

BRAND OWNER'S GUIDE

How to use trade marks

January 2017



page white and farrer
european IP

FOR YOUR OWN TRADE MARKS

DO	EXAMPLES
Use a trade mark as an adjective, not as a noun	√ He took an Aspirin paracetamol X He took an aspirin
It is advisable to use the generic name of the product after the brand to help denote that the brand is a trade mark.	√ The advantage of Aspirin paracetamol is its speed. X The advantage of Aspirin is its speed.
Where possible, add details of the ownership of the trade mark, by using an asterisk and a footnote.	√ Blogs is a registered trade mark of Blogs Limited



FOR YOUR OWN TRADE MARKS

DO	EXAMPLES
<p>Update all your logo artwork to indicate that the word is a trade mark.</p> <p>If the trade mark is registered for those goods in that jurisdiction add ®.</p> <p>If the trade mark is not registered, use of ™ denotes you regard it as your trade mark; although use of ™ will then make it harder to later claim you were simply using the word descriptively, if challenged by a third party.</p>	<p>√ Acme® services and goods</p> <p>X Acme services and goods</p>
<p>Update your company brand bible to ensure consistency in the use of logos, font, colours, graphic designs.</p>	<p>√ PAGE WHITE & FARRER</p> <p>X Page <i>White</i> & FARRER</p>



FOR YOUR OWN TRADE MARKS

DO NOT	EXAMPLES
Do not use a trade mark as a verb	√ He added Tarmac road surfacing material to the driveway. X He tarmaced the driveway.
Do not add 'original' or 'genuine' as it suggests that other products having the same name are made by others.	√ Ben Sherman. X Ben Sherman Original
Do not add the words '-style' or '-type' next to your trade mark, as it suggests that it is a generic, or descriptive word, or possibly you may infringe the rights of others.	√ We offer mobile phone products. X We offer Apple-style goods.



FOR YOUR OWN TRADE MARKS

DO NOT	EXAMPLES
Do not pluralise the trade mark.	√ Page White & Farrer X Page White & Farrers
Do not use a trade mark in a possessive sense with an apostrophe.	√ Acme banking services. X Acme's banking services.
Do not change the spelling or appearance of a brand by hyphenating it, joining it, with other words, abbreviating it or misspelling it.	√ Arrow banking services X Arrow banking, Arrowbank, Arrow-banking
Do not combine logos with other designs, numbers, letters and symbols, unless this is consistent with business policy	√ Page White & Farrer X Page White + Farrer



FOR OTHER TRADE MARKS

DO	EXAMPLES
Where referring to other companies' brands indicate that these are trade marks.	√ Arrow ® shipping services will be used to deliver our products. X Arrow will deliver our products.
Check whether permission is required for your use of the trade mark. Some companies allow the use of their word marks, but not their logos	√ I will call you using the Skype system. X I will call you on [Skype logo].
Check the brand owner's guidelines for usage of the mark and ensure you follow them.	



FOR OTHER TRADE MARKS

DO NOT	EXAMPLES
When using a company's trade mark, do not falsely imply that you are the company or an authorised dealer	√ This phone accessory is designed for the CISCO Phone 7962. X Official CISCO retailer.
Do not use the trade mark as a generic term for the product category.	√ Aspirin branded pills solve headaches. X Aspirin solve headaches
Do not use the trade mark as a verb	√ Play with these flying discs! X Play frisbee!



Our trade mark services



The Page White & Farrer trade mark team is experienced in all aspects of trade mark work, including:

- Clearance searches for new marks
- Applications for registration
- Advising on trade mark and passing off disputes
- Advising on negotiating licences and agreements
- Character merchandising and franchising
- Combating counterfeiting.

We deal with applications at national registries in every country in the world, and also through the Community Trade Mark and International Trade Mark systems.

For further information

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