IP Information Roundtable
Brand/Design related matters

Marina Foschi
Legal Officer
Title: A HAIRDRYER

Abstract: Disclosed is a hairdryer (10) comprising a primary fluid flow path (400) extending from a primary fluid inlet (409) to a primary fluid outlet (449), a fan (70) unit for drawing primary fluid into the primary fluid flow path, a header (80) for housing primary fluid in the primary fluid flow path wherein primary fluid flowing through the header has a lower velocity than primary fluid flowing through the fan unit. The header may be downstream of the fan unit. The cross-sectional area of the primary fluid flow path may vary along the primary fluid flow path. The cross-sectional areas of the primary fluid flow path may be greater around the header than around the fan unit. The header may comprise a handle and the primary fluid inlet is in the handle (20). The hairdryer (10) may comprise a body (30) and the primary fluid outlet is in the body and the primary fluid flow path extends within the handle from the primary fluid inlet to the body.
PART I

TRADEMARKS
Plan

1. What is a trademark?
2. How can a trademark be protected?
3. What are the requirements for protection?
4. Where can a trademark be protected?
5. What is the duration of protection?
1. What is a trademark?
1. What is a trademark?

- PURCHASING DECISION

  ➔ What makes you buy?

- SIGN

  - Quality
  - Characteristics
  - Origin
  - Reputation
1. What is a trademark?

- WORDS
  - MICROSOFT
  - MERCEDES
  - ADIDAS
  - TOTAL

- LETTERS
  - BMW
  - OPI
1. What is a trademark?

- **NUMBERS**
  501
  308

- **NAMES**
  BECKHAM
  STELLA McCARTNEY

- **SLOGANS**
  JUST DO IT
  WHAT ELSE?
1. What is a trademark?

- LOGOS
  - Ferrari
  - Apple
  - Angry Birds
  - Chupa Chups
  - Orange
1. What is a trademark?
1. What is a trademark?

- 3D FORMS – SHAPE OF PRODUCTS/PACKAGING
1. What is a trademark?

- SOUNDS

- SMELLS
2. How can a trademark be protected?

- REGISTRATION
3. Requirements for protection

- DISTINCTIVE CHARACTER
- NOT DESCRIPTIVE
- NO CUSTOMARY TERMS
- NOT DECEIVE THE PUBLIC
- PUBLIC ORDER / MORALITY
3. Requirements for protection

- NOT INFRINGING RIGHTS OF THIRD PARTIES
4. Where can a trademark be protected?

- Trademark right = territorial

- Different routes:
  - National route
  - Regional route (e.g., EUIPO)
  - International route (Madrid System)
4. Where can a trademark be protected?

- Registration in several countries

WIPO
5. Duration of protection

- Not less than 7 years
- INDEFINITELY renewable
- Under certain law: obligation to use
PART II

INDUSTRIAL DESIGNS
Plan

1. What is an industrial design?
2. How can a design be protected?
3. What are the requirements for protection?
4. Where can a design be protected?
5. What is the duration of protection?
1. What is a design?
1. What is a design?

- PURCHASING DECISION

  ➔ What drives your choice?

- APPEARANCE OF A PRODUCT – “LOOK”
2. How can a design be protected?

- REGISTERED DESIGN / DESIGN PATENT

- UNREGISTERED DESIGN (e.g., EU / UK)

- COPYRIGHT
3. Requirements for protection

- INDEPENDENTLY CREATED
- NOVELTY
- ORIGINALITY
Global Design Database

A world-wide collection of industrial designs data; including WIPO Hague registrations and information from participating national offices.

Join us on October 16 or 18 for a free webinar

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4. Where can a design be protected?

- DESIGN RIGHT = TERRITORIAL RIGHT

- DIFFERENT ROUTES:
  - National route
  - Regional route (e.g., EUIPO)
  - International route (Hague System)
4. Where can a design be protected?

- Registration in SEVERAL countries

- WIPO
5. Duration of protection

- Protection shall amount to at least 10 years
Conclusion

TRADEMARKS

- Not infringing rights of third parties

INDUSTRIAL DESIGNS

- Originality/Novelty