

International Forum on Distinctive Signs

12 – 13 June 2008
Versailles, France

Presentation of the Brand

Solingen

Introduction

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Profession: Lawyer

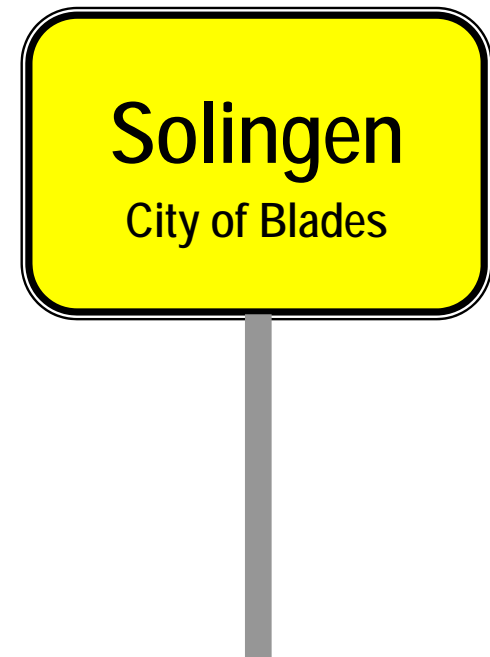
Organisation: Chamber of Industry
and Commerce
Wuppertal-Solingen-Remscheid





„Solingen“ is ...

- the name of a city in Germany
- an indication of origin
- and a quality mark



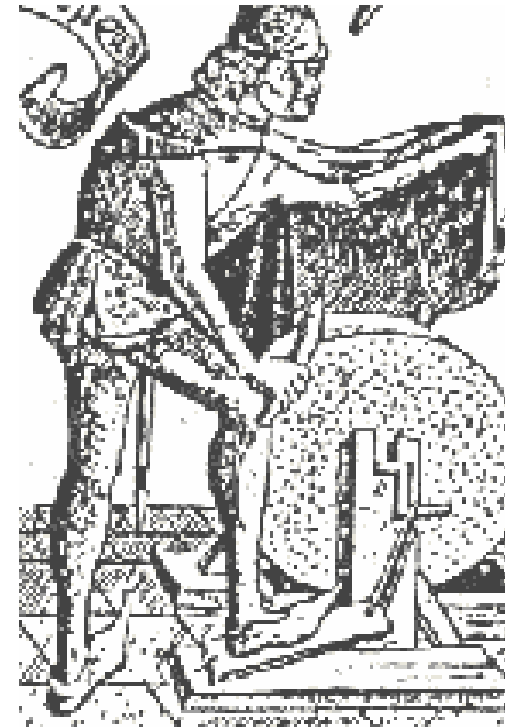
The City of Solingen

- medium-sized town
- Germany, North Rhine-Westphalia
- population: 165,000
- area: about 90 km²



Development of the Cutting Industry

- early middle ages:
finding and mining of iron ore
energy sources:
wood, power of water
- 13th century:
distribution to other countries
- 1571: „Me fecit Solingen“
- after 1648:
changing of the product range



Cutting Industry of Today

- companies: 200
- workers: 4,000
- Sales volume: \$ 890 Mio. in 2007
- export quota: 54 percent

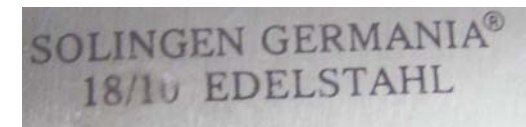
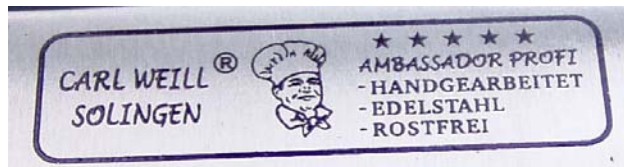
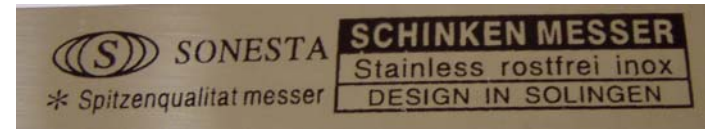
Makes of Solingen



CARL MERTENS



Fakes of Solingen









INTERNATIONAL
GUARANTEE
CERTIFICATE



HAPPY BARON[®]
SOLINGEN GERMANY

Herg
für

GERNAM

Hergestellt
für

SOLINGEN
GERNAM

Rostfrei







A pair of stainless steel scissors is shown against a light gray background. The scissors are partially open, with the blades crossing. The upper blade is the primary focus, featuring a dark blue or black engraved logo. The logo consists of a rectangular box containing the word "SOLINGEN" in a bold, sans-serif font. To the left of the text are three vertical bars, and to the right is a stylized arrowhead or triangle shape. The metal of the scissors has a brushed finish and shows some signs of use. The handles are visible on the left side of the frame.

SOLINGEN

produced for



Solingen



"O" or "G" ?



Problems of Piracy

- *deceit* and *fraud* at the consumer
- vast *economic damage* at the manufacturers and honest dealers
- *destruction* of the name's image and reputation
- final consequence:
loss of companies and jobs

Protection of „Solingen“

- in Germany:
Decree for the Protection of the Name Solingen in connexion with trademark legislation:
 - manufacturing within the industrial area of Solingen
 - conformance with a certain quality standard
- in other countries:
 - partly: bilateral agreements
 - regulations against unfair competition

Prosecution in Germany

- civil actions
 - providing of evidence
(e.g. investigator/consumer/competitors)
 - examination by expert
 - cease and desist letter/demand of discontinuance
 - if necessary: filing a lawsuit
- criminal procedures
 - in serious case:
complaint to the public prosecutor



Prosecution in Other Countries

- problem:
 - expensive actions and uncertain outcome
- objections against trademark registrations of third persons
- registration of collective marks or certification marks in our own name
- application for actions by the customs authorities

Conclusion

- Famous indications are objects of value! They save the regional economy and protect jobs!
- There are remedies to resist piracy.
- All countries have to fight together against piracy! A worldwide protection is necessary!



Thank you!

Merci beaucoup!