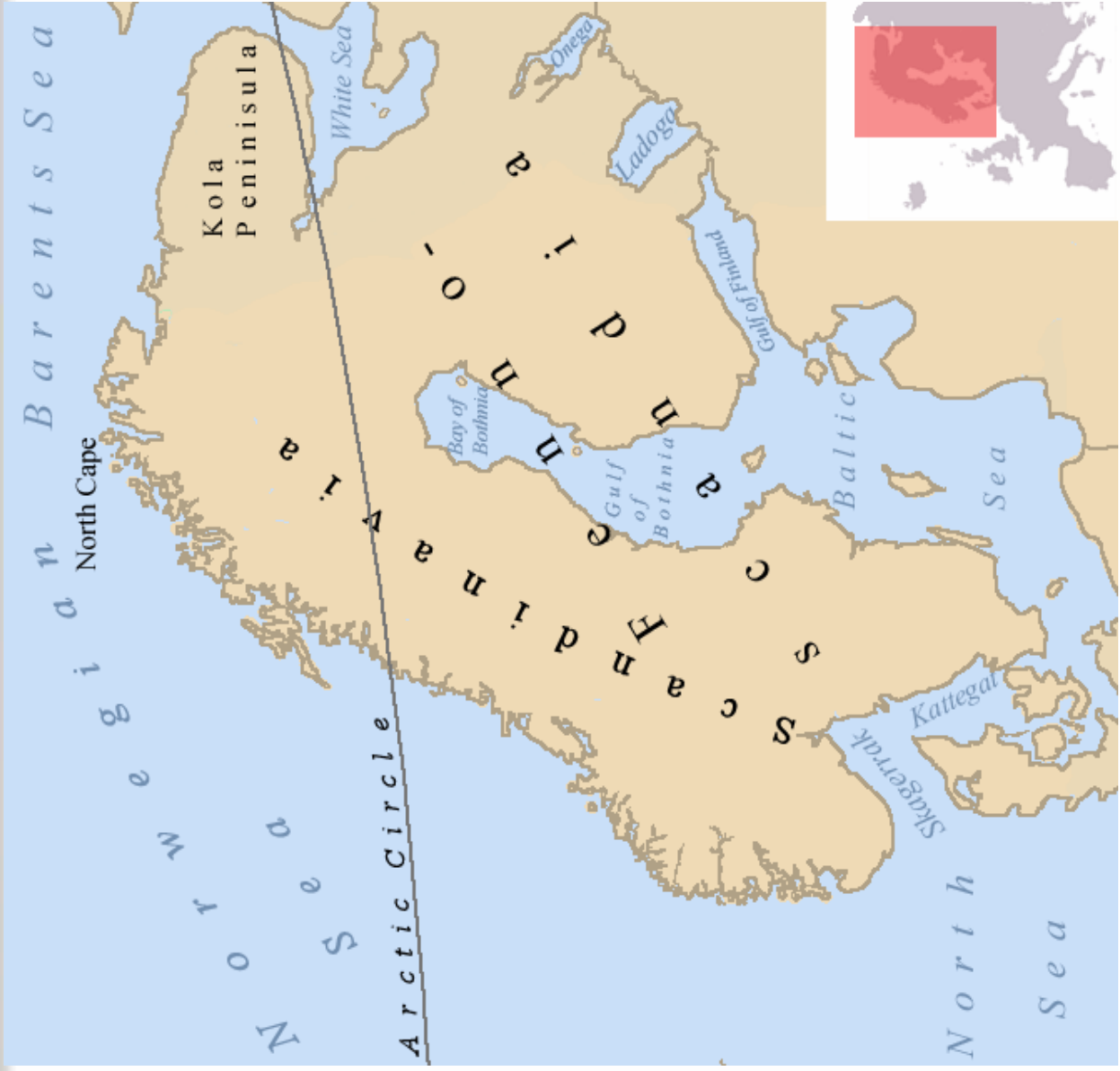


Trade Mark Registration in Europe

- from a Scandinavian point of view

FICPI Open Forum
Lisbon 2005
Petter Rindforth
Groth & Co, Sweden



Scandinavian trade mark protection before the CTM & the Madrid Protocol...



Searching...

Full searches in Denmark, Finland, Norway and Sweden – including national trademarks, company names and family names

The "budget version":

Food & drinks = Denmark

Other goods & services = Sweden

...and registration

- National registrations in all 4 countries
- Often for "all goods" in selected classes
- Application in classes 1 -42 not unusual
- "Watching? Well, is that really necessary? Let the authorities do the job!"

Today 1

DENMARK

Member of EU

Member of the Protocol
since Feb. 12, 1996

Currency: DK

Examination: "the OHIM
system"

NORWAY

Not member of EU

Member of the Protocol
since March 29, 1996

Currency: NOK

Examination: Full

Today 2

FINLAND

Member of EU

Member of the Protocol
since April 1, 1996

Currency: EUR

Examination: Full

SWEDEN

Member of EU

Member of the Protocol
since Dec. 1, 1995

Currency: SEK

Examination: Full (will
soon adopt the "OHIM
system")

Searching today 1

- Full examination in all EU member states too expensive (compare filing costs)
- A mix of full & ID
- Domain names and other Internet use



Searching today 2

Community designs...



