the importance of registering trademarks, designs and ideas.



***'Properly informed, thanks to cooperation
between the BOIP and employers' organisations'***

"As an independent jewellery designer, what I enjoy most is the creative side of my work. However, when you are in business for yourself, you have to consider a lot of other things too. I feel it is important to be well-informed. This is why I believe that it makes very good sense to join the VLAO-Flemish Enterprise agency. I often go to their get-togethers, which is how I came to go to their roadshow on intellectual property. My VLAO account manager had advised me to go along, as the Benelux Office for Intellectual Property (BOIP) was holding a presentation on trademark and design protection. For a long time, he had been urging me to register my new designs before launching them on to the market. At the get-together I got a lot of practical information, and the BOIP's presentation really stayed with me. Actually, it was straight after that I took the step of registering the design I had just developed. Once I realised the benefits, it made a lot of sense to register."

**Doing business
successfully starts
with registration**



'A useful meeting with the BOIP at a B2B trade fair '

"Although I have only just started up my company, I can already see interesting markets for my products, especially abroad. You need good contacts for this, so when the Entrepreneurs B2B (Business to Business) trade fair was held I went along, mainly to network. On the stand of the Belgian Ministry of Economic Affairs, I met a representative of the Benelux Office for Intellectual Property. We chatted a bit about exporting and about the risk that you will suddenly have to deal with cheap imitations of your product. He then informed me that I could also register my trademarks for countries that were not part of the Benelux region or the EU. I found this very interesting, as I want to expand into at least six European countries. He said that for a European registration I should get in touch with the OHIM, and that if I registered my trademark via their website that the whole process would be quicker and cheaper. In short, I made some valuable contacts at the Entrepreneurs, but the information I got from the BOIP there was just as valuable."

**Doing business
successfully starts
with registration**

The BOIP also signed a collaboration agreement with the OHIM in the field of promotional activities and information services vis-à-vis the Community Trade Mark and Community design. The information on the Community Trade Mark or Community design was added to or updated in all means of communication. Additionally, the Community system figured prominently in presentations made to the various target groups, in verbal information dispensed at trade fairs, and in general information provided by the front office.

4.2 Website

The BOIP wants to make registration quicker, flexible, accessible and reliable, which is why we devote a lot of time and effort to developing ICT applications. The BOIP's most important means of online communication - its website - makes an important contribution to the achievement of the BOIP's mission and vision. In order to properly fulfil this role in practice, the old websites for the Benelux Trademarks Office and the Benelux Designs Office were replaced by our new international website at www.boip.int.

The goal of our online communication is that over time, every businessman and woman in the Benelux region will register his or her intellectual property and will do so online. To achieve this, we have to make businessmen and women aware of what intellectual property is, of the importance of registration, and of the way in which registration can be achieved. We will do this by ensuring that our website is easy to find and use and contains the easy-to-read information that businesses need.

The three mainstays of registration - trademarks, designs and ideas - have been given equal space on the website. This meant that from September 2006 the i-DEPOT envelope figured more prominently than before. The result was a sharp increase in the number of envelopes submitted in the final months of the year.

In 2006, our website was visited by 380,957 visitors, 243,551 of whom came from the Netherlands, 78,283 from Belgium and 4,393 from Luxembourg. Visitors found their way to our website www.boip.int using the established search engines, although many also reached it by clicking on the links on the websites of our knowledge partners, such as the Dutch Chamber of Commerce and the Netherlands Patent Office.

4.3 Trade fairs

Over the past year, our trade fair policy has primarily targeted SMEs in the Benelux region. The stands that we manned at the open days for start-up companies at the Chamber of Commerce in the Netherlands, at the UCM in the Walloon Provinces and at the Unizo (Flemish Organisation for Self-Employed Persons and SMEs) events in Flanders received a great many visitors. The SMEs were targeted via various trade fairs across the Benelux region. In the Netherlands, we participated in various events, including the Week of the Business(wo)man, Agrinova, and the Company Networking Days in Limburg. In Belgium, we represented the BOIP at the Salon de la PME et des Entrepreneurs, at the B2B (Business to Business) Networking Days in East Flanders and Zeeland, at Initiatives and Innova and at the Ostend Company Networking Days events. Together with our knowledge partners, we also participated in Holland Innovation, The Netherlands Innovates and The Netherlands' Best Idea events.

4.4 Presentations

In 2006, we mainly targeted our presentations at students attending various courses: lawyers, marketers and designers. This approach proved especially fruitful in the Walloon Provinces. The S&I employees gave presentations to the Institute Sainte Marie (HEMES) and to the colleges Haute Ecole Libre du Hainaut Occidental (IRAM), Haute Ecole Albert Jacquard, HEPC-UT, Hogeschool Utrecht, Avans Hogeschool, Hogeschool Wetenschap en Kunst and Universiteit Antwerpen, amongst others.

4.5 SMEs

In the second half of 2006, we drew up detailed plans for a programme of activities that will target small businesses and start-up companies in 2007. The BOIP not only approaches the SMEs directly but also via a reliable knowledge network whose members include the Chambers of Commerce, Luxinnovation, BMM (the Benelux Association of Trade Marks and Design Law) and the Netherlands Patent Office. The collaboration agreement with Unizo meant that the Unizo network has been further extended. After consulting with UCM, the BOIP will in future provide a monthly report on trademarks and designs in the 'Union & Actions' journal. At the current time, the BOIP and UCM are planning a joint roadshow on intellectual property that will visit locations in the Walloon Provinces. Our collaboration with the VLAO-Flemish Enterprise agency led to a very successful roadshow on intellectual property in the Flemish provinces.

The knowledge network does not just include local partners but also our fellow institutions from other countries. In June 2006, the BOIP organised a joint forum with the SME Division of WIPO on the subject of 'Intellectual Property and Small and Medium-sized Enterprises for Intellectual Property Offices of OECD countries and South Mediterranean countries' that is being held annually. This forum witnessed a number of interesting discussions and presentations on deploying resources to inform SMEs about the importance of registering their intellectual property.

The activities over the past year provided us with new insights and starting points that have been incorporated into the BOIP's information service and promotion programmes for 2007. An account management plan will serve as the basis for a further expansion of the BOIP's knowledge network. Many other fruitful activities will be pursued in the future.

New corporate identity

In 2006 the Benelux Office for Intellectual Property (BOIP) was given a new name and a new logo. Based on the new logo, the company Ontwerpwerk designed a new corporate identity to reflect the BOIP's core values: self-assurance, flexibility, reliability, accessibility and a contemporary outlook. The pay-off – 'Doing business successfully starts with registration' – is intended to promote those values.

The point of departure for the new corporate identity was that it should reflect the three countries that make up the Benelux region. The colours yellow, blue and red symbolise these countries, supported by silver and grey. These colours are used both in full and transparent. The design idiom – planes placed at an angle with rounded corners – is an abstraction of the way the three Benelux countries are represented in the logo. The photography radiates warmth, portraying proud entrepreneurs in daily work-related settings.

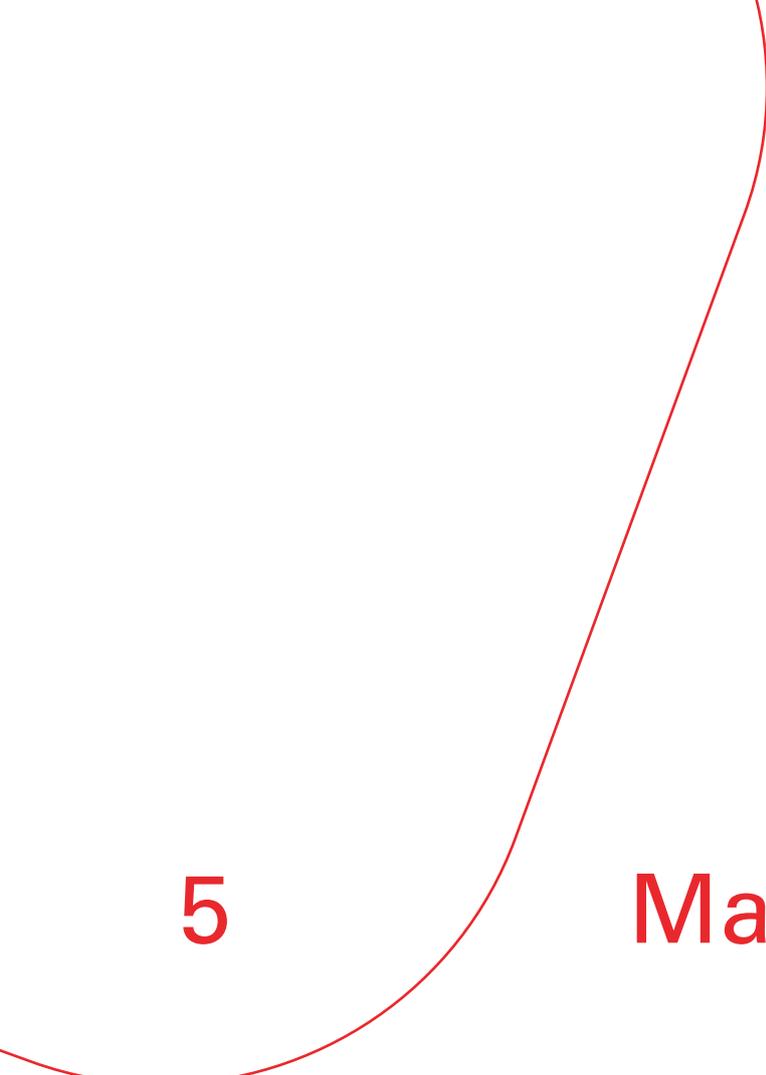
The new corporate identity has already been used in a variety of ways, some of which are shown on this page.





