Community trade mark

2002/0308(CNS) - 19/02/2004 - Final act

PURPOSE : to improve the functioning of the system on the Community trademark. LEGISLATIVE ACT : Council Regulation 422/2004/EC amending Regulation 40/94/EC on the Community trade mark. CONTENT : Council Regulation 40/94/EC set up a unitary system of protection of trade marks throughout the Member States via Community registration. This Regulation aims to improve the effectiveness of the system, increase the value it adds and anticipate the consequences of additional members in future, without it being necessary to change the substance of the system, which has proven itself to be perfectly valid with regard to the objectives set. In order to rationalise the procedure, the search system is amended. It remains compulsory for Community trade marks, but it is made optional, subject to the payment of a fee, for searches in the trade mark registers of the Member States which notified their own decision to carry out such a search. Furthermore, there are measures to improve the quality of the search reports, ensuring greater uniformity by using a standard form and laying down their essential contents. There are also amendments with regard to the Boards of Appeal and certain aspects of the procedure. ENTRY INTO FORCE : 10/03/04. Point 9 of Article 1 (search) shall apply from 10 March 2008.