

Correspondence of marks for Certification Purpose

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FORMS

1) EM 2

2) MM2

EM2

7 The mark

Reproduction of the mark:

- Same as in basic application / registration
- The applicant declares that he wishes the mark to be considered as a mark in standard characters
- The mark consists of a colour or a combination of colours as such

The Office extracts mark from basic EUTM application or registration

=> Full identity!!

MM2

Reproduction of the mark is allowed in Form

=> Office has to examine identity with basic mark

Strict approach

Coincidence in:

- colour claim
- Type of mark (figurative, 3-D, sound mark, collective...)
- Description

Exception: Disclaimer

Specific issue

Identity: black/white marks **vs** marks in colour

An insignificant difference between two marks is one that a reasonably observant consumer will perceive only upon examining the marks side by side.

Specific issue

Identity: black/white marks **vs** marks in colour





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Thank you