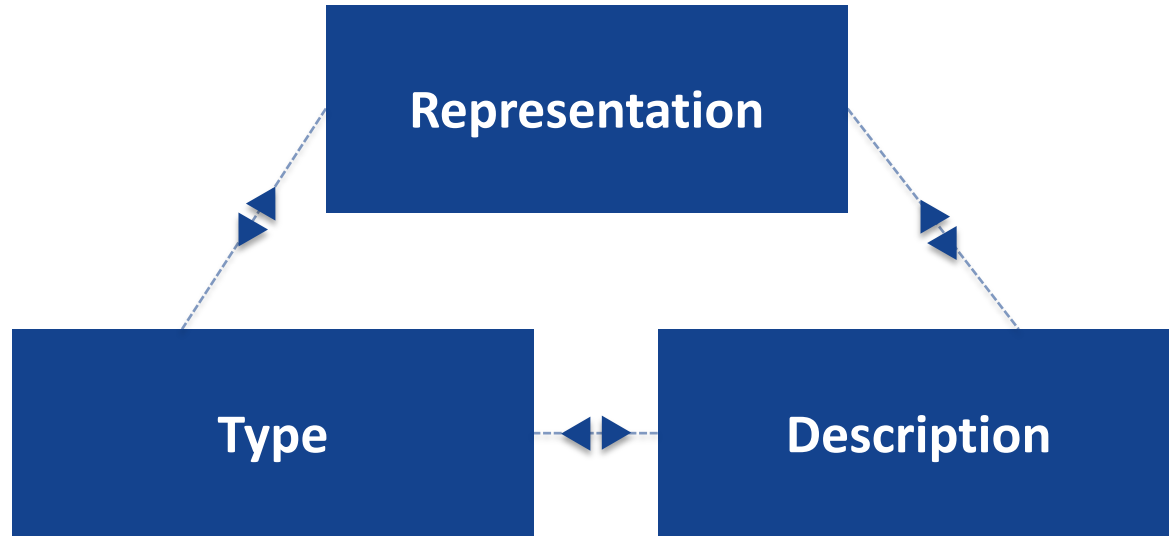


EUIPO Practice on Non-traditional Trademarks

Dimitris Botis
Deputy Director for Legal Affairs
ICLAD - EUIPO
TM5 User Session
INTA Annual Meeting
Seattle, 21 May 2018

ART. 3 EUTMIR: REPRESENTATION PRINCIPLES



Art. 3 (3) IA: SPECIFIC TM TYPES

5 existing TM types redefined

				
Word	Figurative	Shape	Colour	Sound

5 new TM types added

				
Position	Pattern	Motion	Multimedia	Hologram

'Other' marks



Smell?

Taste?

Tactile / Texture?

