



INTERNATIONAL DIGITAL ENTREPRENEURSHIP ASSOCIATION

Digital Entrepreneurship Mentoring: Leaving No
Disadvantaged Young Person Behind in the Digital Age



M6 OBTAINING TRADEMARK RIGHTS



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



INTRODUCTION TO MODULE:

In today's globalised economy, trademarks play a crucial role in the branding and identity of businesses. A trademark is a symbol, word, phrase, design, or combination thereof that identifies and distinguishes the source of goods or services of one party from those of others. Trademarks are not only pivotal in establishing brand identity but also in protecting a company's reputation and customer base. The process of obtaining trademark rights is therefore a fundamental step for any business seeking to secure its brand and prevent unauthorised use by others.

This educational module, titled "Obtaining Trademark Rights", is designed to provide a comprehensive understanding of the trademark registration process. It will cover the essential steps involved, from the initial concept of a trademark to its official registration and enforcement. Whether you are a business owner, a legal professional, or a student of intellectual property law, this module aims to equip you with the necessary knowledge to navigate the complexities of trademark acquisition.

Trademarks are protected under both national and international law, in this case, we are going to explore trademarks inside the European scope. The significance of obtaining trademark rights cannot be overstated. Trademarks help in building brand loyalty and trust among consumers, thereby contributing to the long-term success of a business. They also serve as valuable business assets that can appreciate over time and be licensed or sold. However, the path to securing these rights involves careful planning, adherence to legal requirements, and strategic management. In the following sections, we will go through each aspect of the trademark registration process, providing practical insights and guidelines to ensure that you can effectively obtain and protect your trademark rights.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



CONTENT OF THE MODULE:

1. Introduction to the trademarks

- 1.1. Types of trademarks
- 1.2. Benefits of registering a trademark

2. Selecting a trademark and avoiding pitfalls during its selection

3. European trademark registration

4. Maintaining trademarks rights

- 4.1. Tips for Obtaining and protecting trademark rights

5. Successful trademark strategies

- 5.1. Real-life case studies
- 5.2. Best practices for when you have your trademark



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



LEARNING OBJECTIVES:

The objectives that students are expected to reach after going through this educational module on obtaining trademark rights include the following:

1. Understanding the definition of trademarks and their importance: Learners will explore the fundamental concept of trademarks, including how they function as symbols. They will also have insights into the critical role trademarks play in building brand recognition, loyalty, and trust among consumers.

2. Differentiating between various types of trademarks: This objective covers the different categories of trademarks such as word marks, design marks, service marks, and collective marks. Learners will understand how each type serves distinct purposes and provides unique advantages in protecting intellectual property.

3. Knowing strategies to avoid common pitfalls: Learners will be equipped with practical strategies to navigate common challenges in the trademark selection process. This includes understanding potential conflicts with existing trademarks, and ensuring distinctiveness.

4. Recognizing the characteristics of a strong trademark that enhances brand identity and legal protection: This learning goal focuses on identifying key qualities of effective trademarks, such as distinctiveness or relevance for consumers. The students will understand how strong trademarks contribute to robust legal protection and a compelling brand image.

5. Gaining insights into the procedures and best practices for maintaining trademark rights over time: Pupils will learn best practices for monitoring and enforcing trademark rights to ensure long-term protection and value.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



TRAINING CONTENT

1. Introduction to the trademarks.

A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises. Trademarks are essential tools for businesses to create a unique identity in the marketplace and build brand recognition. They can consist of words, logos, symbols, sounds, or a combination of these elements. Naturally, you're all aware of Nike. Nike, the name itself, is a trademark. The logo, the swoosh, is also a trademark, and then the tagline, "Just do it", is a trademark itself. So, let's talk for a second about what is not a trademark. A trademark is not a patent or a copyright. A patent would be if you had an invention, a new technology of some sort that you wanted to protect, and protect that actual invention from being copied by others. A copyright protects a work of art.

1.1. Types of trademarks

The circled R (®), small capital TM (™), and small capital SM (SM) symbols can all be used. The ® symbol is only used after registration, while SM and ™ can be used during the application process for protection under common law.

