

European Trade Mark Reform

The long awaited changes to the European Community trade mark system have today come into effect.

Key Changes

- The Community Trade Mark Office (currently "OHIM") is now called the **European Union Intellectual Property Office.**

Community Trade Marks (CTMs) are now known as **European Union Trade Marks.**

- **Reduced fees for single Class Applications** - applications covering just one Class now incur lower official fees:
 - Basic fee for one Class (electronic): €850
 - Second Class: €50
 - Each additional Class: €150
 - Renewal fees are now also as above
- **Use of a company or trading name** is no longer a defence to trade mark infringement.

Non-traditional trade marks e.g. sounds, may become easier to register, as a mark no longer needs to be "graphically represented"

More efficient protection; cheaper and quicker registration

While preserving the dual system of national and EU trade marks, the updated trade mark legislation further harmonises the application procedures of the two systems and the rights guaranteed by a trade mark.

The agreed measures make trade mark registration systems all over the EU more accessible and efficient for businesses in terms of lower costs, increased speed, more predictability and greater legal certainty. The reform improves conditions for businesses to innovate and to benefit from more effective trade mark protection against counterfeits, including non-authentic goods in transit through the EU's territory.



Caroline Brooks
Partner, Bath
caroline.brooks@abelimray.com

London
20 Red Lion Street
WC1R 4PQ, UK
T 020 7242 9984
F 020 7242 9989

Cardiff
3 Assembly Square
Britannia Quay
CF10 4PL, UK
T 029 2089 4200
F 029 2089 4201

Bath
Westpoint Building
James Street West
BA1 2DA, UK
T 01225 469 914
F 01225 338 098