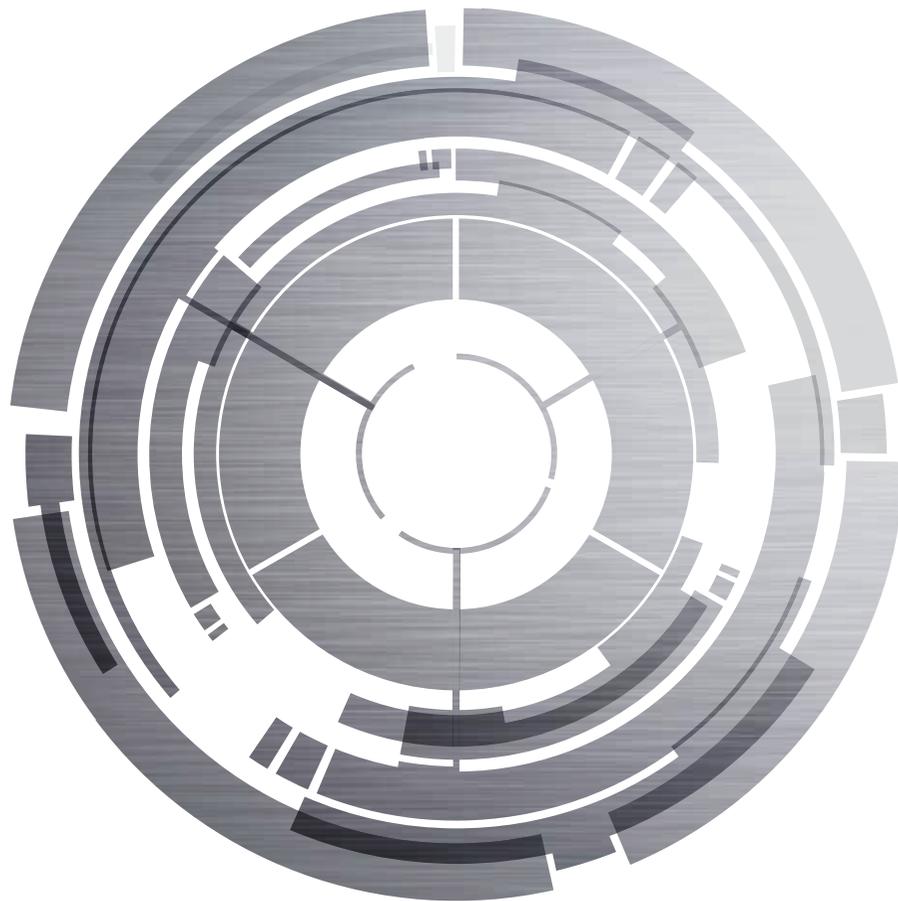




STRATEGIC PLAN 2020





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MESSAGE FROM THE EXECUTIVE DIRECTOR

As the Office launches SP2020 – the second Strategic Plan for the renamed EU Intellectual Property Office (EUIPO) under my mandate – few would dispute that many things have changed and improved.

The first plan (SP2011–2015) set out to provide a roadmap for the development of the Office and the EU trade mark and design system. It has fulfilled this vision, and in many respects exceeded goals that were initially thought by some to be overambitious.

The Office has modernised and improved its working environment and IT tools. It has also made significant strides towards implementing a new team-working culture with greater focus on users. Within the EU trade mark and design system generally, the IP landscape has been transformed by the introduction of state-of-the-art IT tools and the convergence of practices. All this has served to create an atmosphere in which IP rights, which are of vital economic importance, are more accessible to the businesses that need them. This is something that helps SMEs in particular.

The Office has modernised and improved its working environment and IT tools. It has also made significant strides towards implementing a new team-working culture with greater focus on users.

Despite this progress, there is still more to be done. The fundamental vision of the first plan remains valid and the Office's compass is fixed in the same direction. However, it seems clear that in future the EUIPO will be asked to do more while also managing constraints placed on it under the austerity measures introduced in response to the financial crisis.

We also face the challenge of implementing the amended Trade Mark Regulation, which in addition to changing names and titles, introduces fee reductions, a specific provision for European cooperation activities, a new responsibility for certification marks, and changes in governance.

To continue to operate effectively, it is important that the Office has the agility to respond to new challenges, and retains the financial autonomy it enjoys as an EU agency that is 100 % supported by the fees paid by users. These users expect, and deserve, to be served by an EU Intellectual Property Office that is the best of class.

SP2020 sets out to build upon what has been achieved in the previous plan and move forward, taking account of changing circumstances and the evolving needs of EU businesses, especially the small and medium-sized enterprises that are the lifeblood of the EU economy.

Under the provisions of the amended Trade Mark Regulation, cooperation on IP within the EU is now a core task. Based on user requirements and the needs of IP offices, the Office and its partners will continue to work through the renamed European Union Intellectual Property Network on cooperation and convergence projects to further improve tools and practices. This will contribute to the consolidation of what has already been achieved as well as move towards the next generation of tools and common practices.





Businesses are also, increasingly, looking beyond the internal market to the global marketplace and the Office will use its role in the international arena in order to help them. This work will be carried out under the Office's role as the lead agency in EU-funded projects on IP in third countries.

SP2020 sets out to build upon what has been achieved in the previous plan and move forward, taking account of changing circumstances and the evolving needs of EU businesses, especially the small and medium-sized enterprises that are the lifeblood of the EU economy.



The vision of the Office for 2020 is to create a User-driven European Intellectual Property Network built upon the twin principles of a 'Collaborative Organisation' and 'International Cooperation'. The ultimate goal is to deliver higher quality products and services to users and achieve interoperability and complementarity between the members of the European Union Intellectual Property Network. The EUIPO will also work with all stakeholders in order to promote positive change within the international context faced by EU businesses.

To achieve this, the guiding principles of team work, enhancing the service level given to users, improving awareness, and networking will be converted into the following strategic goals:

- Goal 1: Improve operational effectiveness;**
- Goal 2: Enhance access to IP system and IP knowledge;**
- Goal 3: Build network convergence with global impact.**

The delivery of these goals requires a **dynamic and knowledgeable organisation** (Line of Action 1) that acts in a **transparent and accountable manner** (Line of Action 2). As we live in an increasingly digital world with all its opportunities and threats, this must be supported by an **effective and secure digital environment** (Line of Action 3) in terms of infrastructure and functions. Since the IP market is interconnected and interdependent, a strong **network engagement** (Line of Action 4) with other players is essential. This must be coupled with the provision of **high quality services that are customer driven** (Line of Action 5). Taken together all these elements support the wider interpretation of our institutional mandate implicit in the Office's new name and expanded role, at the heart of which is the vision of **strengthening the intellectual property system** (Line of Action 6).

SP2011-2015 is, undoubtedly, a hard act to follow. The progress attained was only possible because everyone worked together. I would like to warmly thank our staff, the User Associations, IP offices both within the EU and outside the EU, colleagues in the European Commission and agencies, officials in Member States, the EPO, WIPO, and everyone else who has contributed to this new atmosphere of trust and cooperation.

In the same spirit, I hope that we can once again count on all stakeholders to put their weight behind this new Strategic Plan in the interest of creating an IP environment that continues to support society and the economy up to 2020 and beyond.



António Campinos
Executive Director, EUIPO





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INTRODUCTION

This document presents the leadership vision for the European Union Intellectual Property Office (EUIPO), formerly the Office for Harmonization in the Internal Market (OHIM) for the years 2016-2020, and outlines the necessary steps to get there. Since the Strategic Goals and the vision of the previous plan remain fundamentally valid, the new plan represents an evolution of what has already been achieved, rather than a radical change of direction.

1.1 STRATEGIC PLANNING PROCESS

With the current Strategic Plan on track and almost all its activities either completed or very close to completion, the process for developing the new Strategic Plan 2020 got underway in 2014. This process was wide and inclusive, and involved a broad range of stakeholders who were invited to provide their suggestions based on a series of guiding principles identified by the Office. It was expected to conclude with the adoption of the new Strategic Plan in November 2015. However, once it became clear that the trade mark reform package would not enter into force until sometime during the spring of 2016, it was decided to extend the Strategic Plan 2011–2015 until June 2016, so that the new Strategic Plan would commence with the new legislation in force.

A first draft of the general guiding principles was prepared in June 2014, to facilitate and serve as the basis for the consultation process. This consultation involved successively wider circles of the EUIPO's stakeholders, starting with staff, continuing with members of the Administrative Board and Budget Committee (AB/BC), other stakeholders and finally the general public, on a series of guiding principles identified by the Office:

TEAM WORK.
INCREASED TRANSPARENCY AND ACCOUNTABILITY.
ENHANCED LEVEL OF SERVICE PROVIDED TO USERS.
IMPROVED AWARENESS OF THE IP SYSTEM IN SOCIETY AT LARGE.
BUILDING AND STRENGTHENING NETWORKS FOR BETTER QUALITY AND ENHANCED PROTECTION OF IP.

First, staff members were consulted, to collect their input on the main challenges facing the Office and the most suitable actions to be taken for that purpose. More than 100 contributions were received. Subsequently, the consultation phase continued with the involvement of the AB/BC members and observers.

Following these initial consultations, revised guiding principles and an outline document were presented to the AB/BC during its November 2014 meeting, thus allowing for discussion and further direction from the AB/BC.

The consultation was widened to include all stakeholders, national and regional IP offices, TM5 partners¹, the User Associations, major IP international organisations such as the European Patent Office (EPO) and the World Intellectual Property Organization (WIPO), business associations, including representatives of small and medium-sized enterprises (SMEs), and finally, the general public.

A progress report was given to the AB/BC at its meetings in June and November 2015.

1 - The TM5 consists of the EUIPO, the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Administration for Industry and Commerce of the People's Republic of China (SAIC) and the United States Patent and Trademark Office (USPTO).

All the suggestions received were analysed and are reflected in this Strategic Plan 2020.

Following the final adoption and publication in the *Official Journal of the European Union* of the trade mark reform package – Regulation (EU) 2015/2424 of the European Parliament and of the Council of 16 December 2015, and Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 – this document was sent for consultation to the external stakeholders of the Office, as required by the reform in relation to the process of establishment of the multiannual strategic programme.

1.2 ORIGINAL MISSION

The Office was established in 1994 to manage the Community trade mark (now the European Union trade mark or EUTM), created by Council Regulation (EC) No 40/94, and, from 2003, the registered Community design (RCD), created by Council Regulation (EC) No 6/2002. In order to do so, the Office carries out examination, registration, opposition and cancellation procedures for EUTMs and examination, registration and invalidity procedures for RCDs. All decisions adversely affecting a party to proceedings can be appealed to the Boards of Appeal of the Office. In order to further support IP rights holders, the Office engages in a wide range of cooperation and convergence activities with other IP offices.

The Office is at once an expression and a facilitator of the internal market. Its activities support the EU's Europe 2020 strategy, in particular the goal of developing an economy based on knowledge and innovation. The IP rights granted by the Office are, together with geographical indications and plant variety rights, which are managed by the European Commission (DG Agriculture and Rural Development) and the Community Plant Variety Office (CPVO) respectively, the sole unitary IP rights in the EU at this time, to be augmented by the unitary patent once it becomes operational.

In recent years, the Office has been entrusted with new tasks. It houses the European Observatory on Infringements of Intellectual Property Rights. It manages the Orphan Works Database, designed to make Europe's cultural heritage more accessible. It acts as an implementing agency for EU-funded projects in Southeast Asia, China, Russia and India. The new legislative package creates certification marks, which are also to be managed by the Office. In the future, new IP rights may be created, such as non-agricultural Geographical Indications, and the Office stands ready to assume those responsibilities, should the legislator decide to assign them to it.

1.3 MILESTONES 1996-2015

The EUIPO began accepting EUTM applications in 1996. In the first year of operations, the agency received 43 000 filings. While this initial surge of demand was not sustained in the following two years, EUTM filing volumes have grown at an average annual rate of 5 % since the EUIPO's inception, reaching more than 130 000 applications in 2015.

The RCD became operational in 2003, and as with EUTMs, businesses have been using this IP right in increasing numbers: from 40 500 designs in the first year, the number has more than doubled to more than 97 000 in 2015.

At the end of 2015, the Register of the Office contained more than 1.2 million EUTMs and more than 945 000 RCDs. These IP rights are owned by companies from more than 170 countries, although the majority of owners (about 70 %) are based in the EU.

In 2002, the Office made a commitment to e-business by introducing electronic filing of EUTMs, electronic communications and e-payments, online banking services and tools for examining and tracking the progress of registration online, with the goal of becoming a truly paperless office. Today, approximately 98 % of EUTMs and 94 % of RCDs are filed electronically, and oppositions and other procedures are increasingly conducted online. Applicants who need their applications processed quickly can take advantage of Fast-Track procedures for both EUTM and RCD filings.

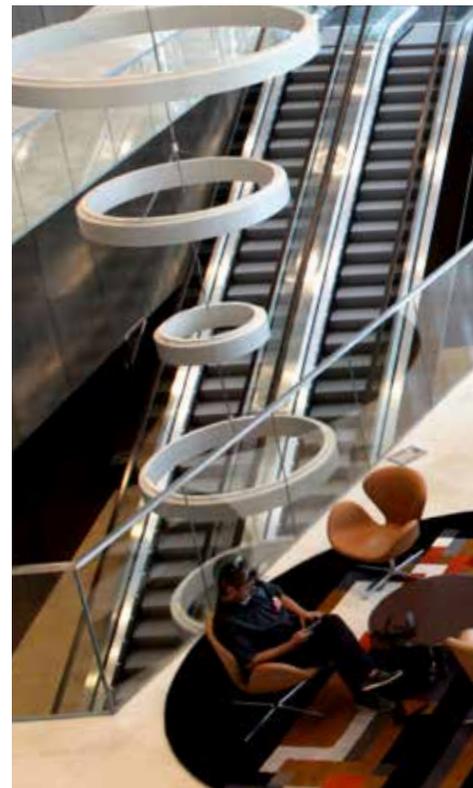
In 2004, ten new Member States (the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia) joined the EU, followed by Bulgaria and Romania in 2007. The accession of so many new Member States required significant preparatory work at the EUIPO, reflecting the need to accept applications in new languages and other operational adjustments. In both cases, the Office was able to absorb the impact of accession without its performance being affected in terms of quality and timeliness.

The European Union acceded to the Madrid Protocol in 2004, allowing the EUIPO to accept international registrations of trade marks (IR) and to transmit international applications from its users to WIPO. In 2008, with the EU's accession to the Geneva Act of the Hague Agreement, the same services became available for protecting designs.

In 2010, the EUIPO launched the Cooperation Fund, a EUR 50 million programme running over five years, designed to provide a set of common tools to all IP offices in the EU. In 2011, this programme was augmented with the Convergence Programme, a set of projects to harmonise practice and procedures among IP offices in the EU within the existing legal framework.

In September 2011, a Seat Agreement was signed with the Spanish authorities, and in the same year the Academy was created to serve as the knowledge and information dissemination hub of the Office.

The European Observatory on Infringements of Intellectual Property Rights was entrusted to the Office in June 2012 by Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012. The Observatory has responsibility for a wide range of tasks relating to research, communications, spreading best practice, and enforcement of all types of intellectual property rights.





Later that year, Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 gave the Office responsibility for establishing and managing a single publicly accessible online database on orphan works.

In 2013, the Office became the EU implementing agency for the EU-funded projects in Southeast Asia (ECAP III Phase II), China (IP Key), Russia (P4M-IP) and most recently India (IPC-EUI). Within this framework, the Office has successfully expanded tools developed under the Cooperation Fund to those regions in order to benefit businesses, in particular European companies doing business there.

In 2013, the Office absorbed the impact of another EU enlargement, the accession of Croatia.



During the years 2011–2013, a unified Quality Management System was implemented at the Office, leading to ISO 9001:2008 certification of all its activities in 2013. The ISO 9001:2008 project has increased efficiency of the processes across the Office via a rigorous analysis and improvement cycle. The Quality Management System is now at the heart of the Office’s knowledge-sharing culture, by making available its processes and measurements to all the Office’s staff in a transparent manner.

In November 2014, coinciding with its 20th anniversary, the Office inaugurated the new wing of its headquarters. The new facilities were occupied during the early part of 2015 and provide staff with a modern, state-of-the-art work environment.

The Cooperation Fund reached more than 370 implementations across the national and regional IP offices in 2015. Six of the seven Convergence Programme projects were also endorsed by the Administrative Board in 2015.

Following entry into force of the trade mark legislative reform in 2016, the Office became the European Union Intellectual Property Office (EUIPO).

1.4 ACHIEVEMENTS OF THE STRATEGIC PLAN 2011-2015

The Strategic Plan 2011–2015 was built around three strategic goals:

- 1. BUILD A STRONG, VIBRANT AND CREATIVE ORGANISATION;**
- 2. INCREASE QUALITY AND OPTIMISE TIMELINESS OF OPERATIONS;**
- 3. PROMOTE CONVERGENCE OF PRACTICES.**

The goals are connected in a logical sequence. By investing in staff, by providing them with a modern, progressive workplace, and a simplified, efficient and user-friendly IT environment and other tools to help them perform their job, the Office would improve quality and timeliness. This would deliver immediate benefits to users, and at the same time, combined with the investments made in the Cooperation Fund and Convergence Programme, lead to greater convergence of practices both within the European Union and beyond.

However, it is not enough for businesses to be able to register IP rights effectively and quickly. Those rights will only deliver value to their owners if they can be adequately enforced. In recognition of this, the Office was entrusted with the Observatory in order to provide the rights owners, enforcers and policymakers with the knowledge and the tools to better protect IP rights. This became, in effect, the fourth Strategic Goal during 2011–2015, following on from the initial three goals.

The strategic goals have been achieved to a high degree, as discussed below.

1.4.1 Build a strong, vibrant and creative organisation

Staff policy is at the heart of the overall strategy of the Office. Every achievement to date has been possible thanks to the performance and engagement of its staff. The priority has been, and continues to be, to do the best for the staff while improving communication and creating channels that provide for a regular exchange of views between staff and management.

The successful efforts towards developing and improving the staff policy were carried out in systematic consultation and close collaboration with the Staff Committee, as envisaged in the Regulation.

A Seat Agreement with the Spanish government was signed in 2011. This gave Office staff immediate and substantial benefits, such as affordable access to the Spanish regional public health system (in the past the EUIPO's staff could only use the private medical sector), and other similar benefits customarily enjoyed by the staff of international organisations.

As one of the first acts under the new staff policy, the length of temporary agent contracts was potentially doubled, moving from the previous system of 3-year contracts with a possible 2-year extension to 5-year contracts with a possible extension for another 5 years, subject to the needs of the Office and the performance of the temporary agent.

In order to provide a fair and transparent opportunity for staff to become officials of the EU, two EPSO competitions covering the IP field were successfully organised in 2013. In 2014 and 2015, 77 individuals were recruited as officials from laureates of these competitions. This was accompanied by measures aimed at the recruitment of non-IP profiles, such as transfers from other institutions and recruitment from existing EPSO reserve lists.

More than 60 seconded national experts (SNEs) work at the Office, the vast majority of whom come from national and regional IP offices. The SNEs make a valuable contribution to the pool of human resources at the Office by contributing their knowledge and experience from their offices of origin.

With a view to cultivating potential future staff members, the policy on trainees has also been revised. In 2014, together with the European Patent Office (EPO), the Office put in place a Pan-European Seal trainees pilot programme offering a professional traineeship programme to young graduates from EU Member States, and from a limited number of third countries.

Having implemented a successful policy renewal as regards recruitment and contracting of staff, the Office has also focused on improved management of the staff members once they are on board.

The Office has aimed to implement a fair staff policy using all available means, focusing on enhanced gender equality and diversity, high levels of morale, commitment and trust. An important aspect of a fair staff policy is to improve the gender balance in the organisation. Here, the Office attained the set objective of 30 % for female representation in management in October 2015, well ahead of schedule, and will strive to go even further and reach 40 %.

The Office continued and improved the annual certification exercise, which permits AST staff to access an AD career through the existing framework. Furthermore, an attestation exercise was carried out in 2012, permitting 122 officials to progress further in their career.

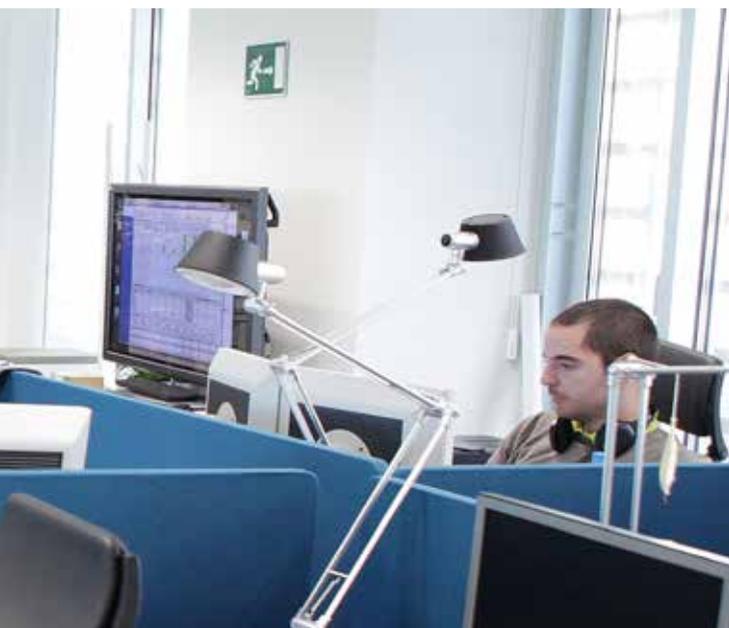
A clear framework for teleworking has been defined. Subject to the requirements of the service, staff members can permanently telework 50 % or 100 % of the time, or telework on an occasional basis. Permanent teleworkers are expected to produce more, reflecting the time savings realised in terms of commuting and the flexibility of organising their time optimally. Measures are also in place to ensure that teleworkers retain their connection with the Office, including regular meeting attendance and a requirement to return to the Office for a period of six months every three years. Currently some 250 staff members benefit from either permanent or occasional teleworking.



Office staff benefit from the services of the European School in Alicante. The Office has continuously supported the school, including financially, under an agreement reached in 2012 with DG Human Resources and Security. At its November 2015 meeting, the AB/BC agreed that the Office should engage in tripartite negotiations with the Commission and the European Schools in order to conclude a participation agreement to ensure a firm legal basis for the financial contribution to the school from the budget of the Office.

It is of fundamental importance for both staff members and for the Office that the right people, properly trained, are in the right jobs, carrying out the tasks of highest priority. The foundations for strategic job alignment have been laid through the implementation of job and competency mapping. The performance management system has been reviewed and objectives have been adapted to link individual and team performance to Office goals and desired results. Likewise, a strategy to promote learning and developing staff talent is being implemented.

The improvements in working conditions have made the Office an attractive place to work, helping to attract and retain talented employees and allowing them to balance their professional and personal lives better.



Another achievement of the Strategic Plan 2011–2015 was the full renewal of the Office's working environment. In the first phase, the main building was refurbished between 2010 and the end of 2012. In the second phase, the completion of the new building in the autumn of 2014 has provided the Office with a state-of-the-art physical working environment. The new facilities include collaborative work and meeting spaces, modern and varied sports facilities and quality restaurant services. With a view to the future and the third phase of the renewal of its working environment, the Office has purchased a plot of adjacent land and has begun to construct flexible additional facilities there.

In order to perform their jobs, staff members need to have access to the right IT infrastructure, with user-friendly and effective tools, characterised by a high degree of performance and stability. During the past five years, the Office has devoted considerable resources to modernising and simplifying its IT systems. The number of applications has been reduced, the number of areas covered by IT tools has been expanded, and the stability and resiliency of the systems has been enhanced. Today, most of the user-facing applications run on infrastructure offering 24x7 redundancy.

Both users and staff members benefit from this: users have access to better tools for filing, pre-clearing, oppositions and management of their trade marks and designs while staff members have tools that make examination and decision taking faster, consistent and more efficient.

1.4.2 Increase quality and optimise timeliness of operations

As will be seen below, during the past five years, the Office has improved quality and productivity in the core business of registering and managing the EUTM and RCD, while at the same time taking on new tasks and executing them successfully. In the process, it has moved towards balancing its budget by investing approximately EUR 200 million in modernising itself and in helping to modernise the national and regional IP offices through the Cooperation Fund, in taking on new competencies (such as the Observatory) and building the appropriate organisational structures and capabilities to carry them out, and in the Convergence Programme, designed to benefit the users of the IP system everywhere in Europe. The financial consequence of these investments has been to reduce the accumulated surplus from almost EUR 230 million in 2010 to EUR 185 million at the end of 2015 (excluding the Reserve Fund, which is equal to approximately one year's expenditure).

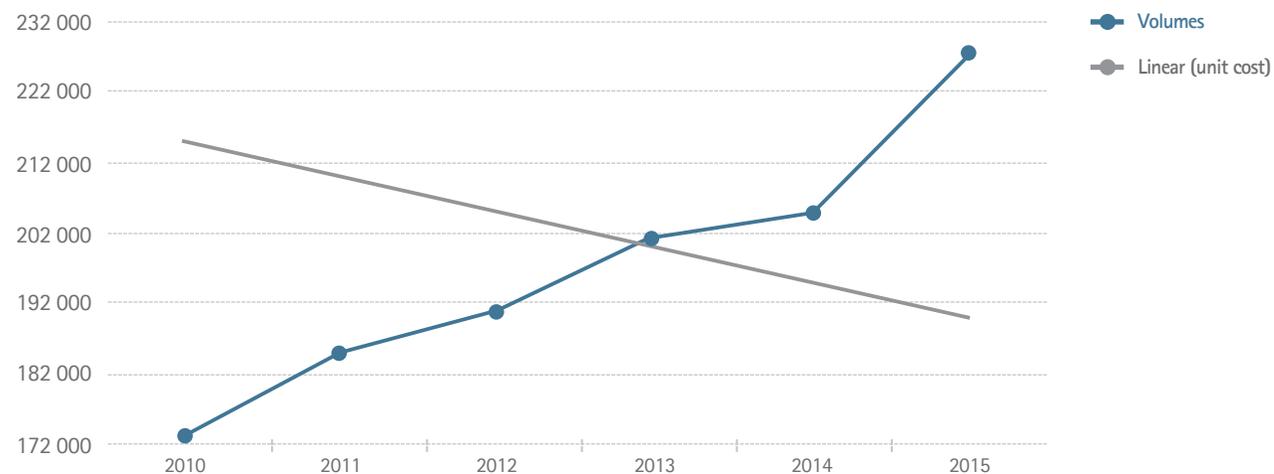
Between 2011 and 2015, the Office successfully faced the triple challenge of dealing with increased numbers of EUTM and RCD filings, while at the same time improving quality and taking on new tasks, such as the Observatory, the Orphan Works Database, and the role of implementing agency for several EU-funded programmes.

The changes in working culture, procedures and tools have led to improvements in productivity, so that the Office now manages 32 % more EUTM applications and 29 % more RCD applications per year than in 2010 while unit costs have declined by more than to 10 % in the same period. Under the Interinstitutional Agreement on Budgetary Discipline and Sound Financial Management for 2013-2017, the Office has committed itself to absorbing volume increases of up to 5 % annually through improved productivity. In short, the Office has managed to do better, whilst improving quality and gaining in cost efficiency.

As can be seen in the following graph, the increase of volumes has been partially covered by a significant reduction of the manpower unit cost and only partially by new staff members. These productivity improvements have been a key element in absorbing new competencies, such as the Observatory, as they have made it feasible to assign staff members to carry out new activities without any negative impact on quality.

Figure 1: Productivity increase

EUTM/RCD volumes and unit cost evolution



At the same time, quality has also improved. Quality at the Office encompasses several aspects: quality of products refers to consistency, predictability and quality of decisions. Quality of service refers to timeliness, usability and accessibility.

The consistency of decisions has improved following the revision cycles of the Office's practice, which brings together principles derived from the case-law of the Court of Justice of the European Union, the Boards of Appeal and the decisions of the first instance. The combination of the two existing sources of reference for practice (Manual and Guidelines) was fundamental to this effort. This created, for the first time, a single document of reference for the EUIPO's practice, the EUIPO Guidelines, which have been available in all the official languages of the European Union since 2014.

During the past five years, the number of *ex post* quality checks has almost tripled, and now covers all business and business support operations of the Office. More recently, *ex ante* quality checks have begun to be implemented so that, for example, mistakes in decisions and proceedings increasingly are detected and corrected before they are delivered to users, rather than *ex post*. Moving forward, the focus will continue to shift towards *ex ante* checks and greater involvement of users, to ensure that the checks are better aligned to the users' perception.

In October 2014, the Office went through a major reorganisation focusing on team collaboration, in order to further improve quality. The new structure has a greater emphasis on team working with horizontal responsibilities and a matrix structure to ensure an integrated approach to users. It also emphasises the need for multi-skilled staff that can flexibly respond to the challenges the organisation faces.

In January 2015, the Operations Department was transformed into 16 small coherent core teams and one User, Performance, Quality and Risk Management team of 15-20 members of staff. These teams cover the entire workflow from reception to registration.

This major reorganisation is designed to focus the attention of the teams on quality and timeliness, as well as on giving special attention to user needs, and improving the perception of the Office's service. The smaller teams and stronger cohesion between members are designed to facilitate *ex ante* quality control and ensure better quality results. To achieve this, a system of *ex ante* checks is being set up covering 57 areas of the core processes.

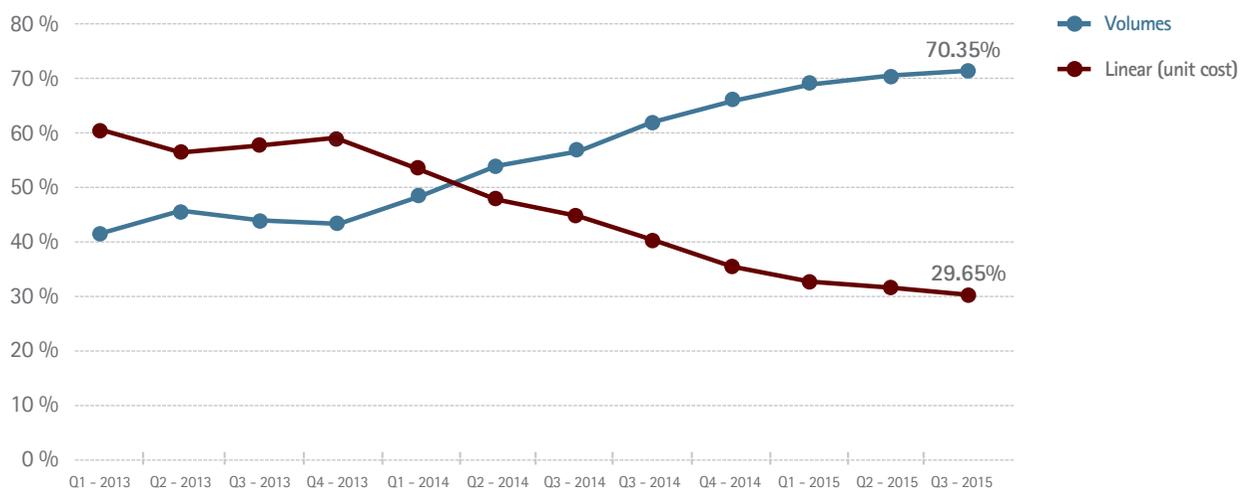
Within the matrix organisation that the Office has become, it is constantly seeking dialogue and exchange of ideas, both internally and externally, in order to improve performance and services.

This concerted effort was reflected in the attainment of ISO 9001 certification for all the activities of the Office in 2013, two years ahead of schedule. In addition, this achievement has meant a cultural change, making staff aware of the benefits of the continual improvement cycle and of the positive impact on the services delivered to users.

The Service Charter, setting out the Office's commitment to its users in all aspects of service, including timeliness, accessibility and quality of decisions, was reformulated in 2014 following consultations with users and recommendations arising from the ISO 9001 audit process. For each indicator, three levels were defined: Compliance, Excellence, and Action Needed. The timeliness objectives are expected to be achieved in 99 % of cases, leaving a margin of error of 1 %. The Office publishes the results of these indicators every quarter, and in cases of deviation, the actions being implemented to get the indicators back on track are explained.

The following figure illustrates the shift towards electronic interaction between the Office and its users since the beginning of 2013, and in particular since the new website was launched in December of that year.

Figure 2: Overall document input volume by channel – Q1 2013 to Q4 2015



Users now benefit from faster service when filing EUTM and RCD applications and when conducting other proceedings before the Office. A new EUTM Fast-Track route, introduced in November 2014, in which EUTMs are examined and published in less than two weeks, is already being used for more than 27 % of applications, contributing to a general reduction in pendency times. Other improvements in the timeliness of some of the important steps in operations since 2010 have been achieved. The average time to publish an EUTM has gone down from 8½ to 3 weeks. This step of the registration of a trade mark includes formalities, classifications, absolute grounds examinations, as well as translations into all EU languages. The simplification of this process was achieved by integrating the new front office e-filing with the back office and developing the Harmonised Database of goods and services (HDB). Consequently, the time taken to register an EUTM has fallen from 25 to 17 weeks. The average time to register a design has also fallen, from 12 days to 5 days and an increasing proportion is being fast-tracked; today, 99 % of RCDs are registered in less than 10 days, up from 41 % in 2010.

The timeliness improvements are illustrated in the following graphs.

Figure 3: EUTM (Regular Track)

Time from reception to publication

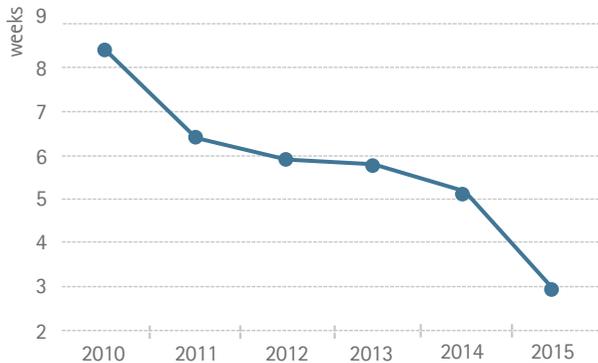
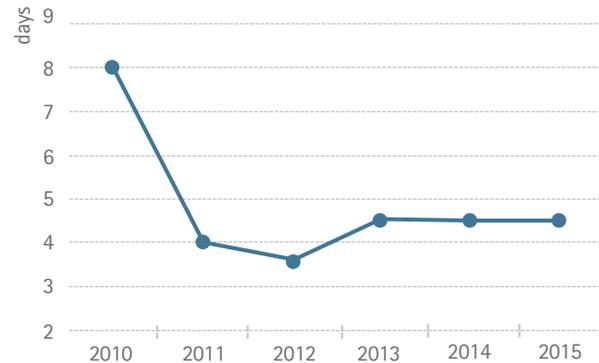


Figure 4: RCD (Fast Track)

Time from reception to registration



The overall level of predictability as perceived by users has improved. By providing applicants with tools and information, the Office aims to help them file applications that do not generate a deficiency. For example, some 34 % of EUTM applications are classified automatically, thanks to the applicants' use of goods and services terms that are already in the classification database. The proportion of applications benefiting from automatic classification has increased during the past two years, as depicted below. The Office continues to work on measures to reduce the classification deficiency rate further.

