

COMMUNITY TRADEMARK OFFICE UPDATE : SENIORITIES

In our February Newsletter we informed you that the Community Trademark Office (CTMO) expected to start examining seniority claims made from April 1999.

There is no indication of when the CTMO will start to examine the seniority claims for existing applications and registrations filed before this date.

The CTMO has, however, indicated that it will examine any seniority claim made after April 1999, even if the trademark is registered and seniority claims have already been made, when the application was filed.

We recommend that you instruct us to re-file seniority claims filed before April 1999. This cannot be done until after registration.

We have previously recommended that you do not allow equivalent national rights to lapse, until their seniority claims have been examined and verified by the CTMO. This is still our recommendation, but early examination and verification of seniority claims will allow proprietors to allow existing national registrations to lapse after the seniority claims have been verified.

The information in this Newsletter was correct at the date of release. More up to date information is available by contacting Eric Potter Clarkson. All comments contained here are of a general nature and full professional advice should be sought on any specific problem.

Please note that all our Newsletters can be found on our website at www.eric-potter.com.

N:063/cld/iab/lw

8 January 2001

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