R 4

emnc



5

Management

5.1 Improving our processes and procedures

For a number of years now, we have been actively and critically reviewing the quality of our work to see where we can make improvements. This is a continuous process, whose benefits include the improvement of processes, the reviewing of decisions and outgoing documents, the drafting of guidelines and the organisation of in-house training programmes.

In 2006, as part of this drive, we reviewed the text of our decisions to make a provisional refusal, as we wanted our decisions to be clearly formulated and uniform. By having a standard formulation, we also wanted to create a better understanding of the Benelux Office for Intellectual Property (BOIP)'s policy in respect of refusals on absolute grounds.

The BOIP's examiners and IT specialists are working on a joint project to develop a vision for the way in which we can organise our procedures more efficiently in the future. The opportunities offered by ICT for online communication will play an important role in this respect. However, it is the needs and wishes of businesses that will have the greatest effect on any modification of procedures. After all, we want our service to give our users what they want and expect from us. It will still be some time before the results of this ambitious project become tangible, but we are happy to take on the challenge of making sure that our service always meets the ever-changing needs of our users.

5.2 Communication policy

At the end of 2005, we started developing a corporate communication policy for the organisation geared towards achieving the BOIP's organisational objectives.

The goal of the BOIP's communication policy is to improve the effectiveness of the organisation's communication, in order to further raise our profile and improve our image. The basic principle here is that the Communication department must be the guiding force in the development of communication within our organisation. Each organisational unit must contribute to this effort.

In 2006, the department's work mainly focused on the implementation of the Benelux Convention on Intellectual Property. The most important activities in this respect were the introduction of a new, professional corporate identity and the integration of the most important offline and online means of communication.

5.2.1 New corporate identity

The new face of the BOIP reflects the changes in the organisation, which include offering our customers and other business relationships new services that are beneficial, useful and effective. This desire is expressed in our new corporate identity, which also aims to improve the effectiveness of our Office's means of communication. Our new pay-off - 'Doing business successfully starts with registration' - shows in a nutshell what the BOIP stands for.

During phase 1 of the implementation of the new corporate identity (2006 - 2008), the most commonly used means of communication will be tackled, including our brochures, letters, the Intranet and the corporate website. The basic principle behind development is that in our view it is the business(wo)man and his or her interests that are key. All resources will be given the same uniform design, structure, content and tone.

Phase 1 of the corporate identity project has now produced the following resources: a logo set, a corporate identity word processing application with accompanying instructions, corporate identity designs, a correspondence set (notepaper, envelopes, business cards, press folders etc.), templates (for letters, reports and Powerpoint applications), flyers, an online newsletter, new information brochures on trademarks and designs, and a new corporate website.

5.2.2 Website

Many customers and other business relationships are already making use of the BOIP's services, especially our online services. The high degree of IT deployment and the quick and easy way in which customers and other business relationships can register their trademarks online are factors that really give the BOIP a competitive edge. This is why it was the online (communication) resources that were the first to be adapted to the new uniform way of working and to the new corporate identity. The updated website, which went online in 2006, was an important milestone in this process. At a later stage, the design of such applications as the BOIP online filing procedure and the Trademarks Register will be updated and integrated with the website. The ultimate goal is to have an integrated 'My BOIP' environment that has a uniform design, within which customers and other business relationships will be able to regulate all their affairs with the BOIP, based on the 'single sign-on' principle.

5.3 IT

On 1 January 2006 the BOIP placed its Trademarks Register online. Since then, filed and registered trademarks have only been published officially on the website. It is now possible for anybody to carry out a free search of a database that contains the Benelux registrations, the Community Trade Marks and those international trademarks that are valid in the Benelux region. More than 1,262,000 searches were carried out last year, so this service may be judged a resounding success.

The work on achieving a standard for the exchanging of trademark data (TM XML) was completed in 2006. In March 2007, this standard was enthusiastically received and approved by the WIPO. We are pleased that our active involvement in this project produced such a positive result. This new standard can be used for a great many more applications in the future.

The implementation of the Benelux Convention on Intellectual Property (BCIP) on 1 September 2006 meant that some changes had to be made in the field of ICT too. For instance, the previously mandatory search was scrapped and the website was brought into line with the BOIP's new corporate identity.

In 2006, another important strategic decision was made, namely to create a new development and production environment. The new software for this has now been installed, and staff have been trained in its use, which means that the first portal applications will become available in 2007. The new platform is designed to shorten the development time for new applications. A second goal is to optimise access to data from the outside world, a move that also creates further options for interactive applications. This means we are also building on the success of our BOIP online filing procedure. During this process, both the central server and the storage and backup systems will be updated, leading to substantially lower annual depreciation and maintenance charges.

The first pilot project being carried out under the new development environment focuses on an application for the opposition procedure, which is due to become operational in 2007. This will be followed by the online version of the i-DEPOT procedure, which is due for delivery in the summer of 2007. After this, support for the primary process will be reviewed. This is a major project whose definition phase has to be completed by summer 2007 or so.

Finally, the BOIP is participating in the Euroregister Project Group, a group founded in 2006 that is working under the auspices of the OHIM. The goal is to create a European trademarks database that everyone will be able to search online and free of charge.

All these projects mean plenty of work for the BOIP. However, we have a clear view of our goals: to achieve optimum accessibility for our customers to registration and filing data, along with customer-friendly interactive applications, optimum efficiency of the registration procedures, and excellent working relationships with the OHIM and the WIPO.



'Cost of trademark registration is very reasonable'

"I thought that if I wanted to protect my trade name I would have to apply for a patent. This would have been expensive - anything up to several thousand euros, in fact. That's why I decided to ask around and find out whether there was another option. A colleague in the same line of business advised me to get in touch with the Benelux Office for Intellectual Property. I phoned them and was told that a patent is in fact somewhat different to a trademark. A patent is expensive but this is because it is designed to protect an invention. I just want to ensure that my trade name will not be used by anybody else in Belgium or the Netherlands. A trademark registration is the best way of doing this, and I feel that the cost of registration is very reasonable. You can find all their tariffs on their website at www.boip.int. You just pay this one-off tariff and your brandname is registered for ten years."

**Doing business
successfully starts
with registration**



'Full information on trademarks and designs is just a couple of clicks away'

"Six months ago I started my own company. During the preparatory period I collected a lot of information from the Chamber of Commerce and other places. When you go into business for yourself, you have to take the time to choose the right name for your company. The Chamber's website advised me to first take a look at the Trademarks Register of the Benelux Office for Intellectual Property to see whether someone else had already registered my chosen name as a trademark. So, I surfed to www.boip.int, where it was easy to access the online Trademarks Register and see that my chosen name was still available. That was a good start, and in fact the website turned out to have a lot more useful information about things I hadn't even considered. Just from reading this information it became clear that it was in my own best interests to register my company name as a trademark. And I didn't have to fill in loads of complicated forms first - I was able to arrange it all online straight away. The online Trademarks Register allowed me to monitor the status of my registration, and just four months later my registration was definitive. I framed my registration certificate and hung it on the wall above my desk. I'm proud of it, as for me it is living proof that I have turned my dream into reality and that I really am my own boss now."

**Doing business
successfully starts
with registration**

5.4 Personnel

5.4.1 Activities in connection with the new Convention

Following on from the implementation of the new Convention, the taskforce charged with updating the Personnel Statute, Remuneration Rules and other rules discussed various proposed amendments. The taskforce formulated draft texts for those areas where the terminology from the new Convention had to be implemented. The goal here is to update the in-house rules and regulations, in order to bring our employment conditions up-to-date.

The Protocol of Legal Protection is almost complete, after an extensive consultation process. It will be formalised in line with the relevant procedure. A number of parts of the appeals process for the staff of the Benelux Office for Intellectual Property have been amended. The proposed amendments have been approved by the members of COREMO's subtaskforce. The national authorisation procedure in the three Benelux countries still has to take place, a process that could still take some time. The existing rules will apply until such time as the new Protocol of Legal Protection officially comes into force.

5.4.2 Employment conditions

The Social Plan has been extended until further notice.

5.4.3 Health and Safety

The implementation of the new Dutch Health Insurance Act was reason enough for the BOIP to arrange group healthcare insurance for its workforce.

In January 2006, the SKB, the employee healthcare quality assurance foundation, published the results of their PAGO (industrial health and safety) research into computer monitor work and work perception, which was carried out at the end of November 2005 amongst a number of BOIP employees. In light of the findings for PAGO computer monitor work, the DHSE (Dutch Health and Safety Executive) is advising those employees who spend a lot of time in front of a monitor to try to introduce a greater variety into their work. This mainly relates to varying physical activity, assuming different physical positions at regular intervals during work, and performing physical movement and exercises during workbreaks. Special workbreak software can help here.