Figure 5: % Applications classified automatically

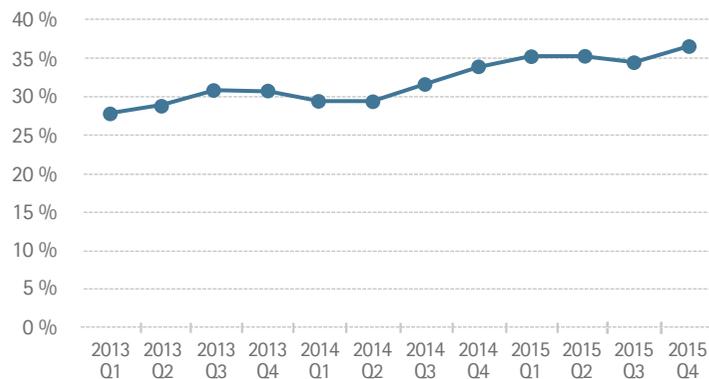


Figure 6: Classification deficiency rate



Access to services for external users has improved through high availability solutions for the new website, EUTM e-filing and RCD e-filing, surpassing 99 % availability. Availability of other tools remains at 99.9 %. More than 80 % of procedures can now be initiated electronically, and approximately 98 % of EUTMs and 94 % of RCDs are filed electronically.

The evolution in the proportion of applications filed electronically since 2010 is shown below.

Figure 9: EUTM % e-filing

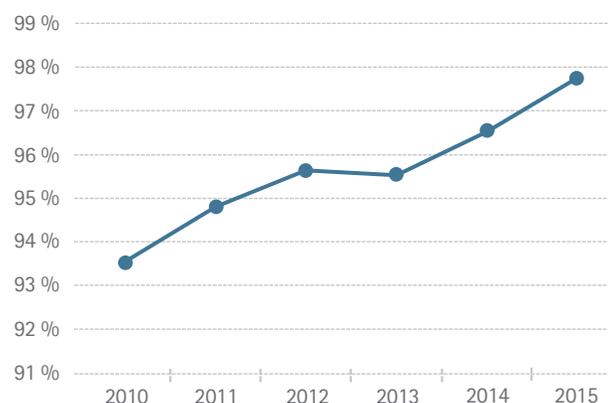
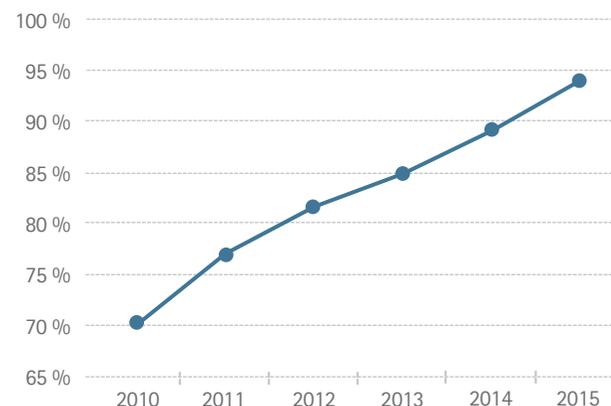


Figure 10: RCD % e-filing



The continuous development of e-services has prompted a shift in the way the Office and its users interact. The wide use of e-business solutions, enhanced with information for correct filing and automatic checks, has contributed to the reduction in irregularities, both in filings and in proceedings. This also entails a reduction in costs — less paper, less printing, fewer items of mail — with a positive environmental impact, both for the users and the Office.

1.4.3 PROMOTE CONVERGENCE OF PRACTICES

One of the major achievements of the Strategic Plan 2011–2015 was the establishment of the European Trade Mark and Design Network (ETMDN). With offices and rights holders facing similar challenges across the board, a key plank of the Strategic Plan was to build a durable, value-based structure between stakeholders to face present and future challenges in a connected, transparent manner.

Convergence is thus achieved through networks — both external and internal — as exemplified in the Knowledge Circles, which bring together staff from different areas of the Office to work on specific issues.

Under the Cooperation Fund, institutional barriers to communications and services among IP offices, users and public authorities have progressively been removed. By the end of 2015, 19 tools had been built collaboratively, covering the entire trade mark and design lifecycle, with a level of uptake across the EU that exceeded all projections, with more than 370 IP office implementations in 2015, compared with the initial projection of 140 implementations when the Cooperation Fund was launched. These range from search and classification tools to modern electronic services for users, examination and processing software, and enforcement tools deployed through the Observatory.

In all, building these advanced tools and rolling them out across the EU has involved more than 100 000 person days of effort. During the peak development phase for the tools, the work of up to 250 people, either full or part-time, was coordinated under the Cooperation Fund.

TMview is one of the flagship tools developed under the Cooperation Fund. This database contains nearly 36 million trade marks from 53 offices, including all the IP offices in the EU and many of the most important non-EU economies. It is used as a tool of reference with more than 7 million searches per year.

DesignView, also developed under the Cooperation Fund, is the first multi-office search tool on designs ever developed by an IP office. This database contains more than 9 million designs from 47 offices and is used more than 700 000 times each year.

Finally, 58 offices, including all the national and regional IP offices, have integrated their goods and services database lists in TMclass, which now attracts almost 7.5 million searches per year. Harmonised goods and services is now a reality at the Office with 94.9 % of EUTM applications using terms from the HDB.

A cost-benefit analysis has already been carried out on a number of the tools, with particularly significant benefits coming from TMview and DesignView. The cost-benefit analysis for TMview was based on an estimated 5 million searches in 2014 (actual searches totalled 5.2 million). Under certain assumptions about user behaviour, the average cost per search with a commercial company would be slightly over EUR 10, giving a full commercial cost of EUR 56 million. The Office examined various scenarios assuming different percentages of the 5 million TMview searches that would have been paid for by users, taking 10 % as the minimum and 90 % as the maximum. At a 50 % 'conversion rate', the benefit to users from TMview in 2014 amounted to EUR 28 million.

A similar approach was taken for measuring the benefits of DesignView. Since commercial design search is currently very expensive, the full commercial cost of the estimated 620 000 DesignView searches in 2014 would have amounted to EUR 208 million. Assuming that 50 % of DesignView searches would otherwise have been paid for by users resulted in a user benefit of EUR 104 million from DesignView in 2014.





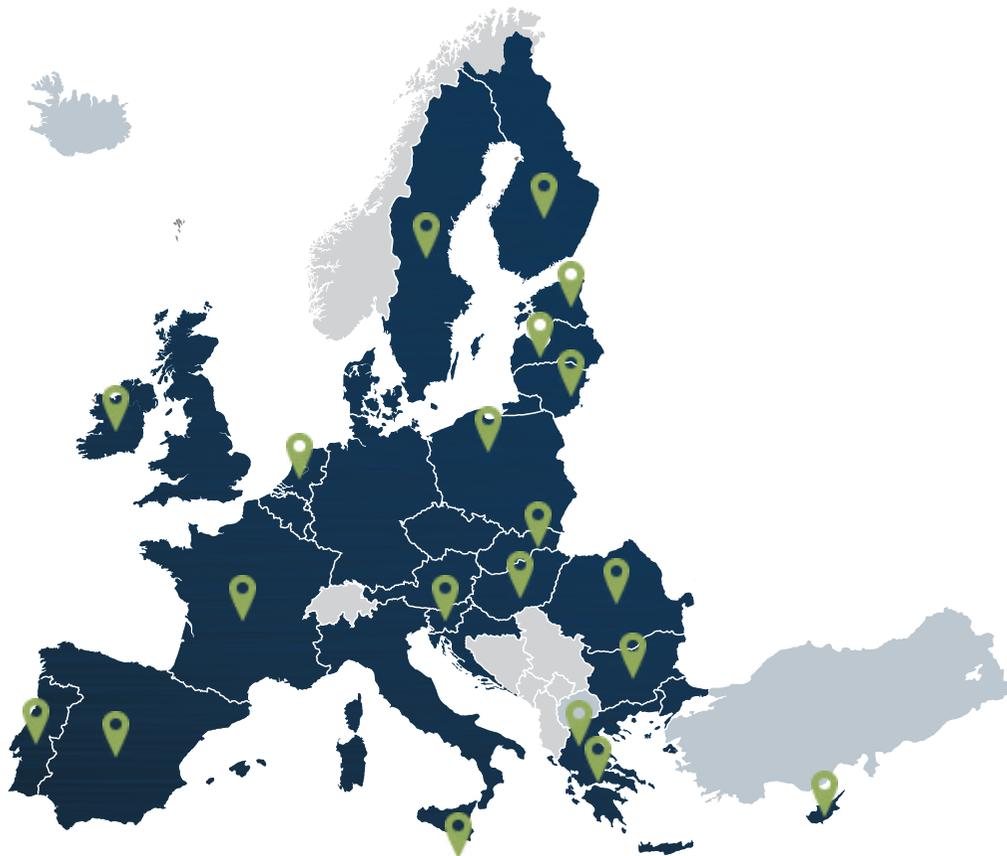
By the end of the Strategic Plan 2011–2015, a range of centrally deployed tools for information and practice sharing were based at the EUIPO within the newly created Customer Services Department, demonstrating the commitment to continued maintenance and improvement via a transparent and sustainably financed maintenance and management system.

In short, the Cooperation Fund has improved user experience by helping modernise the trade mark and design system in the EU. Before the Cooperation Fund, only 13 national or regional IP offices had trade mark e-filing solutions; as a result of the fund, all EU offices now have such solutions, 17 of which were developed under the fund. For designs, before the fund came into being, only nine offices offered electronic filing for design applications, while so far, all offices except three have such facilities, with 15 offices using the Cooperation Fund design e-filing solution.

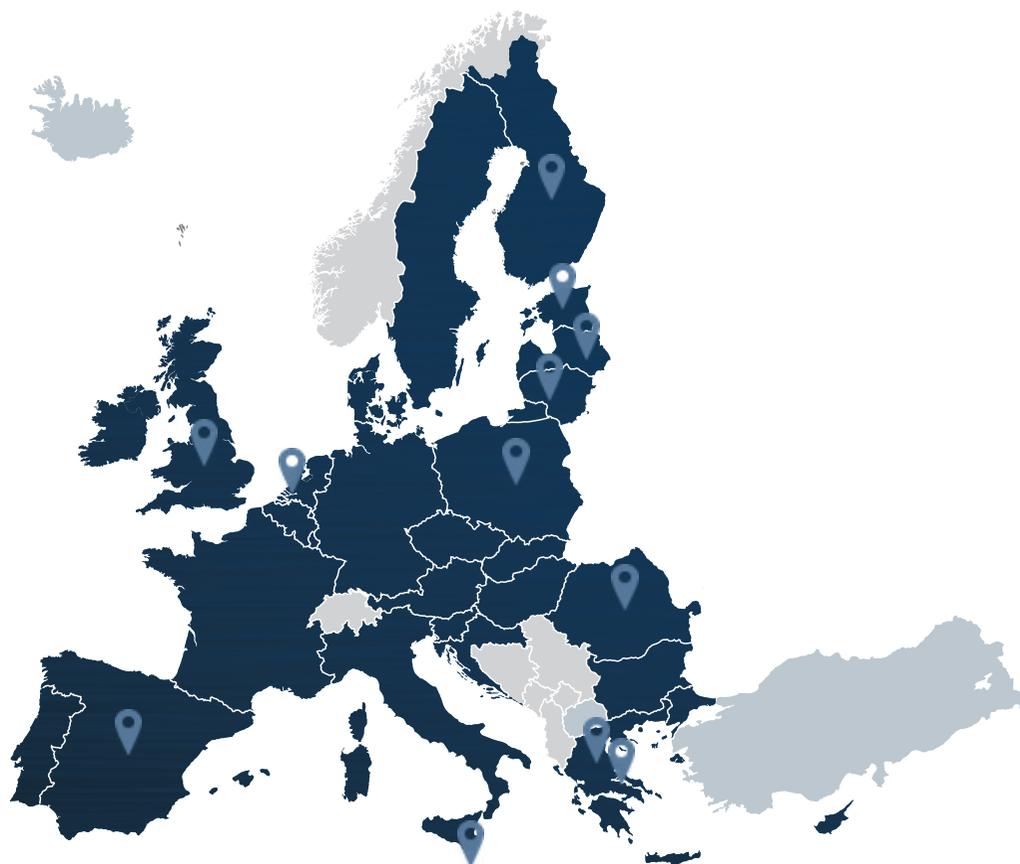
All companies registering trade marks and designs anywhere in the EU – even companies that never do business with the EUIPO – thus benefit from the improvements generated through the Cooperation Fund. The following figures show the status of implementation of front office and back office tools in the Member States.

Before the Cooperation Fund, only 13 national or regional IP offices had trade mark e-filing solutions; as a result of the fund, all EU offices now have such solutions, 17 of which were developed under the fund.

Member States implementing Cooperation Fund front office tools



Member States implementing Cooperation Fund back office tools



To complement the Cooperation Fund, the Convergence Programme was established in 2011. The programme consists of seven projects in the area of trade marks and designs with a central team, composed of staff from the Office and SNEs from national and regional IP offices to ensure follow-up on common practices.

Working together to address major issues in IP practice, and again involving users as well as IP offices, the Convergence Programme achieved a number of specific breakthroughs in IP practice, forming closely coordinated teams of experts to try to bring together practices without forcing legislative change, in order to arrive at greater clarity and legal certainty across the EU for users doing business in IP. Topics ranging from absolute grounds examination to the scope of protection were addressed at varying levels of detail, and a permanent discussion between IP experts was firmly established, based on mutual respect. Solid groundwork was thus laid for further progress, and the common desire to take this further became clear.

By the end of 2015, the network had established the first common practices in the field of designs. Together with the creation and launch of DesignView, which not only provides design information from the participating offices, but also offers extended functionalities, such as the ability to set alerts, these achievements clearly reflect the great importance attached by the network to innovation in general and to design protection in particular, in full alignment with the idea that designs are a major driving force for IPR-intensive industries, as revealed by the Observatory's studies.

Taken together, the Cooperation Fund, the Convergence Programme and other initiatives such as the SNE programme, represent a move from competition to coexistence and beyond, towards complementarity. A progressive achievement of an interoperable and collaborative European network of trade mark and design offices creates a stronger IP environment in Europe. The ETMDN is now a tangible reality: IP offices of 28 Member States that, through intensive cooperation, provide a wider range of services and a more predictable array of practices to the IP user community.

As an EU agency, the Office's primary focus is always on the IP system in Europe. However, in certain aspects of its work, the Office has looked beyond Europe, either because the European Commission has requested it to do so, or because the needs of its users require working in a more global context.



The Office has extended the approaches pioneered with the ETMDN onto the global stage by carrying out more than 130 activities as an implementing agency for EU-funded programmes in third countries and by working with its TM5 and ID5 partners to broaden the coverage of the flagship tools such as TMview and DesignView to their respective jurisdictions. Major IP offices around the world now contribute to the endeavours of the ETMDN to bring more transparency and predictability to users through their participation in tools such as TMview, DesignView and TMclass.



The ETMDN strengthens the Office and the EU IP offices and prepares them to tackle future challenges. The tools developed are used by IP offices; the converged practices benefit all users.

All in all, so far there have been 52 implementations of tools in non-EU offices, including the TM5 offices, the BRIC countries and international organisations in the IP field such as WIPO, which plays an important role in the Convergence Programme by participating in some of its projects and serving as a mediator in the goods and services harmonised workflow launched in 2014.

The ETMDN strengthens the Office and the national and regional IP offices and prepares them to tackle future challenges. The tools developed are used by IP offices; the converged practices benefit all users, whether they register EUTMs and RCDs or national rights; and the efficiency gains resulting from streamlined processes deliver benefits at both the European and national level.

The level of confidence now in place, with frank and open discussions at all levels, unprecedented levels of contact between IP offices, and a very high level of access to information, has transformed the IP landscape within the EU.

1.4.4 PROTECTION OF IP RIGHTS

To be truly valuable to their owners, IP rights must be enforced and protected against infringement. Acting through the Observatory, also working in networks, the Office has made a number of important contributions, including a better understanding of the importance of IP. Several reports, including widely cited studies on the economic importance of IP rights to jobs, GDP and trade in the EU, and on the attitudes and perceptions of citizens on IP rights, have been published and made available on the Observatory website. Furthermore, IT tools are available to help public authorities and rights owners enforce IP rights. The Enforcement Database connects IP rights holders to enforcement authorities, such as customs and police, to help identify and seize counterfeit goods, with more than 240 companies and 31 authorities actively participating. The Anti-Counterfeiting Intelligence Support Tool integrates seizure figures from police authorities to support enforcers and policymakers.

Information and knowledge exchange is of key importance for the ETMDN, and training, conferences and other knowledge-sharing events are now commonplace at the Office. Training equivalent to more than 3 000 days has been given to IP offices and more than 1 500 to other stakeholders such as IP rights holders, enforcement personnel (including police and customs), judges, prosecutors, and other authorities. All of these activities are aimed at strengthening IP rights enforcement for the benefit of users – after all, an IP right that is not properly protected and enforced provides only limited economic benefits to its owner and to consumers.

The more than 100 projects launched under the Strategic Plan 2011–2015 covered virtually every aspect of the Office's activities. By the end of 2015, around 92 had been fully completed, and once the different weightings of the projects based on the Balanced Scorecard were taken into account, the plan was just under 97 % achieved and was on schedule to complete almost all the original objectives successfully.

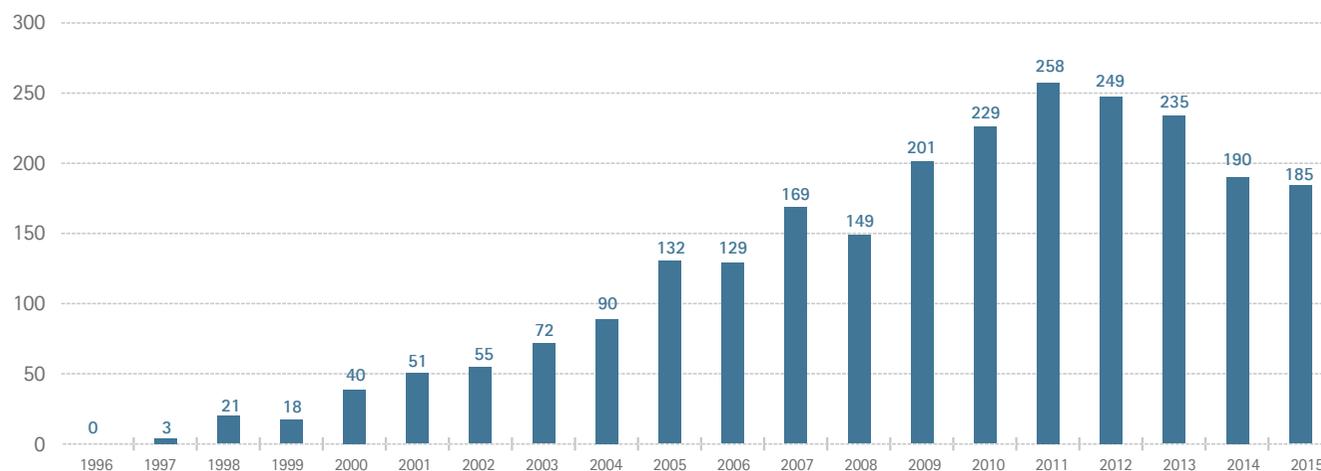
The creation of the ETMDN was a major undertaking. It required years of effort and implied cultural change both inside the Office and elsewhere in the network. The Cooperation Fund and the Convergence Programme have so far involved a total investment of some EUR 63 million. Although it will take time to feel the full impact, it is not too early to say that the investment was sound. Now that the network is in place, the remaining accumulated budget of the Office can be invested in improving it further for the benefit of users during the next few years.

The total cost of the plan, including the refurbishment and expansion of the facilities, the modernisation of the IT infrastructure, the Cooperation Fund and the Convergence Programme, and the new responsibilities assumed by the Office, such as the Observatory, the Orphan Works Database and the implementation of EU-funded projects in third countries, has been approximately EUR 200 million during this period.

A significant portion of these funds, some EUR 130 million, was generated from the EUIPO's operations, reflecting the improvements in efficiency that have been achieved during the past five years, with the remainder coming from the accumulated budget surplus of the Office.

The evolution of the accumulated surplus of the Office (net of the reserve fund) is shown in the chart below. Since reaching a peak of EUR 258 million in 2011, the surplus has declined steadily and reached EUR 185 million at the end of 2015. Thus, during the period of the Strategic Plan, the Office has moved from a situation of persistent budget surpluses and has moved closer to meeting its legal requirement of a balanced budget by making investments for the benefit of users and staff, and by absorbing new competencies.

Figure 11: Accumulated surplus (million €)

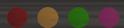


The approximately EUR 185 million that remains available in the accumulated budget surplus, along with any operational surpluses that might be generated, is the source for the investment that the Office intends to make in order to realise its vision for 2020 in this Strategic Plan. As was the case with the investments made as part of the Strategic Plan 2011-2015, all new projects under this Strategic Plan will be vetted to ensure that they deliver the returns on investment in the form of enhanced services to users, cost savings or other measurable benefits.

In addition to the accumulated surplus, the Office also maintains a reserve fund covering approximately one year's expenditure. However, these funds do not constitute a source of financing for the Strategic Plan and are therefore not included in the amounts shown above.



STRATEGIC PLAN 2020



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CURRENT SITUATION

Almost uniquely among EU agencies, the Office has been self-funding during most of its existence. Indeed, as discussed in the previous section, the Office accumulated a considerable surplus, peaking at EUR 258 million in 2011. Since then, the Office has been moving towards a balanced budget, using part of the accumulated surplus to invest in its own operations and those of its partners in the ETMDN, for the benefit of users.

Almost uniquely among EU agencies, the Office has been self-funding during most of its existence. Indeed, as discussed in the previous section, the Office accumulated a considerable surplus, peaking at EUR 258 million in 2011. Since then, the Office has been moving towards a balanced budget, using part of the accumulated surplus to invest in its own operations and those of its partners in the ETMDN, for the benefit of users.

As a result of this investment the Office of today is better equipped to deal with the increased volumes of EUTM and RCD applications. There is a new HR policy and an improved working environment, leading to cultural renewal. The improvements were evident in the staff satisfaction survey carried out in 2013, which showed an increase of 26 % in staff engagement compared to the previous exercise of 2009, and overall the results compared favourably with other European and international organisations. The subsequent period coincided with major changes in the Office as a result of the Strategic Plan 2011-2015. The 2016 staff satisfaction survey demonstrated that despite the extra efforts asked of staff during this period, and the inevitable disruption caused by the introduction of new ways of working, staff continued to show high levels of commitment to the Office and its mission.

There is a new HR policy and an improved working environment, leading to cultural renewal.

Overall, the 2016 survey confirmed that the increased confidence of the staff in the Office's vision, goals and leadership shown in the 2013 survey has been maintained, together with a generally positive attitude to new challenges. A large majority of staff (72 %) felt that the Strategic Plan had been successfully implemented and even more (85 %) felt they had played a part in that achievement. Other results demonstrate a stable evolution of staff satisfaction compared to the 2013 survey, with 77 % of the items showing no significant change, 13 % significantly improving and 10 % decreasing.

While many of the challenges identified in the Strategic Plan 2011-2015 have been met by the staff of the Office, there is still work to do in a number of areas, such as the perception of the Office with regard to supportive culture, top management, empowerment, training and development and external relations. In particular, one category in the staff satisfaction survey – operational efficiency – showed a decline of 4 percentage points, reflecting concerns about staffing levels.

Considerable achievements have been made in the area of quality during 2011-2015. The success of all these measures has been confirmed by the User Satisfaction Surveys carried out during this period. More than 1 900 users responded to the 2015 User Satisfaction Survey and the overall satisfaction figure was in the region of 91 %, which is about 6 percentage points higher than in 2011.



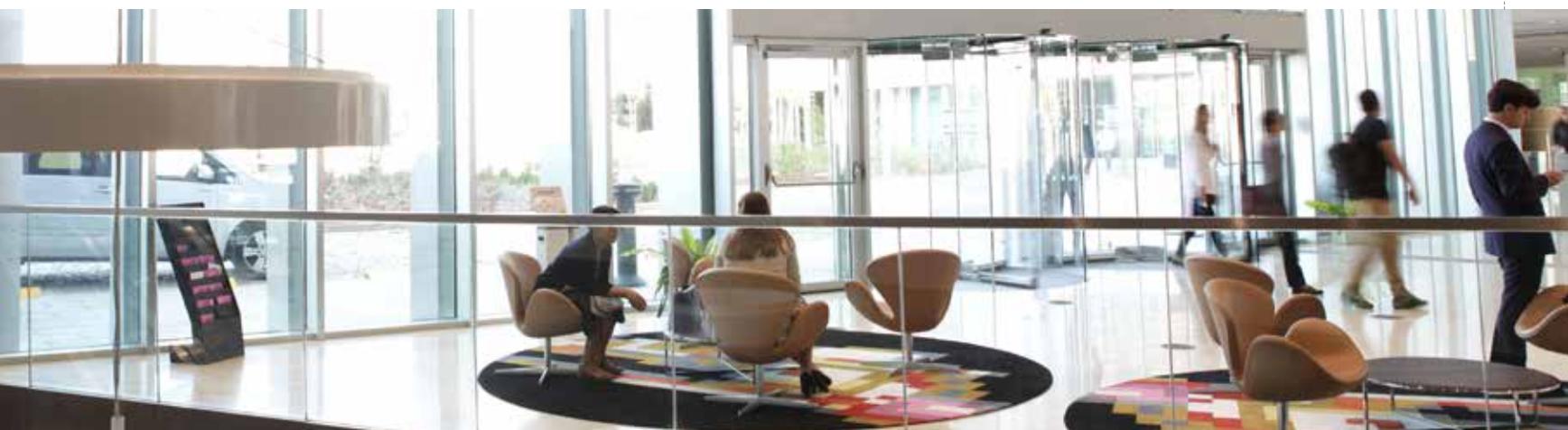
Nevertheless, users expect still more from the Office. The Office needs to undertake further action to enhance user experience and to improve the quality of its services as perceived by users. To move the quality of its products and services to a new level, fundamental changes are needed, going much further in the direction of team working and using the networks that have been created.

User engagement with the e-business solutions provided by the Office should also intensify. In this context, in a modern IP office, the term 'e-business' refers not only to the initial filing of applications or oppositions, but to the entire range of communications and transactions between the Office and its users. By encouraging more e-communications, the Office will simultaneously increase the quality of the system, by reducing the amount of scanning and subsequent processing of paper files, which also benefits the environment. The ultimate goal is to move to a paperless office.

European business increasingly looks beyond the EU for its growth. The Office must stand ready to help European companies, particularly SMEs, become more competitive in the global marketplace and enforce their IP rights in third countries. The ETMDN must be broadened and the convergence efforts in terms of common tools and practices must be expanded beyond the European Union boundaries.

This section focuses on the state of the Office at the end of 2015, as a starting point for achieving the goals of this Strategic Plan.

The Office must stand ready to help European companies, particularly SMEs, become more competitive in the global marketplace and enforce their IP rights in third countries.



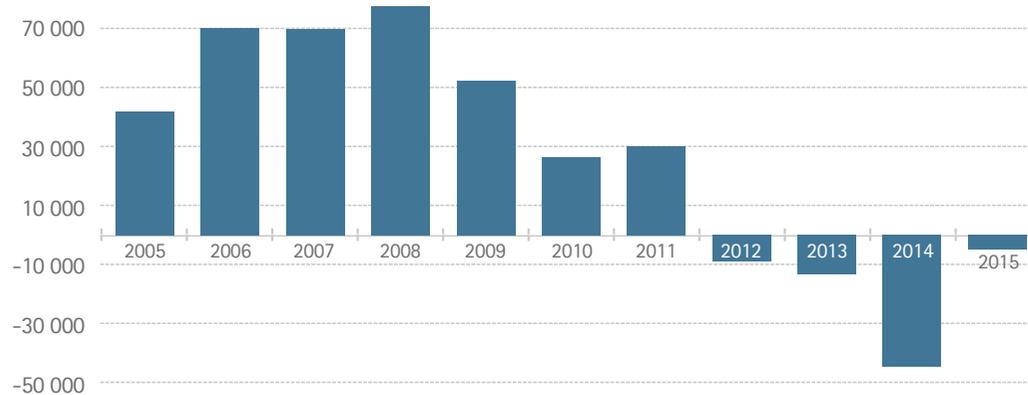
2.1 OPERATING RESULTS

The following discussion of operating results and structure is intended to give deeper insight into the present situation at the Office. At this level, operating results will include the financial results during the period, the evolution of files processed, and the staffing levels and structure.

2.1.1 FINANCIAL RESULTS

The evolution of the EUIPO's financial results during the years 2005–2015 is shown in the figure below.

Figure 12: The EUIPO's operation surplus (million €)



Revenues followed a general upward trend until 2008, mainly due to increases in core business revenue and in financial interest generated by the EUIPO's cash reserves. However, in 2009 and 2010, revenues fell due to the 2009 fee reduction and the drop in interest rates. The financial crisis that began in the autumn of 2008 was reflected in a brief stagnation in the number of EUTM and RCD applications in those years, but beginning in 2010, growth resumed so that the number of applications in 2015 was close to the 'high' scenario for this year as presented in the Strategic Plan 2011–2015.

The financial results also followed a generally upward trend until 2008, before turning downwards in 2009 and 2010.

Until 2011, the EUIPO's costs had been broadly stable, in the EUR 143–145 million range before increasing, mainly due to higher infrastructure spending and the investment in the Cooperation Fund, Convergence Programme, and new activities such as the Observatory. In addition, the growth in the volume of EUTM applications has led to an increase in direct costs.

At the same time, since 2010, interest income, which prior to the financial crisis had approached EUR 20 million annually, has fallen sharply, due to the extremely low interest rates following the financial crisis.

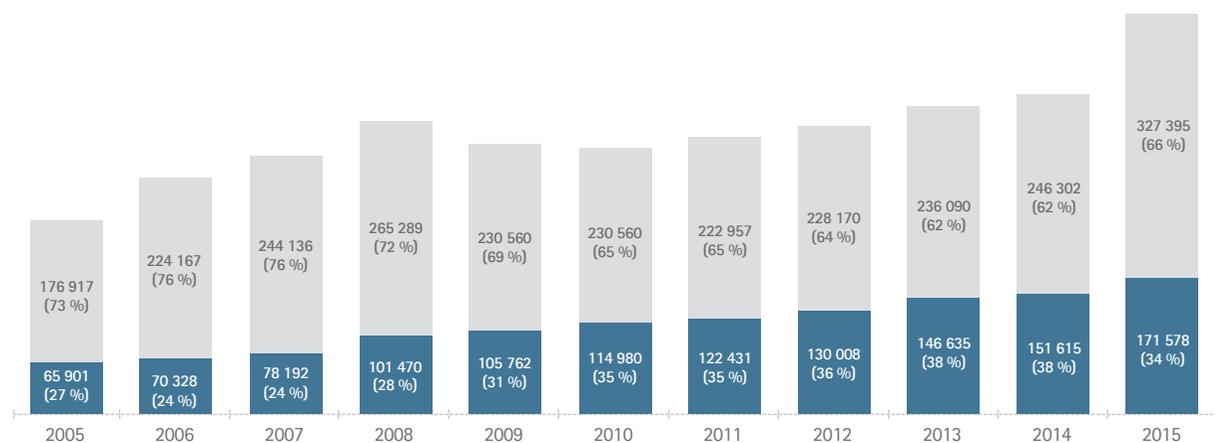
Looking ahead, the Office expects increasing volumes of EUTM and RCD applications (see demand projections 2015–2025 in the following section). Based on past experience, the volumes of oppositions, cancellations, appeals and litigations are quite stable percentages of the number of applications. The renewal rate appears to be stabilising at a level close to 55 %. Taken together, these factors make it possible for the Office to achieve its goal, codified in the Regulation, of a balanced budget over the medium term and to carry out the activities foreseen in this Strategic Plan. However, the reform of the EUTM system that came into force in 2016 will have an effect on both the Office's income and expenditure. This in turn, could affect the ability of the Office to carry out the activities envisaged in this Strategic Plan. The projects and activities foreseen in the plan will need to be adjusted to the resources available to carry them out.

2.1.2 FILES PROCESSED

2 - 'Trade mark files' refers to applications, oppositions, cancellations and all other trade mark-related filings or proceedings. The main driver of the workload of the Office, trade mark applications, increased by 27 % between 2010 and 2015, corresponding to an annual growth rate of 5.4 %.

As can be seen in the chart below, the evolution of trade mark and design files over the last five years shows a strong growth in volume that the Office has successfully absorbed. Trade mark files², for example, grew from 217 016 in 2010 to 327 395 in 2015, an increase of 51 %. At the same time, through increased efficiency, the Office has gradually eliminated previously accumulated backlogs in important areas, such as oppositions. This analysis sets the tone for the context in which the areas of concern outlined below ought to be understood. In light of the continued growth in demand, the Office has kept control of its costs through steady improvement in operational effectiveness, focusing on improving the speed and lowering the cost of processing trade mark and design applications.

Figure 13: Number of files processed



2.1.3 STAFFING LEVELS

The Office's staffing policy has had to respect the austerity measures introduced following the Interinstitutional Agreement of 2 December 2013, while at the same time maintain the quality commitments to users enshrined in its Service Charter, and take on additional tasks.

The establishment plan was reduced by 2 % in 2014 by means of an amending budget, and an additional 1 % in annual reductions between 2015 and 2017 was foreseen under certain conditions.

Taking into account the current extent of the Office's mission, during 2014–2017 all increases in volume of workload up to 5 % should be absorbed through internal productivity improvements. The Office has been able to honour this commitment through additional efforts from its staff, combined with the benefits and productivity improvements resulting from the projects under the Strategic Plan 2011–2015.

At the end of December 2015, the Office had 793 statutory staff members, 467 of whom were officials and 326 of whom were temporary agents, contract agents and special advisers, most with contracts of 5 years, potentially extendable to 10 years.

In addition to the statutory staff members, seconded national experts (SNEs) from other IP offices work at the Office. The number of SNEs has grown significantly during recent years, rising from 35 in 2011 to 63 in December 2015, reflecting the increased level of cooperation with the national and regional IP offices.

Finally, 330 external employees, mainly temporary agency staff and consultants and employees of subcontractors, were working at the Office – roughly the same level as in 2011.

The age distribution of statutory staff is heavily concentrated, with a large number of members in their mid to late 40s, and a gap between temporary and permanent employees. This was one of the issues that the Office addressed in the Strategic Plan 2011–2015 through the change in the length of temporary agent contracts.

The majority of Office staff, about 60 %, are women. However, the gender balance is not equally reflected at all levels, and is particularly unbalanced at management levels. The Office has made significant progress in the area of gender equality during the period 2011–2015. In 2010 only around 10 % of managers were women; this percentage now stands at 30 % and the Office will strive to reach 40 % in the future.

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2.2 ISSUES TO BE ADDRESSED

As stated previously, although the Office has been very successful in terms of operations and financial performance in recent years, there are several areas where there is still work to be done. In the next few years, the Office will face both external and internal challenges.

Among the external factors, the Office will have to contend with the revision of the legal framework and with the evolution of interinstitutional thinking with regard to decentralised agencies in general and of self-funded agencies such as the EUIPO in particular.

3 - In particular, the reduction in renewal fees and the change from the current system, where class fees are payable only when applying for 4 or more Nice classes to one where they are payable when 2 or more classes are included in the application.

Although the new legal framework is now clear, thanks to the publication of the new Regulation at the end of 2015, the modifications linked to the fee structure for EUTM applications³ are expected to bring about a change in the behaviour of applicants, with corresponding consequences for the overall income of the Office. The combined effect of the fee reduction and of the expected change in user behaviour will be a reduction of income for the Office, compared with what would otherwise have been expected, ranging from EUR 20–40 million. This, as yet unknown but significant reduction of income will be combined with the additional expenditure for the Office (5 % of yearly income) contemplated by the mechanism of off-setting of costs incurred by Member States in carrying out tasks stemming from the implementation of the European Union trade mark system. Although this additional expenditure is triggered only in years in which the EUIPO has a positive operational result, the Office will have to take the necessary measures to ensure the achievement of a balanced budget, as a necessary condition to safeguard the Office's administrative and financial autonomy for the future.

