

# **TRADEMARK LAW SEMINAR**

## **An Introduction**

**CHRISTOS CHRISSANTHIS & PARTNERS**

## Dilution - Look alike products



# Dilution – Look alike products



## Dilution – Look alike products





**NEO**

# **SALOSPIR<sup>®</sup>**

**Ακετυλοσαλικυλικό οξύ**

Σας γνωρίζουμε ότι η **UNI-PHARMA S.A.** διαθέτει το νέο προϊόν **SALOSPIR<sup>®</sup> 500mg**

**ΔΙΣΚΙΑ**

**Χ.Τ.: € 0,34**      **8x x 20 tablets**  
**Α.Τ.: € 0,49**

**500mg**

**UNI-PHARMA**  
Pharmaceutical Laboratories S.A.

ΕΓΓΡΑΦΗ ΟΡΓΑΝΙΣΜΟΥ ΕΛΛΗΝΙΚΗΣ ΑΝΤΑΓΩΝΙΣΤΙΚΗΣ  
ΟΜΟΣΠΟΝΔΙΑΣ ΦΑΡΜΑΚΕΥΤΙΚΗΣ ΕΡΕΥΝΑΣ (Ε.Ο.Φ.Ε.Α.)

ΚΑΡΦΑ: 107 ΚΑΜ, ΣΟΦΙΑΣ ΣΟΥΤΣ, 145 44 ΚΗΦΙΣΙΑ, Τηλ.: 210 80 77 912, Fax: 210 80 70 907  
Τηλ. Περιοχής: 210 80 70 680  
e-mail: uni-pharma@uni-pharma.gr, www.uni-pharma.gr

## OTHER CASE STUDIES



*NIKAS SA well known mark*



*Slogan: "With recipe and care by Panayiotis Nikas"*

**European Court of Justice**

**Difussion v. Sadas, C-291/00**

A handwritten signature in black ink that reads "Arthur". The letters are cursive and connected, with a prominent vertical stroke on the left side.A logo consisting of the words "Arthur" and "Félicie" in a bold, white, sans-serif font, stacked vertically. The word "et" is written in a smaller font size between the two main words. The entire logo is set against a solid black rectangular background.

**Likelihood of confusion is established when the prior mark is reproduced as such in the latter without any modifications or addition, or when the differences are so insignificant that they may go unnoticed**

**European Court of Justice**  
**Vedial v. OHIM, C-106/03**



SAINT HUBERT 41

**No likelihood of confusion**

**The respective marks are not similar from  
an oral and visual perspective**



# Likelihood of confusion established

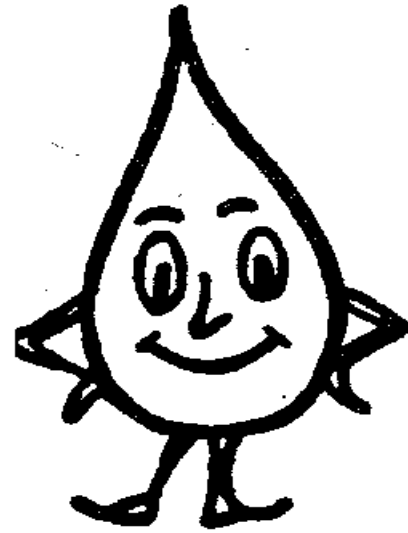
European Court of Justice, C-498/07

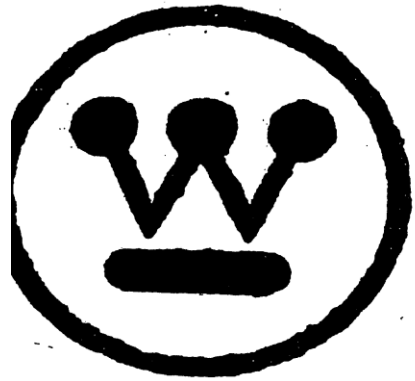
Coosur v. Koipe



Figurative elements are dominant in comparison to word elements

# Likelihood of confusion established Figurative marks







**VOGUE**  
**HATS**  
*NEW YORK*



# REGISTRABILITY

HOW ABOUT THE FOLLOWING TERMS?

ARE THEY REGISTRABLE?

**Babydry** (ECJ, C-383/99 P, 20.9.01, accepted)

**Doublemint** (ECJ, C-191/01 P, 23.10.03, rejected)

**Biomild** (ECJ, C-256/00, 12.2.04, rejected)

**Truewhite** (General Court, T-208/10, 7.7.11,  
rejected)

**We make complex things simple**

HOW ABOUT THE FOLLOWING?