- The registered trademark symbol (®) means that the product in question is registered in that specific country. This provides the most protection granted to a registered trademark. It is a sign for consumers to tell them that the product is trustworthy and registered, and can dissuade rivals from copying your protected asset. In its most basic form, it acts as a signal for consumers to trust it's the right product and deters competitors from infringing on your brand.
- A trademark symbol (™) is used as a symbol to represent products such as clothing or sunglasses. This symbol signifies that you are staking ownership of that mark and may discourage others from using it. Moreover, the TM symbol can grant the user common law trademark protections. This symbol should be used while waiting for your application to be reviewed by the USPTO to secure federal registration.
- Service mark symbol (SM), is an abbreviation for service mark. Service marks differentiate services from goods. One illustration is Josh's ownership of Gerben IP, a legal practice. He provides legal services and would thus have the SM service mark.





As we have already mentioned, trademarks play a crucial role in distinguishing the goods and services of one business from those of another. They serve as a badge of origin, ensuring that consumers can identify the source of a product or service. Various types of trademarks exist to cater to the diverse ways in which businesses and organisations wish to present their identity and branding to the public:

Word Marks: These are trademarks that consist solely of words or letters. They do not include any specific design or graphical elements. For example, "Nike" is a word mark.

Figurative Marks: These include logos, designs, or images that do not contain words. The Apple logo is an example of a figurative mark.

Combined Marks: These trademarks include both words and images. For example, the Starbucks logo, which includes both text and a graphic, is a combined mark.

Three-Dimensional Marks: These are trademarks that consist of the three-dimensional shape of goods or their packaging. An example is the distinctive shape of the Coca-Cola bottle.

Sound Marks: These consist of a specific sound that distinguishes the services or products of a company. The MGM lion roar is a famous sound mark.

Colour Marks: These are specific colours used in relation to a product or service, which can act as a trademark if they have acquired distinctiveness. For example, Tiffany & Co.'s use of a specific shade of blue.

Motion Marks: These are moving logos or animations that act as trademarks.

Position Marks: These are trademarks applied to a specific position on a product, such as the red tab on the pocket of Levi's jeans.

Multimedia Marks: These consist of a combination of images and sound.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



1.2. Benefits of registering a trademark

Registering a trademark offers a multitude of benefits that significantly enhance a business's legal standing and market presence. One of the primary advantages is the exclusive rights granted to the trademark owner. These rights ensure that the owner has the sole authority to use the trademark in connection with the goods or services for which it is registered, thereby preventing competitors from using a similar mark that could potentially confuse consumers. This exclusivity is vital in maintaining a distinct identity in the marketplace. Legal protection is another critical benefit of trademark registration. With a registered trademark, the owner can pursue legal action against any unauthorised use or infringement. This legal recourse is essential for defending the brand's integrity and preventing misuse that could harm its reputation. Additionally, the ability to display the © symbol next to the trademark serves as a public notice of its registered status, further deterring potential infringers.

Brand recognition and consumer trust are significantly bolstered through trademark registration. A registered trademark conveys a message of reliability and quality, which can lead to increased customer loyalty. This recognition is crucial in differentiating products or services in a crowded market, ensuring that consumers can easily identify and trust the brand. Moreover, registering a trademark secures a competitive position in the market. It helps establish and protect the brand's presence, making it more challenging for competitors to erode its market share. This security is not just national but can also extend globally through international treaties like the Madrid Protocol, allowing for trademark protection in multiple countries with a single application.

Trademarks also represent valuable business assets. Over time, a trademark can appreciate in value, contributing significantly to the overall worth of the business. This value can be leveraged in various ways, such as through licensing agreements, which can create additional revenue streams. Licensing the trademark allows other businesses to use it under specific conditions, helping expand the brand's reach and recognition. Additionally, the process of registering a trademark helps in avoiding future legal disputes. Conducting a thorough search and registering a trademark reduces the risk of unknowingly infringing on an existing trademark, which can lead to costly legal battles and the potential rebranding of products or services. Lastly, maintaining and renewing a registered trademark is straightforward, typically requiring renewal every ten years. This long-term protection ensures that the trademark owner can continuously benefit from their exclusive rights and maintain their brand's identity in the market.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



In summary, trademark registration provides essential legal protection, enhances brand recognition and trust, secures a competitive market position, represents a valuable business asset, and helps avoid legal disputes, thereby contributing significantly to a business's long-term success and growth. These benefits underscore the importance of securing trademark rights for any business looking to establish a strong and lasting market presence.

2. Selecting a trademark.

Applying for a trademark with the European Union Intellectual Property Office, or EUIPO, can be a lengthy process, involving tasks ranging from conducting a trademark search to addressing oppositions and office actions. Think about partnering with a skilled trademark lawyer from the start. This doesn't just streamline the process and boost your approval odds, but it also saves time, allowing you to concentrate on growing your business.