A second source of external uncertainty lies in the ongoing reflections on the future of decentralised agencies taking place at interinstitutional level between the Parliament, the Council and the Commission. As part of the negotiations on the Multiannual Financial Framework (MFF) 2014–2020, the institutions agreed to reduce the establishment plans in decentralised agencies by 5 % during 2013–2017. Thanks to the benefits derived from investments made under the Strategic Plan 2011–2015, the Office has been able to comply with this political objective while absorbing yearly increases in volume of applications of up to 5 % through internal productivity measures while have an improving the quality and timeliness of its services to users. A mid-term review of the MFF is underway that may have an impact on the level of resources for decentralised agencies for the period 2018–2020. A specific framework for fee-receiving agencies is also contemplated. Without pre-empting the outcome of these debates, curtailment of investment possibilities, a further tightening of resources or even a continuation of the current austerity regime in the context of continuing growth in the volume of applications combined with new activities, particularly on the side of the Observatory, may put the level of service provided by the Office to applicants and other stakeholders at risk.

In this context, the Office would welcome the European Commission's recognition of the specific nature of fee-financed agencies in its contribution to the Interinstitutional Working Group (IIWG). The Commission acknowledges the benefits of workload indicators combined with flexibility of posts, to take account of work fluctuations, and the need to maintain

a high quality level of service to industry. Respecting these principles, the Office will continue to take measures to increase efficiency and effectiveness, and plans to make efficiency gains of 3 % per year, which is in line with the Commission's input to the IIWG.

As stated above, one of the guiding principles of the Office is to preserve the self-funding that has made it possible to finance its operations, including the Strategic Plan 2011-2015, and that is also the basis for the planned activities under this Strategic Plan. The legislative reform of the trade mark system contains elements that may have an impact on the revenues and expenses of the Office, for example, the fee changes. Therefore, the objectives and activities set out in this Strategic Plan may need to be revised, depending on the financial impact of the reform.

The main internal challenges are related to the need to deliver quality services to users in an environment of austerity. At the same time, the Office must adhere to the principles of financial autonomy and maintain the flexibility required to deal with fluctuations in trade mark and design filings and other components of the workload of the Office.

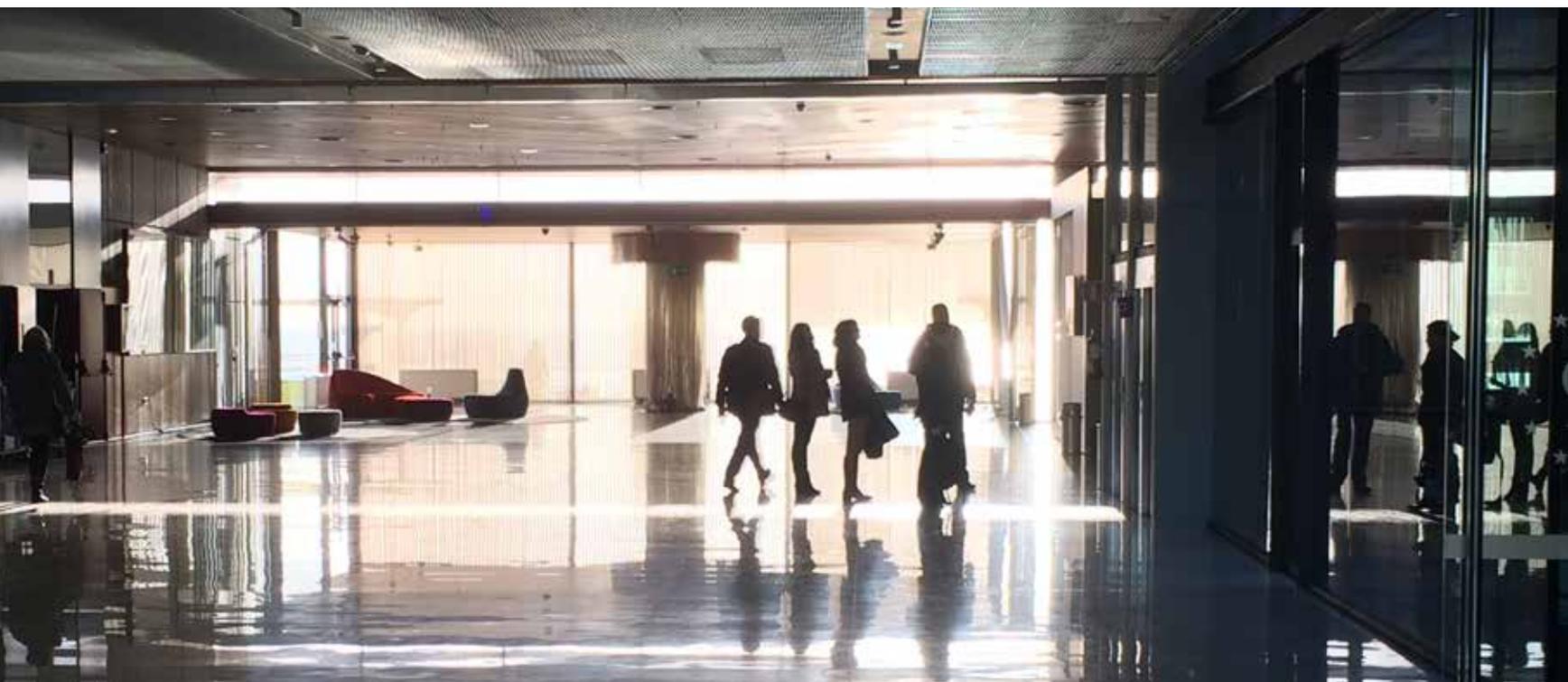
Historically, the Office has sought to achieve operational flexibility by maintaining a ratio of 70:30 between permanent and temporary staff. This is done by carrying out periodic EPSO competitions and using all other tools provided by the Staff Regulations, by putting in place the necessary learning activities, and by maintaining an appropriate ratio between permanent and temporary staff.

During the coming years, the modernisation of IT needs to be completed according to the IT Roadmap that the Office has developed. By 2020, all areas of operations are to be supported by appropriate tools, within the context of an inter-operable European Union Intellectual Property Network (EUIPN). Information security is of great importance for the Office. Major advances have been made in the past five years, and the Office will continue to invest, to strengthen the security of its information systems.

Quality has been and continues to be a main area of focus at the Office. Quality has many aspects, including timeliness, consistency and predictability. Both in the core business and in other areas of the Office, new quality standards and tools to achieve those standards have been implemented. The challenge is now to take the next step by moving from *ex post* to *ex ante* quality checks (so that errors are corrected before the applicable decision of the Office is sent to the user) and by revamping the quality metrics, so that they more accurately reflect how users experience the products and services provided to them by the Office.

The Office has taken on new tasks during the past five years, and it is possible that additional responsibilities will be entrusted to it in the coming years. In order to take on this additional work while continuing to improve quality in its





core operations, the Office needs to have sufficient flexibility to augment its resources accordingly, even in the context of the Interinstitutional Agreement referred to previously.

There will of course be additional developments that the Office cannot yet foresee. Therefore, it is important that the Strategic Plan 2020 moves the EUIPO to become a more resilient organisation that is better prepared for all future eventualities. The sustainability of activities is of key importance – the Office will meet the current needs of stakeholders and improve user experience now, but must do so in a way that does not compromise what can be offered in the future. To this end a Corporate Sustainability strategy will be developed that reviews management systems and ensures that all activities are socially, environmentally and financially sustainable for 2020 and beyond. This means, in concrete terms, increasing efficiency and eliminating any remaining inefficiencies and unnecessary bureaucracy, thus positioning the Office to carry out new tasks if required to do so.

2.3 CAPABILITIES

A clear definition of current capabilities and ongoing projects is critical in order to define the Lines of Action. In the broadest sense, the Office possesses three sets of capabilities, centring around the ideas of 'staff and knowledge', 'adaptability and innovation', and 'networking'.

2.3.1 STAFF AND KNOWLEDGE

The backbone of the EUIPO is its staff, many of whom have worked in the Office since its inception in 1996. While other staff, particularly those from the 13 Member States that acceded to the EU in 2004, 2007 and 2013, have joined more recently, as a group, the staff have deep process understanding, as well as considerable knowledge of the functioning of the European Union trade mark and design systems and the legal frameworks behind them.



SP2020 builds on the achievements of the previous Strategic Plan 2011-2015 and continues, in broad terms, the strategy defined in the earlier plan.

2.3.2 ADAPTABILITY AND INNOVATION

During its relatively short history, the Office has managed to absorb a number of legislative changes, political shifts at EU and national level, EU enlargement and a number of internal reorganisations. Throughout these changes, the Office has remained focused on its original mission and has managed to adapt. Much of this adaptation has been done through innovation, such as the push into electronic processing.

2.3.3 NETWORKING

Networking is a key attribute of the way the Office operates, both internally and externally.

Internally, it refers to the new ways of working in cross-departmental teams and in engaging staff in projects that transcend organisational boundaries and make use of their unique skills and provide development opportunities. The Office has built up internal collaborative networks among staff, such as Knowledge Circles and forums for Quality, Risk and Performance officers, HR correspondents, Communication correspondents and Financial officers focused on both legal and technical issues. These networks involve different departments, including the Boards of Appeal, and thus contribute to further breaking down silos. Altogether, almost 200 staff members participate in one or more of the networks and/or act as project managers.

Externally, the ETMDN is at the very heart of the Office's vision. The excellence that the Office aims for will only be achievable in the context of this network. Tools such as TMview were developed and are managed under the Cooperation Fund model, which involves the Office working together with national and regional IP offices and the user community. And of course, the Observatory is itself a network of the Office, national and regional IP offices and their stakeholders, who work together to define the tools and studies produced by the Observatory.

2.4 KEY ONGOING PROJECTS

The current Strategic Plan is being developed in a dynamic environment and thus a proper understanding of the major initiatives currently underway has been a critical factor in planning for the next five years and identifying the major Lines of Action that will be developed below. This Strategic Plan – SP2020 – builds on the achievements of the previous Strategic Plan 2011-2015 and continues, in broad terms, the strategy defined in the earlier plan.

While the new plan will be approved by the new governing bodies of the Office in 2016, there are important projects under the current Strategic Plan and the Observatory multiannual plan that must be continued for operational reasons and to lay the proper foundation for moving forward. Therefore, the Strategic Plan 2011-2015 has been extended to mid-2016, so that the projects currently underway can transition to SP2020 seamlessly.

The main projects in this category are:

Implementation of the legislative reform: The adoption of the legislative package will have to be followed by implementation at both EU and national levels. As regards the European Union trade mark regulation (EUTMR), most changes came into force (and therefore had to be implemented) 90 days after the publication of the new Regulation in the *Official Journal of the European Union*.

The Office's overall aim was to achieve swift, effective and harmonised implementation of the new legislative package, with work beginning in the third and fourth quarter of 2015 to ensure that the Office would be ready when the reform came into force.

Working environment: At present, only a small reserve of workspaces remains in the existing infrastructure. Various projects are underway to make even better use of the existing buildings, so as to accommodate Office staff and external staff performing work on-site. In addition, construction work needs to proceed on a further modular building accommodating 100-120 staff, which will be required by 2018.

Cooperation Fund: The Cooperation Fund, consisting of 21 projects covering the areas of harmonisation, information, software and enforcement, is designed to promote further convergence and cooperation among the IP offices in the EU. While it was originally planned that the fund would conclude its work in 2015, it is important to ensure that the implementations in the pipeline are carried out properly, and to give offices that did not initially take full advantage of the tools developed under the fund another opportunity to do so.

International collaboration: A number of projects are currently underway in order to sustain EU efforts for technical cooperation with external partners; among the more prominent are the EU-funded projects with China, India, ASEAN and Russia. In addition, the projects currently underway with the TM5/ID5 partners will continue as agreed.

IT roadmap: Work continues on further extending e-services, so that users will be able to conduct all their business with the Office electronically. In addition, a series of projects has been launched in order to build a new back office for the management of trade marks and designs that will also be capable of incorporating new IP rights, should such rights be assigned to the Office by the legislator. These projects, which are planned to be continued as part of this new Strategic Plan during the period 2016-2020, aim primarily at further simplification of the Office IT landscape by integrating several systems that today exist separately, into a single tool. This strand of work thus spans the two Strategic Plans, covering the periods 2011-2015 and 2016-2020.





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IP LANDSCAPE: TRENDS IN THE PROTECTION OF IP RIGHTS

Many of the trends that were already identified when the first Strategic Plan was being formulated in 2010 and 2011 have continued and have indeed strengthened over the past five years.

Intellectual property is increasingly becoming a factor behind economic success, both at the level of the individual company and for entire countries and regions. At the firm level, this is clearly seen by the fact that for many companies, the single most valuable asset is their brand. In the global knowledge-based economy, the importance of intellectual property and innovation as a driver of competitive advantage and prosperity has increased. For advanced economies, such as the EU, North America or Japan, this means that competitiveness is no longer defined simply by costs and prices but rather by the strength of innovation and the consequent development of IP. A study carried out by the Office, acting through the Observatory, in 2013, showed that sectors that use IP rights intensively account for 39 % of the EU's economic output (GDP) and 35 % of employment, once direct and indirect effects are taken into account. A subsequent study carried out at the level of individual firms in Europe found that companies that own registered IP rights perform better economically than companies that do not. This effect was particularly pronounced in the case of SMEs.

Recognising the importance of IP, and considering the current difficulties faced by Europe as a result of the financial crisis, the EU aims to make knowledge and innovation the cornerstone of its economies and societies by 2020. The Europe 2020 strategy has made the Innovation Union one of its flagship initiatives.

3.1 TRENDS IN IPR FILINGS

Worldwide use of IP rights has continued to increase in the past decade, reflecting the increasing importance of IP to the economy.

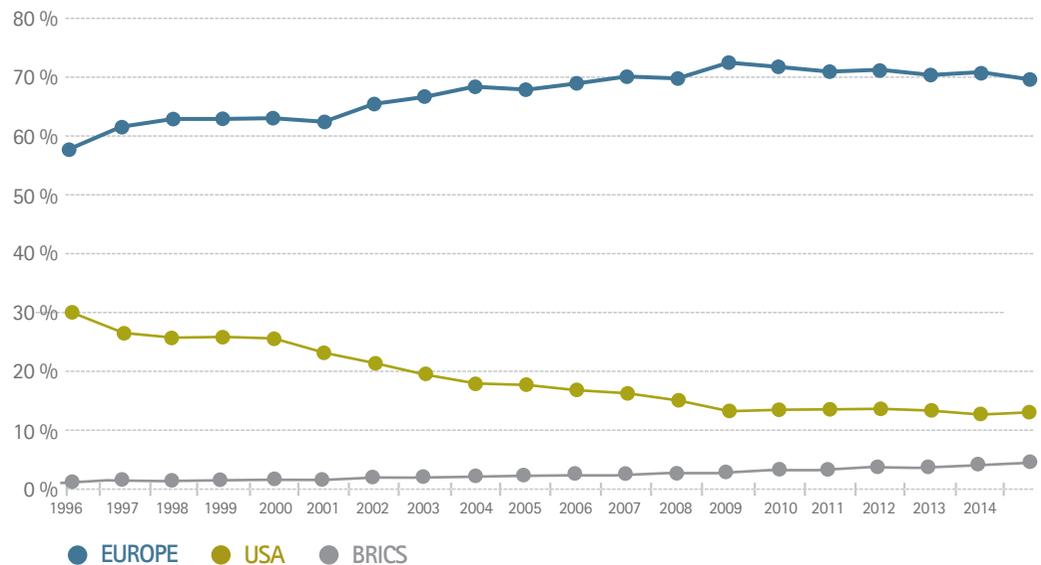
According to WIPO figures, in 2013, 4.9 million trade marks, 2.6 million patents and 957 000 designs were applied for. Compared to a decade earlier, worldwide use of these three IP rights has increased by 76 %.

During the same period, over 560 000 trade marks, 250 000 designs, and 284 000 patents were applied for in the IP offices across the EU, for a total of about 1.1 million applications. This represents an overall increase of 4 % compared with the number applied for a decade previously.

Despite the recession, the current economic volatility and the sluggish recovery in Europe, the inflow of EUTM and RCD applications has also continued to grow at roughly the 5 % annual growth historically experienced by the EUIPO. In the case of the national and regional IP offices, some have rebounded since the first full crisis year, 2009, (for example, Spain, France, Italy and the UK) whereas in other offices the recovery has not yet fully taken hold. Nevertheless, as noted above, the total volume of IPR activity in Europe continues to grow.

The majority of EUTM (and RCD) applications have always come from within the EU, but there have been important shifts over time, as the following chart shows.

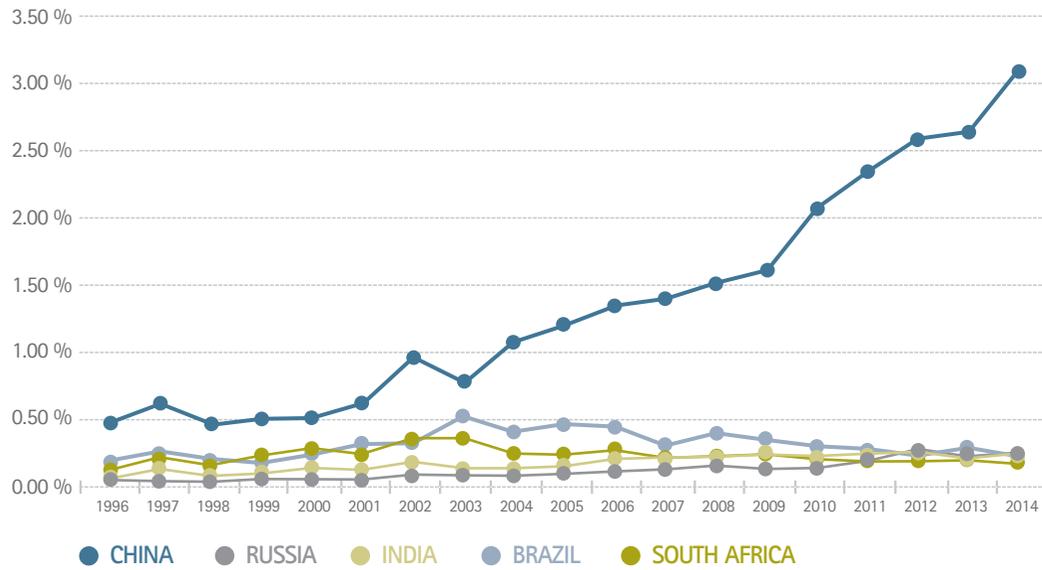
Figure 14: Origin of EUTM applications (%)



The share of EUTMs coming from within the EU showed a rising trend until 2009 and has been stable at around 70 % in the past five years. The share coming from the USA, which was 30 % at the beginning of the EUTM system in 1996, has decreased over time, stabilising at 12-13 % since 2009. Finally, the share from the BRICS countries has increased, but these still represent only 3-4 % of filings.

Recognising the importance of IP, and considering the current difficulties faced by Europe as a result of the financial crisis, the EU aims to make knowledge and innovation the cornerstone of our economies and societies by 2020.

Figure 15: Origin of EUTM applications (%) BRICS countries



While the shares of the other major emerging markets have been stable in the past decade, China's share has almost tripled since 2004, and China is now one of the top 10 originating countries. The trend is similar for design filings.

This rise in Chinese filings at the Office, as well as the importance of the Chinese market to European companies, makes it even more important to integrate China's trade mark and design data in TMview and DesignView, so as to facilitate the searches carried out by EU companies considering entry into that market.

3.2 GLOBALISATION AND COOPERATION

The growth in filings mentioned above, and the growing tendency for companies of all sizes to increasingly do business in multiple countries, means that the respective IP systems need to work together.

Countries such as China, India and Brazil are investing heavily in research and technology in order to move their industries up the value chain and leapfrog into the top ranks of the global economy (as was done in previous decades by countries such as South Korea or Japan). This puts pressure on EU companies to remain competitive, however, every threat is also an opportunity. As these countries develop, new markets will open up for many European companies that will need to count on access to registration of IP rights in those new markets, and to rely on fair and effective procedures to enforce their rights. This means that the multilateral cooperation between IP offices aimed at enhancing convergence and interoperability among the IP systems of the most important economies in the world will become even more critical.

One of the most successful collaborations among the world's IP offices involves the provision to users of easily accessible information on existing IP rights. These tools make it easier for prospective applicants to search existing IP rights and thus avoid later conflicts with prior rights holders. The Office and its cooperation partners have been in the forefront of this development with the TMclass, TMview and DesignView databases. Other IP offices, as well as international IP organisations, such as the EPO or WIPO, are also undertaking corresponding efforts. The combined effect is to make the IP system more accessible to all prospective users, and especially to SMEs, for which the resulting efficiencies represent very real savings in their costs of acquiring and maintaining IP rights. As EU companies look to the emerging markets for future growth, it is vital that the Office, while always focusing on its core competencies, facilitates the application of their intellectual property in those markets by supporting efforts to strengthen IPR protection outside the EU. The activities carried out by the Office under the umbrella of EU-funded projects and TM5/ID5 are an essential contribution to Europe's knowledge-based economy. By keeping users at the centre of these activities, the Office and its partners ensure that the projects they carry out together create value for the IP rights owners. For this reason, strong user involvement in these projects and activities is required, notably in the multilateral fora such as TM5 and ID5.



3.3 EU INITIATIVES

One of the main challenges for the EU is to deal with the impact of the ongoing global shift of economic weight towards developing and emerging countries.

Within the EU, a degree of harmonisation has been achieved for trade marks and designs through measures such as Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks, and Council Regulation (EC) No 40/94 of 20 December 1993 on the European Union trade mark. However, the speed, consistency, simplicity and accessibility of the registration procedures, as well as the level of convergence in how offices handle these procedures has been far from perfect. Delays, complexity and unnecessary differences of practice between the various trade mark and design registration systems in Europe can become obstacles to innovation and creativity and jeopardise achievement of the Europe 2020 strategy.

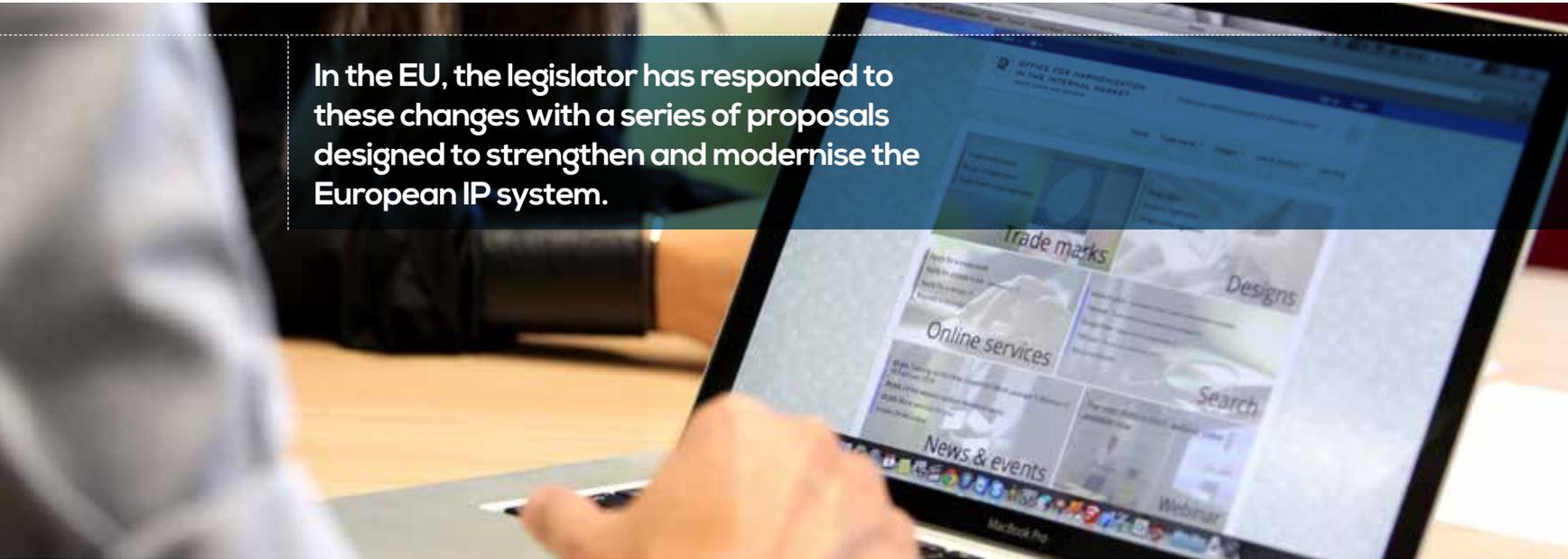
This risk is particularly high for SMEs, which do not have many resources to dedicate to IP protection and the enforcement of their IP rights. An OECD study⁴ has shown that regulatory costs per employee can be five times higher for small companies than for larger firms. SMEs present great potential for economic growth in Europe. Hence, to enable European SMEs to innovate, there was an urgent need to improve framework conditions by further reducing the administrative burdens, by creating reliable, easy-to-use, electronic tools to simplify, speed up and improve accessibility to the services offered by IP offices, and by converging practice and procedures among the various offices as far as possible.

In the EU, the legislator has responded to these changes with a series of proposals designed to strengthen and modernise the European IP system. The unitary patent is expected to come into effect during the next few years. In 2014, the European Commission proposed a new directive to harmonise aspects of trade secret legislation among the Member States. More recently, the Commission, as stated in the Single Market Strategy, has published proposals for a digital single market across the EU, and the creation of new IP rights, such as non-agricultural geographical indications, is being considered.

The reform of the European Union trade mark system was proposed by the Commission in 2013 and was agreed by the Parliament, Council and Commission in December 2015. The reform will have both an operational and a financial impact on the Office. The reform reinforces the need for the Office to operate efficiently and places increased emphasis on its cooperation with Member States, including the allocation of a percentage of its income to these activities, and further harmonisation of the trade mark system within the EU.



4 - Businesses' Views on Red Tape: Administrative and Regulatory Burdens on Small and Medium-Sized Enterprises (OECD 2001).



In the EU, the legislator has responded to these changes with a series of proposals designed to strengthen and modernise the European IP system.

3.4 PROTECTION OF IPR

At the same time as the economies of the world are becoming more interconnected, new technologies are having a profound impact on the way intellectual property is developed and exploited. Many new technologies have an effect on IP, with the growth of the internet, in particular, ushering in a wave of change. On the positive side, the rapidly increasing bandwidth, the rise of e-commerce and the development of general and specialised social networks have made it easier for SMEs and for companies located far from economic and financial centres to participate in the global economy. However, these same factors, combined with the complexity of online enforcement, have magnified the seriousness and consequences of counterfeiting and piracy.

Similarly, the advent of low-cost 3D printing, the increasing availability of which dispenses with the need to invest in equipment, means that manufacturing will become more 'democratic', as any start-up company with a novel design will be able to produce prototypes easily, and to start production on a small scale to test the market. At the same time, this technology obviously also has a negative impact, as 3D printing, especially combined with 3D scanning, will make it easier to produce counterfeit goods. New marketing methods, distribution channels and payment systems will make it easier to deliver both legitimate and counterfeit goods to consumers.

Another technology with an impact on IP is peer-to-peer computer networking, which, while making it more convenient and reliable to share legitimate data, also enables widespread copyright infringement.

These and other developments make it increasingly important to develop efficient tools to help protect IP, including trade marks and designs – if an IP right cannot be adequately defended and enforced, it is unlikely to deliver economic benefits to either its owner or society at large.

Counterfeiting and piracy deprive legitimate enterprises of turnover and deprive the state of revenue, deter investment and innovation, and frequently violate employment, health and safety legislation. At a time when economies are looking for opportunities for recovery, the fight for effective enforcement of IP rights becomes even more important. An IP right is not going to deliver economic benefits to its owner or society unless it is adequately enforced and protected.

Counterfeiters are using increasingly sophisticated distribution channels that span the globe. Websites offering pirated goods, including fake medicines and other goods that may pose health and safety risks, generate billions of euros in sales every year.

The nature and scale of the problem demands a coordinated approach to enforcement measures at regional, national and international levels. It is in recognition of the threat posed by counterfeiting and piracy and of the need, based on solid evidence, for coordinated action that the Observatory was entrusted to the Office in 2012, with the three main goals, as set out in Regulation (EU) No 386/2012, of:

1. Providing facts and evidence for policymakers to use for formulating effective IP policies;
2. Creating tools and resources to intensify the fight against IP infringement;
3. Raising awareness of IP and of the negative effects of counterfeiting and piracy.

In 2014, the Observatory truly reached 'cruising speed', benefiting from the full capabilities and resources of the Office. Its work on promoting increased awareness of the IP system and providing evidence-based assistance to policymakers has been based on a set of studies that form a trilogy. The first element of this trilogy consists of studies such as the IP Contribution study, which provides an objective assessment of the importance of IP to the EU economy. The second looks at the opinions of citizens, especially young people, through the IP Perception studies and follow-up research. Finally, the third consists of studies that quantify the economic damage caused by IPR infringement. Taken together, the results of these studies will help guide subsequent efforts to make society at large, and in particular its younger members, aware of the importance of IP rights and the need to respect them.

Acting through the Observatory, the Office also produces tools for enforcers (such as the Enforcement Database) and works on deepening the knowledge of all IP actors. Target audiences therefore also include the staff of IP offices, customs, police, judges, users and academics. To carry out this mandate, the Observatory network and collaboration between the Office and its public and private stakeholders will need to be intensified even further.

3.5 IMPACT ON THE OFFICE

The economic crisis that began in 2008 has led to widespread austerity in government finances in all EU Member States. This austerity is in turn reflected in the Multiannual Financial Framework that was adopted by the EU institutions for 2014–2020.

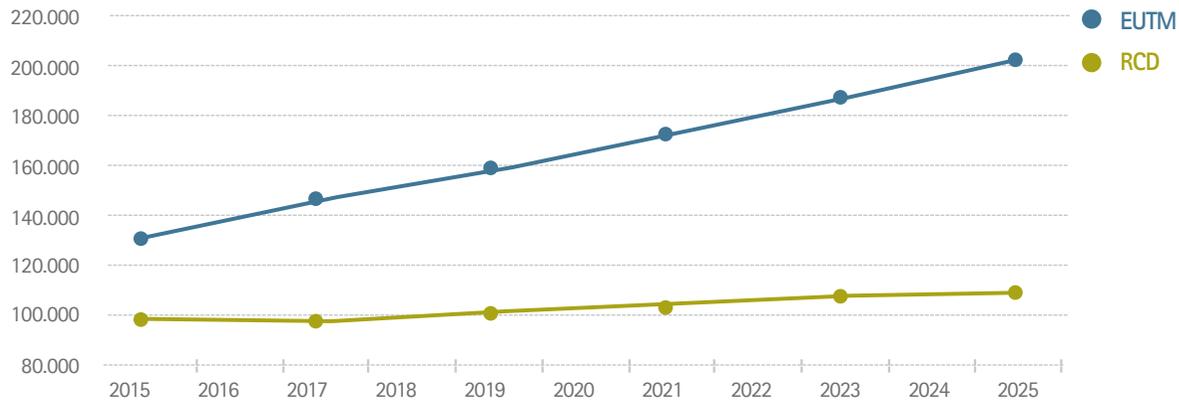
Despite this constraint, the Office has successfully coped with a significant increase in filings during the period 2011–2015, while also improving quality and taking on new tasks. Compared with the projections made in 2010, when the Strategic Plan 2011–2015 was formulated, the number of EUTM filings received in 2015 (130 000) exceeded the number considered in the highest scenario by 4 000.

In the next few years, the Office faces the challenge of having to cope with an increasing volume of applications and with the new competencies entrusted to it, in an environment characterised by resource constraints and legislative reform. At the same time, the worldwide growth in IPR filings, which is also reflected in Europe, makes enhanced cooperation and modernisation of IP offices even more of a necessity. Users also look to the Office to support the enforcement of IP rights through the work carried out through the Observatory.

In order to continue to provide users with a quality service in a timely fashion and to carry out additional tasks, productivity and efficiency must be maintained and further increased if possible. For the duration of the Interinstitutional Agreement, that is to say, until 2017, the Office has committed itself to absorbing growth in filing volumes of up to 5 % per year, by improving productivity rather than by increasing staff.

In its long-term budget planning, the Office assumes that the growth trends from recent years will continue, so that in 2020, more than 200 000 EUTM applications and almost 110 000 RCD filings will be received. For trade marks, the main driver of workload at the Office, this represents an acceleration of growth compared to the EUIPO's historical growth rate of 5 % per year, reflecting the double-digit growth rates experienced in 2015 and during the first months of 2016.

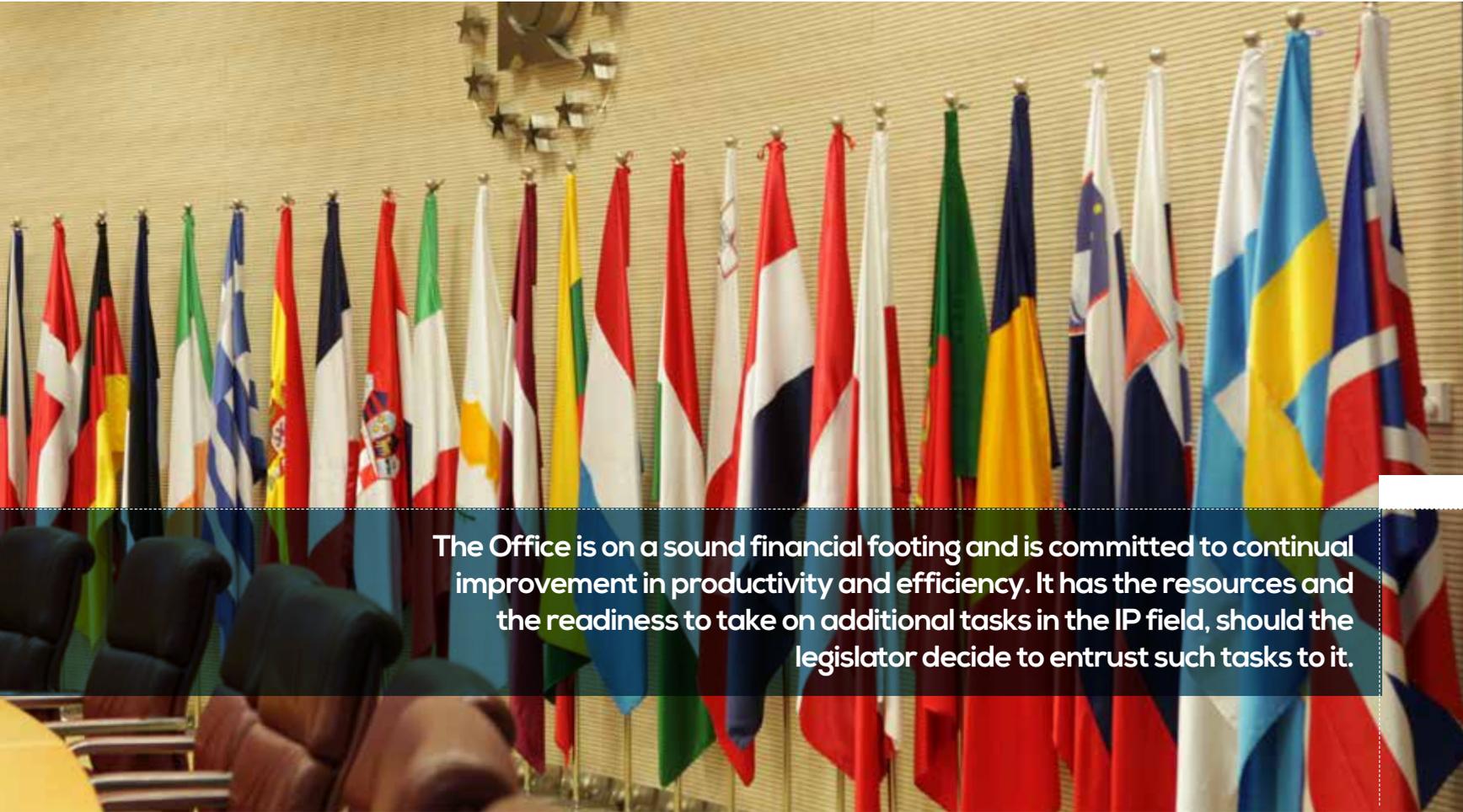
Figure 16: Projection of EUTM and RCD filings, 2015–2025



In order to deal with this increase in workload, while possibly taking on new tasks that may be assigned to it, the Office must plan for the necessary evolution in workforce and the associated requirements in terms of physical facilities and IT.