The DHSE also notes that pressure of work can be one of the chief causes of RSI. Pressure of work is caused by a lack of time, as well as by software that is not user-friendly enough (for example). This software can be replaced where necessary.

5.4.4 Alons II

In order to further improve efficiency at the BOIP, the Management Board mandated the Alons consultancy to carry out an investigation into the quantitative workload. This investigation compares size of workforce and actual workload. The findings will be used to determine where efficiency benefits can be achieved by optimising the handover moments between departments involved in the same process. The findings will also be used to decide on the areas where the BOIP should concentrate its policy and management activities in the coming year.

5.4.5 Pensions

New VPL legislation (Note: VPL = VUT [early retirement] + Pension + Levensloop [Life-Course Scheme]) led to the BOIP withdrawing its VUT and TOP (business start-up loan) schemes and raising the retirement age to 65 years. It was decided to introduce an average pay pension scheme and a Life-Course Savings Scheme. The BOIP will contribute a fixed percentage (3%) to employees' Life-Course Schemes. The BOIP also signed a new pension contract with insurance company Aegon for a ten-year period. A new amended pension scheme will be submitted to the pension scheme members' meeting in 2007.

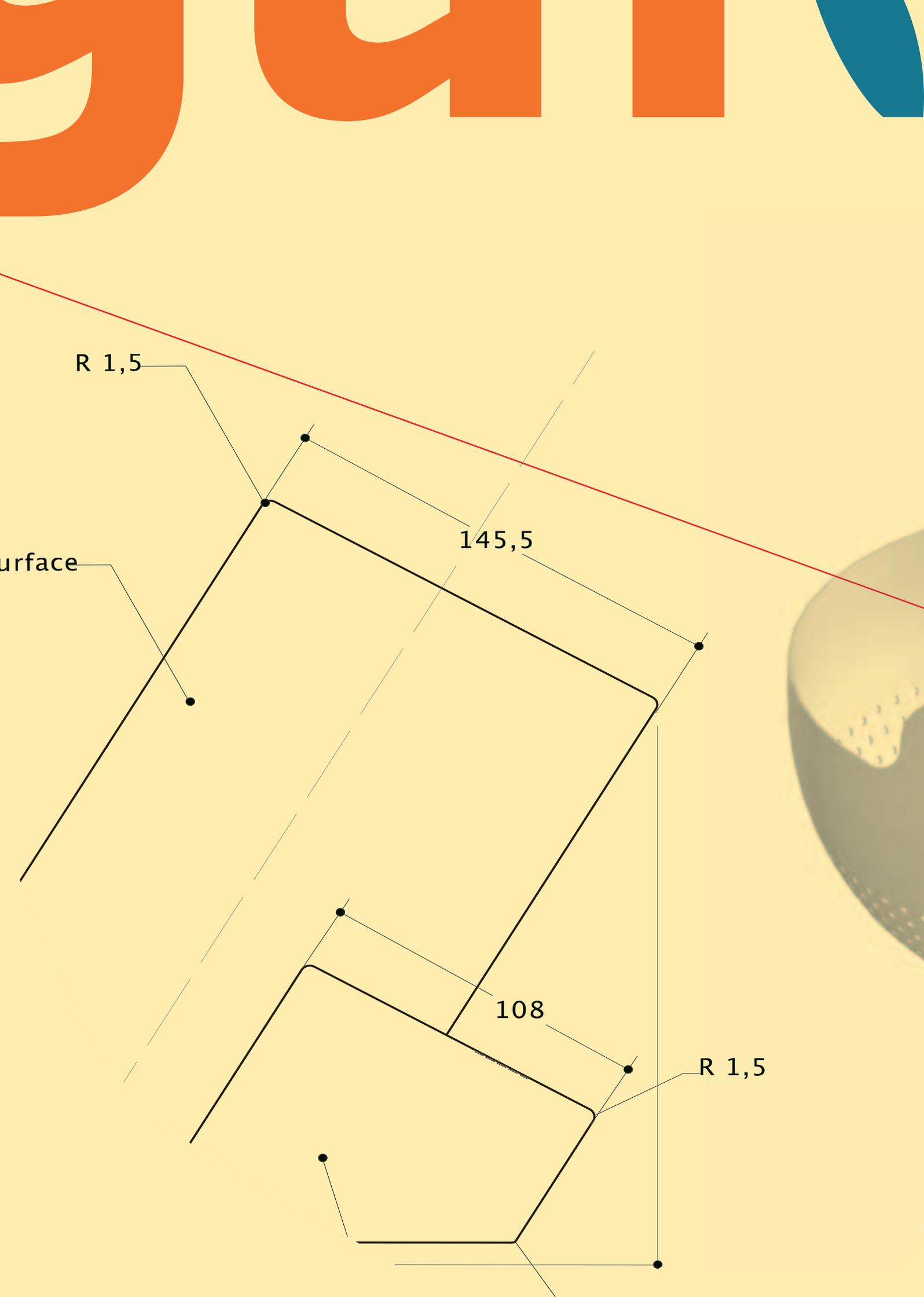
5.4.6 Multi-year policy for permanent training schemes

In 2006, the HR department started to draft a multi-year policy for permanent training schemes. All managers took part in team building days, where the successes achieved were celebrated and the opportunities and threats faced by the company were mapped out. This produced a number of policy objectives that we want to achieve in the coming year, including:

- *Corporate Governance*
Corporate governance - i.e. the way in which an organisation is managed and monitored - is a term increasingly on the public's lips, with the new Convention already prescribing many tasks and responsibilities in this field. On the advice of the new auditor, the BOIP will investigate which additional activities should be carried out in this respect.
- *Improving our image and raising our profile*
The best way to improve our image and raise our profile is to give our customers the best possible service through the optimum deployment of our organisation values, these being flexibility, reliability, accessibility, self-assurance and a contemporary outlook. We are also working on developing new services to expand the scope of operations of our organisation.

In addition, we want to collaborate with the OHIM and the WIPO in the areas of marketing and technology, as the deployment of a single technical standard saves money and facilitates the exchange of data. The BOIP is actively investigating options for developing joint marketing activities in order to raise awareness for trademark protection.

- *Training*
A multi-year training policy was launched, under which employees are encouraged to follow both job-specific training courses (which focus on job-specific skills) and organisational training courses, where the emphasis is on the development of pan-organisational skills, such as flexibility, organisational sensitivity, showing initiative and collaborating.



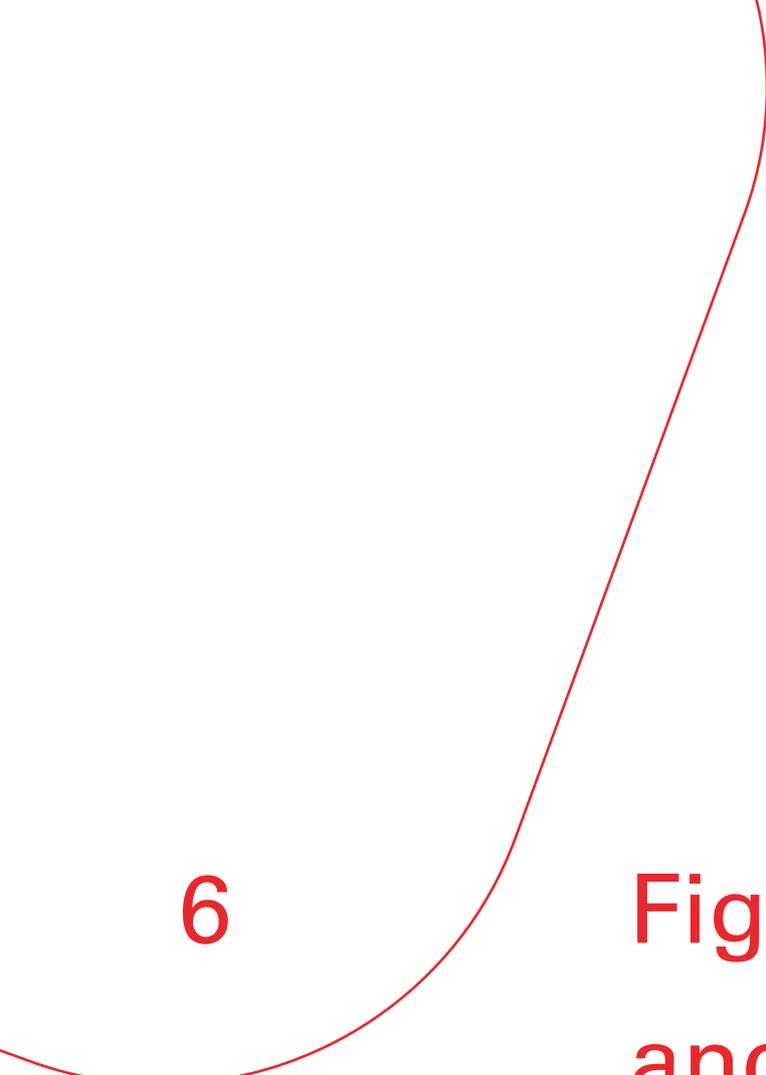
R 1,5

surface

145,5

108

R 1,5



6

Figures and statistics

6.1 Financial report

6.1.1 Balance sheet as at 31 December 2006

Balance sheet of the Benelux Office for Intellectual Property as at 31 December 2006
(2006 versus 2005)

