



IP Information Roundtable

Brand/Design related matters

**Geneva
30 October
2018**

Marina Foschi
Legal Officer



(51) International Patent Classification: A45D 20/08 (2006.01) A45D 20/12 (2006.01) A45D 20/10 (2006.01)

(21) International Application Number: PCT/GB2014/051044

(22) International Filing Date: 3 April 2014 (03.04.2014)

(25) Filing Language: English

(26) Publication Language: English

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(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IR, IS, JP, KE, KG, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, KM, ML, MR, NE, SN, TD, TG).

Published: with international search report (Art. 21(3))

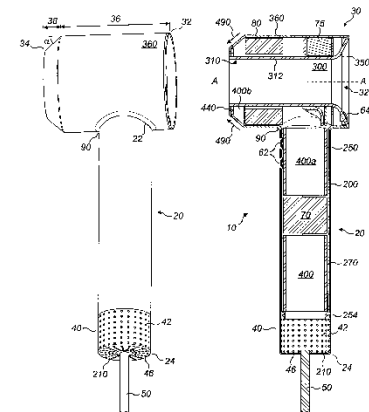


FIG. 1

FIG. 2

SUBSTITUTE SHEET (RULE 26)

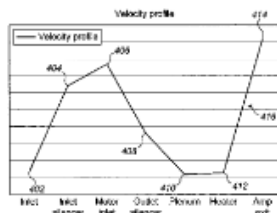


FIG. 22a

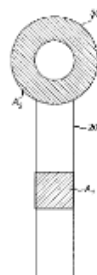


FIG. 22b

(54) Title: A HAIRDRYER

(57) Abstract: Disclosed is a hairdryer (10) comprising a primary fluid flow path (400) extending from a primary fluid (40) inlet to a primary fluid outlet (440), a fan (70) unit for drawing primary fluid into the primary fluid flow path, a heater (80) for heating primary fluid in the primary fluid flow path wherein primary fluid flowing through the heater has a lower velocity than primary fluid flowing through the fan unit. The heater may be downstream of the fan unit. The cross sectional area of the primary fluid flow path may vary along the primary fluid flow path. The cross sectional area of the primary fluid flow path may be greater around the heater than around the fan unit. The hairdryer may comprise a handle and the primary fluid inlet is in the handle (20). The hairdryer (10) may comprise a body (30) and the primary fluid outlet is in the body and the primary fluid flow path extends within the handle from the primary fluid inlet to the body.

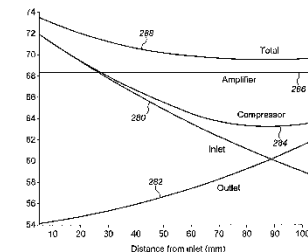
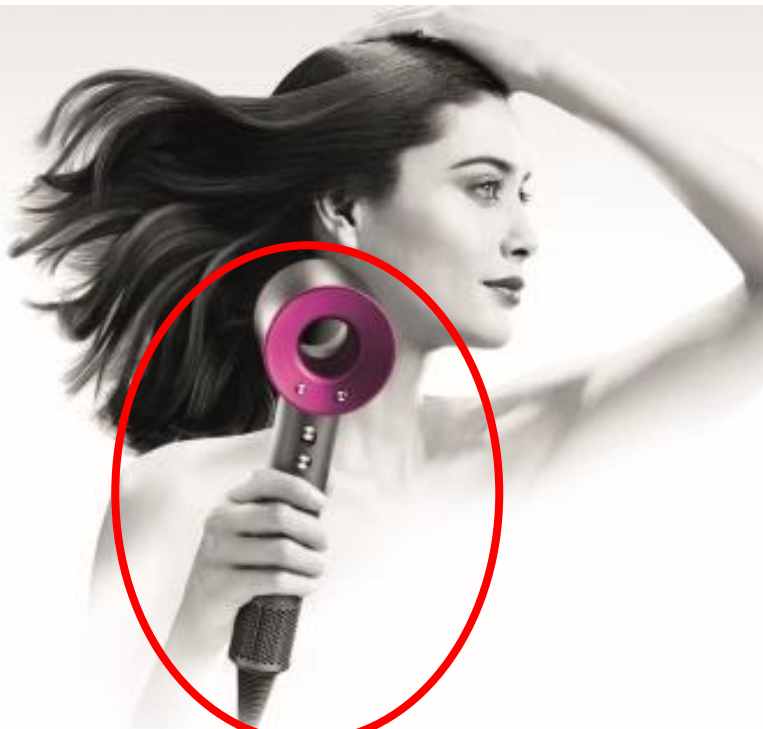


FIG. 10

SUBSTITUTE SHEET (RULE 26)

dyson supersonic

Dyson Technology Ltd
Hair dryers (Class 11)
IR 1305938



dyson supersonic

The hair dryer re-thought.