Hisamitsu

Isosceles

KONAMI

Searching in Scandinavia

National trade mark registrations and pending applications

Community Trade Marks

Madrid Protocol Registrations designating Sweden,
Denmark, Norway and/or Finland

Company Names

Family names (Sweden)

Registration in Scandinavia

- Fast registration procedure in Denmark (7 days – 3 weeks)
- CTM not enough – add national for Norway, or...
- ...A Madrid Protocol application for all four

National applications in Sweden

1994 = 13 524

1998 = 9 834

(2 050, or 21% from Swedish applicants)

2004 = 8 667

(4 261, or 49% from Swedish applicants)

Madrid Protocol applications: about 5 000 / year

CTM or Madrid?



Community Trademarks

- Inexpensive
- Easy user requirements
- Only one renewal fee
- Protection follows enlargement of EU
- The link: "Europe" + the rest of the world
- Any bad apples?
- Too much protection?



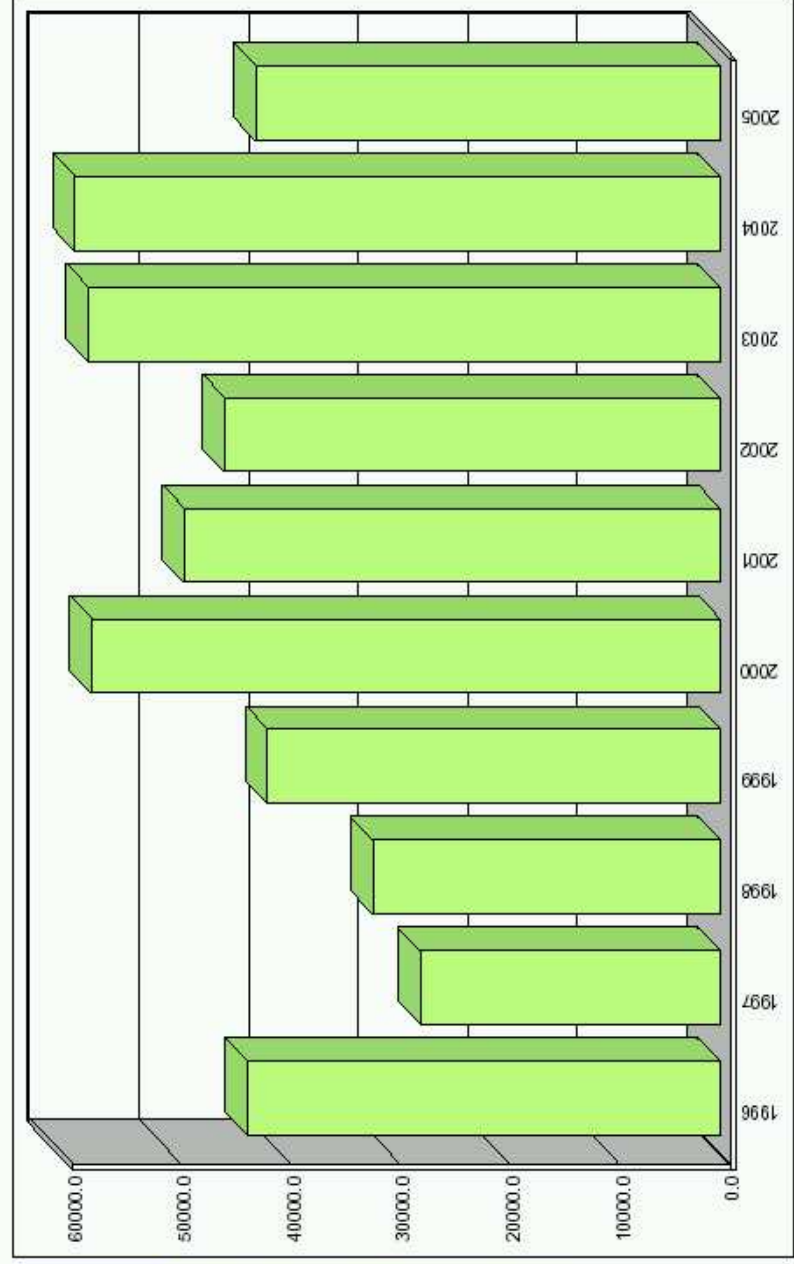
Executed at
03/10/2005

SSC009 - Statistics of Community Trade Marks

Until receiving date 30/09/2005

RESUMEN - ÜBERSICHT - OVERVIEW - RESUMÉ - RIASSUNTO
Solicitudes - Anmeldungen - Applications - Demandes - Domande

	Solicitudes Anmeldungen Applications Demandes Domande	+
1996	43,132	43,132
1997	27,276	70,408
1998	31,625	102,033
1999	41,283	143,316
2000	57,374	200,690
2001	48,901	249,591
2002	45,210	294,801
2003	57,651	352,452
2004	58,844	411,296
2005	42,354	453,650



Scandinavian CTM's 1996 – September 30, 2005

(10) Sweden	9 120 (2,1% of the total)
(12) Denmark	6 848 (1,58%)
(16) Finland	3 991 (0,92%)
Norway – not among the top 25	

(1) USA	103 426
(2) Germany	74 607
(3) United Kingdom	55 814
(4) Spain	34 632

Madrid protocol

- Only countries of interest
- Less expensive than national applications
- If registration in all EU-countries is not possible (agreements, prior rights, etc)
- Less severe examination (even in countries with full examination)
- Do not base on local *application!*

...and The Link...



You still need a local attorney for...



You still need a local attorney for...

- National oppositions (Madrid applications)
- Filing replies to (some) national official actions (Madrid applications)
- Checking local specification rules on goods and services

...as well as for...

- Conducting local searches and/or to make comments on search result
- Obtain consents and / or draft agreements



Thank you!
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