The Office is on a sound financial footing and is committed to continual improvement in productivity and efficiency. It has the resources and the readiness to take on additional tasks in the IP field, should the legislator decide to entrust such tasks to it. Indeed, the decision to rename the agency as the European Union Intellectual Property Office suggests that additional tasks are envisaged in the future.





The Office is on a sound financial footing and is committed to continual improvement in productivity and efficiency. It has the resources and the readiness to take on additional tasks in the IP field, should the legislator decide to entrust such tasks to it.



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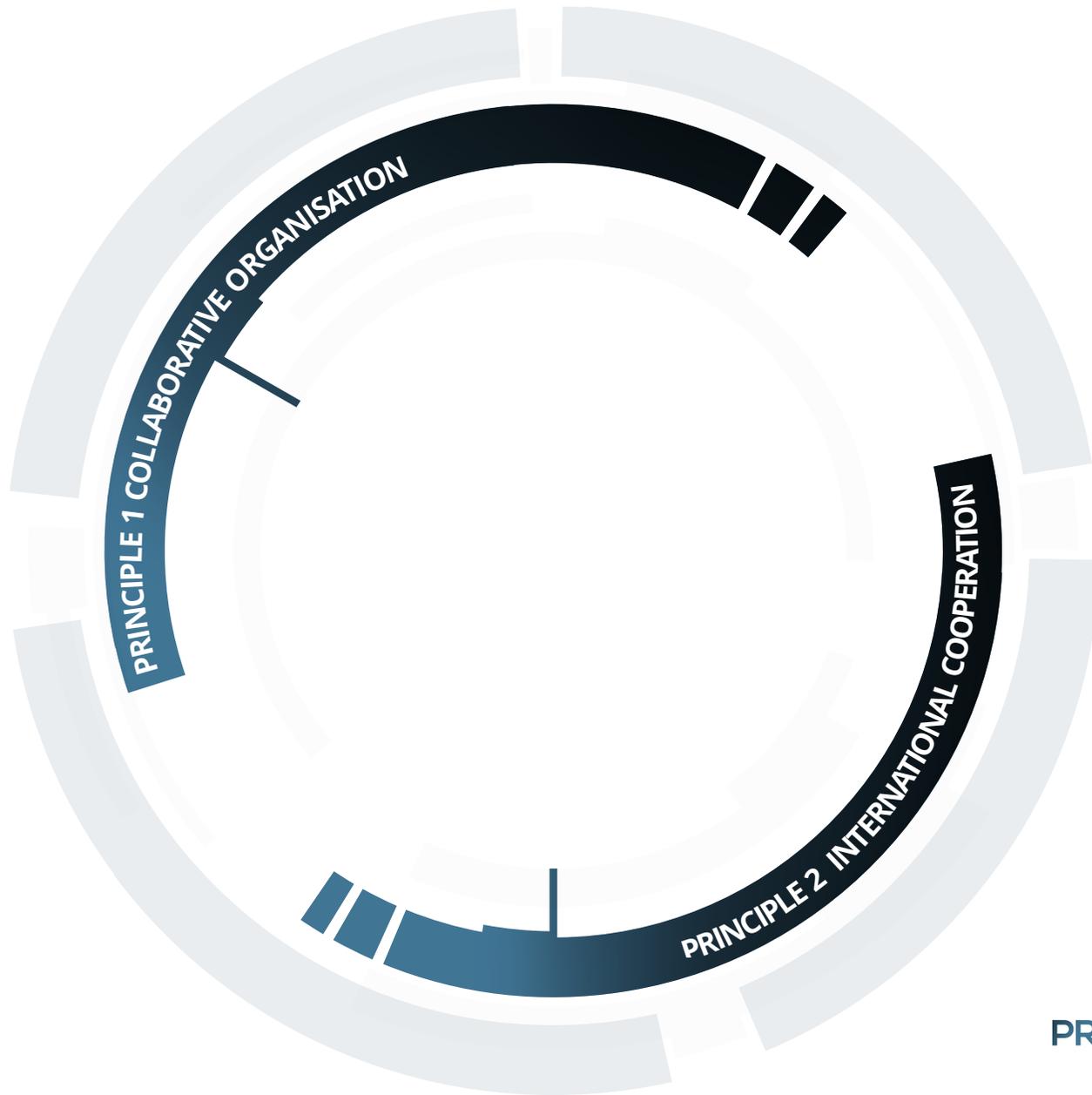
EUIPO STRATEGY

The Strategic Plan 2020 is built around a strategic framework that begins with a proposed vision that gives rise to a set of strategic objectives. These objectives can be supported by business activities as well as by defined projects. Associated with the different levels are measurement systems designed to monitor the progress towards the vision.

STRATEGIC PLAN 2020







PRINCIPLES



GOALS

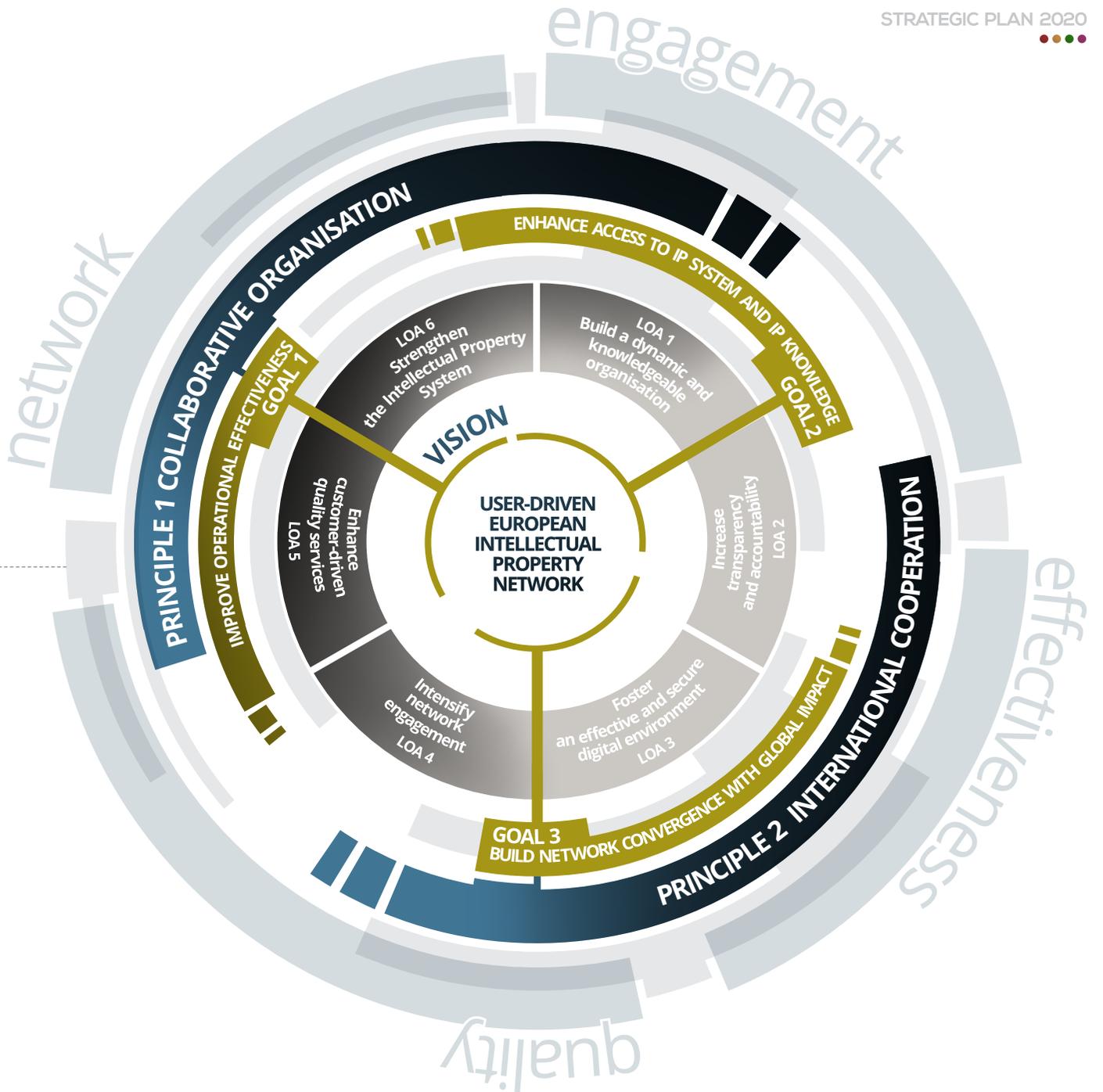


LINES OF ACTION



STRATEGIC PLAN 2020





4.1 STAFF ASSESSMENT

During June and July 2014, Office staff were invited to give their input to the Strategic Plan. This was followed by a consultation with members of the AB/BC in September 2014. The consultation was structured around five specific questions⁵:

1. Following the Strategic Goal of building a strong, vibrant and creative organisation, supported by Pillar I of Organisational Excellence and by the activities already undertaken in the field of HR reform and cultural renewal, what actions should be undertaken to promote team working and to achieve the highest possible level of collaboration between all staff members across the Office?
2. Taking into account the current challenges faced by the Office – increasing filing volumes, new activities entrusted to the EUIPO by the Commission, constraints on staff, increased accountability and transparency – how could we improve our horizontal support systems: IT, communications, engagement with stakeholders, management systems (quality, performance and risk), project management, planning and reporting, to increase the efficiency and effectiveness of the Office?

5 – The questions reproduced here were used for the AB/BC consultation in September 2014. While the wording used for the staff consultation was slightly different, the content of the questions was the same.



3. Based on the achievements to date in providing a better service to our users, what actions should be taken to further enhance user experience, using both formal and informal approaches, to intensify users' engagement with the e-business solutions the Office is providing, and to improve their perception of the quality of our services?
4. One of the tasks with which the Office has been entrusted is to promote increased awareness of the IP system, by providing evidence based contributions to policy makers, by making society at large aware of the relevance of IP rights, by strengthening the knowledge of all IP actors – IP office officials, customs, police, users, judges, academics, etc. In your view, what measures and actions should be undertaken in this area?
5. In order to broaden the European Trade Mark and Design Network, taking into account the expansion of the convergence efforts in terms of common tools and practices beyond the European Union boundaries, what actions should be pursued to allow the Office to provide a better service to the European IP system users and to help European businesses become more competitive in the global marketplace?

In response, numerous suggestions were received from staff at all levels within the Office. While the concept of teamwork has a high degree of support, there was also recognition that this is an area where the Office still has work to do in order to dismantle the 'silos' that sometimes still exist.

In order to promote teamwork, the proposals ranged from forming interdepartmental teams for specific tasks and projects, such as the successful Knowledge Circles, to temporary secondments of staff from one department to another, and indeed rotation between departments at periodic intervals. In order to promote teamwork, a suggestion was made to institute 360-degree feedback across the Office and to modify the appraisal system to put more emphasis on Office-wide and team objectives. It was considered important that the physical layout of the Office promote collaboration, although there were differences as to how this was to be achieved. While some proposals favoured an open space environment, others put more emphasis on the creation of collaborative spaces, where small groups of staff could get together on an ad hoc basis to work together on specific projects.

Communication was also considered important for the establishment and success of a team-working culture, as was continuous learning in order to prepare staff to work across disciplines.

Finally, some staff members suggested expanding the teams to include not only colleagues from other departments within the Office but also participation from national and regional IP offices and user organisations and other stakeholders, depending on the nature of the issues to be worked on.

It was also felt that teamwork could make a contribution to improving quality, efficiency and effectiveness by fostering the sharing of ideas and best practices and by eliminating duplicated work.



Further suggestions to cope with increasing filing volumes while simultaneously improving quality emphasised the need to complete the modernisation and simplification of the Office's IT landscape and to automate all areas of work. In order to ensure that the right projects were embarked on, a cost-benefit analysis should always be carried out beforehand. Other suggestions included further empowering users to perform non-value added tasks for themselves (e.g. changes of address and other administrative changes), and providing them with tools, such as the HDB, to help them achieve 'problem-free' filing. To increase efficiency in this area further, it was suggested that the linguistic tools be enhanced so that a higher proportion of applications would be classified automatically and would not need to be sent for translation.

On the question of awareness of IP, staff emphasised the importance of working together with other IP offices, including international organisations such as the EPO and WIPO.

Staff also felt that improving quality and effectiveness went hand in hand with the further convergence of practices and tools across the EU, since the latter promoted consistency and predictability. In a similar vein, mention was made of the sharing of work among national and regional IP offices and the need for greater user involvement in evaluating quality.

Efficiency could be improved by centralising horizontal functions in specialist units, thus reducing the duplication of effort. Examples included the organisation of events or activities related to procurement and vendor management. Finally, staff thought that processes related to financial management and HR administration should be streamlined and the related tools improved in order to promote e-business culture internally as well.

How quality was perceived by users was considered more important than how it was perceived within the Office. It was therefore crucial to develop quality standards and measurements in cooperation with users. In general, more intense interaction with users was the overriding theme in the responses. Suggestions were made that users should be segmented, for instance, according to filing volumes, and special information channels and content should be developed for specific segments, such as SMEs. New ways of communicating with users and stakeholders, such as social media, should be explored. And, of course, the e-business tools provided to users through the Office website needed to be continually improved to make them more user-friendly and provide new functionalities.

On the question of awareness of IP, staff emphasised the importance of working together with other IP offices, including international organisations such as the EPO and WIPO. Outreach to universities was considered important; this included enhancing the traineeship programme. The importance of the studies released by the Office through the Observatory was recognised, and many proposals were made for specific studies. In recognition of the limited resources available to the Office for conducting awareness campaigns among the general public, it was felt that working through 'multipliers'

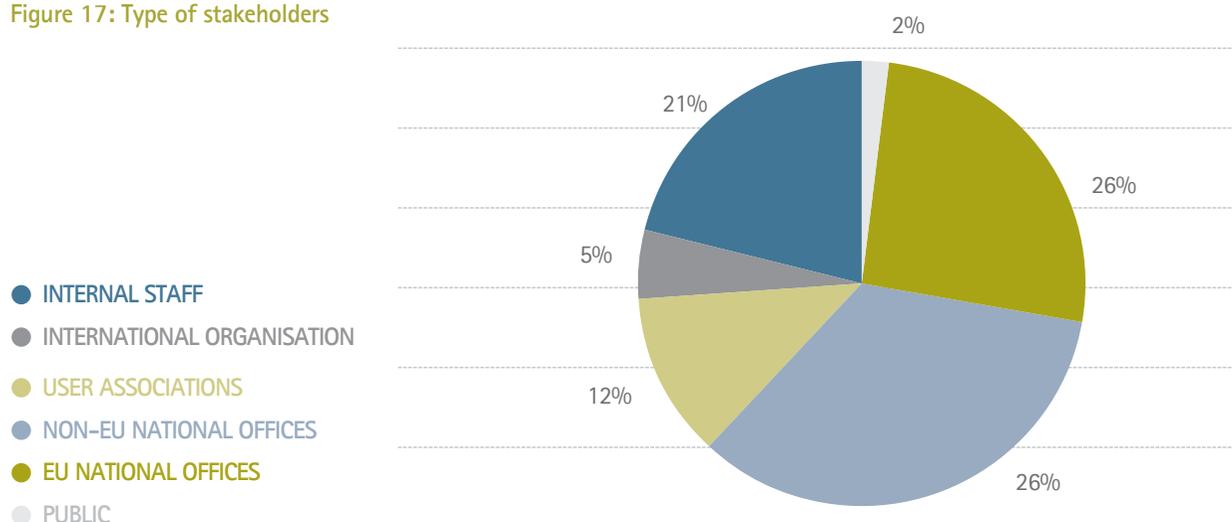
such as educational institutions was essential. The Academy has an important role to play as well, as it is a powerful tool for increasing awareness of IP among all stakeholders.

Finally, on the fifth question above, staff members supported the continued expansion of tools such as TMview and DesignView to include more countries. The possibility of converging practices not only within the ETMDN but also with major partners outside the EU should also be explored. In terms of the scope of Office activities, staff suggested further cooperation and synergies with other European organisations in the IP field, such as the EPO, the Community Plant Variety Office and others. There were also suggestions of opening satellite offices in major business centres or ensuring an Office presence through the secondment of staff to the respective EU representations.

4.2 STAKEHOLDER ASSESSMENT

Following the staff and AB/BC consultation in 2014, public consultation took place in early 2015, again on the guiding principles that had been developed. The second public consultation ran from 2 February to 15 March 2016 and aimed at evaluating the final draft of SP2020. A wide range of stakeholders responded to the consultations and a total of 85 contributions were received. Generally, the majority of contributions were positive and the stakeholders expressed their support for the strategy of the Office for the next five years. Overall, the consultation gathered a total of 377 comments from various stakeholders, covering 212 supportive contributions, 26 clarifications needed and 139 suggestions or proposals. With regard to the clarifications, suggestions or proposals, 96 % were reflected in one way or another in the final version of SP2020.

Figure 17: Type of stakeholders

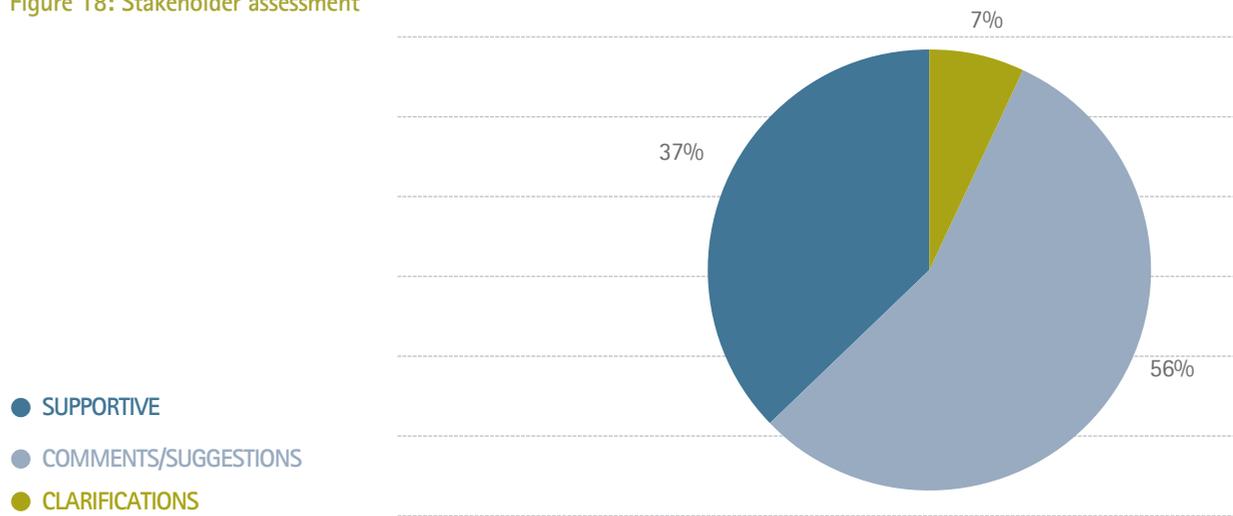


Many of the EU and non-EU national offices stated that the Office had set a good framework for the next five years and expressed their willingness to participate in the coordination on the implementation of the legislative reform, the cooperation in the creation of common tools and databases, reinforcement of the role of national and regional offices in the European Union Intellectual Property Network and the Observatory networks.

The EPO and WIPO proposed to further collaborate in shared efforts to build a global environment respectful of intellectual property, increase the efficiency of the IP system within Europe and globally, and modernise the processes while converging tools and practices.

User Associations made comments mainly on enhancing the quality of services, involving the users in the development of projects from the beginning, harmonising the trade mark procedures across Europe, facilitating the access to information, and converging practices. In addition, they considered it important to explore the educational activities for IP professionals, both current and future.

Figure 18: Stakeholder assessment



Most of the comments suggested that the Office should focus on achieving excellence in trade mark and design registrations, establishing common rules throughout the European Union and promoting all aspects of the IP system in the vision and strategic goals set by the Office for the coming years. Moreover, the Office should take into consideration the upcoming consequences of legislative reform. According to stakeholders, the smooth transition to any possible new legislative requirements should be a priority.

The majority of contributions were related to Line of Action 5 – ‘Enhance customer-driven quality services’ – a clear signal that the quality of services provided by the Office is a priority for users. Stakeholders want the Office to maintain the quality of decisions, even if faced with resource constraints, to improve transparency and the credibility of decisions and to reinforce cooperation and convergence. Furthermore, users would like to see harmonisation between opposition and cancellation proceedings. They also emphasised the increasing importance of designs. User experience when using the tools of the Office should be further enhanced, for example through the creation of an image search tool for designs. Finally, users advocated the broadening of the ETMDN and the exploration of potential opportunities for cooperation with WIPO in sharing common tools and practices outside the EU.

There were also other contributions from stakeholders in relation to SP2020 and the functioning of the Office more generally. The most common suggestion, appearing across several contributions, was connected to the vision as a ‘User-driven European Intellectual Property Network with global focus’. It was noted that the expression ‘global focus’ could be interpreted as meaning that the EU market is no longer a priority for the Office. In fact, the vision of the Office is still the building of common tools, fostering harmonisation of practices, bolstering convergence in Europe and providing other support and benefits for European citizens and entrepreneurs. Accordingly, the wording describing the vision was adjusted.

In the formal assessment of SP2020 by the EUIPO Staff Committee, support was expressed for the holding of regular EPSO competitions and more generally for a move towards providing those who worked in the Office with the maximum level possible of contract stability. The Staff Committee pointed out the negative consequences of austerity measures on staff, and questioned whether these were necessary given the rising workload and financial stability of the Office. Other issues raised included a suggestion that staff exchange policies be further explored, and a request for clarification of how the Office would retain control over outsourced operations. The Staff Committee also urged that steps towards the vision of a more ‘user-driven’ organisation should continue to be balanced by consideration of the Office’s public service responsibilities.

In compliance with the Amending Regulation, the draft SP2020 was submitted for formal consultation to the European Commission, together with the draft multiannual Staff Policy Plan, and the draft amended annual Work Programme for 2016 on 5 February 2016. On 9 February 2016, the Office also submitted its proposals for European Cooperation Projects under Article 123c EUTMR to the Commission.

In its response, the Commission said that in general it fully supported the vision of a ‘User-driven European Intellectual Property Network’ and in particular the commitment to quality. The Commission welcomed the continued concentration of a significant part of the Office’s efforts on the improvement of the functioning of the internal market, notwithstanding the development of international cooperation activities for the benefit of EU companies and producers. It also encouraged further reference to how the work of the Office contributes to the EU’s political priorities.

The Commission opinion supported the announced implementation of Activity-Based Management but called for further clarification of the human and financial resources. It welcomed the proposed framework for clearly defining the benefits expected from projects and encouraged the Office to share more information on the conclusions of internal and external audits with the Management Board.

The Commission supported the 'ambitious' proposals to intensify cooperation in its network with national IP offices and welcomed the Office's focus on better tailoring its services to the needs of SMEs. It also appreciated the support provided by the Office for the implementation of various EU-funded programmes at the international level, while calling for more detail to be provided on the activities envisaged by the Office in the international area.

Also in compliance with the EUTMR, which requires a formal consultation process with the European Parliament, a presentation on SP2020 was made to the Parliament's Legal Affairs Committee on 15 March 2016. The Office received favourable feedback, which was supportive of the strategic direction taken in the draft plan.

All the suggestions received were analysed and are reflected in the final version of the plan. Where stakeholders agreed to have their contribution published in full, these are available on the Office's website.

4.3 EUIPO STRATEGY

The Office's strategy for the period up to 2020 represents an evolution of the vision in the Strategic Plan 2011-2015. An important aspect of the new Strategic Plan will be to ensure continuity in order to maintain and build upon the existing progress, while pushing the boundaries in terms of quality gains, efficiency, effectiveness and value for money.

The foundations of the original plan are still sound and should continue to guide the activities of the Office, as confirmed by the consultations with users and other stakeholders. Therefore, SP2020 has a vision of building upon and extending the advances made in the previous plan using the principles of team working and modern management. It is designed to further improve quality in the core business areas and accelerate the change towards a user-driven, engaged and adaptable organisation.

This section of the Strategic Plan will lay out the EUIPO's vision for itself and for the broader European system in 2016 and beyond, discuss how that vision corresponds to the needs of users, and how it benefits other stakeholders. Finally, it will discuss the specific positioning that the Office will strive to achieve within the greater European and global networks, which are now among the main drivers of change for intellectual property.



4.4 VISION FOR 2020 AND BEYOND

Having a clearly articulated vision is very important in order to ensure that IP users, EU institutions, Member States, companies, Office staff, and even the general public can all understand where the Office is heading and how it intends to get there.

In the following section, we describe how the Office arrived at its current position, based upon analysis of the lessons learnt during 2011–2015, and where it expects to go in the coming years. The challenges include further improving quality in the Office's trade mark and design area, accelerating the change towards a user-driven, vibrant organisation, and taking on new tasks and competences as the European Union Intellectual Property Office, while continuing to improve awareness of the IP system among all stakeholders.

Present situation

The first plan was built on creating a European Trade Mark and Design Network for the benefit of users. That vision was pursued by working together with the national and regional IP offices and users, in the context of the Cooperation Fund, the Convergence Programme, and bilateral projects.

Now that the ETMDN is a reality, it is important that the benefits obtained are maintained and that it is strengthened for the future. The previous plan was successful in extending the use of advanced IT tools throughout the EU, and converging practices, but gaps remain and further progress is possible.



The Strategic Plan will lay out the EUIPO's vision for itself and for the broader European system in 2016 and beyond, discuss how that vision corresponds to the needs of applicants, and how it benefits other stakeholders.

In addition, the responsibilities of the Office have grown since the original scope of the network was determined. This is shown by the addition of the Observatory, which covers enforcement-related issues for all IP rights, and the work on global networks being carried out in partnership with the European Commission. In addition, complementary goals are being achieved through participation with the TM5 and ID5 groups of leading IP offices.

2020 vision

Registering trade marks and designs continues to be the main task of the Office⁶, and maintaining and improving the quality of service remains the first priority. However, the legislator has assigned additional tasks to the Office, related to convergence of tools and practices, and to the Observatory and the Orphans Works Directive. Therefore, it is fair to say that the responsibilities of the Office have grown since the original scope of the network was established.

6 - In accordance with Article 123b EUTMR

The vision of the Office for 2020 can therefore be summarised as a:

USER-DRIVEN EUROPEAN INTELLECTUAL PROPERTY NETWORK

This vision represents an evolution of the vision in the Strategic Plan 2011-2015. That plan was built on creating a European trade mark and design network for the benefit of users. Now this vision has broadened, so that while the Office's main focus remains on delivering high-quality products and services to trade mark and design users, it also includes activities, such as cooperation projects, enforcement support activities and studies related to IP and IP infringement. To achieve this vision, the Office needs to collaborate with the stakeholders in all the networks in which it takes part, achieving interoperability and complementarity between the members of the EUIPN⁷.

7 - Reflecting the trade mark reform package, in which OHIM was renamed the EUIPO, and the CTM became the EUTM, from here onwards the ETMDN is referred to as the EUIPN.

Encouraging the convergence of practice and use of interoperable user-friendly IT tools in other jurisdictions will enhance the consistency and predictability of decision-making on IP rights in global markets. This will increase the quality and likelihood of success of the applications that users make, reduce unnecessary costs, and create a business environment in which EU businesses are more likely to prosper and create jobs and growth.

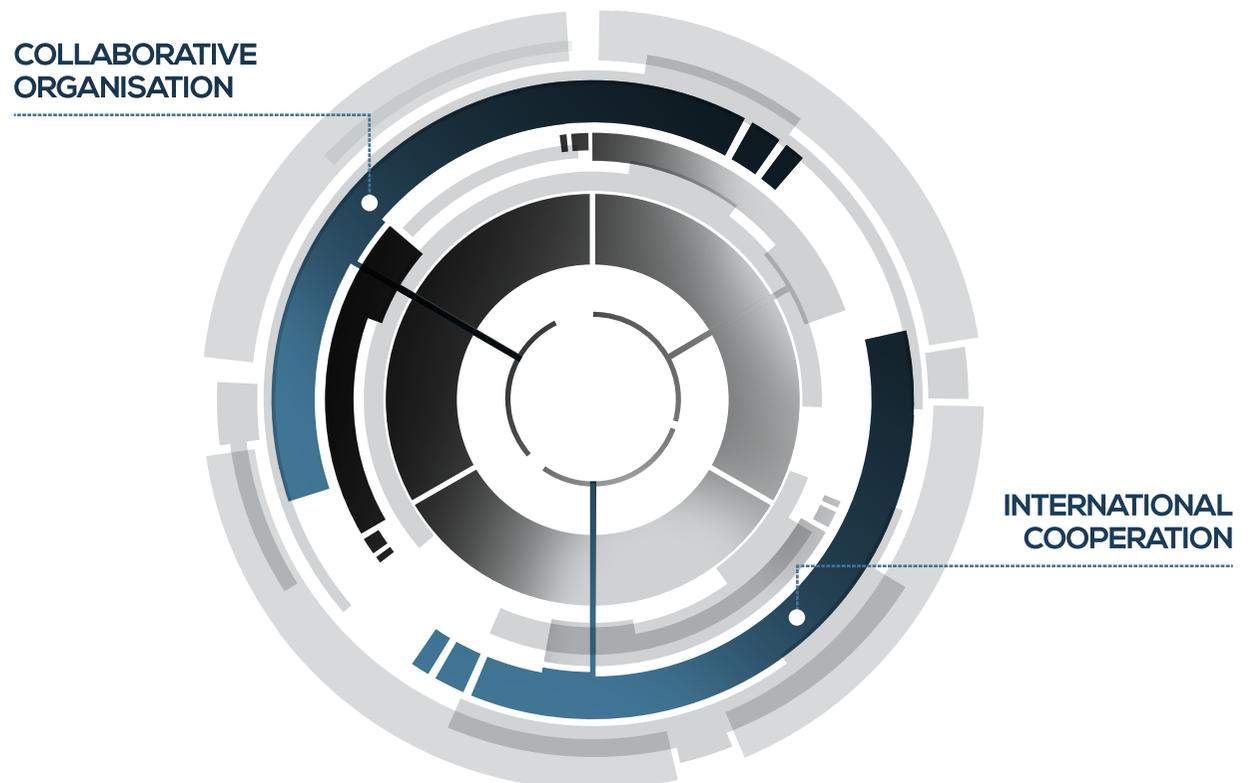
To achieve this vision, the Office needs to collaborate with the stakeholders in all the networks in which it takes part, achieving interoperability and complementarity between the members of the EUIPN.

4.5 STRATEGIC POSITIONING

As stated previously, the EUIPO remains committed to working together with users, the national and regional IP offices, the European Commission and all other stakeholders, including its staff, within cooperative networks that have the power to influence and promote positive change in the international context faced by EU businesses.

Internally, staff must pursue the cultural change towards a matrix organisation by further breaking down silos. Externally, while the focus of the EUIPN remains on registration and management of trade marks and designs in a European context, it will also increasingly look at the world beyond the EU borders and at a broader spectrum of IP rights.

In order to respect both continuity with the previous plan and the need for evolution, the new Strategic Plan will be built upon the twin principles of a **'Collaborative Organisation'** and **'International Cooperation'**.



4.5.1 COLLABORATIVE ORGANISATION

The Office's internal collaborative networks, which include Knowledge Circles and forums for Quality, Performance and Risk officers, HR correspondents, Communication correspondents and Financial officers involve different departments, and have made a significant contribution to breaking down silos.

Empowering staff to deliver excellence, managing the Office transparently and accountably, delivering state-of-the-art and user-friendly IT systems, and enhancing cooperation and convergence within a multi-faceted IP system are all steps towards the goal of providing best-of-class service levels.

However, the Office needs to build upon the progress made and move to an even higher level of service in terms of both quality of products and services. Quality in its main business of trade mark and design registration remains the EUIPO's number one priority.

In particular, the Office now needs to move beyond the current model of defining and measuring achievement. The new working methods, introduced under the previous plan, with an emphasis on team working and greater involvement of users, need to be further developed in order to make sure that the quality delivered by the Office 'measures up' to what users really need. An even more intensive use of e-business tools and especially e-communications to help users with their file management choices and further empower them to take control will be central to this vision.



Achieving this requires intensive collaboration across the whole Office, with the full involvement of users in order to maintain and build upon the significant progress in quality made in the 2011-2015 Strategic Plan. Hence engagement with staff, users, national IP offices, the local community and other public and private stakeholders is of key importance to the Office.

4.5.2 INTERNATIONAL COOPERATION

Externally, the EUIPN is at the very heart of the EUIPO's vision. By encouraging the convergence of practice and use of interoperable user-friendly IT tools through the Cooperation Fund and the Convergence Programme, the IP landscape in the EU has been transformed and the consistency and predictability of decision-making has improved. This work is also being extended to other parts of the world via the EUIPO's role in EU-funded IP projects in third countries.

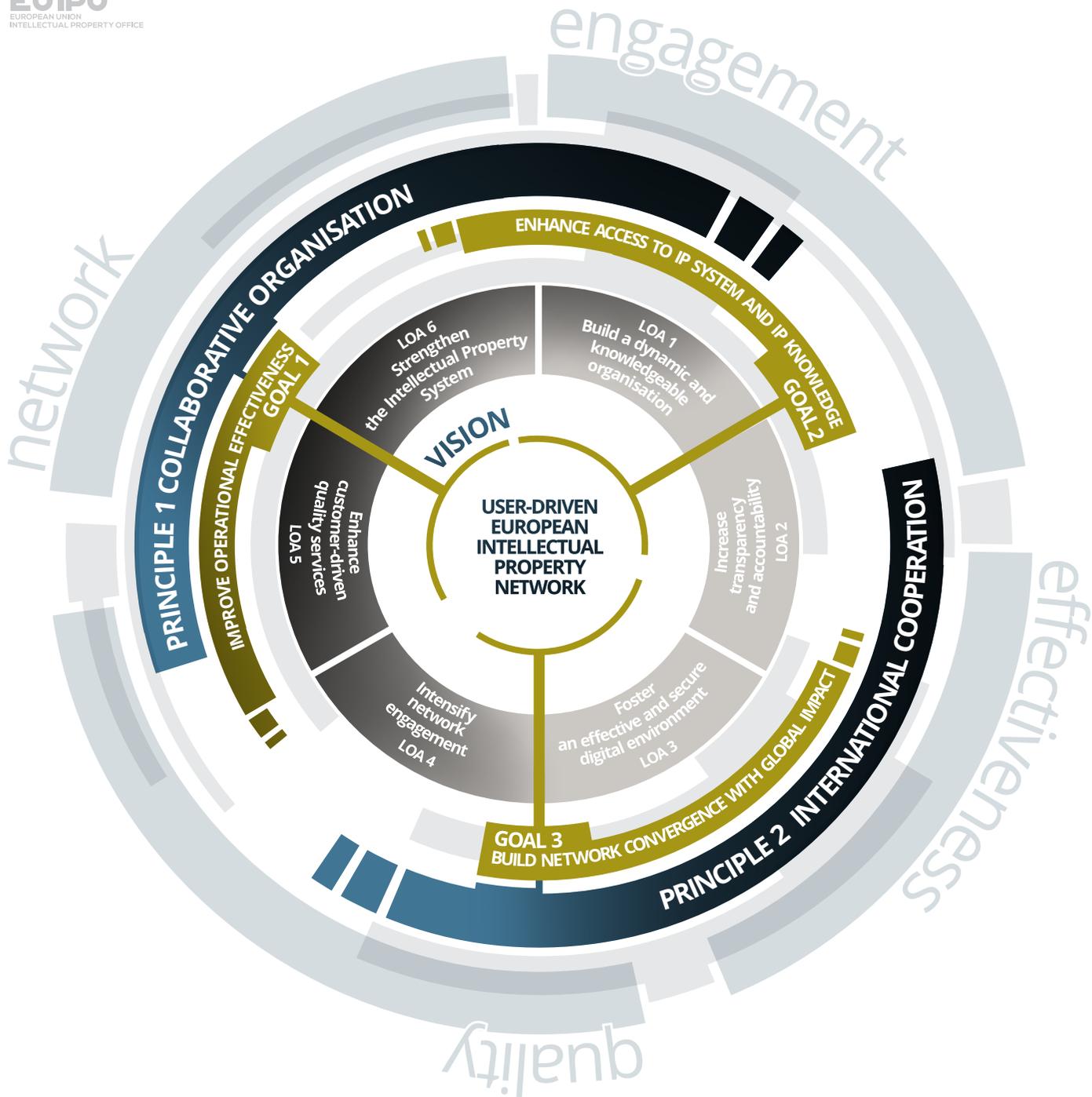
The success of this achievement has been clearly recognised by the legislators, who have codified cooperation as one of the core activities of the Office in the legislative reform.