Apart from seeking assistance from a trademark lawyer, it is essential to perform a thorough trademark search prior to submitting your application to the EUIPO. The reason for conducting this trademark search is to verify that a comparable mark hasn't been previously registered in the European Union. Although the EU does not promptly refuse marks resembling registered ones, it can significantly delay the process and possibly result in rejection if the original trademark owner objects. Being aware of trademarks that are similar gives you the chance to adjust your mark before submitting your application and paying the required fees. Not finishing the search could ultimately result in wasting both time and money.

A precise federal trademark search report will display any possible conflicts or "likelihoods of confusion" that the USPTO examining attorney will take into account when assessing your application. Following the examiner's first assessment, they might conclude that the new trademark is ineligible for registration due to these conflicts. Conducting a comprehensive search of the USPTO's database is an essential first step in any trademark clearance search.

The initial search of the federal trademark database is commonly known as a "knock-out-search," as it is just a search for the specific trademark you want to register, to check for any existing matches. Regrettably, for numerous candidates, this is the sole investigation carried out. In addition to an identical match, the USPTO considers various other factors when evaluating whether a new application might cause confusion with an existing registration. The reviewing attorney will investigate all relevant categories for related products and services, phonetic or foreign language equivalents, similar commercial impacts, etc. to decide if there is a possibility of confusion.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



Below are some instances in which the USPTO could deny a trademark request due to the possibility of confusion:

- Phonetic Equivalents: Marks that sound the same phonetically will be rejected by the USPTO. (e.g., COCA-COLA versus KOKA-KOLA)
- The USPTO will reject trademarks that have identical meanings but in various languages. (e.g., APPLE versus MANZANA)
- The USPTO will reject marks with an identical commercial impact, even if they contain varying words (for instance, HERE COMES THE SUN versus HERE IS THE SUN).

Mastering the search techniques needed to anticipate potential conflicts recognized by the USPTO requires years of practice. Every brand could lead to different problems, therefore it is necessary to spend hours carrying out a thorough search.

Following a federal trademark search, the subsequent step involves searching through each state government's trademark databases individually. Although a federal trademark provides protection nationwide, individual states have their own databases that protect trademarks within their borders. Local businesses may choose to only submit a trademark application within their state, opting out of a nationwide federal registration. It's important to conduct a state trademark search to see if there is a comparable trademark on the state register with an earlier in-use date, giving them priority for use in commerce. The state-registered trademark would have the ability to cancel any federal registration you get if you make a priority claim. Although state trademark searches usually do not uncover many major conflicts, a state level registration of a similar trademark can pose serious issues down the line, especially after you have already dedicated resources to your business.

Finally, common law trademark searches, which are crucial as they reveal if a different company has used the same trademark prior to your own use. Trademarks under common law are not listed in state or federal databases. Understanding common law trademarks could save you a significant amount of time and money spent on your business. If you were to secure a federal trademark registration and use your mark for a couple of years, another company with a common law trademark could request to invalidate your registration if they had used it before you.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



3. European trademark registration.

To obtain trademark rights in Europe, you can either apply for a European Union Trademark (EUTM) through the European Union Intellectual Property Office (EUIPO) or register a trademark at the national level in individual countries. In order to register a trademark inside the European Union, there are some requirements and steps to follow:

Step one: Conduct a trademark search.

After selecting a powerful brand name, you will start the procedure of registering your trademark in the EU. The initial phase of this procedure involves carrying out an extensive trademark search. The purpose of this search is to check if a similar mark is already registered in the EU prior to starting the EUIPO application process. Discovering your trademark is already registered may be disheartening, but being aware before filing can save time and money, allowing for adjustments prior to application submission.

Utilising free and self-directed internet searches might appear cost-effective, but they are not advised. It is probable that only precise matches to your trademark will be disclosed. The majority of conflicts involving trademarks stem from marks that could potentially cause confusion in the market, rather than being identical to another mark. Working with a skilled trademark attorney is recommended to prevent possible rejection of an application or future legal issues.

Step two: File your trademark application with the EUIPO.

After completing a thorough trademark search and finding no matches, you can move forward with submitting your trademark application. You have the option to do this either manually on paper or digitally on the EUIPO's website. Applying electronically is generally simpler and less expensive, making it the top choice for those submitting applications globally.

