Trademark Examination Practice

- Focus on prior rights (GIs) grounds for refusal

Senior Deputy Director Trademark & Design Examination Bureau

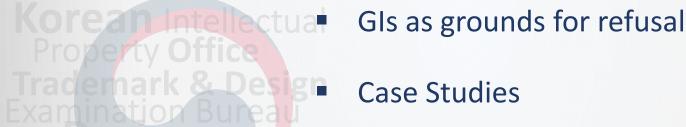
Eunmi Sohn





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GI (Geographical Indication) defined in ROK



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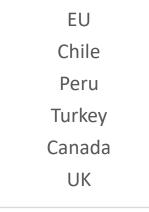
[List of Goods] watch (produced in Switzerland)













Invalidation based on the similarity to widely recognized GI

(IPTAB *2019Dang3251)



[List of Goods]

watch (produced in Switzerland), alarm clock (produced in Switzerland), watch case (produced in Switzerland), wristwatch (produced in Switzerland), wall clock (produced in Switzerland) etc.

IPTAB: Intellectual Property Trial and Appeal Board, an affiliated branch of the KIPO.



Appeal against Final Rejection by the examiner based on the similarity to protected GI with FTA (IPTAB 2018Won3179)

protected GI with FTA

Petitioner's Mark

Emilia

VS.

EMILIANA



Thank you!

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