

ASPAC Women Weekly Series: Meeting#8

TRADEMARKS, TRADEMARKS

WHAT IS A TRADEMARK?

- **Sign**
- **Identifies a product or service**
- **Distinguishes from other products or services**

Word/s

Figure

Shape

Pattern

Position

WHAT IS A TRADEMARK?

Multimedia

Hologram

Sound

Colour

Motion

TRADEMARK
&
BUSINESS NAME

TRADEMARK

- Identifies a product or service
- Not required

BUSINESS NAME














- Identifies the entity that owns the business
- Required to operate the business

Trademark and business or company name = part of branding strategy

WHY TRADEMARK?

- **To be identified by consumers**
- **To maintain clients**
- **Secure new clients**
- **Recognition**
- **Goodwill**
- **Profit**

BEST GLOBAL BRANDS 2021

01  +26% 408,251 \$m	02  +24% 249,249 \$m	03  +27% 210,191 \$m	04  +19% 196,811 \$m	05  +20% 74,635 \$m
06  +1% 57,488 \$m	07  +5% 54,107 \$m	08  +3% 50,866 \$m	09  +7% 45,865 \$m	10  +8% 44,183 \$m
11  +24% 42,538 \$m	12  +5% 41,631 \$m	13  +16% 36,766 \$m	14  +184% 36,270 \$m	15  +3% 36,248 \$m
16  +6% 36,228 \$m	17  -3% 35,761 \$m	18  -5% 33,257 \$m	19  +23% 32,007 \$m	20  +7% 30,090 \$m
21  +36% 24,832 \$m	22  +4% 22,109 \$m	23  +20% 21,600 \$m	24  +6% 21,401 \$m	25  -2% 21,315 \$m

WHY REGISTER A TM?

- **Exclusive right to use and prevent others from using the mark**
- **License**
- **Sell**
- **Recognized as an asset**
- **Right to go after infringers**

BEFORE YOU REGISTER

 Check if the mark is available

Global Brands Database

 Identify the good/s and/or service/s

Classification Tool

 Know the requirements

HOW TO REGISTER A TM

National IP Office

NIPO

IP Viet Nam

Filing Date Requirements

Fees

KINDS OF MARKS

-  **Individual**
-  **Collective Mark**
-  **Certification Mark**

KINDS OF MARKS

Individual

Commercial origin of goods and/or services

Can be filed by

→ Natural or legal person

KINDS OF MARKS

Collective Mark

- Mark is from an association (of producers, manufacturers, traders, suppliers) or collective
- Owned by the association or collective
- Can be used by members of the collective or association
- Can be used with an individual mark

KINDS OF MARKS

Certification mark

- Distinguishes goods and/or services that are certified by a body
- Certification in respect of material, manufacture of the goods or performance of the services, quality, accuracy or some other characteristics
- Owner of certification mark cannot carry out the business or produce the good/s for which the certification is made
- Rules governing the use of the mark to be submitted to the IP Office

QUESTIONS?