The EUIPO provides a Quick option for registering trademarks. Fast Track applications are typically approved in half the time compared to traditionally filed applications. To be eligible for Fast Track registration, you need to make a payment in advance. The test will start only after the payment has been completed. You also need to choose the products or services to register from the EUIPO's Harmonised database of pre selected and approved categories.





Step three: EUIPO initiates examination period.

In the period of examination, your trademark application will be evaluated by an EUIPO examiner. Approximately one month after submitting your application, you will be contacted by the EUIPO with any concerns or inquiries that came up during the review process. This may be a worry about the class you choose, how you phrase it, or the uniqueness of the trademark. After you have been given this notification, you have a period of two months to address any concerns and reply appropriately. If necessary, an additional two-month period will be provided for you to get ready with your reply.

Step four: Publication in the EU Trademark Bulletin.

After the testing phase, your trademark will be included in the EU Trademark Bulletin. Within these three months, other trademark holders have the opportunity to examine your publication. If they believe that your trademark might violate their current trademark, they can submit an opposition. Once a protest is submitted, your application may experience delays or be denied entirely. Opposition processes could extend for a period of at least two years. Completing a trademark search before filing your application is necessary due to the potential of facing opposition.

Step five: A trademark is issued.

Once the publication period is over and no objections have been made, the EUIPO will proceed to grant approval for your trademark. Approximately six months following the publication of your mark in the EU Trademark Bulletin, you will receive a certificate of registration. As the holder of a trademark in the EU, you are now entitled to legally utilise your mark in any of the 28 member nations. You have the option to also show the © symbol on your trademarked items, such as packaging, signs, and websites.

Step six: Monitor and renew your trademark.

The EUIPO issues trademarks, but they do not oversee or enforce their usage. The trademark owner is responsible for that task. To ensure the uniqueness and management of your trademark, you need to oversee its usage in the EU and enforce legal measures as required. Frequently, sending a cease-and-desist letter is sufficient to alert an infringer, however, in some cases, legal measures are required to halt the unapproved usage of a trademark. Numerous trademark lawyers provide monitoring services and can assist in handling legal disputes if they occur.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



4. Maintaining trademark rights.

Similar to the U.S., the EUIPO issues trademarks without checking their exclusive use. The EU trademark owner is accountable for this. To keep ownership of your trademark in the European Union, it is necessary to monitor its usage and check for similar marks in the EU Trademark Bulletin. If you come across others using a similar mark, you should think about pursuing legal action. If the trademark appears in the bulletin, submit an opposition to the EUIPO promptly. Additional legal action is required for marks that are already being used. Frequently, a cease-and-desist letter is sufficient to alert the offender, however, in some cases further actions may be required.

A trademark registered in the EU remains valid for a period of 10 years starting from the issuance date. In order to keep your trademark registered with the EUIPO, you need to renew it every 10 years. It is the responsibility of the trademark owner to renew, with no warnings or reminders as the renewal date nears. Make sure to stay aware of these deadlines for renewal and start the process in advance of the approaching due date. Not meeting renewal deadlines may lead to the cancellation of your mark.

Obtaining a trademark registration within the European Union provides important legal safeguards across all 28 member nations. If your clients are in France or your goods are made in Germany, it could be beneficial to think about getting a European Union trademark. Think about hiring a trademark lawyer to start off with a thorough trademark search. Afterwards, submit your application to the EUIPO, and make sure to address any notifications and challenges promptly. After your trademark is granted, it will not expire as long as you continuously use it exclusively and renew it every decade.

5. Successful trademark strategies

5.1. Real-life case studies

Marvel and DC Comics: they both have a strong influence over the term 'superhero'. It may come as a surprise, but the term "superhero" is now a registered trademark owned by Marvel and DC Comics, and they actively take legal action against other comic book companies that use the term on their covers. Many view this effort as bullying by two major comic book companies, yet no one has attempted to challenge their trademark of the term "superhero." The indie publishers and comic book fans are definitely feeling increased hostility towards the two companies. Does this legal aggression justify the hostility and cost? Meanwhile, refrain from using the term "superhero" in the labelling of your products or services, as Marvel and DC Comics could potentially bring legal action against you.





The Coca-Cola Company vs. PepsiCo: In the 1970s, Pepsi launched the "Pepsi Challenge," a marketing campaign that indirectly targeted Coca-Cola's brand by comparing the two colas in blind taste tests. While this is not a direct trademark infringement case, it demonstrates the competitive marketing strategies involving trademarks.