Looking forward, European companies, including many SMEs that until now have focused on their domestic markets, are increasingly looking to emerging markets for their future growth. It is, therefore, important that the work that has proved so successful within the EU continues to extend its reach.



For this reason, the Office, in cooperation with the national and regional IP offices of the EU, and in coherence with the EU-funded projects for which it is the implementing agency, needs to encourage the expansion and deepening of the EUIPN to foster global partnership.

Bringing more consistency and predictability to international IP systems will increase the quality and likelihood of success of the applications that users make, reduce unnecessary costs, and create a business environment in which EU businesses are more likely to prosper and create jobs and growth.



STRATEGIC PLAN 2020



The development of the strategic framework was suggested by an Office staff member. His statement on strengthening intellectual property rights in the European Union by 'constantly enhancing the quality of our services and cooperation with users and partners' and the 'steering wheel' image representing it, were truly inspiring.





STRATEGIC PLAN 2020



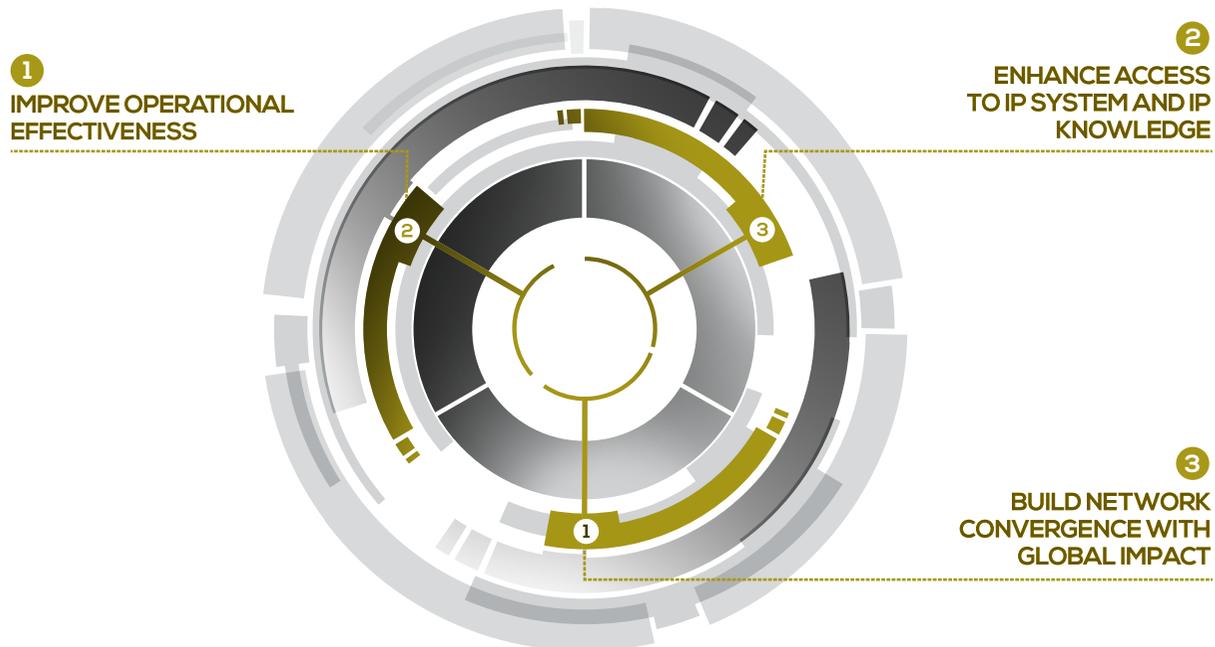
www.euiipo.europa.eu

STRATEGIC GOALS FOR 2016-2020

Building on the two principles of a Collaborative Organisation and International Cooperation, in order to achieve its vision, the EUIPO will pursue three Strategic Goals, each of which encompasses several Lines of Action.

The Strategic Goals are:

1. IMPROVE OPERATIONAL EFFECTIVENESS;
2. ENHANCE ACCESS TO IP SYSTEM AND IP KNOWLEDGE;
3. BUILD NETWORK CONVERGENCE WITH GLOBAL IMPACT.



The first goal of **improving operational effectiveness** builds strongly on the strategy of operational excellence in the previous plan. The Office recognises that quality is a never-ending journey and will continue to seek improvements in every area of its operations. However, in a number of areas, such as timeliness, for example, the gains already made in the previous plan are close to the maximum that can be achieved under the current legislative framework. This means that, without letting up on the effort for continuous improvement, the focus can now shift from examining what the Office is doing to how it is doing it. In this respect, the idea of operational effectiveness also implies measuring the efficiency of the Office's activities. Taken together, they mean that the Office will do the right things at the right time,

in a cost-effective manner. It will develop systems/processes/approaches that make the life of our users as simple as possible, with the least environmental impact. This goal will only be achieved with a high degree of staff engagement and commitment towards user focus and higher effectiveness.

The closer involvement of users in determining quality is an important aspect of this change in focus and is also associated with the second goal of **enhancing access to the IP system and IP knowledge**. While IP offices have an important legal role within the IP system in carrying out impartial and consistent examination tasks this should not be a 'black box'. The IP system can only be enhanced when stakeholders, whether they are lawyers, examiners, users or members of the public, have a shared understanding of its role, importance and functioning within society. Making the system more accessible and straightforward for users, such as SMEs, will be vital if they are to avoid costly mistakes in protecting their intellectual property. Likewise, the members of the public, including young people, must be treated as important stakeholders if the system is to be respected and remain relevant in the 21st century.

The third goal of **building network convergence with global impact** is a direct consequence of the increasing globalisation of trade. While registration systems may become more efficient and effective within the EU, with better access for users and greater understanding of the importance of IP, this is no longer sufficient. As demonstrated by the studies on the importance of IPR-intensive industries to the EU economy, IP rights are often used in combination. At the same time, users need these rights to extend beyond the EU. European companies, including many SMEs that until now have focused on their domestic markets will, therefore, increasingly look to emerging markets for their future growth. That means that the network approach pioneered within the EUIPN, and the other existing networks supported by the Office, would benefit from being applied in a global context.

These interlocking Strategic Goals, based on the twin principles of a Collaborative Organisation and International Cooperation are the foundation upon which the Strategic Plan 2020 has been built.

In what follows these Strategic Goals have been 'translated' into a set of concrete Lines of Action (LoA). All the activities and projects defined under each Line of Action are designed to achieve the three Strategic Goals.

To deliver this vision requires a **dynamic and knowledgeable organisation** (LoA 1) that acts in a **transparent and accountable manner** (LoA 2). As we live in an increasingly digital world with all its opportunities and threats, this must be supported by an **effective and secure digital environment** (LoA 3) in terms of infrastructure and functions. Since the IP market is interconnected and interdependent, strong **network engagement** (LoA 4) with other players is essential. This must be coupled with the provision of **high-quality services that are customer driven** (LoA 5). Taken together, all these elements support the wider interpretation of our institutional mandate implicit in the Office's new name and expanded role, at the heart of which is the vision of **strengthening the Intellectual Property system** (LoA 6).

5.1 LINE OF ACTION 1: BUILD A DYNAMIC AND KNOWLEDGEABLE ORGANISATION

The activities and projects comprising this Line of Action primarily support the achievement of Strategic Goals 1 and 2. To create a dynamic and knowledgeable organisation requires full engagement by all involved, sharing and retention of knowledge, and an optimised and sustainable workplace.

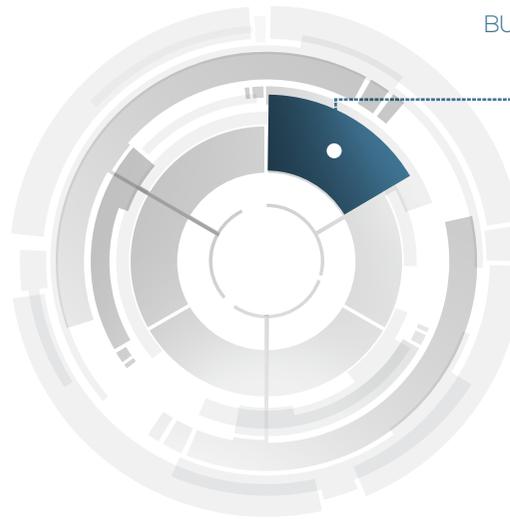
Since 2010, the foundation of the Office's policy for its staff has been to build a stable and attractive system for hiring and retaining talent. Excellence was a major theme of the 2011–2015 Strategic Plan and remains a key factor that will enable the EUIPO to deliver the quality that users expect. Excellence, in turn, requires investment in people: recruiting the right talent, providing the training and learning that is needed, creating the right organisational structures and providing an optimal work environment.

For SP2020, the Office will focus on effective talent management, collaborative working and further improvements both to HR processes and to the work environment, in order to support new, more effective and sustainable ways of working.

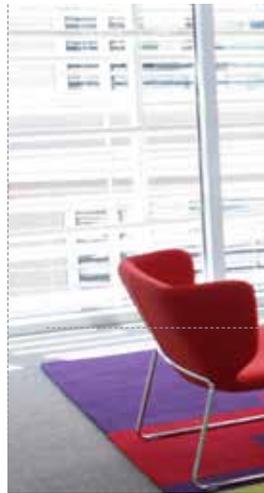
Talent management centres on recruiting, developing, motivating and retaining talented staff. This is fundamental to the sustainability of the Office and is the responsibility of everyone in the Office, especially managers.

The Office continues to believe that competitions organised by EPSO are the preferred route to offer permanent positions as officials. In line with the Strategic Plan 2011–2015, EPSO competitions will ideally take place every five years. Indeed, following the EPSO reserve lists established in 2014, if conditions linked to the growth of the workload and to the budget constraints allow, another EPSO competition will probably take place in early 2018.

In order to maintain the necessary flexibility to deal with fluctuations in workload and any new responsibilities, the Office will also continue to hire temporary agents and contract agents, engaged for a fixed period. To ensure this flexibility, the Office is committed to respecting a certain proportion in the workforce composition, which historically corresponds to a



LINE OF ACTION 1:
BUILD A DYNAMIC AND
KNOWLEDGEABLE
ORGANISATION



proportion of 70 % of staff with a permanent position and 30 % of staff with a fixed-term contract, always bearing in mind the need to retain talent and taking advantage of all the possibilities allowed for under the Staff Regulations.

In this respect, the policy for temporary agents with standard 5-year contracts will be maintained, with the possibility of renewal in accordance with the Staff Regulations and under a clearly defined framework. This allows temporary agents to acquire pension rights after 10 years' employment and to gain experience in the core business of the Office. This will improve the chances for the temporary agents to participate successfully in an EPSO competition in order to become officials.



An organisation of excellence implies not only excellence in developing and managing talent, but also an optimal physical working environment.

In this context, the 2014 reform of the Staff Regulations introduced a new category of temporary agents specifically for Agencies in Article 2(f) of the Conditions of Employment of Other Servants of the EU. This new provision, together with the special rules for temporary agents (Article 2(f)) and a model decision for the engagement and use of temporary staff prepared by the Commission in collaboration with agencies, aims at establishing a consistent and coherent set of rules for the engagement of temporary staff, ensuring EPSO standards and facilitating reasonable career prospects through mobility both within an agency and between EU agencies.

The Office, which has already implemented internal mobility and promotion for temporary agents, will also make use of the opportunity given by this new legislative framework to continue to retain talent and to offer new and different perspectives to talented temporary staff.

Keeping in mind the Office's obligations and constraints as a self-funded agency that has to keep its budget under control while being agile and flexible, to adapt to the incoming workload, the Office provides its temporary agents with various opportunities: firstly, the possibility of participating in an EPSO competition to become officials; secondly, for a limited number of temporary agents, the possibility of a second contract renewal for an indefinite period.

In principle, each year temporary agents reaching the end of their contracts are called to express their interest in a second renewal by providing information about their competencies and profile to work within the agency. Their interest and performance at the Office will be analysed against the interests of the service, the needs for the tasks performed on a predictable evolution, and the establishment plan and budget constraints.

Furthermore, by integrating the interagency mobility system, the temporary agents working at the Office will be given extensive opportunities for professional advancement in other agencies, while maintaining continuity of their careers.

The Office is also aware of the situation of some temporary agents with indefinite contracts whose current level of responsibility and statutory condition are not aligned with the Job and Competency mapping, and will thus study the available options for achieving a better alignment.

Contract agents are engaged from the lists established following the EUIPO-EPSO contract agent selection (CAST) for different profiles. The CAST database will be updated on an annual basis, also offering opportunities to graduates at an early stage in their career path.

While the use of contract agents was initially restricted to cover needs arising from a specific project, in the context of the budget restrictions concerning workforce hiring, the Office has been obliged to envisage the possibility of making use of contract agents in other situations, in particular to internalise expertise in tasks identified as strategic or to relieve the burden of work in certain departments.

Facing these budget constraints and in an attempt to provide a degree of employment stability, the Office decided to change its approach and to offer a 5-year contract renewable for a further fixed period of 5 years, thus ensuring that contract agents may also access EU pension rights after 10 years' service.

As stipulated in the Interinstitutional Agreement, the obligation to progressively reduce the establishment plan will end in 2017. If the growth of workload and competencies of the Office warrants it, the staff policy will continue to be based mainly on the recruitment of officials and temporary agents.

Training and development opportunities and an emphasis on both personal and professional growth will continue to be a priority for both permanent and temporary staff. This involves investing not only in the development of staff but

also supporting their engagement through good internal communication, and giving staff members the opportunity to use their 'untapped talents' for the benefit of the Office and their own development and job satisfaction. An innovative traineeship scheme, the Pan-European Seal (implemented in cooperation with the EPO), will also be further developed as part of a progressive social responsibility programme.

In terms of organisation of work, the Office will emphasise team working, by setting team-based objectives and creating more collaborative work tools and training, to embed a motivating culture in which engaged staff can flourish. This structure emphasises collaborative working methods, engagement and knowledge-sharing across departments, all of which should contribute to increased effectiveness, efficiency and quality.

Social dialogue and internal networks will be championed, allowing for the exchange and retention of knowledge and for the emergence of 'untapped talents', all of which will further assist in bridging departmental boundaries. As a matter of practice, when the Office needs special expertise, before turning to consultants, it should try to determine if this expertise is

already available elsewhere in the organisation. This should provide better opportunities for career or personal development for the staff concerned and also result in a more efficient use of internal resources and talents.

The Office will emphasise team working, by setting team-based objectives and creating more collaborative work tools and training, to embed a motivating culture in which engaged staff can flourish.

An organisation of excellence implies not only excellence in developing and managing talent, but also an optimal physical working environment. The working environment of the Office's headquarters will be upgraded and optimised for team working, and the Office's campus will be further developed to meet the forecast business need for additional work spaces by 2020.

5.1.1 OBJECTIVE 1.1: FOSTER ENGAGEMENT IN THE ORGANISATION

Fundamentally, engagement results if people feel that they are doing meaningful work with a clear sense of purpose, supporting the common goals of the Office. The Office is building structures in which staff can collaborate with each other across departments and hierarchies, while maintaining a good work-life balance. The Office has certain tools at its disposal, for example, teleworking, and it uses those tools to the full extent consistent with the Staff Regulations to foster engagement among its staff.

The Office will pursue a strategy that embodies all of these elements, with staff being fully informed and involved at every level, supported by good internal communication to explain the reason for important changes, the Office's overall goals, and the results.

Team working and multidirectional knowledge-sharing will be championed and supported by innovative work spaces. Feedback, ideas and collaboration will be translated into concrete actions in strategic and operational areas. In this context, peer feedback will play an important role as part of the talent management programme. It will further extend to 360-degree feedback to include feedback from a number of sources, typically peers/colleagues, direct reports, line managers and others if applicable. Communication will focus on fostering a better understanding of how individual and team efforts make a difference, and how those efforts directly contribute to the EUIPO's success.

The performance management system plays a key role in fostering a results-oriented performance culture. As a continuation, the performance management system will be further reviewed in order to support the identification and development of talents and potential through the appraisal process. Managers will be encouraged and supported in objective setting, appraisal writing and conducting the dialogue, to ensure that each staff member has objectives that motivate him or her to perform according to the level required and beyond, and that the appraisal at the end of the year provides meaningful feedback, tailored to each individual.

The Office has diligently aimed at implementing a fair staff policy while respecting the essential principles shared by the EU institutions, focusing on enhanced gender equality and diversity, high levels of morale, commitment and trust. Clear improvements in staff motivation and satisfaction have been made, as shown by the results of the Staff Satisfaction Survey carried out in 2013. As regards gender balance, the Office reached the objective of 30 % for female representation in management set in the previous Strategic Plan and will strive to reach 40 % in the future.

For the forthcoming years the Office will continue to implement a fair staff policy based on clear frameworks, with the aim of increasing staff engagement and responsibility. At the same time, the Office will safeguard the application of the current staff rules, making sure they are applied in a consistent manner and that staff comply with and make correct use of the existing framework.

5.1.2 OBJECTIVE 1.2: DEVELOP, RETAIN AND SHARE KNOWLEDGE ACROSS THE ORGANISATION

The Office will continue to invest in staff development to ensure that it maintains the skills and experience needed to meet the needs of today and the future. In line with the general policy of encouraging peer feedback, the Office will continue to work towards creating an open culture where feedback is encouraged and used positively for staff development.



Professional development will be supported through the launching and implementation of a learning policy that places the emphasis on knowledge-sharing and learning through others. Learning and development plans will be put in place, while a coaching framework and a formal mentoring programme will be created to enable talent development. Moreover, learning programmes will be designed in order to fill competency gaps and to support the development of team leadership and managerial skills, taking into account considerations of diversity and gender equality. The Office will also develop a modern e-library portal to improve internal access to relevant knowledge resources.

In order to support knowledge-sharing, all staff will have the possibility of making their talent profile public in the Office, in order to make their experience and abilities more visible. This will serve the joint aims of opening opportunities for career development while helping the Office to access specialist knowledge and advice on specific topics.

The Office will continue to explore the possibility of exchanging or deploying staff with other organisations as a means of personal development and knowledge-sharing, or to support the development of the EUIPN, within the budgetary constraints.

The management of the multiannual staff-planning policy in an efficient, transparent and accountable manner will be further supported by the integration of Human Resources and Finance data as outlined under LoA 2.



Furthermore, key positions will be identified and talent pipelines will be created to plan succession and to secure continuity and accommodate growth of the Office.

In the area of career development, the Office will focus on providing career support to staff members, notably those colleagues in low grades that demonstrate high performance, potential and engagement. This will be done through recognition in the appraisal and promotion process. Career support to senior assistants and advisors or equivalent will be provided through a clear definition of their career path, including responsibilities, in line with the EU framework. Internal mobility and job rotation will be further encouraged to optimise the use of staff profiles and talents. In addition, the Office will continue and further improve the certification procedure, enabling officials in the Assistant function group (AST) from grade 5 and upwards to be appointed to a job in the Administrator function group (AD), thus recognising and incentivising AST staff members with high potential.

In partnership with the EPO, the Office has put in place the Pan-European Seal Traineeship programme and will continue to offer further opportunities to young graduates from EU Member States and from a limited number of third countries, to gain experience and further deepen their knowledge of IP.

5.1.3 OBJECTIVE 1.3: OPTIMISE A SUSTAINABLE WORKPLACE

Workplace sustainability is commonly defined as covering three aspects: economic responsibility, environmental impact and social contribution. Hence, the Office will work to maximise the efficiency of its facilities and services, minimise the environmental impact of its operations, and to help staff to develop and grow at a personal level.

The interior renovation of the Office headquarters was fully completed in early 2013. The extension of its headquarters started in January 2013, and its official inauguration took place on 17 November 2014.

In the area of career development, the Office will focus on providing career support to staff members, notably those colleagues in low grades that demonstrate high performance, potential and engagement.

In order to ensure that the construction project that resulted in the new wing of the headquarters building delivers the expected return on investment, the Office will set up a cost-monitoring system to make sure that the forecast financial gain is achieved.

While the Office has undertaken to absorb increases in application volumes of up to 5 % annually by internal productivity measures up until 2017 and to reduce its establishment plan in line with EU budgetary constraints, it is necessary to plan for the future.

In order to allow future expansion of the Office's campus in a district with very limited availability of urbanised land, a plot of land of 12 000 m² adjacent to the headquarters was purchased in 2014. The need for this is already evident, since only a small reserve of workspaces remains now that the staff already working for the Office have been accommodated.

The Office will optimise and convert space in the existing buildings to provide extra offices and interaction areas where feasible, but by 2018 a new modular building with an estimated additional 100–120 workspaces will be required, including associated support facilities, in order to meet the Office's projected needs up until 2020.

Security threats are evolving quickly and dramatically, and may have an impact on international organisations, such as the EUIPO, which are prominent and active on the global economic stage. The physical security of the campus will be organised by means of innovative systems and equipment around a concept of five concentric rings: external perimeter, public area, offices, restricted area, and highly restricted area. In parallel, the security guards will be updated in the use of the systems through dedicated and certified training and measures will be taken to ensure that the Office, on safety and security grounds, is aware at all times of the whereabouts of everyone present in the building.

One of the five targets of the Europe 2020 strategy for sustainable growth refers to climate change and energy sustainability. It includes quantified objectives from a 1990 baseline for the reduction of greenhouse gas emissions, an increase in energy share from renewable sources and a decrease in energy consumption. In line with that strategy, proportional targets will be set at the Office for the period 2016–2020. In order to achieve them, three workflows will be launched to extend to all buildings the scope of the environmental management system and reduce consumption of materials and resources, including paper and water; to develop energy management according to the latest standards; and to enhance monitoring of greenhouse gas emissions.

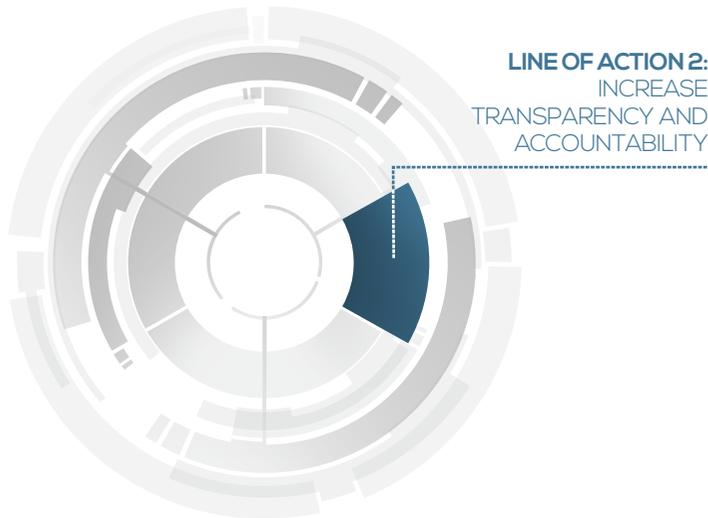
One important aspect of sustainability relates to safeguarding the health and well-being of staff by supporting and encouraging healthy eating and exercise, as well as measures to lower stress. Besides the intrinsic benefits for the staff member, the Office's goal of reducing absenteeism will also be supported by such measures.

The impact of the EUIPO's commitment to social contribution, under its sustainability goals, does not stop at its front door. The Office has been part of the fabric of life in the local and regional community for 21 years, and its impact has been considerable⁸. Through activities such as visits to local SMEs, school trips to the Office, involvement by Office staff in local charities and engagement with local authorities and business associations, the EUIPO promotes a positive image of the EU as a whole in the region.

8 - According to a study carried out for the local Chamber of Commerce, in 2013 the Office's presence in Alicante was worth EUR 184 million to the regional community, a 26 % increase on 2009.

5.2 LINE OF ACTION 2: INCREASE TRANSPARENCY AND ACCOUNTABILITY

The activities and projects comprising this Line of Action primarily support the achievement of Strategic Goal 1 and indirectly the two other goals. Based on a dynamic and knowledgeable organisation of people, the Office will be able to deliver good governance, actively complying with data protection and audit recommendations, strengthening prevention and detection of fraud and ensuring the sustainability of the Office for the future.



As a public organisation, it is essential that the Office strives to be sustainable for users of the IP system, as well as for the benefit of citizens and businesses across Europe. Sustainability relates not only to the products and services provided, but also to the people, policies and strategies that underpin them.

Transparency and accountability are an integral part of this, and the Office must explain, in greater detail than before, how it sets priorities, plans, executes, monitors implementation, and measures the results of its actions and their impact.

A Corporate Sustainability Framework will establish a set of principles that will enhance the ability of the Office to make sound decisions and

analyse their impact so that it can demonstrate how its activities add value to the IP system and to European society. By finding synergies across activities, the Office will clarify what is already being achieved and what more needs to be done to increase transparency and accountability. It is essential to meet the expectations of stakeholders now, without jeopardising what can be delivered to them in the future.

The Office has always strived to increase its effectiveness and efficiency in a transparent manner. The Service Charter, which is published on the Office website, sets out performance commitments in relation to trade marks, designs and appeals, and shows the level of compliance with these commitments and the actions taken to tackle deviations.

During the implementation of the Strategic Plan 2011–2015, the Office implemented a rigorous project management framework, based on the widely recognised Prince2 methodology. This framework allowed for constant monitoring and

reporting on the implementation of the plan. More than 100 projects were executed during those five years, the vast majority successfully.

In 2012, the Office introduced Enterprise Risk Management, with a first office-wide risk assessment exercise performed in 2014. A Corporate Risk Register has been actively maintained since then, and major Office risks are acted upon within departments and services.

The vision of this Strategic Plan and the complementary principles of people management need to be supported by sustainable working structures and methodologies that evolve and adapt at the same pace as the staff members performing the work. For that reason an integrated approach to planning, reporting, innovative project methodologies, management systems, risks and applicable compliance, evaluation and control standards will be developed.

The strategic indicators and tools will integrate two perspectives of measuring performance: the implementation of the Strategic Plan via a refined Balanced Scorecard and its implementation rate. The integration of all strategic and corporate indicators will allow for a constant monitoring of benefits delivered by projects and activities, supporting top management decision-taking and facilitating reporting to internal and external stakeholders, most notably members of the governing bodies of the Office.

A new benefits management framework will integrate both organisational efficiency and effectiveness benefits aligned with the concepts of operational, social, human, environmental and financial sustainability.

A new benefits management framework will be developed integrating both organisational efficiency and effectiveness benefits that are aligned with the concepts of operational, social, human, environmental and financial sustainability. The new benefits management framework will lay the foundation for a targeted and results-oriented benefits realisation approach. By providing a clear structure for benefits definition in the early stages of a project, including the specification of (preferably) quantitative benefit targets, the realisation of those benefits is significantly facilitated once the resulting project deliverables are to be implemented.

The ability to closely track benefits realisation will in turn transform the Office into a benefits driven, project management organisation with a strong benefits realisation culture. In doing so, resources will be used where they make the greatest contribution to the achievement of the Office's mission.

In addition to reporting the level of achievement of its commitments, the Office makes itself more accountable by also being transparent about the resources used to achieve them.

In addition, while a wealth of information is already made publicly available on the website about the Office and its activities, the Office will create a transparency portal, gathering together in a user-friendly manner the most relevant documents and information sources, including organisational and legal information, reports, statistical information and our statutory Register of documents.



The implementation of Activity-Based Management (ABM) will help the Office manage its activities by showing the link between activities and deliverables and their requirement in terms of both human and financial resources. This will improve planning and control at the level of Line of Action and project, as well as highlighting some global activities grouped under headings such as EU Cooperation or legislative reform. It will also increase efficiency and assist the drive to increase production and quality while keeping costs under control.

ABM will enable the Office to prepare and present its governing bodies with annual work programmes and budgets by Line of Action, project or global heading, thus clearly linking the use of resources with results obtained. In addition all Office-wide performance reporting, for example, the Balanced Scorecard and implementation rate of the SP2020, will also be developed by Line of Action, in order to present all planning and reporting structures using the same consistent and understandable format.

In the previous Strategic Plan, the Office's finance function and procurement procedures were streamlined and centralised to allow decision-makers to concentrate on operational issues. This work will be further strengthened by the centralisation and integration of business systems, moving towards a full Enterprise Resource Planning (ERP) system.

Internal Audit will continue to constantly review its overall methodology and look for possible measures to increase the efficiency and effectiveness of its work as part of its Quality Assurance and Improvement programme. Some measures already identified by the Internal Audit function are the use of the Corporate Risk Register as one of the main drivers during the annual audit planning process, particularly when deciding on audit engagements. As with all audit activities, it is important to find the right balance between operational needs, risk and control.

Credibility and trustworthiness are vital assets that the Office must protect and enhance by auditing its activities as comprehensively as possible, carrying out an overall assessment of risks to its activities and reputation, implementing an anti-fraud strategy across the entire Office, and guaranteeing high standards in data protection.

5.2.1 OBJECTIVE 2.1: STRENGTHEN THE FINANCIAL MANAGEMENT OF THE OFFICE

During the period 2016-2020, the Office will continue to strive towards organisational excellence with regard to financial management, aiming at ensuring accuracy and efficiency in its financial operations, thus contributing to the transparency and accountability of the Office towards its stakeholders.

As part of its e-business culture, the Office aims, by the end of 2020, for the interaction and transactions with external financial stakeholders to be electronic and, to the extent possible, processing will be completely paperless. To that end, easily accessible, user-friendly systems must be put in place. The full integration of the Office into the e-Prior project, developed by the European Commission, will facilitate the whole process from the launching of a call for tender to the payment of the last invoice.

Currently, the Office provides for three different payment methods to pay fees related to EUTMs and RCDs: bank transfer, Current Account and credit/debit card. The majority of payments, about 80 %, are made using Current Account, with a further 5 % by credit card and the remaining 15 % by bank transfer. The internal management costs for bank transfers are considerably higher compared with the other payment methods. Therefore, the Office will promote increased use of Current Accounts, and of e-payment generally by including all e-services on the e-payment platform, including the provision of an e-reimbursement service.

The concentration of vendor management and the preparation of economic files in the Finance Department, provides for efficient (better services and lower prices) and effective (appropriate contractual mechanisms depending on the type of services purchased) governance of the non-institutional suppliers of the Office, thereby helping to optimise overall expenditure and reduce risks in this sensitive area.

Furthermore, in view of the enhanced importance of cooperation activities following the adoption of the Office's new legal basis and the increasing volume of financial transactions with the national and regional IP offices, specific processes and tailor-made tools will be developed, as part of a cooperation project with those offices, to facilitate the interoperability of their financial systems with those of the Office. A network of financial representatives across the EUIPN will facilitate the smooth implementation of those processes and tools.

In order to provide increased transparency on the use of resources, the Office will implement Activity-Based Budgeting, thus enabling Activity-Based Management. To support the move to a dynamic planning process encompassing the Strategic

Plan, annual work programmes, multiannual staff policy planning and budget planning, and Activity-Based Costing will be put in place to provide reliable data about the structure of costs of the Office's services, products and projects.

The annual Office work programme, budget and multiannual staff policy plan will be aligned to establish direct and clear links between the Office goals, activities and resources needed. At the same time, clear objectives and performance indicators for all Office activities will be established, in line with the work programme, so that output and results can be measured against predefined targets.

In order to ensure that controls are aligned with risks, and resources used efficiently, a risk-based approach will be implemented in the areas of vendor management, procurement, financial verification⁹, treasury and accounting.

Finally, the annual reporting on the overall performance of the Office will be expanded to include the value added to society as a whole from the EUIPO's activities and projects.

5.2.2 OBJECTIVE 2.2: ENSURE SWIFT ALIGNMENT WITH ALL APPLICABLE REGULATIONS AND IMPLEMENTING RULES

The Office has obligations and commitments stemming from several sources, including EU regulations and applicable laws, international agreements, commitments to stakeholders and management policies and guidelines.

At present the Strategic Plan and annual work programmes, the multiannual staff-planning policy and the budget are aligned to a certain extent with regard to activities and financial and human resources. This alignment needs to be strengthened.

The European Commission roadmap adopted by the Parliament, Council and Commission in 2012 and the new Financial Regulation adopted by the Budget Committee in November 2015 include the alignment of these three exercises as mandatory for the 2017 budget cycle. This will guarantee that the strategic objectives of the Office are aligned with the allocation of human and financial resources and consequently increase transparency and accountability.

The Office intends to put this in the amended 2016 budget cycle in order to take into account the lessons learnt and have a more mature model for the 2017 budget exercise.

The Activity-Based Management system that the Office is committed to implementing will be a key tool to support *ex ante* strategic decision-making.

9 - It is important to clarify that all financial transactions will continue to be verified, as is the case today. The risk-based approach means that the scope and depth of the verification will be adjusted depending on the nature of the transaction and the associated risk level.

In order to optimise its use of resources, the Office will continue its move towards more automation and outsourcing of labour-intensive tasks with low added value, such as key-in of invoices, scanning of financial documents, archiving and fees management, to the extent permitted by the legal framework, while always maintaining a high level of financial control.

Other projects and activities will aim at implementing the new Financial Regulation, including the establishment of new processes and procedures, new reporting and monitoring, along with a risk-based approach to the management of financial transactions; at enhancing/evolving the current ERP platform and at achieving the strategic objective of having interoperable Finance and HR information systems. Moreover, the Register of Exceptions, extended to cover all activities, will continue to be a cornerstone in the learning and improvement process for financial actors in the Office.

5.2.3 OBJECTIVE 2.3: STRENGTHEN PREVENTION AND DETECTION OF FRAUD

The Common Approach on EU Decentralised Agencies foresees that EU agencies should be more active concerning fraud prevention issues and that the related communication forms an essential part of its success. In order to implement this, the European Anti-Fraud Office (OLAF) recommended that each agency should adopt an anti-fraud strategy that is proportionate to its fraud risks. Rules for the prevention and management of conflicts of interests should be part of the anti-fraud strategy.

Fraud prevention will be enhanced by integrating appropriate detection and response measures into applicable processes at the Office and by reinforcing cooperation with OLAF, the European Commission and other relevant stakeholders.

Specific actions to be carried out in the area of fraud prevention include the integration of a fraud risk assessment into the Office's yearly risk assessment exercise, efforts to raise awareness among all staff, compulsory ethics and integrity training sessions and guidelines for the protection of whistle-blowers.

Fraud prevention will be enhanced by integrating appropriate detection and response measures into applicable processes at the Office with relevant stakeholders.

5.2.4 OBJECTIVE 2.4: ENSURE SUSTAINABILITY OF THE OFFICE FOR THE FUTURE

Public agencies are constantly being challenged to maintain or improve the goods and services they deliver without increasing the resources they need to do so. Communicating how such challenges are met is crucial for public accountability.

Being sustainable means satisfying the needs of stakeholders in a way that improves their experience now, without compromising what can be offered to them in the future. As a public organisation it is essential that the Office demonstrates its commitment to sustainability through the delivery of its services and the implementation of its policies and strategies.