Assets	2006	2005
<i>in thousands of euros</i>		
<i>Tangible fixed assets</i>		
Industrial buildings and land	7,703	7,959
Automation	1,248	588
Other fixed assets	170	198
	9,121	8,745
<i>Financial fixed assets</i>	7,729	5,203
Total fixed assets	16,850	13,948
<i>Accounts receivable</i>	1,528	1,129
<i>Liquid assets</i>		
Cash in hand	5,488	5,093
Deposits	1,433	1,992
	6,921	7,085
Total current assets	8,449	8,214
	25,299	22,162

Liabilities	2006	2005
<i>in thousands of euros</i>		
General reserve	8,980	8,980
BOIP reserve fund	9,498	4,688
Total equity	18,478	13,668
Provision for reorganisation	449	0
Provision for early retirement	87	439
Provision for large-scale maintenance	183	152
Total provisions	719	591
Deferred income	2,947	4,812
Other short-term debts	3,155	3,091
Short-term debts	6,102	7,903
Total debt capital	6,821	8,494
	25,299	22,162

6.1.2 Statement of income and expenditure

Benelux office for intellectual property

<i>in thousands of euros</i>	2006	2005
Revenue	17,568	16,639
<i>Operating expenses</i>		
Staff costs	9,699	8,768
Depreciation	942	890
Miscellaneous operating expenses	2,357	1,849
	12,998	11,507
Operating result	4,570	5,132
<i>Financial income and expenditure</i>		
Interest income	186	118
Exchange gains and losses and investment portfolio	54	299
	240	417
Profit for the year	4,810	5,549

6.1.3 Notes

From a financial point of view, the Benelux Office for Intellectual Property (BOIP) got off to a flying start in 2006 by posting a net operating result for the year of € 4,810,000 (2005: € 5,549,000). Although most of this net operating result was achieved under the banner of the Benelux Trademarks Office, the positive trend was continued in the final months of 2006.

Thanks to these fantastic results, the BOIP will not have any financial concerns for the next few years. The general reserve of just under ten million euros gives the Management Board some time to look for new sources of income. We need to do this because of the loss of market share to the OHIM and the loss of revenue earned from research into Community Trade Marks and international trademarks.

Revenue rose to € 17,568,000 (2005: € 16,639,000) but in 2007 will fall back to under € 14,000,000 due to the lack of non-recurring windfalls. The number of filings received and paid for, namely 25,700, was extremely high, which is why the figure for search revenue was a pleasant surprise.

The opposition service achieved a milestone by achieving the goal set before the implementation of the new measure in the very first year in which oppositions can be submitted for all classes of goods and services. In addition, in fewer than 10% of oppositions was the BOIP actually asked to issue a ruling, which is why this service is now making a positive financial contribution to the result.

It is worth noting the positive developments in a number of our services, including the i-DEPOT. Although scarcely relevant in a financial sense (annual revenue 2006: € 55,000), the growth rate is impressive. An increase of almost 40% was achieved for the whole of 2006, whereas in the first months of 2007 revenue was over 40% higher than in the final months of 2006. This is because our i-DEPOT service has been given a more prominent place on the website, in anticipation of the launch of the online version. If this online version is a success too, this service will play a major role in keeping our tariffs as low as possible.

Staff costs rose to € 9,699,000 (2005: € 8,768,000), partly due to the formation of a provision for reorganisation in the amount of € 449,000. Whereas there were several pension-related windfalls in 2005, in 2006 we are left with a modest rise in actual staff costs. The release of a large part of the VUT early retirement provision restricted the increase in staff costs to € 258,000.

Depreciation rose from € 890,000 to € 942,000 but is due to fall sharply in 2007, as the purchase price for the newly installed computer equipment will be significantly lower than it was for the previous generation of machines.

Miscellaneous expenses in 2006 (at € 2,357,000) were higher than was usual in previous years. This is because the launch of the new organisation had to be communicated and a new logo introduced, which meant that forms and brochures had to be reprinted. Another point is that the new corporate identity was fully implemented right across the organisation, something that would have been impossible without hiring in an external party. However, marketing and legal costs were lower than expected, which prevented us exceeding our cost budget of € 2,490,000.

In the coming year, the organisation will be faced by major challenges in its search for new sources of revenue. In this context, we will be trying to gain business for the BOIP across a broader range of intellectual property-related areas, as well as by offering new services such as the online i-DEPOT

service, which will be launched soon. In addition, the BOIP will be actively pressing to receive appropriate compensation from the OHIM for our activities and expenses in connection with the Community Trade Mark.

In the light of the efficiency gains already achieved and still to be achieved, the financial buffer built up and the positive trend in our filing business, the Management Board is looking to the future with confidence.

Auditor's Report

Assignment

In connection with your assignment, we have audited the financial data for 2006 for the Benelux Office for Intellectual Property in The Hague that is contained in this report. The financial data as recorded here was derived from the 2006 Annual Accounts for the Benelux Office for Intellectual Property, which we have audited. On 24 May 2007, we issued an unqualified audit report for these accounts. The financial data was prepared under the responsibility of the management of the Office. It is our responsibility to issue an auditor's report for this financial data.

Activities

Our audit has been carried out in accordance with Dutch law. Accordingly, our audit has to be planned and performed in such a way that there is a reasonable degree of certainty that the financial data has been derived from the annual accounts in the correct way. We are of the opinion that the audit information we have obtained is adequate and appropriate and can be used as the basis for our opinion.

Opinion

We are of the opinion that this financial data has been derived from the annual accounts in the correct way.

For a better understanding of the financial position and results of the Benelux Office for Intellectual Property as well as of the scope of our report, the financial data should be read in conjunction with the full Annual Accounts from which it is derived, as well as with the unqualified auditor's report that we provided for these accounts on 24 May 2007.

The Hague, 24 May 2007

PricewaterhouseCoopers Accountants N.V.

drs. A.E. Gerritsma RA



'Protect your innovations against plagiarism'

"My company has its registered office in Echternach in Luxembourg. We produce small electrical tools for DIY-ers. We specialise in making innovative improvements to existing tools. It's a great business because we make better and safer products that the consumer can use with confidence. If you realise how many accidents happen when people do odd jobs in and around the house, you will understand how useful our tools are. I keep my competitive edge through continuous innovation. However, our competitors don't just sit around twiddling their thumbs: if they launch their own product then I call that healthy competition, but if they try to plagiarise one of my innovations then I take immediate action. My patents are registered with the Intellectual Property Rights Directorate of the Ministère de l'Économie et du Commerce Extérieur, and all my trademarks are registered with the Benelux Office for Intellectual Property. This puts me in a strong position if I have to prove that someone is plagiarising my products."

**Doing business
successfully starts
with registration**

6.2 Workforce data

6.2.1 Size of workforce

As at 31 December 2006, the Office employed 101 persons. Four employees celebrated anniversaries in 2006: two of 12 1/2 years and two of 25 years. One employee went into retirement. Three new staff were added to the Law Enforcement Directorate: a lawyer, an employee for information service and promotional activities, and a secretary.