Coca-Cola's response focused on reinforcing its brand identity and loyalty, illustrating the importance of strong brand differentiation. Also, engaging customers and leveraging brand loyalty can be an effective strategy to counter competitive challenges.

Apple Inc. vs. Samsung:

It is well known that Apple and Samsung have been engaged in a series of high-profile legal battles over the infringement of Apple's design and utility patents, trademarks, and trade dress. Nonetheless, it was Apple who won several cases, resulting in substantial damages awarded for Samsung's infringement on its design patents and trademarks.

This case emphasises the importance of securing broad protection for all aspects of a product, including design, functionality, and branding.

Adidas vs. Forever 21:

Adidas has long been associated with its iconic three-stripe design, these stripes are not just a design element but a symbol that consumers associate with the quality and reputation of Adidas products. In 2017, Adidas filed a lawsuit against Forever 21, a popular fast-fashion retailer, for trademark infringement. Adidas claimed that Forever 21 was selling apparel and footwear featuring stripe designs that closely resembled its protected three-stripe trademark. According to Adidas, this use of similar stripe patterns was likely to cause consumer confusion and dilute the distinctiveness of its brand.

The case was eventually settled out of court, with Forever 21 agreeing to stop using the disputed stripe designs on its products. The terms of the settlement were not publicly disclosed, but it was a clear victory for Adidas, reinforcing its commitment to protecting its iconic three-stripe design.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



Starbucks vs. Freddocino:

The term "Frappuccino" is a registered trademark of Starbucks and represents a specific line of blended coffee drinks that have become synonymous with the brand. In 2013, an Italian coffee company sought to register the trademark "Freddocino" for its own line of cold coffee beverages. Starbucks opposed this registration, arguing that the name "Freddocino" was too similar to "Frappuccino" and could cause consumer confusion due to the phonetic and conceptual similarities between the two names.

The case was brought before the European Union Intellectual Property Office (EUIPO), which initially sided with Starbucks. The European General Court ruled in favour of Starbucks, affirming the distinctiveness and protection of the "Frappuccino" trademark.

5.2. Best practices for when you have your trademark.

When it comes to the best practices when you have your trademark rights, here you have them:

- Enrolling and safeguarding widely: enrol trademarks in every applicable jurisdiction and think about safeguarding variations and associated marks. Use global protection through international agreements such as the Madrid Protocol.
- Monitor and uphold rights: always oversee the market for possible violations. Hire monitoring services and promptly pursue legal measures against bad usage in order to uphold the power of the trademark.
- Educate stakeholders, including employees, partners, and licensees, on the proper use of the trademark to uphold its uniqueness and legal safeguards.
- Keep records accurate by updating registration information and regularly renewing trademarks to prevent gaps in protection.
- Be ready to adjust trademark strategies in response to market changes, such as keeping up with digital and social media monitoring.
- Receive legal and strategic counsel from trademark attorneys frequently to handle legal challenges, oversee global portfolios, and create enforcement plans.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



Having trademark rights necessitates implementing a thorough and proactive strategy to safeguard and uphold these assets. Registering trademarks in all relevant jurisdictions is a crucial measure to protect your brand from infringement worldwide. Using international agreements such as the Madrid Protocol can make this process more efficient by enabling registration in several countries at the same time. Moreover, it is prudent to take into account different versions and related logos, making sure that every aspect of your brand is safeguarded. This extensive protection strategy needs to involve ongoing monitoring of the market to identify possible violations. Having professional monitoring services can quickly detect unauthorised use of your trademark, allowing you to promptly take legal action. This helps protect the integrity of your brand and discourages possible violators from breaking the rules in the future.

Another crucial aspect of safeguarding your brand's integrity and legal protection is educating stakeholders on the correct usage of trademarks. It is important for employees, partners, and licensees to fully understand the guidelines on how to use the trademark in order to prevent any misuse that may diminish its distinctiveness. It is important to regularly update registration information and renew trademarks in order to maintain continuous protection. In light of the constantly changing market dynamics, especially with the emergence of digital and social media platforms, it is essential to adjust your trademark strategies accordingly. Keeping up with these trends will assist you in enhancing the protection of your brand in the ever-changing marketplace. Finally, it is incredibly valuable to seek consistent advice from trademark lawyers. These experts are capable of offering strategic guidance, addressing legal issues, overseeing worldwide trademark portfolios, and creating strong enforcement strategies to safeguard and enhance your brand's value over time

