



Trade mark reform package approved

On 15 December 2015, the European Parliament approved in the second reading the biggest reform of the European trade mark law so far, so called reform package.

The package includes a new regulation, amending the Regulation on the Community trade mark, presumably coming into effect by April 2016, and a new directive to approximate the laws of the Member States relating to trade marks. Despite of the fact that this legislation is still to be published in the Official Journal, we would like to briefly outline at least the most interesting changes:

- The name “Community trade mark” is replaced by the new term “European Union trade mark”. The Office for Harmonization in the Internal Market is renamed to “European Union Intellectual Property Office”.
- There are significant changes in the fees. The basic fee for the application for an EU trade mark is lowered; however it will encompass only one class instead of up to 3 classes. Fees for the renewal will be decreased.
- Protection afforded to the trade mark owners strengthens. Newly, the owners will be entitled to prevent the transit of counterfeit goods through the Union, even though such goods are not meant to be released for free circulation inside the EU. The directive also entitles the owner to prohibit third persons from using his trade mark as a company name.
- The directive brings stricter interpretation rules for the designation of goods and services.

We will be happy to provide you with more information, once the new legislation is published in the Official Journal.

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