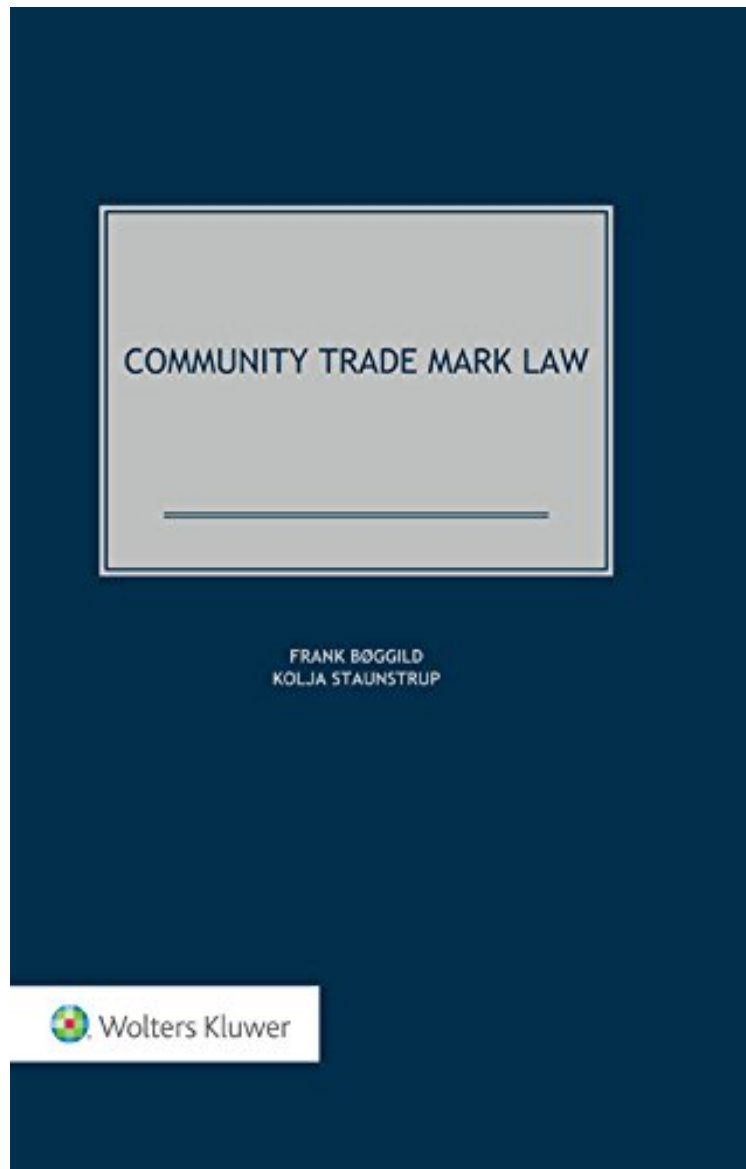


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## Community Trademark Law

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The introduction in Europe in 1996 of the Community trade mark (CTM) brought into being a new and independent

trade mark system with its own sources of law, its own procedures, and its own administrative and judicial bodies, notably the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM), the agency designated to process applications for the registration of CTMs. In 2011, OHIM for the first time received 100,000 applications in one and the same year -- which was also the year in which the one millionth application was filed. Case law of the European Court of Justice (ECJ) and the European General Court (EGC) on the interpretation of the Trade Mark Regulation and the Trade Mark Directive is -- together with decisions of OHIM and its Boards of Appeals -- absolutely central to the understanding of Community trade mark law, including the trade mark laws of Member States. This book offers an in-depth scrutiny, categorization, and analysis of this extensive body of case law. Focusing on issues of practical relevance for practitioners, the chapters cover such aspects of Community trade mark law as the following: OHIM's procedure for registration; the appeals system (OHIM's Boards of Appeals, the EGC, and the ECJ); trade mark strategies; absolute and relative grounds for refusal; three-dimensional trade marks; non-registered national trade marks and registration in bad faith; trade marks with a reputation; acquired distinctiveness; trade mark functions and use as a trade mark; limitations of exclusivity; nature and extent of genuine use; grounds for revocation and invalidity; transfer of trade marks and licensing; national trade mark courts. Also covered are the pending and proposed amendments to the Trade Mark Regulation and the Trade Mark Directive. This book covers in depth the practical applications of this important and much-used body of law. It will be of enormous value and benefit to company lawyers, attorneys, trade mark attorneys, and anyone else dealing with trademark law, whether on a Community level or nationally.