EU citizens are increasingly expecting to have access to understandable information about the impact organisations have on society, that is to say, their sustainability. The Office believes that transparency and accountability via the sharing of such information is fundamental in the journey towards corporate sustainability.

To support the EUIPN, the Office needs a stable and sustainable environment in which to collaborate with its stakeholders. Through holistic activity management coupled with the development of a culture of sustainability, the Office will work with increased effectiveness, making the IP system and related knowledge more accessible, thereby enabling the network to have a stronger impact while increasing citizens' understanding of the Office's work.

EU citizens are increasingly expecting to have access to understandable information about the impact organisations have on society, that is to say, their sustainability. The Office believes that transparency and accountability via the sharing of such information is fundamental in the journey towards corporate sustainability.

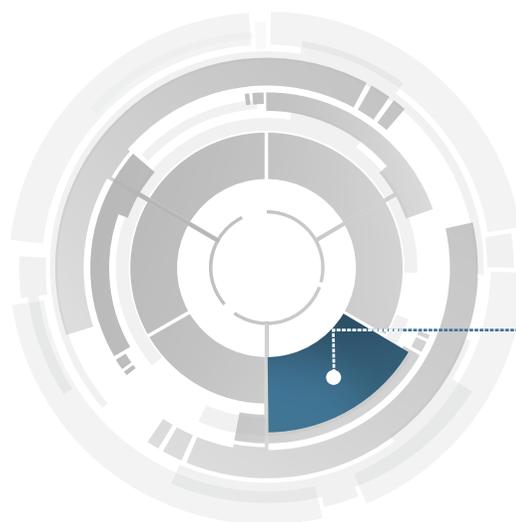
A Corporate Sustainability Framework will provide synergies across the Office activities. It will harmonise operational, social, human, environmental and financial information for the benefit of stakeholders and citizens alike. It will establish values that ensure that both strategic and 'business as usual' activities are sustainable, guaranteeing that their benefits are delivered now and in the future.

An all-inclusive customer-driven approach based on real-time, direct and transparent interaction with stakeholders will be integral to this effort. The EUIPO will continually improve and integrate its management systems so as to enhance efficiency and comply with the latest versions of the international standards as they are released. The first update in this area will be the integration of the new ISO 9001:2015, which will see an even greater focus on stakeholder and risk management, alongside the push to further improve the quality of products and services.

Externally, the EU's Growth Strategy for 2020 pushes for a smart, sustainable, and inclusive economy, aligning public policy with best practice in the private sector. By clearly reflecting the relevant international standards, the Office is striving for globally recognised levels of excellence in sustainability, for the benefit of its users, in line with the certification of its other management systems. The Corporate Sustainability Framework will embody continual improvement and proactively address any requirements relating to sustainability that may be imposed on the European public sector, making the Office even more resilient to future challenges.

5.3 LINE OF ACTION 3: FOSTER AN EFFECTIVE AND SECURE DIGITAL ENVIRONMENT

The activities and projects comprising this Line of Action primarily support the achievement of Strategic Goals 1 and 2. A dynamic and knowledgeable organisation of people that delivers good governance needs to be supported by an effective and secure digital environment with streamlined digital operations, strong IT security, and highly available systems, all of which are delivered in a cost-effective manner.



LINE OF ACTION 3:
FOSTER AN EFFECTIVE AND SECURE DIGITAL ENVIRONMENT

In 2011, the EUIPO set out to simplify and modernise its IT systems and make them more efficient and user-friendly in order to develop a fully-fledged e-organisation. Since then, many obsolete systems have been decommissioned and standard reference architecture has been put in place, with a governance structure that controls the improvements to existing systems and development of new ones. This has given the Office flexibility and agility in delivering new systems, and has improved the timeliness and, ultimately, the quality of software development and maintenance. At the same time, the modernisation of the IT infrastructure facilitates further improvements in the area of IT security, an aspect of operations that is becoming more and more important for users and IP offices.

A new website designed to significantly improve user experience and security was launched in 2013. The website provides information and delivers services in 23 languages. It is easy to use and increasingly popular with users. The Observatory and the Academy have also been supported with the provision of IT tools to reach a wider and broader audience, such as the Enforcement Database, the Orphan Works Database, a publicly available online training platform and a Knowledge Repository platform to share information throughout the Office.

Equally important for the overall performance of the Office, a series of programmes was launched in order to build a new back office for the management of trade marks and designs that will also be capable of incorporating new IP rights, should such rights be assigned to the Office by the legislator. These programmes, which are planned to continue during the period 2016-2020, aim primarily at further simplification of the Office's IT landscape by integrating several systems, which today exist separately, into a single tool. This integration will improve operational efficiency, enhance user experience, and provide for more flexible evolution in the future. In financial terms, it means maintenance costs are reduced, leaving more resources available for investment in new projects and initiatives without increasing the overall IT spending.

In terms of promoting interoperability, an opportunity exists to promote and foster standardisation. Standardisation achievements such as TM-XML and DS-XML will be extended to cover other IP rights. Formats may be harmonised with key stakeholders in order to allow for the seamless exchange of information across jurisdictions. Reuse of search algorithms and other types of data treatment will reduce uncertainty with respect to results, improving consistency of searches across the network for the benefit of users.

Looking even beyond the 2020 horizon, the Office will need to further transform its IT environment and indeed its organisation in order to ensure readiness for a digital world where all transactions take place online, where there is zero tolerance for failure, where transparency is the norm, and innovation takes its place at the heart of the organisation. New solutions for machine translation, image search for trade marks and designs, and 3D and sound trade marks will be needed. The goal is to design and develop services provided by the Office around what users need, rather than on the Office's processes to render such services.

5.3.1 OBJECTIVE 3.1: STREAMLINE OPERATIONS WITH ADVANCED DIGITAL TOOLS

In pursuit of operational efficiency, the Office has created a very complex IT system over the years. Historically, management of the application portfolio at the Office has been focused on adding applications according to business requirements. In many cases, limited attention was paid to overlapping functionalities or to the cost of integration of new applications into the existing architecture.

Migration to new technologies has not been fully implemented in all areas and, therefore, some legacy tools are still used, presenting maintenance issues. In other cases, the solutions were developed in separate modules following a legal requirement to have them in operation at a given date. Their connections with the modules at the core of IP proceedings have sometimes been complex and unreliable.

Some business areas, where volumes are lower, have IT tools that are very basic or have no IT tools at all.

Under the IP Tool programmes, the Office aims at the integration of several systems, which today exist as separate modules, into one single tool. The vision is to have a Back Office, supported by IT tools in order to gain agility and flexibility and to form the backbone of a fully-fledged e-organisation. The ultimate outcome is to support all IP processes at the Office on an integrated platform.

The new way of working across the Office, with its emphasis on teamwork and networks with both internal and external participants also requires adaptations in the IT environment, as do the objectives related to increased transparency and accountability set out in LoA 2.



Those objectives can only be achieved if the management of the Office has access to the necessary data, information and analysis in a timely manner through improved business analysis and performance tools. To meet this challenge, the Office will implement a system landscape using state-of-the-art tools providing a more integrated core for HR processes, completely interoperable with finance information systems and other external systems such as those of the PMO (Payments Management Office, the EU Office whose systems are used for payments of salaries, health insurance claims, expenses and other benefits). At the same time, it will support the implementation of the HR strategy, focusing on talent management and modernisation and automation of HR administrative services, as well as user empowerment (e.g. employee self-service). The aim is that departmental management, team leaders and later all staff become self-sufficient and completely empowered in relation to data provisioning. A central service will concentrate on the corporate reporting of the overall performance of the Office.

Likewise, now that the online presence of the organisation has become the norm, mobile access to the Office's services is increasingly requested by users and staff members. The Office will investigate solutions that meet this demand while guaranteeing uniformity of services, integration with existing systems, security and sustainability.

The move towards greater user engagement in every area of the Office's operations also gives rise to a requirement for more sophisticated stakeholder management tools. Groups with different interests and priorities, including SMEs, owners and representatives of EUTMs and RCDs, national and regional IP offices, User Associations, and a number of other constituencies, all need to be addressed. The goal is to have an integrated approach for stakeholder and events management, so that information about stakeholder activities is available in a centralised manner to avoid duplication.

5.3.2 OBJECTIVE 3.2: STRENGTHEN IT SECURITY

IT systems are gaining increasing importance as enablers for business transformation in terms of supporting the cultural renewal and strengthening the talented, vibrant and creative organisation that the Office is aiming for with this Strategic Plan. They are also important for international cooperation, forming the basis of the many projects in the ETMDN framework that were developed under the Strategic Plan 2011-2015. These systems in turn need a strong and secure infrastructure to build upon.

Security, which is a more and more important subject for the Office and its users, requires a renewed, modern infrastructure. In the past five years, significant steps have been taken via the IT Security Framework and Backup Centre projects towards not only building secure and robust infrastructure, but also to improving the maturity of information security, whereby IT security awareness, monitoring and governance would ensure continued compliance with international standards such as ISO 27001¹⁰ and thereby demonstrate the trustworthiness of the Office and its products to its partners and customers.

10 - All activities of the Office were certified under the ISO 27001 standard in 2015.

As the digital revolution moves into its next phase, and as external threats continue to proliferate in quantity and complexity, more investment in the protection of the Office's assets is required. The increased visibility of the Office due to its new role in supporting enforcement of IP rights through the Observatory, coupled with the rapid pace of change in the IT environment means that what is a standard of excellence now will become insufficient tomorrow. IT security must be strengthened, but looking beyond traditional security breaches and unavailability, the scope must be widened to encompass the threat of data misuse and fraud, which can affect the Office's image and that of the wider IP community. The challenge is to bring the new disparate elements of IT security together in order to meet the growing number of threats in an effective and coordinated manner.

Hence the Office will take steps to increase security through better detection and defences, increased system availability through improved measures against denial of service attacks and a more dynamic and less centralised network.

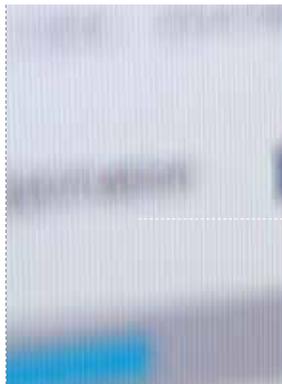
5.3.3 OBJECTIVE 3.3: MAINTAIN AND IMPROVE SERVICE AVAILABILITY OF SYSTEMS

In 2010, many of the EUIPO's systems could only be recovered within days, or even weeks in the event of a major disaster. Today the majority of IT systems run in parallel with a backup system and can be recovered instantly. The availability of systems has increased to over 99 %. The new data centre that has been set up guarantees high availability with the potential to support future growth.

Many of the projects and activities designed to improve other aspects of the Office's IT environment as set out in this LoA also contribute to improved system availability. Unifying several disparate systems under the IP Tool programme means that the number of interfaces between systems, a frequent source of failures in any IT environment, is greatly reduced. Similarly, improving IT security will reduce the number of denial of service attacks and other types of intrusions that can bring down IT systems. Developing systems in a cost-effective manner, which often means using off-the-shelf components that are well-known and therefore easier to maintain than bespoke solutions, also contributes to a more stable environment with higher service availability.

5.3.4 OBJECTIVE 3.4: ENSURE COST EFFECTIVENESS

Building on the 'software industrialisation' efforts carried out under the Strategic Plan 2011-2015, quality will be at the heart of the development work at the Office. Tools for automatically building, integrating and testing software will be used to continuously improve quality and promote good practice, enhancing IT's agility to deliver more value faster and with less effort, while reducing the risk of malfunctioning. Development costs will also be reduced as a result of this initiative, leaving the Office with more means to improve quality even further.



Component-based architecture will promote the reusability of existing assets, for better and faster maintainability, decreasing development efforts and further increasing efficiency. It will support teams in a collaborative, knowledge-based environment, ultimately allowing the EUIPO to enhance its management of change. This effort will also have a positive impact on the cost of software development.

In order to maintain a modern technological environment, the existing IT asset management will be improved to facilitate the timely decommissioning of hardware and software, before they become a threat to the performance of the business units. The modernisation of the Office IT platform will be undertaken with a clear risk-driven view and will aim at maintaining the business value of past investments. Total cost of ownership of the systems will be calculated in order to provide management with sound criteria to make 'buy versus build versus rent' decisions.



In 2012, the average development and deployment time for a high priority change to the systems amounted to over 60 days, whereas today this time is down to 20 days. Overall, the Office has learned to plan better and to execute better. There is still a long way to go to make full use of available instruments in the market, such as alternative provisioning models for infrastructure, platforms and software, which will be tackled in the coming years. This will enable the organisation to deliver faster, with better quality and more precise cost planning.

Together with the trend towards mobile access on the user side, the trend towards cloud computing is a major force in today's IT. The Office intends to take advantage of the opportunities offered by cloud computing with a very cautious approach and respecting European legal and data protection issues as well as security matters. A gradual use of cloud environments will be considered to improve the IT cost structure, to deploy applications that are only available in the cloud and to scale the IT infrastructure in an agile manner. A cloud strategy will be developed to provide security guidance on acceptable uses for infrastructure, platforms and services, including where cloud services may be hosted. The Office will also develop expertise in the security and control of cloud models and undertake comprehensive risk management to support effective decision-making in the engagement of cloud services.

5.4 LINE OF ACTION 4: INTENSIFY NETWORK ENGAGEMENT¹¹

The activities and projects comprising this Line of Action primarily support the achievement of Strategic Goal 3, but are also important to the other goals since networking is one of the keys to a 'knowledge' organisation and helps increase effectiveness. In the modern world, strong IT systems are closely associated with effective networking and good governance, and also open the way for closer cooperation and convergence. In addition to supporting cooperative networks this Line of Action will extend the reach of existing tools and databases, add new functionalities to these tools, and create new ones based on the needs of stakeholders.

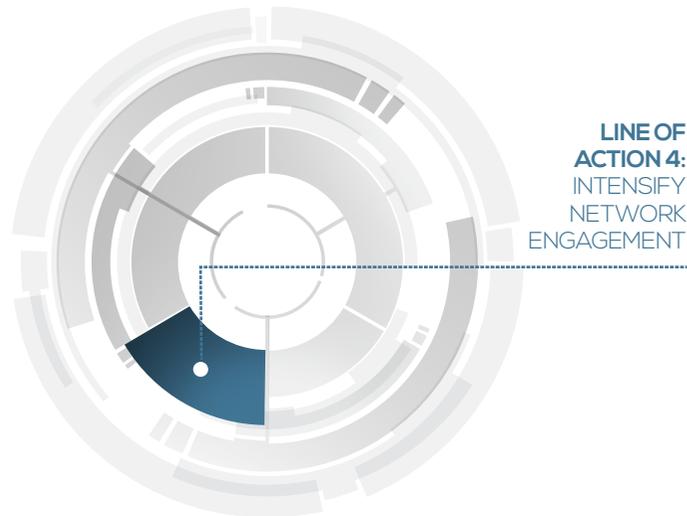
11 - For the purpose of Articles 124 (1)(b) and 128 (4)(e) EUTMR, Line of Action 4 includes the Office's strategy for international cooperation.

Networking is a core value of the Office, both in the internal organisation of work, with its emphasis on cross-departmental collaboration and knowledge circles, and in the external dimension, with cooperation with national and regional IP offices, the European Parliament, the European Commission and other EU institutions and bodies, international organisations, and with public and private stakeholders. Networking is also vitally important to the work of the Observatory.

The trade mark and design registration framework in the EU is a two-tier system, consisting of the national and regional IP offices and the EUIPO. The choice between national and EU registration is made by companies based on their business objectives, and this choice should not be influenced by unnecessary differences among the different offices in the system.

Making the IP system more consistent, coherent and transparent is vital if it is to become more accessible to EU companies, and in particular SMEs, which can find unnecessary differences in processes and practices a significant deterrent when they seek to expand. An OECD study has found that compliance costs per employee are five times as high for small companies as they are for larger ones. Given that the vast majority of EU companies are SMEs, reducing the administrative burden on them in all areas, including IP protection, is of great importance.

The Strategic Plan 2011-2015 laid solid foundations for a functioning practical network between all IP offices in the EU, based on convergence of tools, practices, and standards, in the interests of all users of the IP system. The fundamental premise of that plan remains valid, and the Office will continue to work in this direction through the European Cooperation Programme with the national and regional IP offices, and through other programmes with selected non-EU countries.



Indeed, the cooperation activities undertaken in the framework of the Strategic Plan 2011–2015 have now been codified as one of the core activities of the Office in the legislative reform agreed by the European Parliament and the Council in 2015.

During the coming years, the EUIPO, in cooperation with the national and regional IP offices and in the framework of the EU-funded projects for which it is the implementing agency, intends to both expand and deepen the EUIPN and to foster global cooperation between EU partners, third countries and multilateral organisations in order to maximise the contribution of trade mark and design registration systems to economic growth and to enhance the value of IP in general.

Within the EU, based on both user requirements and the needs of IP offices, the Office and its partners will continue to improve the convergence of existing tools and practices, ensuring interoperability and the maximisation of their effectiveness and benefits to users. The results of this work will contribute to the consolidation of the landscape of IT solutions left by the successful Cooperation Fund with the next generation of tools.

Regarding practices, the Office will continue to bring together experts from all IP offices in the EU and users of the IP system represented by User Associations, to engage in joint efforts to establish common examination practices on specific matters across the EU. The direct

During the coming years, the EUIPO intends to both expand and deepen the EUIPN and to foster global cooperation between EU partners, third countries and multilateral organisations.

benefit of this activity to end users will be a significant reduction in indirect costs through enhanced legal certainty and increased transparency. The end result will be the establishment of standards that will enable the IP offices in the EU to share the way they deliver their practices and services to end users.

The principle behind the various programmes and projects is always the same: user requirements are the starting point. Based on those requirements, the Office and its partners will first work to improve existing tools; if needed, new tools will be created; and finally the different tools will be linked to maximise their effectiveness and benefits to the users and to create a system that provides greater legal certainty and is user-friendly, transparent, effective, efficient, and interconnected.

In order to fulfil these objectives, European Cooperation Projects are to be defined pursuant to Article 123c(2) and Articles 124(1)(e) and 128(4)(d) EUTMR. The Office has proposed conditions to the Management Board describing the overarching structure of the programme. This proposal contains the principles and objectives of the proposed projects, the model for participation, governance and reporting as well as the financial support for it. Once adopted by the Management Board, the Office will put this decision into practice through specific cooperation agreements, the management of which will be supported by the development of a cooperation platform, where practical guidance and instructions for the management of these agreements will also be provided.

In keeping with the ongoing evolution from coexistence to complementarity within the EU IP system, the Office will examine the possibility of developing work-sharing schemes across the network in operational areas, such as language checks.

Regarding international cooperation beyond the EU, meeting the challenge of having a more user-friendly and interconnected IP system globally involves cooperation with third countries, international and regional organisations and multilateral fora. This LoA, therefore, as required by Articles 124(1)(b) and 128(4)(e) EUTMR, includes the Office's strategy for spreading the benefits of the network's tools and practices beyond the borders of the EU, where this is in the interests of users, especially SMEs.

The guiding principle for activities will be the provision of direct and tangible benefits for a sufficiently large group of European Union trade mark users.

All the Office's activities in these areas will be carried out in compliance with Article 123b(2) EUTMR, in conjunction with Articles 2(1)(h) and 2(2)(m) Regulation No 386/2012 in the area of enforcement of IPR rights beyond the trade mark and design area, and Directive 2012/28/EU in the area of orphan works. The combined

effect of these provisions represents a strong legal basis and mandate for the Office to place international cooperation as part of its statutory responsibilities. In fact, the amended legal framework of the Office reinforces international cooperation as a task at the same level as the rest of the tasks entrusted to it until now.

Based on this framework, and taking into account the feedback received during the widespread consultation process on SP2020, in moving forward with cooperation activities outside the EU, the Office's policy will be guided by a number of principles and modalities for international cooperation. Contributions from EU Member States refer to the international aspects of SP2020 and support the increase of such cooperation, thus expanding the benefits of the users and of all the stakeholders in general, and in particular fostering innovative tools and practices supporting European companies looking to wider and emerging markets for future growth.

Given the fact that the Office resources stem from users' fees, the guiding principle for activities will be the provision of direct and tangible benefits for a sufficiently large group of European Union trade mark users. All activities will follow the priorities of the EU in the area of IP and must be well-coordinated with other international players such as WIPO and the EPO. The content of the projects will be based and connected to the core operations and experience of the Office, in particular tools to facilitate access to information.

- The first priority will be to act as implementing agency for EU-funded projects at the request of the Commission. A regional approach will be the main axis for implementing such projects. As a general principle, the extension and reuse of all the EUIPN tools that are directly linked to the provision of better services for the users, mainly SMEs, will be a priority for those projects. In any case this will be done in close coordination with the European External Action Service, DG Internal Market, Industry, Entrepreneurship and SMEs, DG Trade and DG International Cooperation and Development. Regarding common EUIPN practices, network members may be able to support and promote such standards in other areas of cooperation, including those related to WIPO and/or multilateral frameworks such as TM5/ID5. For example, this could be the case in relation to design classification practices or IT standards. In doing so, the networks' deliverables in terms of concrete tools and practices derived from European Cooperation Projects can help project the benefits of intra-EU cooperation beyond EU borders.
- The Office will also conduct bilateral cooperation with third countries or regional organisations (e.g. ARIPO and OAPI) subject to a previous internal and external cost-benefit analysis. Any initiative has to follow the EU policies and priorities in international cooperation, taking into consideration the existing Association Agreements, Free Trade Agreements and the cooperation policies agreed by the EU for regional areas such as the European Neighbourhood Policy, with the Management Board kept informed. This arrangement will ensure that the Office operates within its mandate and its existing institutional framework and in full coherence with the EU international policy.

All these elements, in particular the emphasis on a regional approach in close alignment with EU policies, and with the benefits for users to the forefront, will be further detailed in each annual Work Plan of the Office.

5.4.1 OBJECTIVE 4.1: SUPPORT AND STRENGTHEN COOPERATIVE NETWORKS FOR GREATER CONVERGENCE

The new legislative framework provides a stronger legal basis for further development of the cooperative work taking place between the Office and the national and regional IP offices. Networking is now a core business activity of the Office, and this is also complemented by the growth in the Observatory networks covering prosecutors, EU delegations and enforcers.

Under this objective, the EUIPN will be further strengthened and made more transparent and accessible through the development of a cooperation platform supporting the administration and financial management of the whole lifecycle of cooperation agreements.

Currently, the preparation and management of cooperation agreements between the Office and national and regional IP offices is manual and time consuming. There is a need for an online system that could support the actors in the agreements' lifecycle by accelerating and facilitating the creation and management of such agreements. The tool will seek to make available a standardised menu of cooperation actions, with simple guidance rules and procedures to make certain that the different stakeholders involved are able to learn quickly how best to put the tool into practice.

The tool, backed up by a solid community of financial and cooperation experts, will make financial transactions more transparent and therefore more efficient: and also result in better execution of cooperation resources under Article 123c EUTMR, and the consequent reduction of cancellation of carry-overs associated with the implementation of cooperation projects and activities.

The solution will also assist in better defining how members of the network can contribute to the dissemination of information on the network's IP systems and facilitate the collection of relevant statistical information related to IP procedures.

A mapping exercise will be carried out to determine, through a Convergence Practice Index, the extent to which processes and practices have come together, and specific convergence programme projects will be launched based on the results of this analysis. A European Knowledge Circle will be created to help drive convergence further.

A collaborative technical network will be established to promote the sharing of information on IP rights and procedures, as well as the establishment of common standards and practices to ensure interoperability. The EUIPO, in collaboration and cooperation with the national and regional IP offices, will share the work in certain processes via participation, for instance in pre-checks, while always retaining final decision-taking authority.

The deployment of project managers in IP offices has been an important component in the success of cooperation efforts. It has maximised the number of successful implementations of the different Cooperation Fund tools, and contributed decisively to the modernisation of the IP system in Europe. The scheme will be further developed as a method of supporting national and regional IP offices. They will also be supported in the development of in-house project management expertise, and in the achievement of ISO 9001 quality certification.

5.4.2 OBJECTIVE 4.2: EXTEND REACH OF EXISTING TOOLS AND DATABASES

The tools and databases created as a result of the cooperation between the EUIPO, the national and regional IP offices and the user organisations have turned out to be even more popular than expected. By 2015 more than 370 implementations had already taken place all over the EU.

The broad uptake and use across the portfolio of projects has provided a strong impetus for cooperation, modernisation of the EU IP system and a shared services environment. However, more work needs to be done to ensure that the benefits from these important projects are shared as widely as possible.

Projects have grown in popularity as their potential was proven in the various pilot offices and this resulted in a decision at a late stage by other offices to participate. In addition, procurement procedures and overlapping projects in IP offices have left some unable to complete the projects to which they had committed within the timeframe of the Cooperation Fund.

To this end, the Office will offer support for those offices that have not already received backing to implement particular project results. Examples include front office software for e-filing and renewals, the modernised back office, and remaining central tools such as DesignView or Similarity.

In another sense, the strategic picture has changed: the Office has successfully worked with a number of third countries to implement several projects. As a direct result of this work, the offices are much closer to each other, opening the way to further cooperative work in the future. Looking at the external dimension, the EUIPO also needs to reach out to the broader community by cooperating with other countries to create a more integrated IP system.

A collaborative technical network will be established to promote the sharing of information on IP rights and procedures, as well as the establishment of common standards and practices to ensure interoperability.

5.4.3 OBJECTIVE 4.3: ENHANCE COMMON TOOLS AND DATABASES WITH NEW FUNCTIONALITIES

The existing common tools and databases were built against the backdrop of an environment that was changing rapidly, both as regards the Office, the national and regional IP offices, and the world as a whole. These tools are operational now, and subject to a collaborative, open working system for maintenance and minor modifications.

Moving beyond the efforts under the previous Objective to encourage offices to 'catch up' and enjoy the benefits of what has already been created, further work will be undertaken to improve and update the tools. Now that they are in use in a critical mass of offices, a number of suggestions for improvement have been made.

While the operational and maintenance side continues to work uninterrupted as the normal business of the network, managed by the European Union IP Network Operations Centre, a number of these proposed changes to the Front Office and Back Office systems and quality suite go beyond the normal scope of the maintenance and change process.

For example, with the experience gained through the deployment of the SP Back Office at the national offices, several improvements have been identified within the current core areas of the system, including goods and services validation, analysis of dossiers, the handling of international designations and usability in general.

In addition, a number of new features have been highlighted by stakeholders to enhance the productivity of users, such as the inclusion of a dossier storing grounds for rejection, new administrative and reporting functionalities, and certain new records.

Looking beyond the tools for the efficient and effective administration of IP rights, there is also a need to broaden the existing enforcement tools to improve the way in which they work together, including seeking greater integration in order to obtain consolidated enforcement information.

5.4.4 OBJECTIVE 4.4: CREATE NEW IP TOOLS AND DATABASES

The tools already created in cooperation between IP offices and user organisations have achieved very broad uptake and use, and are making the European Union trade mark and design system more transparent, interoperable, efficient and user-friendly.

Innovation is an essential component of business activity and is a never-ending process, so there is never a point where we can stop and say 'it is done': there is always room for new ideas, for radical innovations to ensure long-term competitiveness.

This activity area includes the development and implementation of new common or connected tools, and/or standards for consultation and searching, with a view to ensuring interoperability between procedures and systems in those EU countries, as well as in those EU candidate, associated and neighbouring countries that want them.

One of the projects under this objective will make use of the existing Academy learning portal to provide a smart learning environment, where the online content (e-learning modules, tutorials and webinars included in the online Academy activities) have the highest level of quality, and are universally available in multiple languages, to the broader community of stakeholders, providing a learning process personalised to users' needs.

Other new projects will include Search Image for trade marks and Search Image for designs in order to make searches in these areas more transparent, accessible, efficient and effective; measures to solve the duplication of IP user data in databases; tools to improve the templates tailored to different groups of cases in various procedures, thereby supporting the quality of decision-making; improved access to case-law information, contributing to legal certainty across the EU

and eventually beyond; and the development or improvement of tools to allow users to carry out enhanced preclearance. This will take the tools to the next level through implementation of new functions and integration to enable automatic and simple searches using multiple databases, thereby reinforcing the ability of examiners to take good decisions.

5.4.5 OBJECTIVE 4.5: STRENGTHEN NETWORKS OF EU AGENCIES

Cooperation between the agencies of the EU has become more important under the Common Approach on Decentralised Agencies, and in particular considering the Interinstitutional Agreement.

Over recent years, a debate has taken place on the need for the EU decentralised agencies to move from a merely reactive approach to a more proactive one, by the engagement of a more strategic and forward-looking manner on issues of common concern and making the network's work more effective and capable of enhancing the recognition of the beneficial role of the agencies and the activities carried out by them.

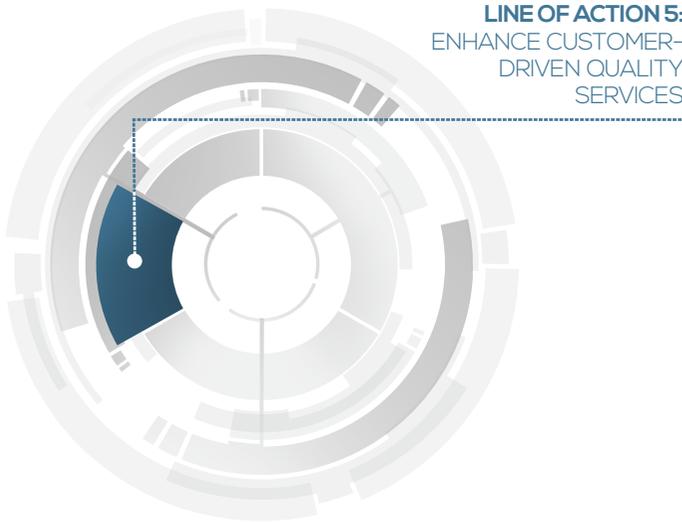
The EUIPO will chair the EU Agencies' Network in 2016, with the aim of making progress on four interlinked medium-term strategic priorities, adopted by the Heads of Agencies in October 2015. These priorities focus on: (i) shared services and capabilities; (ii) mutual value creation with EU institutions; (iii) outward communication and finally, (iv) internal governance.

The Office also participates in the network of EU agencies in Spain, and in the European Fee-Receiving Agencies Network, which held its inaugural meeting in 2015.

Cooperation between the agencies of the EU has become more important under the Common Approach on Decentralised Agencies, and in particular considering the Interinstitutional Agreement.

5.5 LINE OF ACTION 5: ENHANCE CUSTOMER-DRIVEN QUALITY SERVICES

The activities and projects comprising this Line of Action primarily support the achievement of Strategic Goals 1 and 2. True quality within a complex and interlinked IP system cannot be delivered without an engaged and knowledgeable staff working to the highest standards of public service and supported by modern systems and tools within a networking environment. This Line of Action will enhance quality services by further integrating the user perspective in delivery of products and services; increasing the proportion of straight-through files processed by improving predictability; and by optimising the work of the Office's user-focused teams.



Quality has always been a major priority for the Office. It expresses the continuous commitment of the Office to improve and to provide better services to users. That commitment was materialised in the Strategic Plan 2011-2015 by two major transformational endeavours: the implementation of a certified ISO 9001:2008 Quality Management System and the development of a performance-oriented culture.

The Office was ISO 9001:2008 certified for all its activities in October 2013. This certification and the process leading to it has brought several improvements, most notably the simplification of processes, but also raised awareness within the Office about the benefits of continual improvement and knowledge-sharing. All Office staff members were trained on ISO 9001, and the plan-do-check-act cycle of continuous improvement became part of their daily lives.

In order to improve the quality of its decisions, the Office has expanded the reach of its *ex post* quality checks framework to all areas of trade mark and design examination and proceedings during the past five years. This strong framework of quality control has contributed to the improvement in the consistency of decisions, as well as supporting the identification of training needs of the examiners.

Highly visible performance tools were put in place for the benefit of users and the Office alike, namely the revamped Service Charter with the performance ranges of Excellence, Compliance and Action Needed – introduced in the 2014 Work Programme – and the Balanced Scorecard, measuring the improvements delivered by the implementation of the

Strategic Plan 2011–2015. Both tools have had a significant impact on improving the Office's services to the users by establishing a clear cycle to assess performance and to act upon the results.

In the coming years, the Office will continue to strive to be best in class in delivering IP rights. The efforts to improve quality will be streamlined by acting on quality of products and quality of services.

Much has been achieved in terms of consistency and predictability, but the Office is aware that some issues remain regarding the quality of its decisions, as perceived by users. The Office will develop a holistic approach to quality of products by redesigning the quality cycle so as to react more quickly when issues arise, and to analyse the root causes when product quality problems persist. New *ex ante* checks on decisions and proceedings will be developed, complemented by *ex post* checks performed in collaboration with users, so that the gap between their perception of quality and the metrics used by the Office to measure quality is eliminated. The same quality criteria, as set out in the Office Guidelines in collaboration with users, will be used by *ex ante* and *ex post* checks, thus aligning both perspectives of quality under the same standard. This will bring about clear benefits in terms of predictability and consistency of Office decisions.

To improve the quality of service, the Office will maximise the availability of its systems and user accessibility to its services. The Office will enhance the usability of its e-business tools, focusing on delivering to the user the best possible experience when interacting with the Office. By introducing new preclearance capabilities in e-filing, predictability will also be improved.

Both dimensions of quality – quality of product and quality of service – will be used to continuously measure user satisfaction, including immediate user feedback on specific services.

During the past two years, the Office has redefined its service standards, so that they are expected to be met in 99 % of all cases. The next step is to move to a target of compliance with standards in 100 % of cases to the extent that this is feasible and economically justified. The Office intends to reach this level of performance in selected areas beginning in 2017.

5.5.1 OBJECTIVE 5.1: FURTHER INTEGRATE USER PERSPECTIVE IN DELIVERY OF PRODUCTS AND SERVICE

In the coming years, the Office will implement a proactive, all-inclusive customer-driven approach based on real time, direct and transparent interaction with users.

As a fully certified ISO 9001 office, the EUIPO will continue to strive to improve all aspects of its products and services. Looking forward, a new version of the quality standard, ISO 9001:2015, will necessitate a revision of the Office's Quality

Management System. At the same time, the activities required to implement the legislative reform give the Office an opportunity to further optimise the system.

The Office Guidelines will be promoted as the centre and point of reference of IP knowledge of the Office and the network, at the heart of the Office's quality system. The first objective in this regard is to take the 'New Generation Guidelines' to the next level, by making them more open, agile and versatile, as well as better suited to responding to stakeholders' needs.

The Office Guidelines will be promoted as the centre and point of reference of IP knowledge of the Office and the network, at the heart of the Office's quality system.

The format, contents and consultation process will be enhanced by taking full advantage of current web-based technology to facilitate increased access by a wider audience.

The emphasis will continue to be on the output of the Office's activities, including the application of the quality standards derived from the Guidelines and performance standards for timeliness, consistency and predictability. The quality system will increasingly incorporate stakeholder requirements through tools such as customer feedback, surveys, and input to Office practice. The channels to gauge customer feedback will be made more immediate by moving to a modern 'real time' approach.

Increased stakeholder engagement and transparency will also be promoted by involving them in the Guidelines review and in the assessment of products, procedures and quality criteria applied, as well as in the performance of joint quality audits. Such third-party quality assessment will also result in increased credibility of the quality indicators. In parallel, the quality assurance of the products will become increasingly focused on *ex ante* controls, to ensure that any errors are corrected before a decision is sent to the user.

The Office will build on customer services in a sustainable manner using value-added self-service solutions, allowing the user to obtain all the necessary support and guidance online, and a customer-driven services approach in which

communications between the Office and its users are proactive rather than reactive. Modern forms of communications could be added, according to user needs, such as online chats or platforms, allowing the community of users to provide support and guidance to one another.

