

Ireland

Dear Sir / Madam,

I refer to your email of 03 November 2016 inviting comments and observations on several areas of possible convergence regarding the protection of country names against registration and use as trade marks that were identified in document SCT/35/4.

Generally speaking, Ireland are of the opinion that it would be necessary to look at this issue from all perspectives, not just from the point of view of states and consumers, but also of the current users of country names in trade marks, who may legitimately use a country name which has become well-known and recognised in the market place, with the intention of preventing or upsetting legitimately held business practices. Furthermore, we would be interested in the proposal made by the WIPO secretariat in SCT/34/2 that the protection of country names could be addressed in trade mark examination manuals, with a view to raising awareness of the already widely existing possibilities to refuse or invalidate the registration as a trade mark of signs consisting of or containing a country name.

Yours sincerely

Intellectual Property Unit
Ireland