



STRONG COMMUNICATIONS

The means by which a company can communicate are diverse. Whether through the company name, trademark, logo or slogan, the impact of the communication is determined by its originality and distinctiveness. Above all, these methods allow any message or positioning to become instantly recognisable and intrinsically linked with the brand itself.

AVAILABLE?

In the current market, it has become increasingly difficult to be truly 'original'. The Benelux Trademarks Register alone comprises of over a million registered trademarks. With a view to a seamless launch in the market, an availability search becomes the first logical step once a mark or company name has been created. This is the only way to find out whether a previously registered trademark could hinder the introduction of your mark.

TRADEMARK SEARCHING: ALWAYS NECESSARY

A trademark search involves checking all relevant Trademark Registers for trademarks similar to yours. A search like this becomes imperative when you consider the alternative. If another company has older and better rights to a trademark, you will have no option but to cease use of your own mark, losing everything you have worked for. A trademark search is therefore the best preparation for the introduction of a mark. A simple Internet check to find out whether your trademark is already being used by competitors is not sufficient. There are many trademarks which have been registered but are not currently being used in the market. These marks will only come to light when checking the trademark registers in an extensive search.

Depending on your wishes, a trademark search may differ in intensity. Knijff Trademark Attorneys can perform a quick limited search, focussing on identical marks only. This search gives a general idea of the feasibility of your mark. In order to check whether your mark is actually available, a full availability search is necessary, often combined with a company name search.

ANALYSIS AND PRACTICAL RECOMMENDATIONS

A trademark search may produce a large number of marks that resemble yours. Furthermore there exists quite some case law on the collision between such resembling trademarks. Knijff Trademark Attorneys have the legal expertise to help you decide whether you are taking an (ir)responsible risk by introducing your trademark to the market. After conducting a search, we will provide you with an overview of possible problems, an analysis of the risks and of course, the best solution for you. Once we have agreed on a suitable solution, our team will assist you in registering your trademark, giving you an exclusive trademark right of your own.