

The Trademark – yours for ever

A trademark: What is it?

A trademark is a mark used to distinguish your products and services from those of your competitors. The trademark should identify your product and help make it more well-known on the market. The longer a trademark has been on the market, the more established and financially valuable it becomes. Well-known trademarks like Coca-Cola® and Volvo® represent priceless assets.

A trademark is a mark used to distinguish your products and services from those of your competitors. The trademark should identify your product and help make it more well-known on the market.

Different types of trademarks

Trademarks can comprise one or more words, a design or a combination of these. It is also possible to acquire trademark protection for a type of packaging - the famous Coca-Cola® bottle and the Bliw® soap packaging can be trademarks as they are distinctive. Slogans can also be registered, sometimes even sounds and scents. A good trademark should be unique and different from those of your competitors. It should be easy to remember, possible to use and pronounce internationally and, if possible, give some indication as to the nature of the product. This enables consumers to find your product among all other products.

Regulations and possibilities

The Trade Mark Act sets forth what may not be registered. A trademark must not, for example, describe the product, comprise a geographic name or another's family name. Descriptive trademarks or trademarks close to the product description often turn out to be poor marks lacking distinction.

The application process in Sweden

The usual procedure to acquire trademark protection, in Sweden as well as abroad, is to apply for registration. In Sweden, this is done at the Swedish Patent and Registration Office. The application for registration indicates for which products and/or services the trademark will be used. The registration of a trademark takes place in one or more of the existing 34 product classes and 11 service classes.

Period of protection and cancellation

A Swedish trademark can be maintained indefinitely. The registration is renewed by paying a fee every 10 years. As

in most countries, a trademark can be cancelled if it has not been used for a certain period of time. In Sweden this period is five years.

The ® and ™ marks

A registered trademark should be marked with the ® symbol. A mark in use which is not yet registered can be marked with ™. A registered trademark allows the owner

to prevent others from using the mark as a trademark for similar products.

International protection

A registration in Sweden is only valid in Sweden. Additional trademark protection must be applied for country by country. If a new application is submitted in an additional country within six months from the date of submission of the initial Swedish application, it is awarded so-called "priority." This means that the additional application will be considered to have been submitted at the same time as the initial Swedish application. It is also possible to encompass the whole of the EU through a single registration. Another alternative for Swedish companies and individuals is the Madrid Protocol registration, which encompasses a certain number of, mostly European, countries.

Why Albihns.Zacco?

Albihns.Zacco can assist you with your choices and strategies for usage and registration of trademarks. A strategy is important, especially considering the different possibilities available for trademark protection abroad. We can investigate if you can use and register trademarks in different countries before your application is submitted. We can assist you with license agreements. Last, but not least, we help you to protect your trademark from infringement, to maintain your rights and to believe in them!

Would you like more information?

For further information on trademarks, please contact one of our consultants through: www.albihnszacco.com or info.sweden@albihnszacco.com