**Samples not
acceptable**

Art. 3 (3) EUTMR

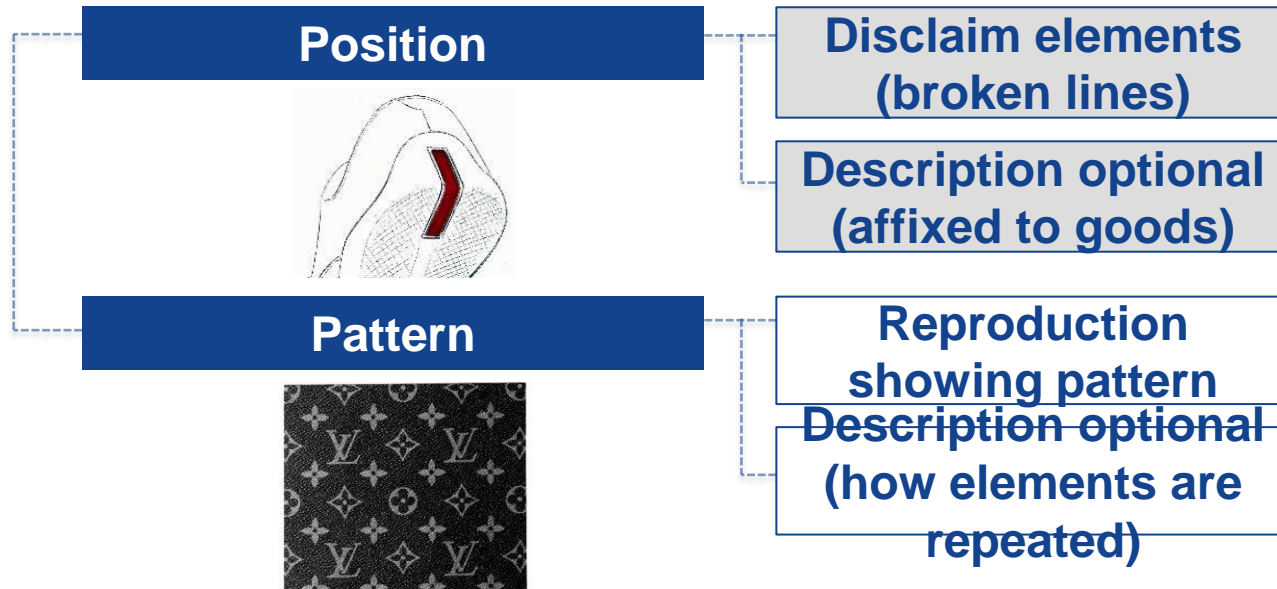
Shape



Definition expanded,
includes appearance

No description

New formats:
3D modelling CAD



Art. 3 (3) EUTMR

Colour marks



The indication of recognised colour codes remains compulsory

Colour Combinations:

The reproduction must show the systematic arrangement of the colours

A description may be filed detailing the systematic arrangement further

Art. 3 (3) EUTMR

Sound



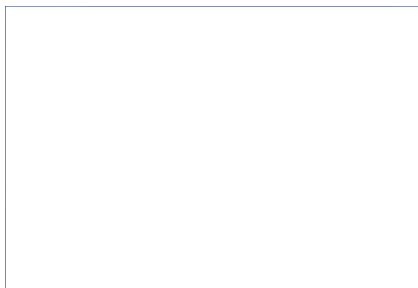
Audio file: or

Musical notation

No description

Art. 3 (3) EUTMR

Motion



Video file
(MP4 format, max 8 000 Kbps,
20 MB)
or
still sequential images
(single JPEG or single A4)

For still images:
a description explaining the
sequence

EUTM 17492513 - Motion mark

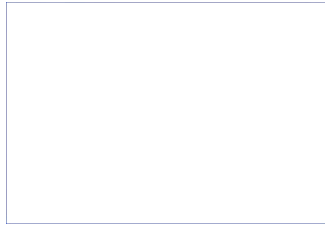


EUTM 17794281 - Motion mark



Multimedia mark

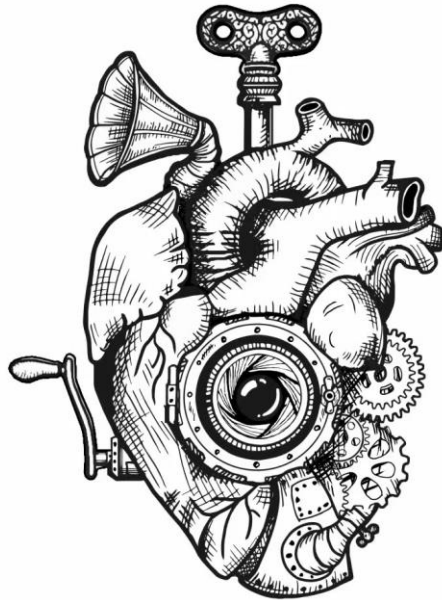
Multimedia



Audio-visual file
(MP4 format, max 8 000 Kbps,
20 MB)

No description

EUTM 17279704- Multimedia mark



Hologram



Video file, graphic or photographic reproduction containing the views which are necessary to sufficiently identify the holographic effect in its entirety

No description

Motion mark



Multimedia mark





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Thank you