Number of employees		
	31-12-2006	31-12-2005
NL	77	76
B	21	20
L	3	3
Total	101	99

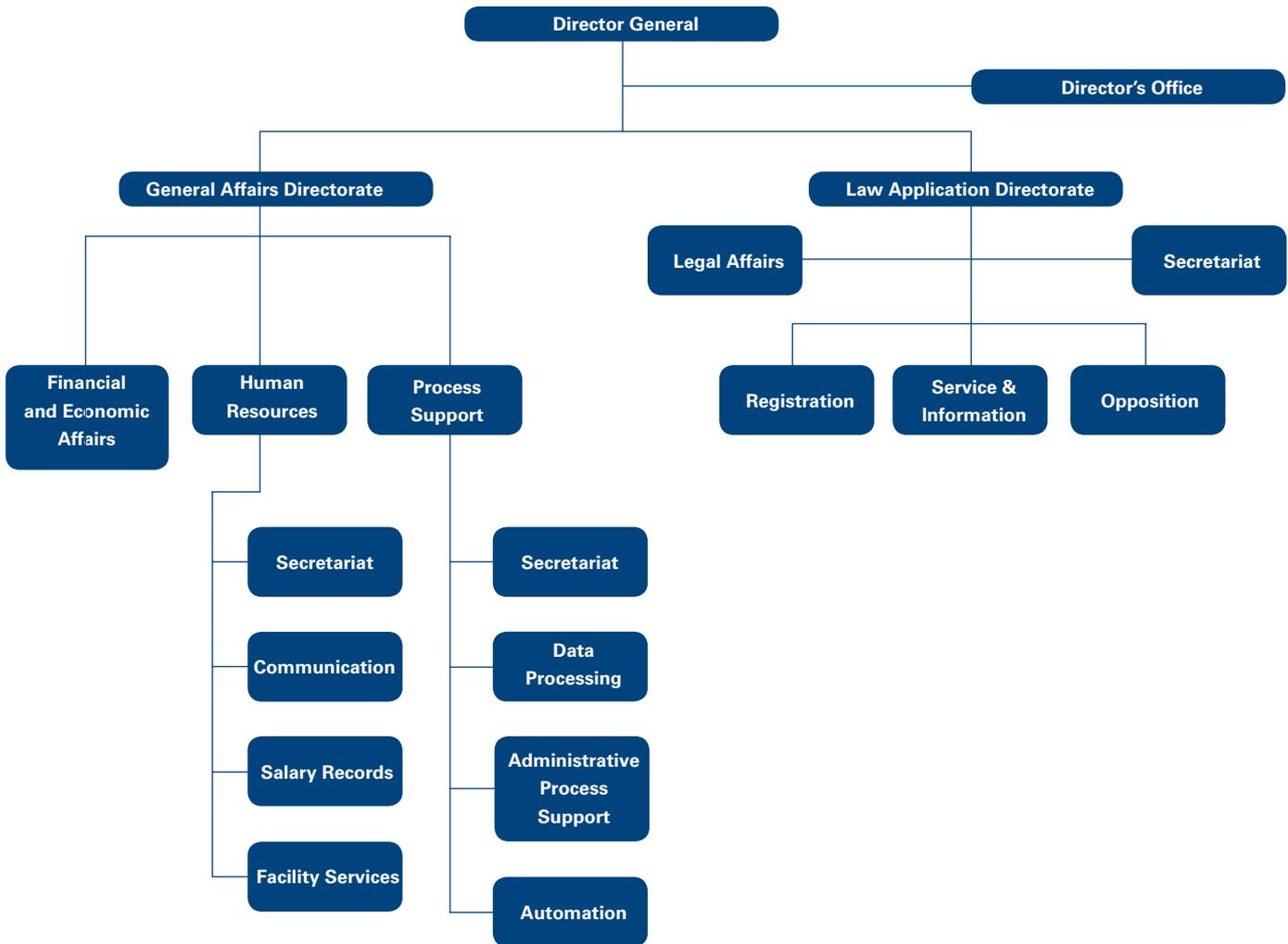
Male	Female
43	58

Full time	Part time
62	39

Years of service	
	Number of employees
0 to 5	7
5 to 10	32
10 to 15	8
15 to 20	29
20 to 25	16
25 to 30	7
30 to 35	1
35 to 40	1

Age class	
	Number of employees
20 to 25	0
25 to 30	4
30 to 35	4
35 to 40	20
40 to 45	27
45 to 50	25
50 to 55	13
55 to 60	5
60 to 65	3

6.2.2 Organisational chart as at 31 December 2006



6.3 Trademarks, designs and ideas

6.3.1 Trademarks

1 Searches

Benelux searches					
	2006	2005	2004	2003	2002
Priority	2,495	3,959	3,697	5,805	5,936
Standard	18,736	23,555	18,897	21,527	17,958
Total	21,231	27,514	22,594	27,332	23,894

International searches					
	2006	2005	2004	2003	2002
	14,890	7,805	664	24,897	4,234

European searches					
	2006	2005	2004	2003	2002
	71,431	87,576	60,142	41,050	40,236

2 Benelux filings

Total filings					
	2006	2005	2004	2003	2002
	27,221	30,691	22,618	23,344	22,843

Submitted online					
	2006	2005	2004	2003	2002
	21,652	22,848	13,893	10,371	3,671

Collective trademarks					
	2006	2005	2004	2003	2002
	72	63	75	97	99

Benelux filings broken down by class		
	Number	%
01	815	1.09
02	346	0.46
03	1,339	1.79
04	271	0.36
05	1,690	2.26
06	754	1.01
07	643	0.86
08	345	0.46
09	5,349	7.14
10	629	0.84
11	963	1.29
12	741	0.99
13	123	0.16
14	815	1.09
15	280	0.37
16	4,312	5.75
17	451	0.60
18	1,243	1.66
19	877	1.17
20	1,182	1.58
21	709	0.95
22	1,100	1.47
23	207	0.28
24	851	1.14
25	2,938	3.92
26	357	0.48
27	273	0.36
28	1,400	1.87
29	1,512	2.02
30	1,855	2.48
31	1,099	1.47
32	921	1.23
33	528	0.70
34	255	0.34
35	9,857	13.15
36	3,178	4.24
37	2,009	2.68
38	2,660	3.55
39	1,643	2.19
40	658	0.88
41	7,393	9.87
42	5,793	7.73
43	1,575	2.10
44	1,738	2.32
45	1,260	1.68
	74,937	100.00

Breakdown of Benelux filings by national office					
	2006	2005	2004	2003	2002
Belgium	301	398	607	804	1,060
Luxembourg	0	25	37	47	102
BOIP	26,920	30,266	21,970	22,492	21,681
Total	27,221	30,689	22,614	23,343	22,843

Benelux filings broken down by country of origin										
	2006		2005		2004		2003		2002	
		%		%		%		%		%
Benelux										
Netherlands	18,259	67.21	20,385	6.52	15,588	68.98	16,296	69.87	15,484	67.80
Belgium	5,168	19.02	5,707	18.62	4,768	21.10	4,945	21.20	5,008	21.93
Luxembourg	578	2.13	526	1.72	452	2.00	449	1.93	406	1.78
U.S.	814	3.00	859	2.80	688	3.04	497	2.13	666	2.92
Japan	74	0.27	70	0.23	79	0.35	100	0.43	96	0.42
Other EU	1,697	6.25	2,524	8.24	595	2.63	604	2.59	705	3.09
Other	579	2.13	574	1.87	428	1.89	433	1.86	474	2.08

3 Priority registration processes

Monthly priority registration processes					
	2006	2005	2004	2003	Total
1	1,701	205	73		1,979
2	1,263	234	110		1,607
3	929	270	115		1,314
4	868	278	183		1,329
5	285	247	201		733
6	280	331	179		790
7	261	271	175		707
8	239	411	208		858
9	275	543	181		999
10	329	812	240	1	1,382
11	301	2,833	196	1	3,331
12	274	3,939	252	1	4,466
Total	7,005	10,374	2,113	3	19,495

4 Published trademarks

Number of trademarks published					
	2006	2005	2004	2003	2002
Individual	34,488	19,874	19,009	23,714	19,697
Collective	79	59	88	95	66
Total	34,567	19,933	19,097	23,809	19,763

5 Requests for renewal

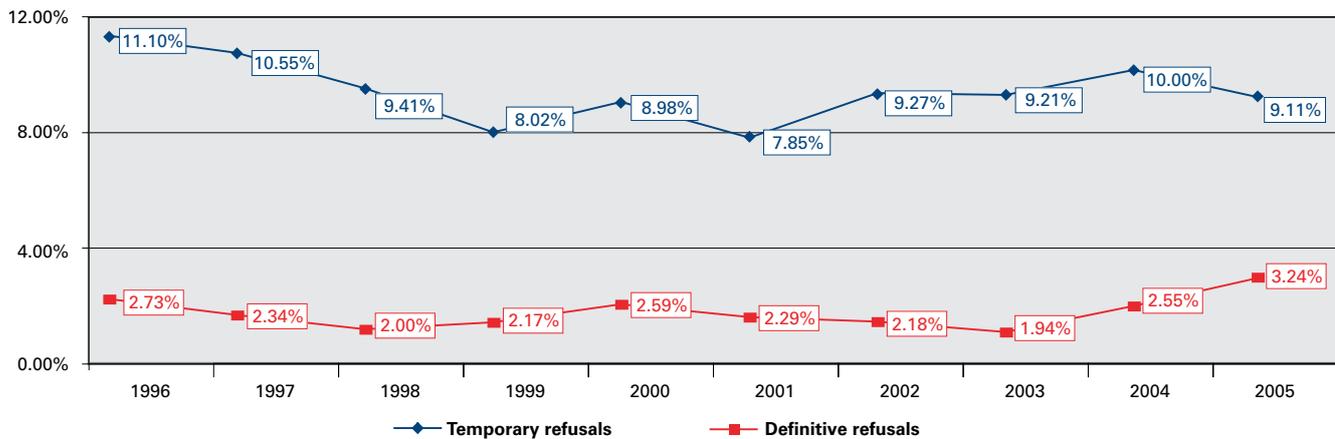
Requests for renewal					
	2006	2005	2004	2003	2002
Individual	12,424	13,215	12,710	12,079	12,143
Collective	33	60	42	48	34
Total	12,457	13,275	12,752	12,127	12,177

6 International

International registrations applied for via the BOIP					
	2006	2005	2004	2003	2002
Protocol	453	361	221	115	116
Agreement	654	783	758	832	877
Agr. + Prot.	1,503	1,398	1,385	1,307	1,439
Total	2,615	2,563	2,577	2,343	2,437

International registrations valid in the Benelux region					
	2006	2005	2004	2003	2002
Year	6,987	9,237	7,791	8,447	8,705

Development of refusals on absolute grounds versus number of filings



8 Oppositions

Number of oppositions

	Number	%
Allowable	880	94%
Disallowed	53	6%
Total	933	
<i>Cancelled (2006) (allowable oppositions):</i>		
before commencement	197	77%
after commencement	61	23%
Total	258	29%
<i>Still under consideration</i>		
From 2006	622	71%
<i>Opposition filed against</i>		
Benelux law	808	92%
International law	72	8%
<i>Preferred language</i>		
Dutch	642	73%
French	167	19%
English	362	41%
<i>Language of the proceedings</i>		
Dutch	640	73%
French	118	13%
Agreement in English	24	3%