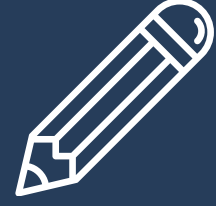


Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



LEARNING ACTIVITIES



INSTRUCTIONS:

For this activity, you will be provided with a list of famous brands known all around the world. You will have to classify them into the right category and explain the reason for your choice. Sometimes one brand can be included in more than one category, you just have to justify your response. The categories are:

Word Marks	Design Marks	Service Marks	Sound Marks
Colour Marks	Motion Marks	Scent Marks	-

The list of brands is the following:

1. Coca Cola
2. Apple
3. FedEx
4. Starbucks
5. Pixar
6. Microsoft
7. Decathlon
8. Nike
9. Ryanair
10. Metro Goldwyn Mayer
11. Play-Doh
12. Amazon
13. Chanel n°5
14. Burger King
15. Disney
16. Netflix

NOTE:

In the case there is a brand for which you need more information because you don't know it or you need to know more about it, you can search the internet and find out more before putting it into a category.



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



EVALUATION QUESTIONS



1. What is a primary benefit of registering a trademark?

- A. It allows unlimited use of the trademark worldwide without renewal.
- B. It grants exclusive rights to use the mark in connection with the registered goods or services.
- C. It automatically protects the mark in all international markets.
- D. It eliminates the need for monitoring the trademark's use.

2. Which of the following is NOT a type of trademark?

- A. Word Mark
- B. Sound Mark
- C. Position Mark
- D. Service Mark

3. What symbol can you use to denote a registered trademark?

- A. ©
- B. ™
- C. ®
- D. SM

4. During which stage of the EU trademark application process can other trademark owners oppose your application?

- A. Filing the Application
- B. Examination Period
- C. Publication in the EU Trademark Bulletin
- D. After Issuance

5. How often must a trademark be renewed to maintain its registration in the EU?

- A. Every 5 years
- B. Every 10 years
- C. Every 15 years
- D. Every 20 years



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



EXTERNAL READING

☐ The importance of Trademarks and a review of empirical studies. (2015). European journal of sustainable development, 4(3).

<https://doi.org/10.14207/ejsd.2015.v4n3p125>

☐ Nikolova-Minkova, V. (2020). Trade marks in Europe and their competitiveness. Trakia Journal of Science, 18(Supl.1), 410-416.

<https://doi.org/10.15547/tjs.2020.s.01.068>

☐ Mendonça, S., Pereira, T. S., & Godinho, M. M. (2004). Trademarks as an indicator of innovation and industrial change. Research Policy, 33(9), 1385-1404.

<https://doi.org/10.1016/j.respol.2004.09.005>

☐ Mateski, Aleksandar & Gjorgjioska, Emilija. (2024). violations of trademark rights. 11-19.

https://www.researchgate.net/publication/380547553_violations_of_trademark_rights

☐ Dimitrijevs A. James, The synergy of trademarks and marketing, IP and business, 2008.

https://www.wipo.int/wipo_magazine/en/2006/03/article_0003.html

☐ Widiatmika, R., Gorda, A. A. A. N. S. R., Kurniawan, I. G. A., & Huzaif, S. M. (2023). The problems related to potential trademark rights infringement: Construction in inclusive legal perspective on unregistered marks. Jurnal Dinamika Hukum, 23(3), 499.

<https://doi.org/10.20884/1.jdh.2023.23.3.3724>

☐ Brown Ph, K. D., Brison, N. T., & Batista, P. (2019). An Empirical Examination of Consumer Survey Use in Trademark Litigation, 39 Loy. L. Rev, 237.

<https://digitalcommons.lmu.edu/cgi/viewcontent.cgi?article=1627&context=elr>

☐ Gerben, Josh

<https://www.gerbenlaw.com/blog/6-steps-to-register-a-trademark-in-the-eu/>



Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein



Funded by
the European Union

INTERNATIONAL DIGITAL ENTREPRENEURSHIP ASSOCIATION

Digital Entrepreneurship Mentoring: Leaving No
Disadvantaged Young Person Behind in the Digital Age



inerciadigital

Project Number: 2023-1-TR01-KA210-YOU-000162088

Funded by the Erasmus+ Program of the European Union. However, European Commission and Turkish National Agency cannot be held responsible for any use which may be made of the information contained therein