

LK SHIELDS
YOUR LEGAL COUNSEL



INTELLECTUAL PROPERTY

A Quick Guide to Trade Marks

by **lk-shields**

A Quick Guide to Trade Marks

19th January 2015 | by

Are you working on a new product, service or market? Trade marks are valuable assets that successful companies use to protect their brands and markets. We've produced a useful infographic that provides guidance on how to register a trade mark. Click on the image to download a PDF version.

A QUICK GUIDE TO TRADE MARKS

Trade marks are assets that give your business a unique, protectable brand that is readily identifiable by consumers.

CHOOSE A STRONG TRADE MARK

Be as inventive and distinctive as possible.

DISTINCTIVE	VS	GENERIC
		
<p>Once an APPLE was just a piece of fruit. Now it's an instantly recognisable technology brand that is protected as a trade mark.</p>		<p>Everyone knows an APPLE is a fruit and that is why an apple vendor or supplier could not trade mark this word.</p>

TRADE MARKS MAY BE...

PHRASES A tagline or a slogan can be registered as a trade mark. Red Bull GmbH registered "Gives you Wings" as a trade mark.		WORDS You can trade mark a word if it relates to the product or service it's used for and is not descriptive of that product or service.	
LOGOS Logo marks consist of a figure or word marks incorporated as part of a figurative mark.		COLOURS Colours can be registered so long as they can be described in words. Cadbury is perhaps the most notable example having successfully registered "the colour purple".	
		SOUNDS A sound or melody with a distinctive recognition effect can be registered as trade mark. The sound must be reproducible graphically, for example, using notes.	

HOW TO REGISTER A TRADE MARK

STEP ONE
CHOOSE A
UNIQUE MARK



STEP TWO
DECIDE WHERE YOU WISH
TO REGISTER YOUR MARK

Different countries have different requirements.

STEP THREE
CONDUCT A SEARCH FOR ANY
OTHER IDENTICAL MARKS OR
LOGOS THAT ARE REGISTERED



STEP FOUR
FILE YOUR TRADE MARK WITH
THE RELEVANT BODY AND WAIT
TO SEE IF ANYONE OBJECTS OR
CHALLENGES YOUR APPLICATION

STEP FIVE
USE YOUR REGISTERED
MARK AND CONSIDER
LICENCES



About the Author