In addition to the self-service initiatives, a specific customer service approach will be defined and executed for the different user groups according to their inherent needs, similarities and profile. As part of the new approach, increasing use of customer information and new technologies will be developed to support users in conducting business with the Office in an efficient manner. Such solutions and tools will further guarantee compliance with Office practice by communicating to the users in a clear, intelligible and personalised manner the requirements derived from the Office's Guidelines, thus making it easier for occasional filers or SMEs to use the system in an efficient and error-free manner to serve their business needs.



5.5.2 OBJECTIVE 5.2: INCREASE THE PROPORTION OF STRAIGHT-THROUGH FILES PROCESSED BY IMPROVING PREDICTABILITY

While the speed of decision-making is important to users, they also put a high priority on consistency and predictability. In order to increase predictability, the Office must provide the applicants with state-of-the-art technologies and personal services that ensure that when an application is filed with the Office, it is of the highest quality possible, so that the risk of the filing being deficient and therefore likely to face an objection is reduced.

Reducing deficiencies is a win-win situation. Fewer objection letters issued by the Office will mean less work both for the Office and for its users, and a higher quality of both the applications and, eventually, of the Register.

The Office will seek to lower deficiency rates through improvement of the Guidelines. Having clear and up-to-date Guidelines that are free from unnecessary formalities helps both examiners and users. It leads to decisions being more predictable, and helps users avoid objections on absolute grounds or classification.

The Office will develop tools that will guide users towards compliance by integrating appropriate functionalities into the e-filing tools. Furthermore, an examination support tool, identical to the tool used by examiners in their decision-making process, will be made available to users. The tool will allow the user to assess up-front the probability that their application will fulfil the examination criteria once filed.

Large parts of the interaction between the Office and the users already take place online. For the vast majority of EUTM and RCD filings and renewals, and for increasing proportions of opposition filings and other interaction, electronic interaction is now the norm. In the coming years, the Office will continue to move towards a fully fledged e-business system, where the full potential of the existing databases and tools in terms of content, functionality and interoperability is exploited and

customers are provided with the highest quality, most advanced technical solutions for guidance and support depending on the needs of the users, whether they are large users or SMEs.

Such state-of-the-art technical solutions also serve to maximise predictability, and the use of common tools and databases serves as a means to further grow and deepen the cooperation within the EUIPN.

One of the most important tools in this context is the HDB, containing commonly agreed terms, accepted by all IP offices in the EU as well as increasingly by IP offices outside the EU. Usage of this database in a trade mark application reduces the risk of classification deficiencies to the benefit of the user and the IP office in question. Therefore, the Office will continue its efforts to ensure that the terminology is properly maintained. Management of the terminology is crucial for the validity and legitimacy of the database and encourages use of the standard terms in trade mark applications. Expansion of content to terms used globally and the translation of these terms will decrease the time and resource-consuming activity of classification for end users and IP offices alike, and contribute to a reduction of the Office's significant translation costs.

To provide further support, a policy of telephone call intervention, already piloted under the previous Strategic Plan, will aim at clearing deficiencies in areas such as formalities, classification and records, thus avoiding a lengthy deficiency workflow. The goal is to address the deficiency, recommend a remedy and then apply a correction either by the Office or by the user.

In general, the Office will develop initiatives to increase straight-through files by pro-actively reducing irregularities and deficiencies, and thus improving user experience by eliminating unnecessary objections to the file after filing. The Office estimates that the time and effort to solve a file with deficiencies is equivalent to five times that of a standard file. These initiatives on preclearance and clearance will, therefore, not only result in increased consistency but will also bring additional efficiency gains to the Office.

5.5.3 OBJECTIVE 5.3: OPTIMISE TEAM WORKING FOR HIGH-QUALITY DELIVERY

The Office is dealing with a gradual increase in trade mark and design applications and the consequential increase in the sequential steps in all Office proceedings. Furthermore, the Office has set itself ambitious performance goals in quality, timeliness, accessibility, predictability and user focus. The highest possible level of performance is therefore required from the Office's staff. Such challenges are best met by well-functioning teams.

During the past five years, the Office has been on a path that has taken it from a traditional, vertical organisation characterised by 'silos' to one where transversal activities are increasingly the norm, culminating in a work environment where the primary unit is a team, often crossing department boundaries. In January 2015, the core operations of the Office

were reorganised around a number of teams. In the next few years, this concept will be developed further to transform these teams into high-performance units. By putting the entire process from reception to registration in the hands of the teams and giving them effective performance reports on their processing of a file from entry to exit, purpose is added to each processing step, which would otherwise be an isolated step in an abstract process.

In such high-performing teams, the members trust each other, learn each other's skills and feel responsible for the entire process. The working methods are defined by the teams themselves, and the resulting rules are understood and respected by all team members. Accountability is both individual and collective and communication, including critical feedback needed to improve team performance, is open, respectful and effective.

In order to support the team structure and the new working methods, simple administrative tasks will be eliminated through e-administration, empowering the users to make use of online services. Where this is not possible, outsourcing will be considered, so as to allow Office staff to focus on providing value-added support and guidance to users.

The widening and deepening of the expertise of the examiners will allow not only for better quality, but will also enhance the agility of the organisation in responding to shifting workflow needs. Particularly in areas that are subject to large fluctuations, such as international registrations, cancellation proceedings, design examination, Register and invalidity proceedings, it can be difficult to consistently provide a high-level service to users. The expansion of expertise in these areas thus improves the Office's agility significantly.

Therefore, the main objective is to expand knowledge and skills gradually through all areas of work so that all the core business teams will have examiners able to deal with all tasks related to EUTM and RCD files. The principle is that a single team will take charge of the entire progress of an individual file, calling where necessary on support from other teams, in order to ensure continuity.

To support this change, the Office will further develop the tools to establish and then monitor the key factors that determine the efficiency and effectiveness of the staff deployment policy so as to optimise staff allocation to those areas that bring greatest value to the team as a whole and finally to users.

At the same time, these more efficient working methods will be supported by a reduction in the complexity of rules and procedures. The Office will harmonise and simplify processes to the full extent provided for in the applicable legislation.

The main objective is to expand knowledge and skills gradually through all areas of work so that all the core business teams will have examiners able to deal with all tasks related to EUTM and RCD files.

As an agency operating in a multilingual environment, we place great importance on the linguistic quality of communications. Translations of trade mark applications and administrative translations are carried out by the Translation Centre of the EU in Luxembourg, and represent one of the largest items of expenditure in the Office's budget. During the past years, the main activities in this area were aimed at reducing the delivery times for linguistic services, and thereby contributing to optimising timeliness of operations, and on measuring and improving the quality of translations through a system of *ex post* quality checks. In the next few years, the Office will strive for further efficiency gains and enhanced consistency and quality, making use of state-of-the-art technologies and applying best practices in the linguistic field.

With regard to administrative translation requests, financial savings will be sought through the use of 'translation memories' using off-the-shelf products. The resulting multilingual repositories will constitute the basis on which to improve automatic translation services.

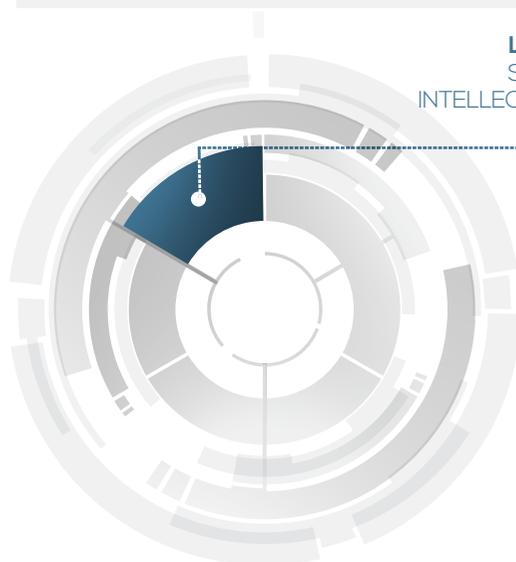
It is important to offer users, and in particular SMEs in the EU, access to relevant and understandable IP information in their own language, or an Office language they can understand. To do so, the potential of machine translation will be explored to allow online instant translations.

With the expansion of the competencies of the Office and the necessity to communicate with users, other stakeholders and the general public in their own languages, there is an increasing need to produce Office communications in all EU official languages and beyond. In order to meet this need, the Office will maintain linguistic expertise in-house to cover the five Office languages for proofreading and revision tasks, ensuring both flexibility in meeting urgent deadlines and the maintenance of a high level of quality. At the same time, linguistic tasks in other languages will be covered through outsourced services, with in-house staff as the 'guardian' of overall multilingual quality.

With the expansion of the competencies of the Office and the necessity to communicate with users, other stakeholders and the general public in their own languages, there is an increasing need to produce Office communications in all EU official languages and beyond.

5.6 LINE OF ACTION 6: STRENGTHEN THE INTELLECTUAL PROPERTY SYSTEM

The activities and projects comprising this Line of Action primarily support the achievement of Strategic Goals 2 and 3. A strong IP system must be capable of delivering high-quality rights that can be protected in an international environment. Staff excellence, good governance, IT systems, and networking, based on a solid user focus, are prerequisites for creating such a system. This Line of Action sets out to further strengthen the system by the harmonised implementation of the legislative reform; delivering evidence-based research on key areas of IP; and promoting cooperation and knowledge sharing with and among enforcement authorities. It also sets out to help EU businesses, in particular SMEs, protect their IP rights and to raise awareness among citizens and decision-makers.



LINE OF ACTION 6: STRENGTHEN THE INTELLECTUAL PROPERTY SYSTEM

Creativity and innovation are today, more than ever, crucial for securing future jobs and economic growth in Europe.

Underpinning these aims are the inspiration and ideas of creators, designers and inventors, which are protected as intellectual property rights. These rights help to ensure that creativity is properly compensated, and as a result they have become indispensable assets that help drive future development, research and economic progress.

An important contribution to an improved IPR system in Europe consists of the trade mark legislative reform package agreed in 2015. The aim of the legislative reform is to enhance the accessibility, transparency and efficiency of

the system by increasingly harmonising procedural and substantive rules. In order to achieve this goal, the legislative package has proposed modernising targeted provisions, and has provided a clear legal basis for the existing instruments of cooperation between the Office and the national and regional IP offices, allowing for closer approximation of practices. After adoption, it will have to be implemented at both EU and national level.

As intellectual property rights have continued to rise in value, they have become increasingly attractive to infringers, who recognise that substantial profits can be made quickly and at relatively low cost and risk by misappropriating the work of others.

IPR infringement potentially reduces investment in innovation and dilutes brand reputations and consumer confidence. In this way, it hampers economic growth throughout the EU, cutting vital revenue for national economies and crucial resources for legitimate businesses, and ultimately threatens the employment and even the health and safety of citizens.

At a time when economies are desperately pursuing all opportunities for recovery, the effective enforcement of IP rights becomes even more important.

While the Office itself has no operational responsibilities in the area of enforcement, Regulation (EU) No 386/2012 entrusted it in 2012 with the European Observatory on Infringement of Intellectual Property Rights. The main tasks of the Observatory, as set out in the Regulation, consist of providing facts and evidence for policymakers to use for formulating IP policies; training enforcers; creating tools and resources to support the fight against IPR infringement; and raising awareness of IP and of the negative effects of counterfeiting and piracy.

By creating a truly inclusive network of public authorities, national and international institutions, business organisations, consumers and other areas of civil society, the Office has been able to bring together a diverse range of knowledge, interests and experiences from a broad range of stakeholders. Consequently, it is in a position to bring about greater understanding, which will allow more informed decisions to be taken on practical and workable strategies.

In addition to fulfilling the mandate of the Observatory, the Office aims to make the IP system in Europe more accessible to companies, in particular SMEs. This requires understanding what barriers, whether real or perceived, companies face when trying to protect their IP, and taking appropriate action to reduce those barriers. Many of the activities and projects under the other Lines of Action in this Strategic Plan also support this objective. For example, by improving predictability and thereby increasing the proportion of problem-free applications, the Office and its partners in the EUIPN will make the system more accessible, particularly to smaller companies, which have fewer resources to deal with deficiencies.

5.6.1 OBJECTIVE 6.1: CONTRIBUTE TO HARMONISED IMPLEMENTATION OF THE LEGISLATIVE REFORM

Once the legislative package has been adopted, it will have to be implemented at both EU and national level. Most changes introduced by the Regulation will come into force (and will therefore have to be implemented) 90 days after publication of the new Regulation in the *Official Journal of the European Union*. The remaining changes, together with secondary legislation that will have to be drafted to replace the current Implementing Regulation, will come into force 21 months after publication of the basic act. Member States will have to adapt their national laws to the new Trade Mark Directive in most respects within a period of 36 months following the date of publication.

The Office's overall aim is swift, effective and harmonised implementation of the new legislative package, which began in the fourth quarter of 2015 (publication of the reform) and is scheduled for completion by the end of 2018 (transposition into national law of the Directive).

The first task will be Office-wide implementation of the changes in the Regulation that will come into force 90 days after publication in order to be in full legal compliance on 23 March 2016, which was the date of entry into force. All Office departments affected by the new legislative package will actively participate in implementation, which will include specific action on the change of name and corporate identity during a transitional period of 12–18 months. The same cross-departmental implementation model could be adopted in the event of future legislative reforms (e.g. in the area of RCDs).

Next, the Office Guidelines will need to be amended in line with the new legal provisions at two different points in time – first as a result of the changes that come into force 90 days after publication and then following the changes that come into force 21 months after publication and the corresponding secondary legislation.

As many of the provisions to be discussed in the new parts of the Guidelines are the same in the Directive, it is important to maximise the involvement in the revision process of the national and regional IP offices (which will be faced with the same task when transposing these provisions into national law) and the users. This will ensure the broadest possible acceptance of the approach to determining relevant examination standards, which in turn will help reduce disparities between practices across the EU. To this end, the Office will launch an open and inclusive consultation process during the *vacatio legis* period, thus ensuring that the views of all stakeholders are taken into consideration during the revision.

The third task concerns the preparation of the secondary legislation that is required to implement the new Regulation no later than 21 months after publication. This process offers an opportunity not only to modernise the Office's procedural framework, but also to conduct a preliminary exchange of views with national and regional IP offices, which will also eventually have to issue similar rules to give effect to their new national laws, so as to streamline processes as well as procedures. The Office is ready to offer technical support by identifying opportunities for improvement and supplying all available technical data to the EU institutions involved in the implementing or delegated acts, should they so request. The timing will be decided by the EU institutions, and in particular by the Commission, but can be estimated to cover the period between the beginning of the first quarter of 2016 and the end of the second quarter of 2017.

To support this process, the Office will endeavour to share best practices and provide technical support to the Member States insofar as requested during the transposition phase of the Directive and the preparation of the corresponding implementing rules.

Following the request by a number of offices for more information on the implications of the new Directive and advice on the best ways to support the transposition process, one of the proposed European Cooperation Projects consists of conducting a Convergence Analysis to examine best practice and propose options for new projects to a working group of IP offices and user representatives in September 2016.



While at all times respecting the different competencies and responsibilities of the European Commission and Member States, the Office will explore the value of producing draft reference materials and technical solutions (including model legal texts and practice notices and/or guidelines) to enable Member States to adopt their transposition strategies in the most convergent manner while respecting the margin of discretion given by the legislator. Such reference materials can be supported, where relevant, with ancillary tools and roll-out resources (e.g. software e-services solutions to implement new administrative procedures for the declaration of invalidity of national rights) enabling Member States to implement the Directive on time and in full observance of its provisions.

Implementation of the reform will also allow for the creation of a Mediation Centre. The Office will evaluate the feasibility of creating such a centre to promote alternative dispute resolution for all parties involved in disputes pending before any of its decision-making instances.

By carrying out this programme, the Office will ensure adherence to the legislative package mandates while maintaining service quality and ensuring full transparency and increased harmonisation across the EUIPN. Widespread knowledge and understanding of the changes and their implications for the Office's stakeholders, staff and general public will be achieved through targeted awareness campaigns.



5.6.2 OBJECTIVE 6.2: DELIVER EVIDENCE-BASED RESEARCH ON KEY AREAS OF IP

IP is continually being challenged by many who feel that the rationale for intellectual property has reached its limits and no longer meets the changing needs of society. In some respects, a drive for stronger laws, international treaties and additional enforcement measures have contributed to this argument and led to a negative public reaction. Consequently, IP needs a new narrative that describes and illustrates it, not as an end in itself, but as an instrument that rewards innovation and creativity and acts as a means of consumer protection in terms of quality and other attributes, thereby ensuring wider benefits for society.

The Office has carried out major studies on the economic impact of IPR on industry (with the EPO) and on the perception of citizens. It has also published sectoral studies showing the impact of counterfeiting and piracy within the EU, and, in association with the OECD, its impact on international trade. Other studies published include those on business models used in the online infringement of IPR, voluntary cooperation practices in combating infringement, IP in education, and a situation report on counterfeiting in the EU, which was published jointly with Europol in 2015.

Taken together, these studies form a 'trilogy' of broad themes. The first theme is the positive contribution of IP rights to the economy and society; the second looks at the knowledge and perception of IP and IPR among citizens; and the third examines the extent and impact of IPR infringement.

IP needs a new narrative that describes and illustrates it, not as an end in itself, but as an instrument that rewards innovation and creativity and acts as a means of consumer protection in terms of quality and other attributes, thereby ensuring wider benefits for society.

In the next few years, the Office, acting through the Observatory, will continue to build on its research within the framework of this trilogy. The IP Contribution study on IPR-intensive industries will be repeated every three years in order to gauge the evolution of the role of IP in the EU economy, and the firm-level study will be repeated and expanded in 2018 or 2019. Similarly, the IP Perception study will also be repeated at periodic intervals to detect trends in the evolution of attitudes towards IP rights among the population, and to examine more closely the attitudes of young people and children. A Youth Scoreboard survey will be carried out on the 15-24 age group, while research will also target younger children to assess their positioning vis-à-vis IP.

One of the findings from the IP Contribution study is that the majority of SMEs own no IP rights, even though those that do perform better in economic terms. A follow-up study, the SME Scoreboard (which will also be repeated periodically), will examine the reasons behind the low level of usage of IP rights among SMEs, with a particular focus on any barriers they may encounter when trying to protect their IP.

These Observatory studies form a 'trilogy' of broad themes: 1 - the positive contribution of IP rights to the economy and society; 2 - the knowledge and perception of IP and IPR among citizens; and 3 - the extent and impact of IPR infringement.

will demonstrate the 'how' as regards infringement, by exposing the methods used to bring the infringing products and services to the consumer. The goal is to develop a complete map and understanding of the business models used, the different supply chains and the roles of intermediaries, facilitators and enablers.

A second set of infringement-related studies will continue to examine the economic impact of infringement, taking into account its costs to both the private and public sectors. A major study carried out jointly with the OECD, to be published in 2016, will quantify the volume of trade in counterfeit goods in the EU and globally. In parallel, the Office will continue to carry out sectoral studies on counterfeiting and will also endeavour to extend the methodology to piracy of digital content. A study of infringement of geographical indications began in 2015 that will also be completed in 2016. In cooperation with the European Commission's Joint Research Centre, the extent of infringement and its impact on digital content industries, such as the music, film or e-book industry, will be quantified. Taken together, these studies will provide as full a picture as possible of the economic cost of IPR infringement to the EU economy and society.

Further studies on the functioning of the IP system and the role of IP rights will examine the role played by public domain works serving as a basis for further creations, and studies on the importance of trade secrets for European companies. Finally, the Office will conduct a feasibility study to examine the possibility of integrating IPR infringement estimates into national accounts' measurements, using Satellite Accounts as the vehicle.

For these studies to be effective in providing evidence-based research for use by policymakers and for public awareness activities, it is important that they are impartial and accurate. This will be achieved by full transparency regarding the methodology, and by including, where appropriate, peer review or other formal feedback, depending on their scope and timescale.

The third leg of the trilogy of studies, dealing with infringement, will also see significant efforts in the next few years. IP infringements are carried out through a number of substantially different and constantly developing business models. Studies will focus on the involvement of a number of intermediaries, facilitators and enablers in both the physical and the online world. The Observatory is also currently undertaking mapping of different industry sectors to identify the legal and the illegal supply chains of products and services, including where the legal supply chain is breached by the illegal supply chain. These studies

5.6.3 OBJECTIVE 6.3: STRENGTHEN COOPERATION AND KNOWLEDGE-SHARING WITH AND AMONG ENFORCEMENT AUTHORITIES

IP rights are only effective if they can be effectively enforced. There is, therefore, the need to enhance the expertise of the persons involved in IP enforcement activities, including customs, police, regulatory services, prosecutors and judges.

Increasing knowledge of best practice strategies, approaches and techniques is vital for enforcement stakeholders and other key players. The Office, through the Observatory, will foster the identification and adoption of best practices by engaging experts to identify good enforcement practices and produce reports to be peer-reviewed by experts within Observatory working groups, relevant enforcement authorities and representatives from Member States in the Observatory. As a result, reports and results produced in cooperation with partners will be distributed to Member States and EU authorities and institutions, as well as to the Observatory stakeholders, in order to exchange information about relevant cases and experiences; encouraging training opportunities and sharing of IP enforcement know-how, expertise and good practice; fostering dialogue with public and private enforcement experts; and exploring successful approaches or systems across EU Member States, aiming to encourage adoption of the most effective measures across the EU.

In order to follow up on the main conclusions of the best practices' reports already undertaken, work will be carried out in collaboration with the relevant stakeholders to assist in the creation of interagency cooperation schemes in IP enforcement in those Member States where such schemes have still not been established and strengthen the cooperation and coordination between the Observatory and the existing national interagency networks.

The Office will continue working with Europol and other bodies, such as Eurojust, to develop and deliver knowledge-building events in specific sectors. These events are attended by police and customs officers, and potentially also by prosecutors and judges. At the same time, the regionally based model of holding workshops throughout the EU targeting local judges, prosecutors, customs and police will continue. The workshops involve private sector stakeholders and address the knowledge requirements for each specific region. DG Taxation and Customs Union, CEPOL and Eurojust are involved in this initiative to liaise with customs, police and judiciary authorities in the relevant region. Specialised courses and user-friendly e-learning tools are being developed in collaboration with CEPOL and Europol (for police authorities), and DG Taxation and Customs Union (for customs), addressing specific topics such as investigative techniques in IPR infringement cases (for police officers), small consignments (for customs) and use of existing databases that can help in IPR enforcement (for both police and customs).

In order to ensure that efforts in this area capitalise on existing work through coordination and collaboration, and to avoid duplication, a Coordination Group was created in 2014 to discuss priorities, trends and joint initiatives. This group is formed by agencies/organisations such as DG Taxation and Customs Union, OLAF, Europol, CEPOL, Eurojust, WIPO, Interpol and WCO. It meets once a year to discuss, develop and coordinate ongoing activities in the area of knowledge building in IPR enforcement. In the future, the group could also form a think tank to spot new training needs and set up joint programmes to meet those needs.

In order to help step up the fight against IPR infringements, the Office has fostered close cooperation with the two law enforcement authorities of the EU, Europol and Eurojust. Europol and the Office have signed a collaboration agreement and a grant agreement that will enable the Office to contribute EUR 500 000 to Europol activities. A prosecutors' network is being set up in collaboration with Eurojust. It is foreseen that by 2020, thanks to their cooperation with the Office, Europol and Eurojust will have increased the number of actions they coordinate to tackle large-scale IPR infringements. The Office has agreed to collaborate with CEPOL to create a virtual IP training centre for enforcement authorities and to invite Europol, Eurojust and the European Judicial Training Network to join this project in due course.

The Anti-Counterfeiting Intelligence Support Tool (ACIST) database is becoming an increasingly important knowledge-sharing tool for enforcers. This tool is a central repository to collect statistics on seizures carried out at EU borders and within the EU internal market. The aim is to help the Observatory and Member State authorities to analyse and identify infringement trends. The tool is fed with data provided by DG Taxation and Customs Union (border-related information) and by police authorities from EU Member States. Work will be initiated to analyse methodologies used in different Member States for collecting, evaluating and exchanging data on counterfeiting and piracy and to assess whether opportunities for convergence can be identified.

In order to promote convergence of practices among Member States in the area of collection and analysis of enforcement-related jurisprudence, a repository of key judgments related to enforcement of IP rights rendered at national level in EU Member States has been created. An analysis of selected judgments that are considered of particular interest and importance will be prepared, and the scope of the repository (currently running as a pilot scheme with eight Member States) will be expanded to the entire EU. The information collected will be made available to the public in the Office's eSearch Case Law database.

In June 2014 the Office co-organised the International IP Enforcement Summit with the UK Intellectual Property Office and the European Commission. The summit was attended by over 300 senior delegates representing governments, policymakers, enforcement agencies and multinational businesses from within the EU and abroad. The feedback received was very positive and the Office decided to establish the summit as a periodical event to be organised in European capitals in collaboration with the European Commission and the relevant national and regional IP offices. The overriding objective is to foster increased engagement between national and EU partners in combating counterfeiting and piracy.

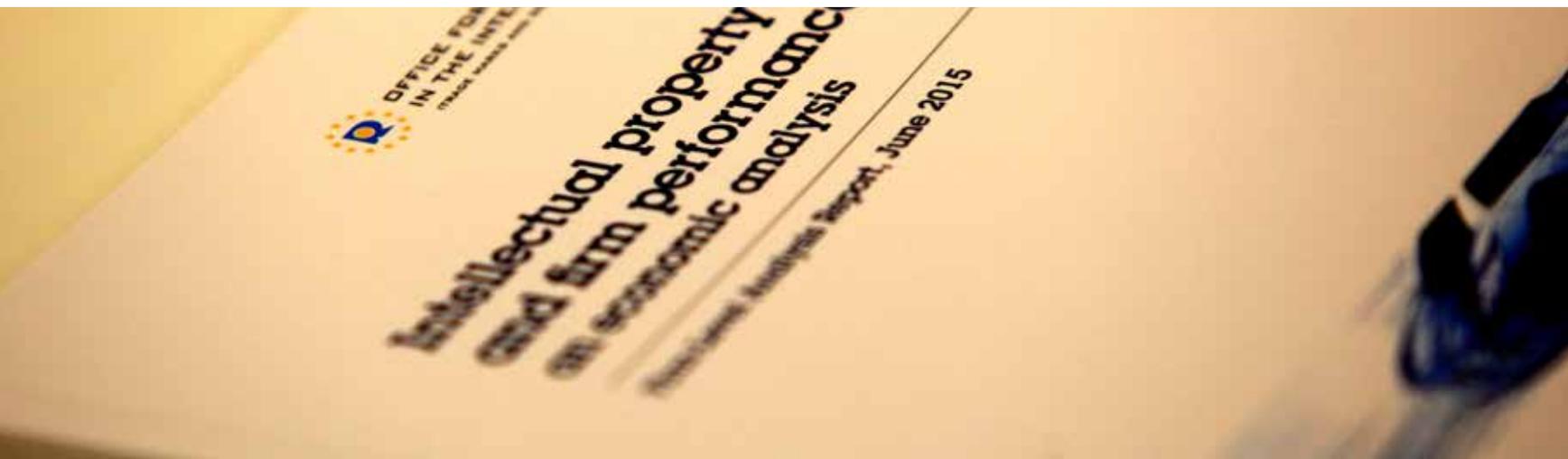
5.6.4 OBJECTIVE 6.4: SUPPORT EU BUSINESSES, IN PARTICULAR SMES, IN PROTECTING THEIR IP RIGHTS

SMEs are the backbone of the EU economy, and the results of the IP Contribution study demonstrate that IP rights are an economic asset for them. However, the study also demonstrates that more needs to be done to promote the advantages

of IP rights among SMEs. The aim should be to help SMEs explore the full potential of their IP. The results of the SME Scoreboard will help the Office to understand what awareness initiatives can be more effective in reaching SMEs and also help policymakers to identify where legislative interventions could be required to enable SMEs gain full advantage from their IP assets.

In order to contribute to improving access to high-quality professional advice for all users, including SMEs, the EUIPO will continue to widen the audience for the training it provides. The training, which is essentially designed for the Office's employees and employees of the national and regional IP offices, usually takes the form of on-site seminars, webinars and regional seminars.

In 2015, the Academy launched its first course intended exclusively for users and their representatives. The trade mark and design seminar for paralegals was a success, both in terms of the number of attendees (more than 100), and the feedback received.



The Office will investigate the feasibility of building on this initiative through the creation of a European Trade Mark and Design Education Centre, which would provide a high-level education for current and future IP professionals.

The implementation of such a programme would increase the knowledge and the professional development of the Office's employees, provide practice-oriented training within the framework of the Pan-European Seal and, finally, increase the knowledge of Office practice within the IP Community.

Another way in which the Office gives support to both business and enforcement authorities is through the deployment of tools designed to make it easier for companies to communicate with customs and other authorities. Due to the complex enforcement structures and networks that exist across the EU and the rest of the world, there is a growing need for more sophisticated, accessible and interlinked tools to allow authorities and rights holders to identify suspected infringing goods quickly and to have speedy and direct contact.

The Office, through the Observatory, is currently engaged in developing tools to help improve online exchange of information related to the enforcement of intellectual property rights, and to provide a central access point for many searchable databases of IP-related material, including tools such as TMview and DesignView. One such tool is the EDB, which is linked to TMview and DesignView, allowing data and information, including information provided by rights holders, to be made available to enforcement authorities.

The Office, the European Commission (DG Taxation and Customs Union) and Europol work closely together to ensure that this tool complements and is interoperable with systems already developed, thus creating an effective infrastructure to help law enforcement authorities within the EU to fight against counterfeiting. These include the COPIS system developed by DG Taxation and Customs Union, which enables electronic exchange of information between EU customs authorities. The Office also collaborates with the World Customs Organization (WCO) to make the Enforcement Database (EDB) interoperable with the WCO-IPM system, thus avoiding duplication of work and making it easier for rights holders to reach customs authorities outside the EU.

In the next few years, the EDB will be enhanced, by improving interoperability with the European Commission and WCO systems and by becoming available on mobile platforms, in order to enable police and customs authorities to use the tool in operational contexts.

Given the evidence in the European Commission's Single Market Strategy document published in October 2015, indicating that EU SMEs significantly underexploit the potential of IP rights to enhance their competitive performance, the Office will cooperate with national and regional IP offices and the Commission to contribute to a more coordinated and consistent approach to encouraging greater use of these rights. In line with the Commission's suggestion, this may include working towards better coordination of information desks and assistance programmes. The Office will also work closely with national and regional IP offices on issues related to the enforcement of IP rights where this is included in the remit of those offices.

One of the issues that the Office will seek to address is how to get better information about which rights owners are SMEs. This may be done in cooperation with other authorities, or by using already available commercial databases. Consideration will also be given to requesting such information from applicants in future upgrades to e-filing software. Other

developments being investigated include providing easy-to-access internet domain registration services in parallel with e-filing tools, in order to deliver an all-in-one service with increased security and improved timeliness and transparency.

European companies face many challenges when protecting their IP outside the EU. In order to help them in this effort, the Office has launched several initiatives, including providing country guides describing the situation in key non-EU countries in respect of IPR protection and working with the Commission in its programmes (e.g. IPR SME helpdesks) to support companies doing business in China, ASEAN and Latin America.

An important element in the effort to help companies enforce their IP rights outside the EU is the development of the ACRIS database, a web-based tool that will allow EU companies to report concrete cases of IPR infringement in non-EU countries and the respective follow-up by national authorities. This information will be enhanced by regular surveys on the status of IPR protection and enforcement in non-EU countries.

The vision for the three enforcement-related tools, the EDB, ACIST and ACRIS, is to merge them to create one enforcement platform intended to help rights holders (and/or their legal representatives) and enforcers to step up the fight against counterfeiting and piracy.

Among the improvements foreseen are single sign-on to enable right holders to access the enforcement tools using the same credentials and directly from the website area. In addition, customs and police officers should be able to register detentions and transfer data to the COPIS and ACIST database without needing to key-in data again. The interconnection with other police forces will be a priority for growth with enforcement authorities in the coming years. Permitting a secure and identified access through the Trans-European Services for Telematics Between Administrations (TESTA) network will enable more EU police forces to access the enforcement tools.

Meanwhile, a feasibility and pilot study has been launched examining the possibility of mapping the trade mark goods and services taxonomy used in product specifications with the customs tariff codes. This initiative is designed not only to ensure a coherent product description for both categories in the EDB, but also to make the work of the rights holder simpler. Depending on the results of the pilot programme, the mapping of the remaining trade mark goods and services classes with the corresponding tariff codes could be envisaged.

The vision for the three enforcement-related tools, the EDB, ACIST and ACRIS, is to merge them to create one enforcement platform intended to help rights holders and enforcers to step up the fight against counterfeiting and piracy.

The Office will also evaluate the feasibility of establishing, on an EU level, a digital platform enabling authors, inventors and other creators to upload their works to a central repository in a secure and confidential manner, in order to keep evidence of the date of creation or invention, similar to the *enveloppe Soleau* system. In considering this development, the Office will seek to draw upon, where appropriate, the experience of other IP offices that already operate similar systems.

5.6.5 OBJECTIVE 6.5: RAISE AWARENESS AMONG CITIZENS AND DECISION-MAKERS OF THE IMPACT AND VALUE OF IP RIGHTS

Raising awareness of IP rights among citizens builds on the results of the various studies carried out, which enable the Observatory network to build a fresh narrative around IP and to raise awareness of the importance of protecting IP among policymakers and citizens.

Awareness campaigns designed by the Office, and deployed nationally by IP offices and other relevant national authorities, will target and challenge specific perceptions identified through studies such as the IP Perception study, with tailored messages relying on evidence-based information or elements (studies, other projects, etc.), presented in a way best suited to the specific audiences.

The approach based on campaigns designed to be pan-European with national implementation will ensure that messages can be adapted to national contexts and be more cost-effective for the Office. In concrete terms, the Office will cooperate with national and regional IP offices and other national authorities to set up targeted campaigns designed on the basis of the national results of Observatory studies and market research. In addition, an annual fund for awareness campaigns carried out by private sector organisations has been set up, in order to further support initiatives in the Member States in this area.

In order to provide a showcase for the increasing importance of designs, in 2016 the Office launched an annual award programme, DesignEuropa, aiming to recognise companies for design excellence and to promote the registered Community design (RCD). The scheme will pay special attention to successful design management and introduction to the market, making use of the RCD. Awards will be available for three categories: industry, small enterprises/start-ups, and lifetime achievement. It is planned to hold the award ceremony in the final quarter of 2016 and to run the event every two years.

The IP Perception study revealed that there is a particular need to address the youth segment with awareness-raising efforts. This has resulted in further studies focused on children and young people, including the study on IP in Education and the Youth Scoreboard. Another strand in this workflow includes social media and online activities designed to build

the community and leverage support among youngsters for the development and deployment of future campaigns. The vision for 2020 is to have greater awareness of IP and the related issues of counterfeiting and piracy among youngsters and children via integration of some IP elements in school curricula and as part of extra-curricular activities with stakeholder cooperation. The aim is to create a personal link between IP and young people and develop an emotional perception of IP. For children, the objective is to start to offer some education on IP and its components, as well as to generate respect for IP. As is the case with general awareness-raising campaigns, the 'raw material' for the campaigns targeting youngsters comes from the studies carried out by the Observatory. However, the message must be appropriately tailored to the relevant age group.

Following the IP in Education study published in 2015, the Observatory will create and coordinate a specialised IP Education Network made up of representatives of the Ministries of Education and specialised stakeholders, with the aim of jointly developing appropriate resources and tools featuring IP for teachers and pupils.

The IP Perception study also showed that sometimes consumers are misled into buying counterfeit products or into downloading digital content from illicit sources, or that they have difficulty determining whether a particular product/service or sales channel is legitimate. Therefore, it is one of the tasks of the Observatory to assist consumers in differentiating legitimate from infringing sites better, both for physical goods and digital products. The first projects in this workflow have been launched, consisting in creating an online European aggregator of legal offers and setting up a list of frequently asked questions intended to help citizens put copyright in the context of their daily activities. Moreover, work has started in collaboration with the European Commission Joint Research Centre to produce a situation report on the status of technology that can empower rights holders, enforcers and citizens in the fight against counterfeiting.