6.3.2 Designs

Benelux filings					
	2006	2005	2004	2003	2002
	1,105	1,086	1,479	1,955	3,151

Breakdown of Benelux filings by national office					
	2006	2005	2004	2003	2002
Belgium	153	125	208	351	309
Luxembourg	2	6	10	9	2
BOIP	950	955	1,261	1,595	2,764

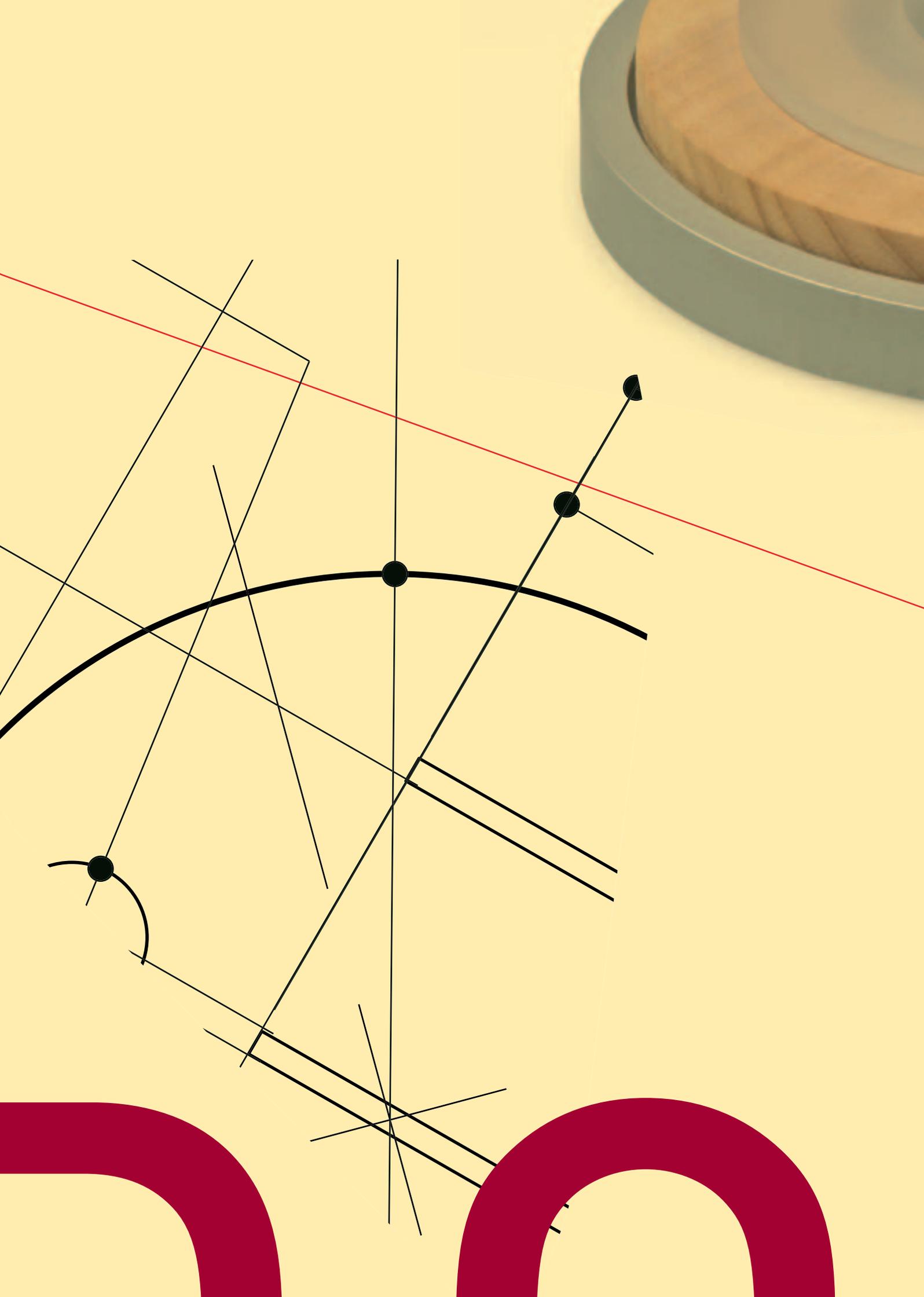
Number of designs published					
	2006	2005	2004	2003	2002
	1,010	1,238	2,013	2,074	2,764

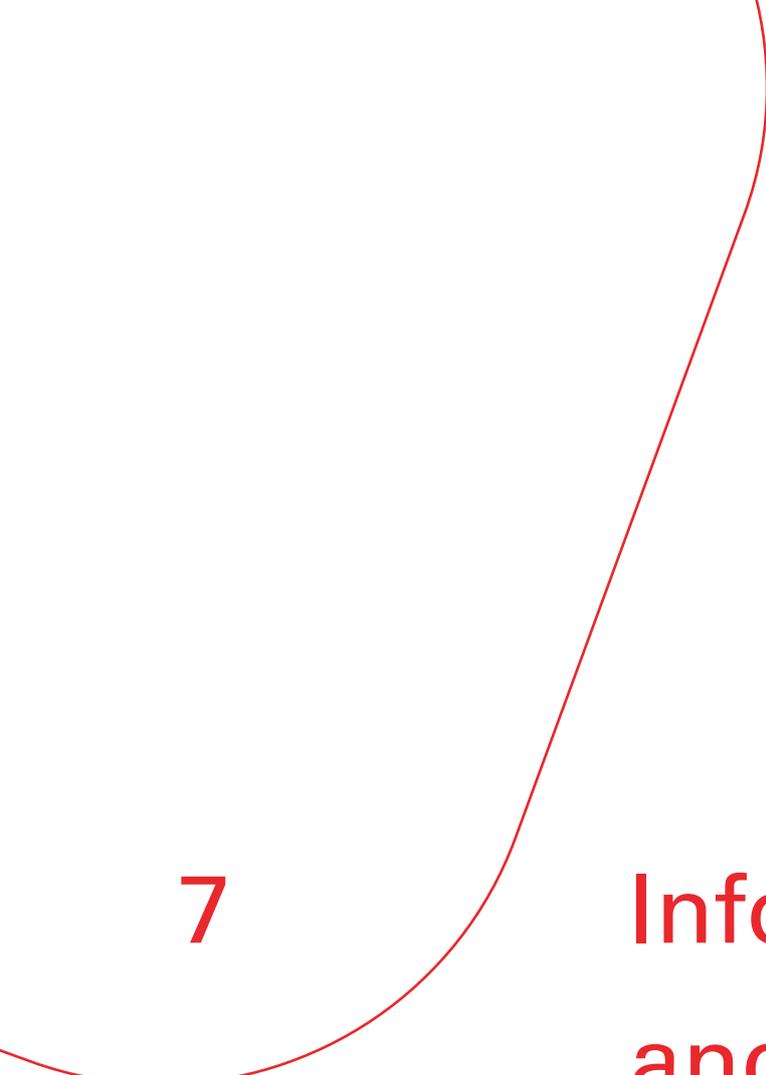
Requests for renewal					
	2006	2005	2004	2003	2002
	1,869	1,930	1,755	1,700	1,614

6.3.3 Ideas

I-DEPOT envelopes					
	2006	2005	2004	2003	2002
Sold	1,040	746	627	742	617
Returned	742	498	470	457	481

By country					
	2006	2005	2004	2003	2002
Belgium	409	343	302	280	302
BOIP	296	133	156	158	164
Luxembourg	26	13	9	12	12
Other	11	9	3	7	3
Total	742	498	470	457	481





7

Information and data

7.1 Joint Management Bodies

7.1.1 Management Board

The Benelux Office for Intellectual Property (BOIP) is part of the Benelux Organisation for Intellectual Property (BORGIP), an international organisation that is supervised by its Management Board. This Board is staffed by representatives of all three Benelux countries (one director and two deputy directors for each country). The chair(wo)man is chosen from the ranks of the directors and elected for a period of three years. The working languages used by the Management Board are French and Dutch. The decisions of the Management Board are made unanimously.

Chairman

Lex Kaufhold

Board adviser 1st degree

Intellectual Property Directorate

Ministère de l'Économie et du Commerce Extérieur (Lux)

Directors

Robert Geurts

Director General

Federal Economics Service
Small and Medium-sized Businesses & Energy
Market Regularisation and Organisation Board
Intellectual Property Unit (B)

Guus Broesterhuizen
Director
Netherlands Patent Centre (NL)

Deputy Directors

Monique Petit
Attaché
Federal Economics Service
Small and Medium-sized Businesses & Energy
Market Regularisation and Organisation Board
Intellectual Property Unit (B)

Gunther Aelbrecht
Attaché
Federal Economics Service
Small and Medium-sized Businesses & Energy
Market Regularisation and Organisation Board
Intellectual Property Unit (B)

Claude Sahl
Head of the Legislation Sector
Intellectual Property Directorate
Ministère de l'Économie et du Commerce Extérieur (Lux)

Françoise Probst
Government attaché
Intellectual Property Directorate
Ministère de l'Économie et du Commerce Extérieur (Lux)

Albert Snethlage
Industrial Property Adviser
Director of Innovation
Directorate-General for Enterprise and Innovation
Ministry of Economic Affairs (NL)

Derk-Jan de Groot
Manager of Patent Application Department
Netherlands Patent Centre (NL)

7.1.2 Subbodies of the Management Board

The Management Board is supported by the Supervisory Board, by COPERA and by COREMO. COPERA is the Management Board's consultation committee for personnel matters. Its members are representatives of the Management Board, the personnel committee and the management. COREMO advises the Management Board on the BOIP's tasks and objectives as laid down by the Benelux Convention on Intellectual Property. COREMO is composed of representatives of the BOIP and the national offices.

