

*Dear Member of the JURI Committee,*

*The organisations below, representing thousands of companies across all industry lines, as well as entrepreneurs, SMEs and citizens in Europe and beyond, have become aware of concrete proposals to divert OHIM funds and surplus to activities unrelated to trade marks and designs, such as a transfer to the EU budget, to the European School of Alicante, the Court of Justice of the European Union (CJEU), and possibly to the national budgets of EU Member States. Additionally, an amendment to a Regulation on Financial Rules Applicable to the Budget of the Union was adopted on February 26, 2015 by the European Parliament's Committee on Budgets allowing the assignment of the surplus of self-financed EU agencies to the EU budget.*

*We understand that these will be discussed at a meeting taking place tomorrow.*

*We oppose these proposals.*

*They are not in line with the amendment adopted in Plenary in February 2014 (which deleted the Commission's proposal to transfer the surplus to the EU Budget) and contravene recommendations made by the Study commissioned by the Parliament's Committee on Budgets on "the income of fully self-financed Agencies and the EU budget" (<http://ow.ly/K8Ylr>).*

*The users of the system (companies, SMEs, entrepreneurs) finance OHIM through the payment of trade mark and design fees and the income generated should be dedicated to serving its users and to continually improve its services.*

*If the above proposals become a reality, the risk is real that companies, SMEs and entrepreneurs will be charged not only to register and renew their trademarks and designs – which is normal and desirable - but indirectly to finance European schools and court systems and to subsidise EU and national budgets. This would amount in essence to an indirect taxation of users.*

*The trade mark reform is meant to achieve a European trade mark system which is efficient, harmonised and affordable to all users. And the surplus should be used to finance the implementation of the trade mark reform and to continue improving OHIM's services.*

*We urge you to help attain this objective by defending the position adopted in Plenary in February 2014, and refusing that users be asked to finance unrelated activities which would not benefit them.*

*We stand ready to provide more arguments in that sense and to exchange on the above.*

*Best regards,*

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**MARQUES**