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European Trade Mark and Design Law

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Concise European Copyright Law Thomas Dreier, P. Bernt Hugenholtz, 2016-01-27 Concise European Copyright Law aims to offer the reader a rapid understanding of all the provisions of copyright law in force in Europe that have been enacted at the European and international levels This volume takes the form of an article by article commentary on the relevant European directives and international treaties in the field of copyright and neighbouring rights It is intended to provide the reader with a short and straightforward explanation of the principles of law to be drawn from each provision Editors and authors are prominent specialists academics and practitioners in the field of international and European copyright law Concise European Copyright Law is part of Concise IP a series of five volumes of commentary on European intellectual property legislation The five volumes cover Patents and related matters Trademarks and designs Copyrights and neighbouring rights IT and a general volume including jurisdictional issues *Concise European Design Law* Verena von Bomhard, Alexander von Mühlendahl, 2023-10-25 The two EU instruments that govern design law the Community Design Regulation CDR of 2001 and the Design Directive of 1998 are expertly annotated in this thorough article by article commentary Written by distinguished practitioners from a range of European countries the volume builds on the two editions of the design related portions of the much relied upon Concise European Trade Mark and Design Law with corresponding case law through the end of 2022 It is the best first stop guide to practice in the field The commentary provides detailed guidance taking into account the case law of the EUIPO and its Boards of Appeal and of the General Court and the Court of Justice on the practical application of such crucial building blocks of design law practice as the following all issues of substantive design law from definitions to novelty and individual character ownership of design rights limits of protection to scope of protection and rights conferred all proceedings before the EUIPO from filing design applications to registration actions for declaration of invalidity and all provisions governing review of EUIPO decisions by the EUIPO Boards of Appeal by the EU's General Court and by the Court of Justice and actions for the infringement of Community designs with a focus on jurisdiction and applicable law The book also contains a unique collection of EU and international legislation of relevance for design protection found in no other reference book including the Community Design Implementing and Fee Regulations the Enforcement of IP Rights Directive excerpts from the Rules of Procedure of the General Court and relevant provisions from applicable international treaties such as the TRIPS Agreement the Paris Convention the Geneva Act of the Hague Agreement and the Locarno Agreement This concise book on designs is a handy desktop companion and single reference tool for daily use by every practitioner in the EU and elsewhere who practises design law It will be welcomed by IP lawyers in house counsel and government officials involved with design policy and procedure Concise European Patent Law Richard Hacon, Jochen Pagenberg, 2008-09-26 In our technological society patent law plays a central role as an incentive for the development and marketing of new technologies in many fields of business The number of patent applications continues to

grow considerably every year International and European conventions and other instruments have been implemented in order to simplify the application for and enforcement of patents and which also govern the scope of protection afforded by a patent in Europe Others are being planned This second edition of Concise European Patent Law aims to offer the reader a rapid understanding of all the provisions of patent law in force in Europe that have been enacted at the European and international levels This volume takes the form of an article by article commentary on the European Patent Convention and the relevant European Community legislation and international treaties It is intended to provide the reader with a short and straightforward explanation of the principles of law to be drawn from each provision with references to the most important case law Editors and authors are prominent specialists both academics and practitioners in the field of international and European patent law Concise European Patent Law second edition is one of a series of volumes of commentary on European Intellectual property legislation edited by Thomas Dreier Charles Gielen and Richard Hacon based on the respected German and Dutch series *Kurzkomentar* and *Tekst en Commentaar*

Concise European Trade Mark Law Verena von Bomhard, Alexander von Mühlendahl, 2018-09-25 The sweeping changes brought about in 2017 to practice and procedures in European Union trade mark law have precipitated a new edition of this much relied upon guide to the field This is the first book to provide comprehensive guidance to the new EU Trade Mark Regulation including full details on all aspects of substance and procedure as well as to the new Trade Mark Directive This new and significantly expanded edition which builds on the two previous editions of the Concise European Trade Mark and Design Law includes the full texts of the new Implementing and Delegated Acts available in no other book as well as a collection of other texts that are needed in daily practice such as excerpts from the Rules of Procedure of the General Court the Paris Convention the Madrid Protocol and the Nice Agreement the Nice Classification the TRIPS Agreement and the Directive on Enforcement of IP Rights Providing a complete commentary and a full set of the legal provisions that must be dealt with on a daily basis obviating recourse to other sources this new edition will be welcomed by anyone with an interest in the law and practice of trade marks in the European Union

