

COMMUNITY TRADE MARK REGISTRATIONS – 1 MAY 2004

Seniorities

On 1 May 2004 ten countries will join the European Community trademark system. These countries are listed below.

Cyprus	Czech Republic
Estonia	Hungary
Latvia	Lithuania
Malta	Poland
Slovakia	Slovenia

From that date it will be possible to claim seniorities, in respect of any existing Community trademark application or registration, from prior national registrations and applications in these ten countries.

Seniorities can be claimed provided that the national registration or application in one or more of the ten new member states is for the same trademark, covers some of the same goods and services and is in the same ownership as the Community trademark registration or application.

Once a seniority has been recorded then the prior national registration can be allowed to lapse when next due for renewal. The rights from that national registration will be incorporated into the Community trademark registration.

To claim seniority, we have to file copies of the prior national registrations, and copies of renewal certificates if appropriate. In addition, if there have been assignments or changes of name, then documentation showing that these have been recorded will also be required. Photocopies of these documents are acceptable. Alternatively, certified extracts from the national offices will also be acceptable.

Please contact Ian Buchan, Sanjay Kapur or John Peacock if you wish to receive further advice on this matter.

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.