The Orphan Works Database was set up by the Office in 2014, in line with the requirements of Directive 2012/28/EU. The main purpose of the database is to provide a single harmonised point of access to information about orphan works and to facilitate the exchange of such information between the beneficiary organisations (public libraries, educational establishments, museums, archives, film or audio heritage institutions and public-service broadcasting organisations), competent national authorities and the general public. The vision for 2020 is to make the database a successful European repository of information related to orphan works, in collaboration with the competent national authorities and the beneficiary organisations in the EU Member States and EEA countries.

Future activities include launching a grant scheme/open tender/competition for market competitors to develop online solutions (search engines, web browser plug-ins, etc.) to help consumers identify sites that sell counterfeit goods and/or offer unauthorised digital content.



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ANNEX I

GLOSSARY OF ACRONYMS

AB/BC	Administration Board and Budget Committee of the Office (now Management Board and Budget Committee)
ACIST	Anti-Counterfeiting Intelligence Support Tool
ACRIS	A web-based database tool that will allow EU companies to report concrete cases of IPR infringement in non-EU countries
AD	Administrator function group
ASEAN	Association of Southeast Asian Nations
AST	Assistant function group
CEPOL	European Police College
COPIS	(also known as SIPOC) Customers outputs, process, inputs, suppliers
CPVO	Community Plant Variety Office
CTM	Community trade mark (now European Union trade mark)
DG	Directorate-General
DS-XML	Design Extensible Markup Language
EDB	Enforcement Database
EEA	European Economic Area
EJTN	European Judicial Training Network
EPO	European Patent Office
EPSO	European Personnel Selection Office
ERP	Enterprise Resource Planning
ETMDN	European Trade Mark and Design Network (now the European Union Intellectual Property Network)
EU	European Union
EUIPN	European Union Intellectual Property Network (formerly European Trade Mark and Design Network)
EUIPO	European Union Intellectual Property Office (formerly OHIM)
EUTM	European Union trade mark (formerly Community trade mark)
EUTMR	European Trade Mark Regulation
GDP	Gross domestic product
GI	Geographical indication
HDB	Harmonised Database
HR	Human Resources
IIWG	Interinstitutional Working Group



IP	Intellectual Property
IPR	Intellectual Property right
ISO	International Organization for Standardization
IT	Information Technology
JPO	Japan Patent Office
JRC	Joint Research Centre
KIPO	Korean Intellectual Property Office
LoA	Line of Action
MB/BC	Management Board and Budget Committee of the Office (formerly Administrative Board and Budget Committee)
MFF	Multiannual Financial Framework
Observatory	European Observatory on Infringements of Intellectual Property Rights
OECD	Organization for Economic Cooperation and Development
OHIM	Office for Harmonization in the Internal Market
OLAF	The European Anti-Fraud Office
RCD	Registered Community design
SAIC	State Administration for Industry and Commerce of the People's Republic of China
SIPO	State Intellectual Property Office of the People's Republic of China
SME	Small and Medium-Sized enterprises
SNE	Seconded national expert
SP2020	Strategic Plan 2016-2020
TESTA	Trans-European Services for Telematics between Administrations
TM5/ID5	The world's five leading trade mark and design offices (the EUIPO, the Japan Patent Office, the Korean Intellectual Property Office, the State Administration for Industry and Commerce of the People's Republic of China and the United States Patent and Trademark Office)
TM-XML	Trade Mark Extensible Markup Language
USPTO	United States Patent and Trademark Office
UK	United Kingdom
WCO	World Customs Organization
WIPO	World Intellectual Property Organization



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ANNEX II

BALANCED SCORECARD

STRATEGIC KEY PERFORMANCE INDICATORS			
Principle	Strategic Goal	Code	Indicator Name
Collaborative Organisation	1. Improve operational effectiveness	1.1	Staff highly engaged
		1.2	Staff understanding of the Strategic Plan
		1.3	Staff contribution to the Strategic Plan
		1.4	Level of achievement of the Quality Service Charter objectives
		1.5	User satisfaction with customer services provided
		1.6	EUTM and RCD straight-through cases
		1.7	Incoming and outgoing electronic communications with our users
		1.8	Greenhouse gas emissions per on-site worker

STRATEGIC KEY PERFORMANCE INDICATORS			
Principle	Strategic Goal	Code	Indicator Name
International Cooperation / Collaborative Organisation	2. Enhance access to IP system and IP knowledge	2.1	User overall satisfaction
		2.2	Attendees' satisfaction with events
		2.3	Advertisement Value Equivalency for Observatory studies and reports
		2.4	Training courses delivered to our stakeholders
		2.5	Europeans demonstrating a good objective knowledge of IP
International Cooperation	3. Build network convergence with global impact	3.1	Multi-office users expressing satisfaction with the network convergence
		3.2	Usage of TMview, DesignView and TMclass
		3.3	E-filings in the network done using European Cooperation Projects (ECP) Tools
		3.4	Enforcement Database (EDB) usage by enforcement authorities

KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
Collaborative Organisation	LOA1 Build a dynamic and knowledgeable organisation	OB 1.1: Foster engagement in the organisation	1.1.1	Staff satisfaction with internal communication
			1.1.2	Staff satisfaction with the Office reputation
			1.1.3	Staff satisfaction with the Office management
			1.1.4	Days of absenteeism (short term)
			1.1.5	Days of absenteeism (long term)
		OB 1.2: Develop, retain and share knowledge across the organisation	1.2.1	Training days per employee
			1.2.2	Internal training satisfaction
			1.2.3	Staff consider appraisal process fair
			1.2.4	Examiners with multi-tasking profile
			1.2.5	Inter-departmental mobility rate
			1.2.6	Staff ability to work in several languages
			1.2.7	Former trainees contractually linked with the Office



KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
Collaborative Organisation	LOA1 Build a dynamic and knowledgeable organisation	OB 1.2: Develop, retain and share knowledge across the organisation	1.2.8	Trainees indicating that the traineeship facilitated their access to employment/further studies
			1.2.9	Cross-departmental collaboration
			1.2.10	Usage of knowledge repositories
			1.2.11	Numbers of hits on the e-learning platform
		OB 1.3: Optimise a sustainable workplace	1.3.1	Staff satisfaction with the workplace
			1.3.2	Infrastructure cost per on-site worker
			1.3.3	Paper saved as a result of digital strategy
			1.3.4	Paper consumption per on-site worker
			1.3.5	Toner consumption per on-site worker
			1.3.6	Water consumption per on-site worker
1.3.7	Energy consumed (gas + electricity) per on-site worker			
1.3.8	Quantity of renewable energy produced on-site			

KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
Collaborative Organisation	LOA1 Build a dynamic and knowledgeable organisation	OB 1.3: Optimise a sustainable workplace	1.3.9	Ratio of significant security breaches
			1.3.10	Time required to declare the premises completely evacuated
Collaborative Organisation	LOA2 Increase transparency and accountability	OB 2.1: Strengthen the financial management of the Office	2.1.1	Budget forecast accuracy (expenditure)
			2.1.2	Budget forecast accuracy (revenue)
			2.1.3	Budget forecast accuracy (carry over)
			2.1.4	Product unit cost
			2.1.5	Current Account and credit/debit card payments
		OB 2.2: Ensure swift alignment with all applicable regulations and implementing rules	2.2.1	Compliance with Internal Audit recommendations
			2.2.2	Number of non-conformities in certified management systems from external audits

KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
Collaborative Organisation	LOA2 Increase transparency and accountability	OB 2.2: Ensure swift alignment with all applicable regulations and implementing rules	2.2.3	Observations from European Court of Auditors
			2.2.4	Entries in the Register of Exceptions
			2.2.5	Processes implemented considering the Data Protection Officer opinion
			2.2.6	Tender offers processing timeliness
		OB 2.3: Strengthen prevention and detection of fraud	2.3.1	Staff awareness of anti-fraud strategy
			2.3.2	Risk level of fraud-related risks (ERM)
		OB 2.4: Ensure sustainability of the Office for the future	2.4.1	Reporting on sustainability and benefits

KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
Collaborative Organisation	LOA3 Foster an effective and secure digital environment	OB 3.1: Streamline operations with advanced digital tools	3.1.1	Procedures initiated and executed digitally
		OB 3.2: Strengthen IT security	3.2.1	IT security incidents
		OB 3.3: Maintain and improve service availability of systems	3.3.1	Office tools availability
		OB 3.4: Ensure cost effectiveness	3.4.1	IT investment in new projects and initiatives versus total IT cost
			3.4.2	IT cost per IT user



KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
International Cooperation	LOA4 Intensify network engagement	OB 4.1: Support and strengthen cooperative networks for greater convergence	4.1.1	% of harmonised offices per project
			4.1.2	Execution rate of European cooperation agreements
		OB 4.2: Extend reach of existing tools and databases	4.2.1	Trade marks available in TMview
			4.2.2	Designs available in DesignView
			4.2.3	Usage of Similarity
			4.2.4	Stakeholders satisfied with EU-funded projects
			4.2.5	Non-EU offices implementing tools and practices
		OB 4.3: Enhance common tools and databases with new functionalities	4.3.1	User satisfaction with TMview, DesignView and TMclass
			4.3.2	National offices satisfaction with ECP Tools (Back Office)

KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
International Cooperation	Intensify network engagement	OB 4.4: Create new IP tools and databases	4.4.1	Usage of national court judgments database
		OB 4.5: Strengthen networks of EU agencies	4.5.1	Visits to landing page of EU agencies' extranet
Collaborative Organisation	LOA5 Enhance customer-driven quality services	OB 5.1: Further integrate user perspective in delivery of products and services	5.1.1	User satisfaction with the Office's decision(s) predictability
			5.1.2	Users awareness of the Office's Guidelines
		OB 5.2: Increase the proportion of straight-through files processed by improving predictability	5.2.1	EUTMAs automatically classified
			5.2.2	EUTMAs filed using Fast Track
			5.2.3	Designs filed using Fast Track
			5.2.4	EUTMA expressions automatically classified
5.2.5	Formalities' deficiency rate			



KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
Collaborative Organisation	LOA5 Enhance customer-driven quality services	OB 5.2: Increase the proportion of straight-through files processed by improving predictability	5.2.6	Classification deficiency rate
			5.2.7	AG objection rate
			5.2.8	RCD deficiency rate
		OB 5.3: Optimise team working for high-quality delivery	5.3.1	Areas of expertise in the teams
			5.3.2	Staff satisfaction on teamwork
			5.3.3	Index automatic translation (at source language)
			5.3.4	Appeals confirmation rate <i>ex parte</i> decisions
			5.3.5	Appeals confirmation rate <i>inter partes</i> decisions
			5.3.6	General Court confirmation rate

KEY PERFORMANCE INDICATORS				
Principle	Line of Action	Strategic Objective	Code	Indicator Name
International Cooperation	LOA6 Strengthen the Intellectual Property System	OB 6.1: Contribute to harmonised implementation of the legislative reform	6.1.1	Implementation of the legislative reform in the office
		OB 6.2: Deliver evidence-based research on key areas of IP	6.2.1	Downloads of relevant papers/publications from the Observatory website
			6.2.2	Stakeholders perception on the quality of the studies carried out by Observatory
			6.2.3	Observatory website visitors
		OB 6.3: Strengthen cooperation and knowledge-sharing with and among enforcement authorities	6.3.1	Studies and reports published by Observatory
			6.3.2	User satisfaction with the Enforcement Tools
			6.3.3	Enforcement Database usage by rights holders
		OB 6.4: Support EU business, in particular SMEs, in protecting their IP rights	6.4.1	SME's use of Intellectual Property
			6.4.2	SME's knowledge of term 'Intellectual Property Rights'
			6.4.3	New direct filers
			6.4.4	External stakeholders training satisfaction



KEY PERFORMANCE INDICATORS

Principle	Line of Action	Strategic Objective	Code	Indicator Name
International Cooperation	LOA6 Strengthen the Intellectual Property System	OB 6.5: Raise awareness among citizens and decision-makers of the impact and value of IP rights	6.5.1	products over the last 12 months
			6.5.2	15 to 24 year-olds that downloaded or accessed copyright-protected content illegally over the last 12 months
			6.5.3	Europeans awareness of legal offers for downloading or streaming music
			6.5.4	Usage of Orphan Works Database
			6.5.5	Number of works in the Orphan Works Database
			6.5.6	Press coverage (external communication)



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ANNEX III

STRATEGIC BENEFITS

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Talent Management: 360-degree Feedback	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.1: Foster engagement in the organisation	Human: Staff Engagement	Organisational cultural change through participation in 360-degree feedback
Talent Management: IP Competition	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.2: Develop, retain and share knowledge across the organisation	Human: Staff Engagement	Retained qualified workers successful in the EPSO competition
Knowledge Repository - Next Generation	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.2: Develop, retain and share knowledge across the organisation	Human: Knowledge generation and Sharing	Increased user satisfaction when using the Knowledge Repository Knowledge Sharing within the Office
e-Library Portal	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 2: Enhance access to IP system and IP knowledge	Objective 1.2: Develop, retain and share knowledge across the organisation	Human: Knowledge Generation and Sharing	Improved accessibility and rapid access to relevant knowledge resources



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Integration of EUIPO's Campus	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace	Organisational: Operational Excellence Human: Staff Engagement	Guarantee sustainability of work space availability for the pursuit of the EUIPO's mission Single security concept across the campus by integration of all buildings into one plot
Construction of a New Building	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace	Organisational: Operational Excellence	Guarantee sustainability of work space availability for the pursuit of the EUIPO's mission Availability of interaction areas Increase in the use of renewable energy
Refurbishment of the Buildings	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace	Organisational: Operational Excellence Human: Staff Engagement	Guarantee sustainability of work space availability for the pursuit of the EUIPO's mission Availability of interaction areas

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Increasing the Security Levels	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace.	Organisational: Operational Excellence	<p>Improved control and access of external visitors to critical areas, while enabling the expansion of external network activities</p> <p>Enhanced emergency response by knowing in which areas of the building people are in case of emergency</p> <p>Increased satisfaction with the increased security levels</p>
Further Automation of Facilities Management and Control	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace.	Organisational: Operational Excellence	Efficiency gains in facility management
Enhanced emergency response by knowing in which areas of the building people are in case of emergency	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace.	Organisational: Operational Excellence	Efficiency gains on facility management



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Reduction of EUIPO's Environmental Impact	Line of Action 1: Build a dynamic and knowledgeable organisation	Goal 1: Improve operational effectiveness	Objective 1.3: Optimise a sustainable workplace	Environmental: Energy Efficiency Environmental : Carbon Footprint Environmental : Consumptions and Waste	Increased energy efficiency Reduction of greenhouse emissions. Sustainability of utilities consumption Increase in the use of renewable energy
ISO 9001:2015	Line of Action 2: Increase transparency and accountability	Goal 1: Improve operational effectiveness	Objective 2.4: Ensure sustainability of the Office for the future	Organisational: Operational Excellence	ISO 9001:2015 certification achieved Efficient management systems structure Structured management of stakeholders based on an office wide policy
Corporate Sustainability Framework	Line of Action 2: Increase transparency and accountability	Goal 1: Improve operational effectiveness	Objective 2.4: Ensure sustainability of the Office for the future	Organisational: Operational Excellence	Alignment of Office with international sustainability standards Improved Office Reputation through the perception users have of the EUIPO as a sustainable organisation

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Implementation of e-ordering	Line of Action 2: Increase transparency and accountability	Goal 1: Improve operational effectiveness	Objective 2.1: Strengthen the financial management of the Office	Organisational: Operational Excellence	Optimised budget establishment and execution processes Real-time monitoring of purchasing operations
Implementation of e-procurement	Line of Action 2: Increase transparency and accountability	Goal 1: Improve operational effectiveness	Objective 2.2: Ensure swift alignment with all applicable regulations and implementing rules	Organisational: Operational Excellence	Efficient and reliable tender, contracting, purchasing and invoicing operations
Fees Payment and Fees Management	Line of Action 2: Increase transparency and accountability	Goal 1: Improve operational effectiveness	Objective 2.1: Strengthen the financial management of the Office	Organisational: Operational Excellence	Better payment service offering Efficiency gains



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
IP Tool Programme	Line of Action 3: Foster an effective and secure digital environment	Goal 1: Improve operational effectiveness	Objective 3.1: Streamline operations with advanced digital tools	Organisational: Operational Excellence Organisational: Quality of the Application	<p>Other Recordals:</p> <p>Enhanced operational effectiveness</p> <p>Enhanced user experience and flexibility</p> <p>Simplification of EUIPO's IT infrastructure</p> <p>Register:</p> <p>Enhanced operational effectiveness</p> <p>User empowerment</p> <p>Single access point to full IP right history</p> <p>Publication:</p> <p>Increased efficiency in publication of IP rights</p> <p>Transparency and ease of use</p> <p>Availability of the information</p>

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
IP ART Programme	Line of Action 3: Foster an effective and secure digital environment	Goal 2: Enhance access to IP system and IP knowledge	Objective 3.1: Streamline operations with advanced digital tools	Organisational: Operational Excellence Organisational: Quality of the Application	<p>Inter Partes:</p> <p>Increased user satisfaction regarding <i>inter partes</i> proceedings Enhanced operational effectiveness</p> <p>Ex Parte Trade Marks:</p> <p>Increased user satisfaction regarding <i>ex parte</i> trade marks proceedings Enhanced operational effectiveness Simplification of EUIPO's IT infrastructure</p> <p>Ex Parte Designs:</p> <p>Increased user satisfaction regarding <i>ex parte</i> designs proceedings Enhanced operational effectiveness</p> <p>Simplification of EUIPO's IT infrastructure</p>



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
IP Tool BoA and Litigation Programme	Line of Action 3: Foster an effective and secure digital environment	Goal 2: Enhance access to IP system and IP knowledge	Objective 3.1: Streamline operations with advanced digital tools	Organisational: Quality of the Application Organisational: Operational Excellence	e-Appeal: Increased user satisfaction regarding appeal proceedings Enhanced operational effectiveness
Business Analytics and Big Data Platform	Line of Action 3: Foster an effective and secure digital environment	Goal 1: Improve operational effectiveness	Objective 3.1: Streamline operations with advanced digital tools	Organisational: Operational Excellence	Improved and more efficient monitoring and reporting of operational workload
Mobile Solutions	Line of Action 3: Foster an effective and secure digital environment	Goal 1: Improve operational effectiveness	Objective 3.1: Streamline operations with advanced digital tools	Organisational: Quality of the Application	Increased user satisfaction with the technological options available
Cloud Strategy	Line of Action 3: Foster an effective and secure digital environment	Goal 1: Improve operational effectiveness	Objective 3.4: Ensure cost effectiveness	Economic: Financial Effectiveness Organisational: Operational Excellence	IT maintenance costs savings Increase IT agility Simplification of the IT infrastructure

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Enterprise Resources Planning (ERP)	Line of Action 3: Foster an effective and secure digital environment	Goal 1: Improve operational effectiveness	Objective 3.1: Streamline operations with advanced digital tools	Economic: Financial Effectiveness Human: Talent Culture	Improved transparency and accountability in budget preparation and control Improved multiannual and annual resources planning through the use of a single tool for Finance and Human Resources management Increased availability of staff for more added value tasks
Increase IT Security	Line of Action 3: Foster an effective and secure digital environment	Goal 1: Improve operational effectiveness	Objective 3.2: Strengthen IT Security	Organisational: Operational Excellence	Increased IT security levels through high-performance threat intelligence Reinforced IT support of antifraud policy
ECP1 Consolidating and completing the CF landscape	Line of Action 4: Intensify network engagement	Goal 3: Build network convergence with global impact	Objective 4.2: Extend reach of existing tools and databases Objective 6.4: Support EU businesses, in particular SMEs, in protecting their IP rights	Social & Relational: Institutional Collaboration and Networks	Convergence of tools achieved Satisfied users with the existing Network tools



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
ECP2 major improvements to existing CF tools	Line of Action 4: Intensify network engagement	Goal 3: Build network convergence with global impact	Objective 4.3: Enhance common tools and databases with new functionalities	Social & Relational: Institutional Collaboration and Networks	<p>Major Improvements to Back Office</p> <p>Improved operational efficiency in IP Offices</p> <p>Major Improvements to Front Office</p> <p>Enhanced user satisfaction with the existing Network tools</p> <p>Major Improvements to TMview and DesignView</p> <p>Convergence of tools achieved</p> <p>Major Improvements to Quality Suite</p> <p>Increased usage of the Network tools</p> <p>Major Improvements to Common Gateway</p> <p>Enhanced user satisfaction with the existing Network tools</p>

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
ECP3 New Tools	Line of Action 4: Intensify network engagement	Goal 3: Build network convergence with global impact	Objective 4.4: Create new IP tools and databases	Social & Relational: Institutional Collaboration and Networks	<p>Academy e-Learning Portal</p> <p>Enhanced knowledge sharing</p> <p>Search Image for Designs</p> <p>Improved quality of Designs search services provided to users</p> <p>Search Image for Trade Marks</p> <p>Improved quality of TM search services provided to users</p> <p>IP User Repository</p> <p>Improved quality of IP owners' and representatives' data available in relevant tools and databases</p> <p>Decision Desktop</p> <p>Faster and consistent decision-drafting process</p> <p>Digital Case Law Repository</p> <p>Free and publicly available case law information</p> <p>Search ability, public awareness, and legal certainty</p> <p>Integrated Multiple Assessment Solution (IMAS)</p> <p>Improved predictability of first instance actions and decisions</p>



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
ECP4 Shared Services and Practices	Line of Action 4: Intensify network engagement	Goal 3: Build network convergence with global impact	Objective 4.1 Support and strengthen cooperative networks for greater convergence	Social & Relational: Institutional Collaboration and Networks	<p>EU Cooperation Administration Portal</p> <p>Improved budget planning and reporting</p> <p>Improved administration of EU cooperation agreements</p> <p>Convergence Analysis Project</p> <p>Better project identification and agreement between users and IPOs prior to launch (scalable convergence, clear challenges and relevant projects)</p> <p>Collaborative Network</p> <p>Increased cooperation among the networks members</p> <p>Generate network knowledge on selected areas</p>

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
ECP5 Supporting the Network	Line of Action 4: Intensify network engagement	Goal 3: Build network convergence with global impact	Objective 4.1 Support and strengthen cooperative networks for greater convergence	Social & Relational: Institutional Collaboration and Networks	<p>Deployed Project Managers and Technical Support</p> <p>Technical capacity and knowledge exchange of the Trade Mark and Designs Network</p> <p>Project Management Certification for IP Offices</p> <p>Improved NOs capacity to manage projects</p> <p>Capture and Store Historical Files</p> <p>Easy and rapid access to digitalised IP rights dossiers related documentation</p> <p>Support to Quality Certification for IP Offices</p> <p>Improved administrative capacity of IP offices</p>



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Extension of Tools and Support to Observatory in 'non-EU countries	Line of Action 4: Intensify network engagement	Goal 3: Build network convergence with global impact	Objective 4.2: Extend reach of existing tools and databases	Social & Relational: Institutional Collaboration and Networks Social & Relational: IP awareness and Education	Increased cooperation to converge tools and practices Increased public awareness on IP rights and infringements thereof Enhanced knowledge sharing, skills and methodologies
OD Balanced Performance Tool	Line of Action 5: Enhance customer-driven quality services	Goal 1: Improve operational effectiveness	Objective 5.3: Optimise team working for high-quality delivery	Organisational: Operational excellence Human: Staff Engagement	Improved management of operational workload Optimised engagement of core business staff
<i>Ex Ante</i> Product Quality Audits (Trade Marks and Designs)	Line of Action 5: Enhance customer-driven quality services	Goal 1: Improve operational effectiveness	Objective 5.2: Increase the proportion of straight-through files processed by improving predictability Objective 5.3: Optimise team working for high-quality delivery	Organisational: Quality of the Product	Increased consistency of first instance actions and decisions Harmonised quality assurance proceedings

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Stakeholders Quality Assurance Panels (SQAP)	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.1: Further integrate user perspective in delivery of products and services	Organisational: Quality of the Product	Office product compliant with the Guidelines
New Generation Guidelines	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.1: Further integrate user perspective in delivery of products and services	Organisational: Quality of the Application	Enhanced user experience in the use of the Guidelines
Data Dissemination Platform	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.1: Further integrate user perspective in delivery of products and services	Social & Relational: IP Awareness and Education	Easier, transparent and free access to IP system related information
Maximise HDB Usage	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 4.2: Extend reach of existing tools and databases	Organisational: Quality of the Application	Harmonised high quality of translations Improved definition of scope of protection



Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Sustainable Customer Services	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.1: Further integrate user perspective in delivery of products and services	Organisational: Quality of the Service	Professional and efficient customer self-service solutions
Multilingual Communication Management	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.1: Further integrate user perspective in delivery of products and services	Organisational: Quality of the Service	Efficiency gains in the translation process Improved quality of communications towards the end user Cost-effectiveness
Legislative Reform: Update of Guidelines	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Organisational: Operational Excellence	User satisfaction with the improved sustainable customer services
Key User Programme	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.1: Further integrate user perspective in delivery of products and services	Organisational: Quality of the Service Organisational: Quality of the Application	Enhanced user satisfaction resulting from higher predictability and more personalised and effective customer care Increase rate of files automatically processed and reduce deficiencies Increase digital engagement of users

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
E3U Programme (Efficient Examination and Users' Empowerment)	Line of Action 5: Enhance customer-driven quality services	Goal 2: Enhance access to IP system and IP knowledge	Objective 5.2: Increase the proportion of straight-through files processed by improving predictability	Organisational: Quality of the Application	Improved predictability of first instance actions and decisions Enhanced user satisfaction Efficiency gains in the examination process
Legislative Reform: Office Implementation	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Organisational: Operational Excellence	Full compliance with the new legislation
Legislative Reform: Update of Guidelines	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Organisational: Operational Excellence	Full compliance with the new legislation
Legislative Reform: Mediation Centre at EUIPO: Impact Analysis	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Economic: Value for Industry	Sound business case
Legislative Reform: Change of Name – Corporate Identity	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Organisational: Operational Excellence Social & Relational: IP awareness and education	Harmonised corporate identity of the organisation Reduction of potential frauds (impersonation)

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Legislative Reform: Implementing and Delegated Acts	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Organisational: Operational Excellence	Full compliance with the new legislation
Legislative Reform: Supporting the Transposition of the Directive	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.1: Contribute to harmonised implementation of the legislative reform	Social & Relational: Institutional Collaboration and Networks	Increased harmonisation and full transparency across the IP Network
E-Learning Portal - Next Generation	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.5: Raise awareness among citizens and decision-makers of the impact and value of IP rights	Social & Relational: IP Awareness and Education Human: Knowledge generation and sharing	Increased users' satisfaction with the provided learning solutions Increased accessibility to comprehensive IP knowledge Fostering knowledge generation and dissemination
European Trade Mark Education Centre	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 1.2: Develop, retain and share knowledge across the organisation	Social & Relational: IP Awareness and Education	Knowledge sharing & professional development

Project or Programme	Line of Action	Strategic Goal	Strategic Objective	Capitals	Benefits Sought
Orphan Works Deployment	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.5: Raise awareness among citizens and decision-makers of the impact and value of IP rights	Social & Relational: IP Awareness and Education	Increased preservation and dissemination of European cultural heritage Free and publicly available information on orphan works
DesignEuropa Awards	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.5: Raise awareness among citizens and decision-makers of the impact and value of IP rights	Social & Relational: IP Awareness and Education	Increased awareness on the advantages of the RCD system
EUIPO Virtual Training Centre	Line of Action 6: Strengthen the Intellectual Property system	Goal 2: Enhance access to IP system and IP knowledge	Objective 6.3: Strengthen cooperation and knowledge-sharing with and among enforcement authorities	Social & Relational: IP Awareness and Education Social & Relational: Institutional Collaboration and Networks Economic: Value for Industry	Enforcement authorities staff aware of the latest trends developments in IP protection area





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ANNEX IV

EUTM FILINGS FORECAST

Given the significant rise in growth rates for EUTM filings in 2015 and in the first months of 2016, the Office no longer considers it reasonable to use the historical growth rate, of 5 % to forecast EUTM filings. In fact, recent growth has been in the 11-12 % range, which is 6-7 % above the historical rate. This new trend has a significantly impact on workloads, present and future staff needs, and revenue estimations.

Consequently, the Office has sought a methodology that takes account of the new reality in order to allow better planning. The current Annex provides a brief explanation of the methodology used to generate the revised EUTM filing forecast for the period 2016-2020 for use in the Strategic Plan 2020 generally, and the Multiannual Staffing Strategy in particular.

The method chosen for the new forecast is known as time series analysis. The purpose of time series analysis is to study the dynamics or temporal structure of data series, such as the series of monthly EUTM filings. The data used for the analysis includes monthly direct EUTM filings and IRs (data extracted 01/04/2016) for the period 01/2005 to 03/2016.

Time series analysis uses this data to determine the model based on its temporal structure, without imposing any economic theory.

Several methods and approaches for time series analysis have been developed. However, since the early 1970s, the most used approach is the so-called Box-Jenkins approach, which uses models known as ARIMA (autoregressive integrated moving average models). ARIMA basically consists of extracting the predictable movements from the observed data. ARIMA models are particularly useful when many different factors influence the variable of interest so that it is difficult to isolate the effect of each one.

These models are widely used due to their generality and easy interpretation and they often deliver better forecast performance than econometric models. There are also well-documented computer programs that can easily identify and estimate ARIMA models and provide forecasts based on the identified models.

In an ARIMA model, the time series is decomposed into several components called filters: the autoregressive (AR), the integration (I) and the moving average (MA). These filters essentially take into account the trend, seasonal effects and statistical characteristics of the data.

A time series follows an auto-regressive process of order p , $AR(p)$, if the current value of the time series in the period t can be expressed as a linear function of the p previous values of the series, in periods $t, t-1, t-2 \dots t-p$.

The integration filter expresses whether the original data needs to be differentiated to be stationary or not. A stationary time series has constant mean and variance and autocorrelation between two periods only depends on the time interval.

Many time series are characterised by movements along a trend and do not have a stable variance. Such time series are not stationary but can be transformed into stationary ones by taking differences. If a series requires d differences to become stationary, it is Integrated of order d , $I(d)$.

A Moving Average of order q $MA(q)$ expresses the current value of the series as a linear function of the current and previous errors or shocks.

Thus, an $ARIMA(p,d,q)$ model combines the $AR(p)$ and $MA(q)$ models in a series with d differences.

The parameters p , d and q are estimated from the historical data. This is referred to as identification of the model. This procedure was carried out separately for direct EUTM filings and IRs.

Once the order of the $ARIMA$ model has been identified and the model has been estimated based on n observations, it can be used to generate forecasts for future periods. The value of the time series in time $n+k$ is called a k -periods-ahead forecast and it is obtained as a linear function of past data and past errors assuming that underlying trends do not change. A key characteristic of this method is that more recent values of the variable of interest (here, EUTM filings) have a greater influence on the forecast than values from the more distant past. In creating the forecast, an automatic procedure for outlier detection was also used to take into account important events such as the fee reduction in 2009.

The resulting forecast of EUTM filings for 2016-2020 is shown in the table below.

	Direct	Growth %		IRs	Growth %		TOTAL	Growth
2015	108 502			21 886			130 388	
2016	121 548	12.0		24 132	10.3		145 679	11.7
2017	132 330	8.9		26 313	9.0		158 643	8.9
2018	143 766	8.6		28 184	7.1		171 950	8.4
2019	156 194	8.6		30 055	6.6		186 249	8.3
2020	169 697	8.6		31 926	6.2		201 623	8.3



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ANNEX V

FINANCIAL IMPACT OF THE STRATEGIC PLAN

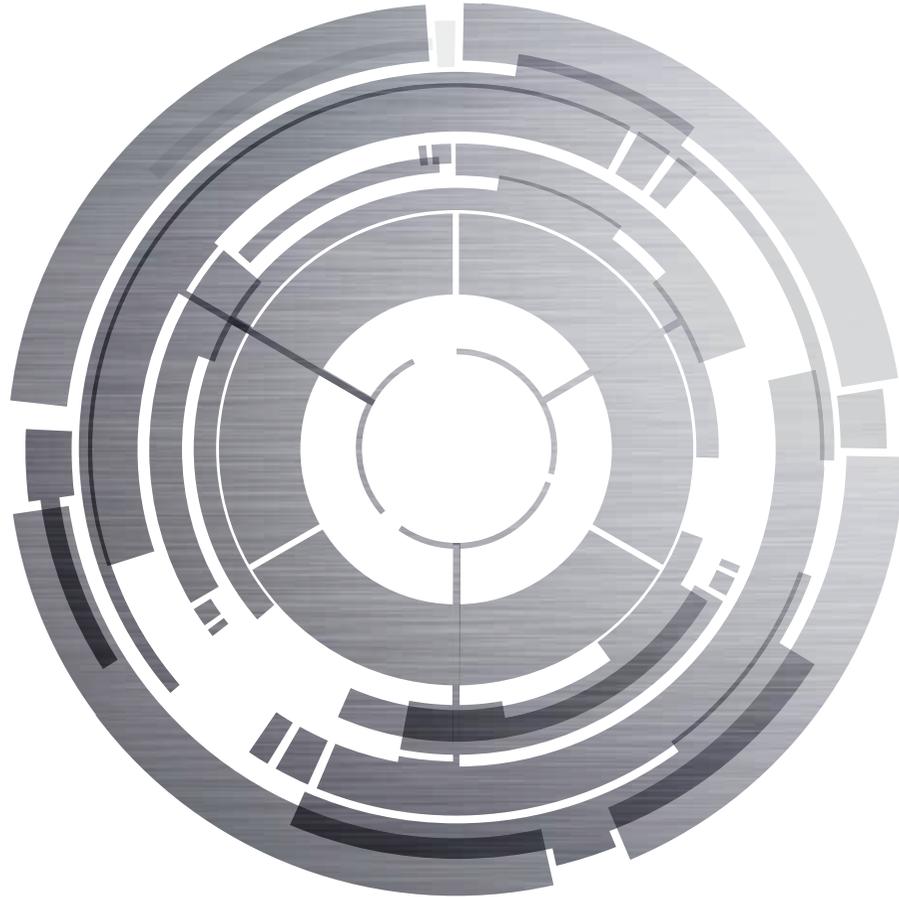
LINE OF ACTIONS	SAB2016	2017	2018	2019	2020	TOTAL
LoA 1 – Build a dynamic and knowledgeable organisation	36.7	48.3	40.1	39.1	40.2	204.3
LoA 2 – Increase transparency and accountability	17.4	18.5	19.5	20.5	21.9	97.7
LoA 3 – Foster an effective and secure digital environment	37.3	44.2	44.0	40.1	39.2	204.8
LoA 4 – Intensify network engagement	39.5	41.0	46.5	48.4	42.5	217.9
LoA 5 – Enhance customer-driven quality services	83.7	88.4	91.3	96.9	102.3	462.9
LoA 6 – Strengthen the Intellectual Property system	20.2	17.8	17.7	17.1	17.7	90.6
TOTAL	234.7	258.2	259.1	262.1	263.8	1 277.9



COST HEADING	SAB2016	2017	2018	2019	2020	TOTAL
EU Cooperation (Art. 123 EUTMR)	23.8	29.9	34.9	36.4	30.1	155.2
Strategic Plan 2020 Projects	15.4	28.4	16.8	9.8	8.4	78.8
Legislative Reform Implementation	2.9	1.6	1.1	0.5	0.3	6.5
Observatory	14.3	13.9	14.2	14.5	14.9	71.8
TOTAL	56.5	73.9	67.1	61.1	53.6	312.3

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