Supervisory Board

Chairman

Hans van der Valk

Head of Management and Deputy Director
Financial and Economic Affairs Department
Ministry of Economic Affairs (NL)

Pierre Thielen

Government attaché
Intellectual Property Directorate
Ministère de l'Economie et du Commerce Extérieur (Lux)

Edward Bruyère

Attaché
Federal Economics Service
Small and Medium-sized Businesses & Energy
Market Regularisation and Organisation Board
Intellectual Property Unit (B)

COPERA

Chairwoman

Monique Petit

Attaché
Federal Economics Service
Small and Medium-sized Businesses & Energy
Market Regularisation and Organisation Board
Intellectual Property Unit (B)

Derk-Jan de Groot

Manager of Patent Application Department
Netherlands Patent Centre (NL)

Lex Kaufhold

Board adviser 1st degree
Intellectual Property Directorate
Ministère de l'Economie et du Commerce Extérieur (Lux)

COREMO

Chairman

Albert Snethlage

Industrial Property Adviser
Director of Innovation
Directorate-General for Enterprise and Innovation
Ministry of Economic Affairs (NL)

Claude Sahl

Head of the Legislation Sector
Intellectual Property Directorate
Ministère de l'Économie et du Commerce Extérieur (Lux)

Monique Petit

Attaché
Federal Economics Service
Small and Medium-sized Businesses & Energy
Market Regularisation and Organisation Board
Intellectual Property Unit (B)

Veronique Stoffels

Legal adviser
Netherlands Patent Centre

7.1.3 Directors

The day-to-day running of the Benelux Office for Intellectual Property, the most visible organ of the Benelux Organisation, is in the hands of the Directors' Committee. The members of this Committee have an advisory vote in the meetings of the Management Board that they attend. Between them, the directors represent all three nationalities. They are supported by the management team. At the time that the 2006 Annual Report went to press, the position of the Deputy Director General of Law Enforcement was vacant.

Edmond Simon

Director General (Lux)

Dick Verschure

Deputy Director General Affairs (NL)

7.2 National offices

Federal Economics Services, Small Business and Energy

Market Regularisation and Organisation Board Intellectual Property Unit

North Gate III - Koning Albert II Laan 16

B-1000 Brussels

Belgium

T + 32 2 277 52 97

F + 32 2 277 52 77

I economie.fgov.be

Ministère de l'Économie et du Commerce Extérieur

Intellectual Property Rights Directorate

19-21 Boulevard Royal

2449 Luxembourg

Grand Duchy of Luxembourg

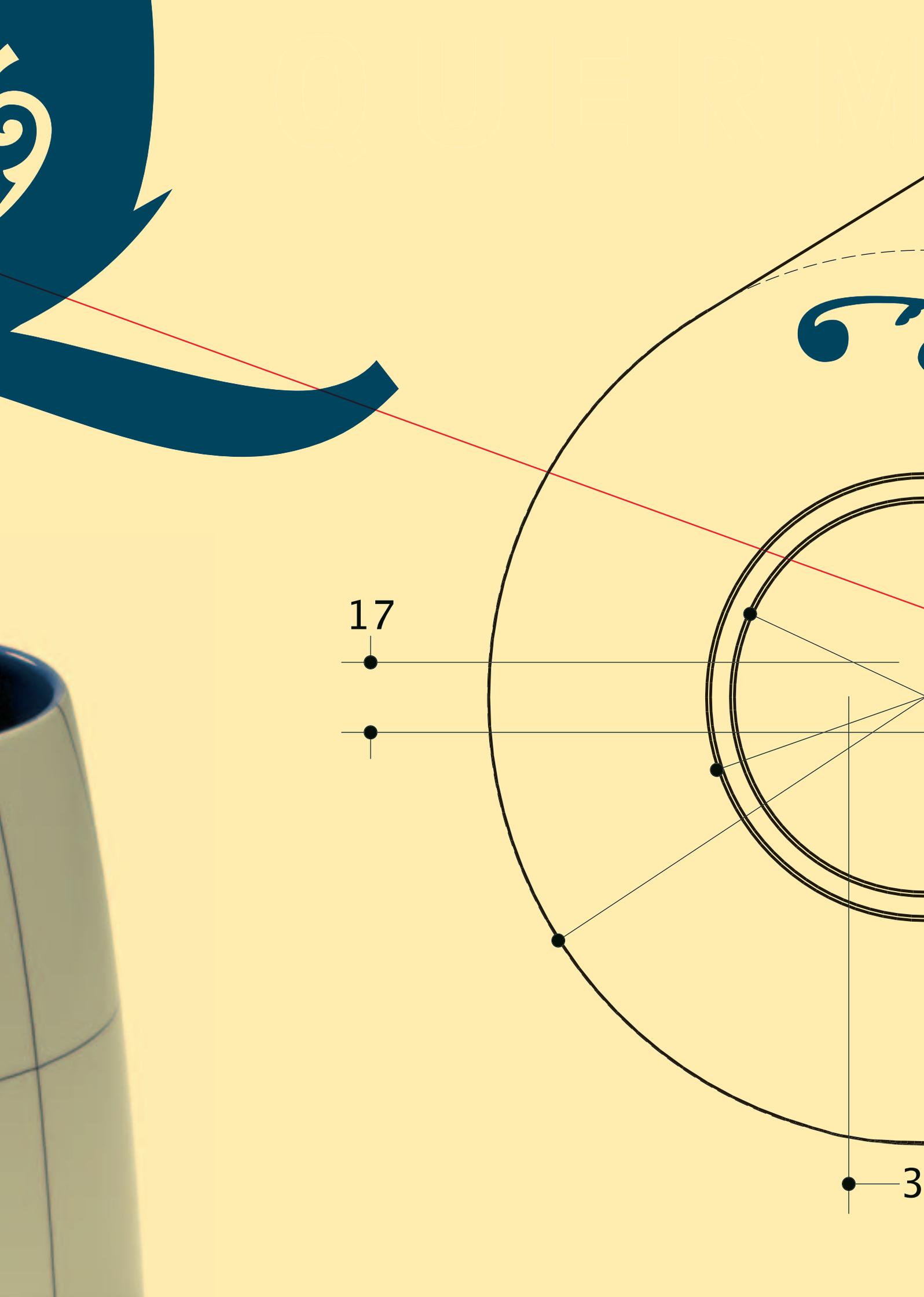
T +35 2 478 41 87

F +35 2 22 26 60

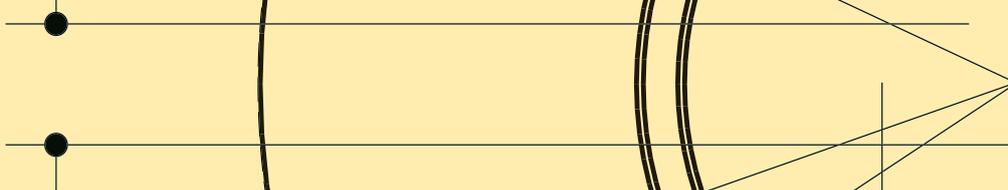
E dpi@eco.etat.lu

I www.eco.public.lu

OUTLINE

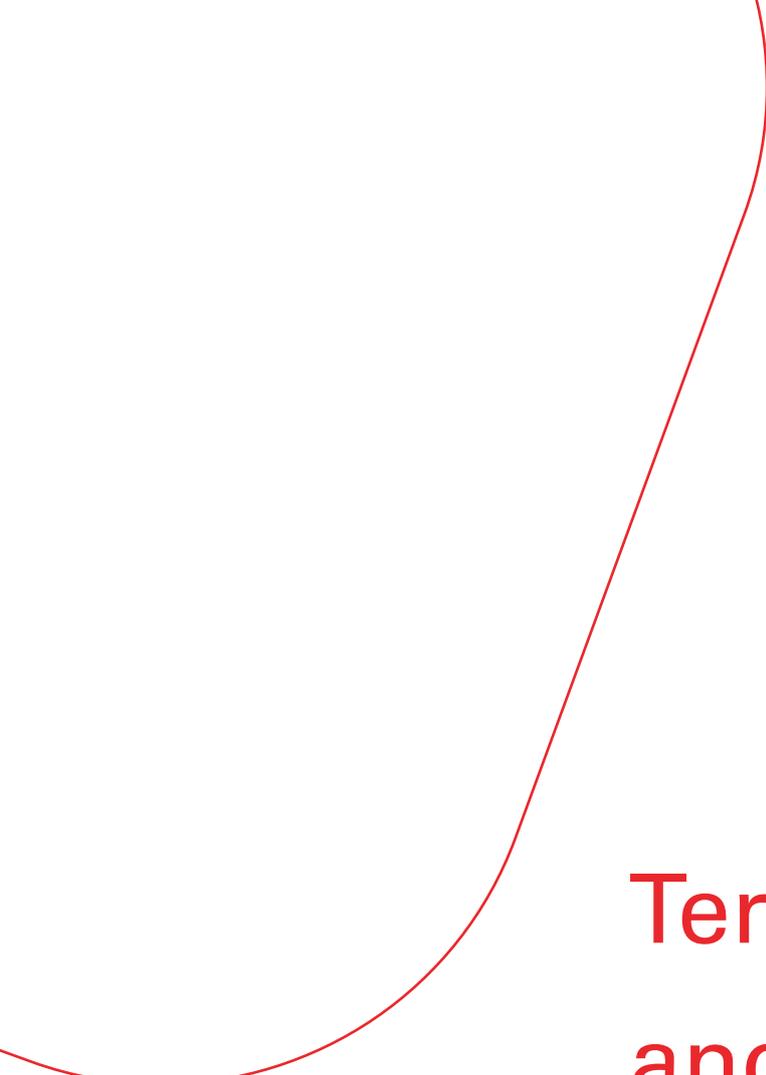


17



3





Terms and definitions

Benelux Office for Intellectual Property (BOIP)