European Intellectual Property Law Annette Kur, Thomas Dreier, Stefan Luginbuehl, 2019-12-27 The second edition of this popular textbook has been thoroughly revised expanded and updated in order to reflect the recent extensive changes in European IP legislation Providing an in depth examination of the core areas of IP law from copyright patents and trademarks through to the protection of plant varieties and industrial design it is perfectly pitched to guide the reader through the complexities of the European IP system

Concise European Trade Mark and Design Law Charles Gielen, Verena von Bomhard, 2011 The expansion of the European Union from 15 Member States in 1996 to currently 27 has triggered further discussion of pan European trademark protection its requirements and limitations Concise European Trademark and Design Law aims to offer the reader a rapid understanding of the provisions of trademark and design law in force in Europe and features

EU Trade Mark Law and Product Protection Lavinia Brancusi, 2023-07-13 This book employs

scholarly analysis to ground practical tools for applying the EU Trade Mark law EUTM functionality refusal grounds to address business needs when registering trade marks consisting of product characteristics The study comprehensively examines the absolute grounds for a refusal of registration of functional signs under EUTM It interprets the functionality refusal grounds through objective tests focusing on the pro competition rationale of denying trade mark exclusivity on product features that are technically or aesthetically important for competitors ability to trade in alternative products The work takes a comparative approach looking at the US trade dress functionality doctrine and a law and economics perspective on the role of trade marks and brands in the marketplace It explores how competition rules related to market definition and the substitutability of products as well as marketing and design findings related to branding and aesthetics could be integrated into the legal assessment of EUTM functionality The volume will be of interest to academics and researchers working in the areas of Intellectual Property Law Trade Mark and Design Law EU Law Comparative Law and Branding

The Protection of Geographical Indications in China Xinzhe Song, 2021-11-23 For some time now there has been conflict concerning the role in the global marketplace of certain agricultural or handcrafted products of specific geographical origin whether they should come under trademark law as favoured by common law countries such as the United States or under the geographical indications GI system developed in France and subsequently promoted by the European Union EU At this moment China is in the eye of the storm Taking fully into account the legislative and judicial gaps in China s compromised embrace of the GI concept this book shows how the Chinese case brings to prominence fundamental issues relating to the functional dissimilarity between trademarks and GIs the treatment of the terroir concept the role of GIs in rural development and the challenges of adopting the French and European model in other countries especially in East Asia Providing detailed information on how GIs are registered protected and managed in China France and the EU the book includes such practical analysis as the following comparison between the Chinese and European GI systems to highlight differences in essential elements for GI registration and protection mistakes and errors arising from forcing the GI function into trademark law the increasingly larger scope of EU GI protection protection of collective marks containing GIs and the extension of GI protection to handicrafts who is responsible for the protection of each registered name and who can sue for infringement and legislative options for future GI protection in China Recognizing not only that GIs protect consumers against fraud and producers against unfair competition but also that the goals include the preservation of rural development cultural heritage and traditional knowledge as well as environmental and ecological protection this book provides a comprehensive reference on legal tools available for policymakers legal practitioners researchers and local producers concerned with GI or trademark issues in China France or the EU It will prove greatly helpful to corporate lawyers filing international registration applications and taking legal action It will also be of inestimable value to officials in a variety of countries that are considering developing or improving systems to enhance the value of terroir products and to academics

interested in intellectual property law trademark law agriculture policy GI legislation or World Trade Organization WTO rules

Concise Commentary on the Rome I Regulation Franco Ferrari, 2020-05-21 This book offers an updated article by article commentary of the Rome I Regulation applicable in the courts of nearly all European countries to identify the law applicable to international contracts The commentary is authored by an international group of academics and practitioners who all have practical experience with international contracts and thus were able to focus on the needs of practice This volume will be not only a reference guide for judges and practitioners alike but also a crucial resource for academics and researchers

Journal of World Trade ,2006-02

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