The Benelux Office for Intellectual Property (BOIP) is the official institution in the Benelux region for the registration of trademarks and designs. In addition, the BOIP can record the creation date for ideas. The BOIP replaces the former Benelux Trademarks Office and the Benelux Designs Office.

Benelux Organisation for Intellectual Property (BORGIP)

The BOIP is part of the Benelux Organisation for Intellectual Property (BORGIP), an organisation with an international legal personality. Other organs of the BORGIP are the Committee of (Benelux) Ministers and the Management Board, which is comprised of representatives of the Benelux countries.

Benelux Convention on Intellectual Property (BCIP)

The Benelux Convention on Intellectual Property (BCIP) came into force on 1 September 2006. The Convention replaces previous conventions and treaties, uniform laws and amendment protocols relating to Benelux trademarks, drawings and designs.

Benelux Register

List of registered trademarks and designs that are valid in the Benelux region.

BenCT

The Benelux Court.

OHIM

Office for Harmonization in the Internal Market: the Office of the European Union responsible for the registration of trademarks and designs.

BOIP online filing

Application for the online filing of trademarks.

BMM

Benelux Association of Trade Marks and Design Law.

COPERA

COPERA is the BOIP Management Board's consultation committee for personnel matters. Its members are representatives of the Management Board, the personnel committee and the management.

COREMO

COREMO advises the Management Board on the BOIP's tasks and objectives as prescribed by the Benelux Convention on Intellectual Property. COREMO is composed of representatives of the BOIP and the national offices.

Community Trade Mark and Community design

EC trademark or EC design: trademark or design filed with the OHIM in Alicante.
A Community Trade Mark or Community design is protected in all countries of the EU.

ECoJ

Court of Justice of the European Communities.

i-DEPOT

i-DEPOT is a BOIP product that can be used to record the creation date for a idea.

Trademarks Register

List of filed and registered trademarks.

SMEs

Small and medium-sized enterprises.

Netherlands Patent Office

Netherlands Patent Office, formerly known as De Octrooiraad, is an agency of the Dutch Ministry of Economic Affairs. The Netherlands Patent Office is an administrative law body of Dutch central government that is charged with the granting of patents.

UCM

The Union des Classes Moyennes (Walloon Provinces) defends, represents and promotes the interests of the self-employed, traders, SME company heads and of persons practising professions.

Unizo

Flemish Organisation for the Self-Employed and SMEs: defends, represents and promotes the interests of the self-employed, the traders, the SME company leaders and of persons practising professions.

VLAO

The VLAO-Flanders Enterprise Agency is the Flemish government's information centre for businesses.

WIPO

WIPO, the World International Property Organization, is an international organisation dedicated to the protection of intellectual monopolies. WIPO is a specialist organisation of the United Nations. WIPO has 177 member states and administers 21 international treaties and conventions. Its headquarters are located in Geneva, Switzerland.

Publisher's details

Publication

Benelux Office for Intellectual Property (BOIP)
Bordewijklaan 15
NL-2591 XR The Hague
The Netherlands
T +31 70 349 11 11
F +31 70 347 57 08
info@boip.int
www.boip.int

Final editing and testimonials

Chapeau Communicatie, Rijswijk

Visual concept

Ontwerpwerk, The Hague

Photography

Marsel Loermans, The Hague
Tdn, The Hague (cover)

Printed by

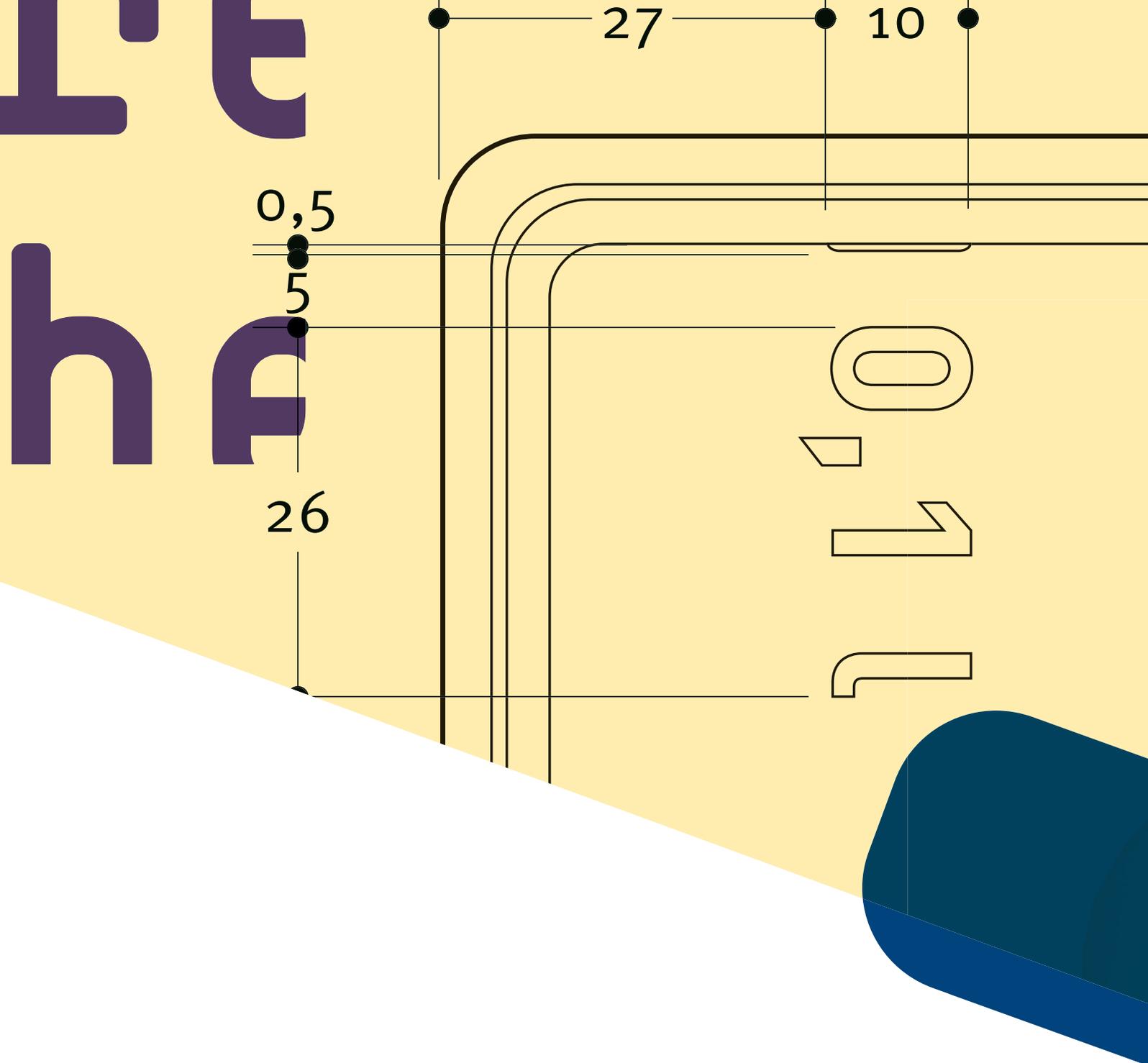
Den Haag media groep, Rijswijk

Rapport annuel 2006, version française

Ce rapport annuel a été édité également en langue française. Pour en recevoir un exemplaire, téléphonez ou écrivez à l'Office Benelux de la Propriété intellectuelle. Le rapport est également disponible sur le site de l'Office Benelux de la Propriété intellectuelle : www.boip.int

Jaarverslag 2006, Nederlandse versie

Het jaarverslag is eveneens in het Nederlands uitgegeven. Bel of schrijf ons indien u een exemplaar wenst te ontvangen. U kunt het jaarverslag ook raadplegen op onze website : www.boip.int



Benelux Office
for Intellectual Property

Postal Address
P.O. Box 90404
NL-2509 LK The Hague

Address
Bordewijklaan 15
NL-2591 XR The Hague

T + 31 70 349 11 11
F + 31 70 347 57 08
info@boip.int
www.boip.int