Helps prevent extreme heat damage
to protect natural shine

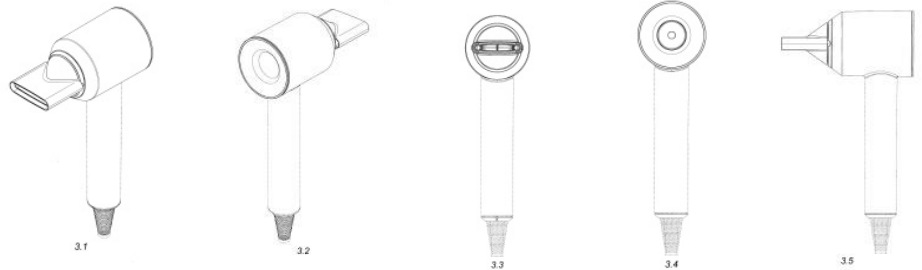
Fast drying

Lightweight and balanced

Smoothing nozzle

Lord & Taylor

Available in select stores and online at lordandtaylor.com



Dyson Technology Ltd
Hair appliance (class 28.03)
RCD 001428080-0003

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ORGANIZATION

PART I

TRADEMARKS

Plan

- 1. What is a trademark?
- 2. How can a trademark be protected?
- 3. What are the requirements for protection?
- 4. Where can a trademark be protected?
- 5. What is the duration of protection?

1. What is a trademark?



1. What is a trademark?

■ PURCHASING DECISION

➔ What makes you buy?

■ SIGN

- Quality
- Characteristics
- Origin
- Reputation

1. What is a trademark?

■ WORDS

MICROSOFT

MERCEDES

ADIDAS

TOTAL

■ LETTERS

BMW

OPI

1. What is a trademark?

■ NUMBERS

501

308

■ NAMES

BECKHAM

STELLA McCARTNEY

■ SLOGANS

JUST DO IT

WHAT ELSE?

1. What is a trademark?

■ LOGOS



1. What is a trademark?

■ COLORS



1. What is a trademark?

■ 3D FORMS – SHAPE OF PRODUCTS/PACKAGING



1. What is a trademark?

■ SOUNDS



■ SMELLS



2. How can a trademark be protected?

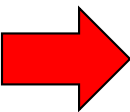
■ REGISTRATION

3. Requirements for protection

- **DISTINCTIVE CHARACTER**
- **NOT DESCRIPTIVE**
- **NO CUSTOMARY TERMS**
- **NOT DECEIVE THE PUBLIC**
- **PUBLIC ORDER / MORALITY**

3. Requirements for protection

■ NOT INFRINGING RIGHTS OF THIRD PARTIES



Global Brand Database

Perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks, appellations of origin and official emblems. V: 2018-10-29 09:8

- Free webinars** 2018-10-23 **Data from Tunisia available** 2018-09-03 **Free webinars** 2018-08-31 **Data from Georgia available** 2018-08-12 **Free webinars** 2018-06-22 **Data from Italy available** 2018-06-12 **Refresh of US Data** 2018-05-22 **Refresh of UAE Data** **NEWS** ✕
- How to read, save & share your results
- Over 89,000 records added
- Image searching in the Global Brand Database
- Over 10,000 records added
- Join us for a webinar on effective searches
- Over 1,150,000 records added
- Over 38,000 records added and 50,000 images recovered
- Over 120,000 active records added

SEARCH BY

Brand | Names | Numbers | Dates | Class | Country

Text =

Image Class =

Goods/Services =

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FILTER BY

Source | Image | Status | Origin | App. Year * | Expiration *

AE TM	155,406	AU TM	1,698,814	BH TM	51,668	BN TM	45,777	CA TM	1,603,315	CH TM	410,250
CL TM	602,514	DE TM	2,020,750	DK TM	290,214	DZ TM	32,849	EE TM	59,419	EG TM	116,198
EM TM	1,612,965	ES TM	889,525	FR TM	2,721,905	GE TM	41,000	ID TM	955,068	IL TM	275,823
IS TM	106,234	IT TM	1,169,181	JO TM	151,938	JP TM	2,132,508	KH TM	88,650	KR TM	3,498,343
KW TM	33,213	LA TM	44,380	MA TM	168,785	MD TM	40,829	MN TM	67,581	MX TM	1,406,613
MY TM	833,497	NZ TM	653,969	OM TM	58,424	PG TM	31,558	PH TM	445,359	SG TM	692,347

Display: List | Sort: Value - asc

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1 - 30 / 36,789,079

TMview

Display: 30 per page options

1 / 1,226,303

	Brand	Source	Status	Relevance	Origin	Holder	Number	App. Date	Image Class	Nice Cl.	Image
<input type="checkbox"/>	DELTA	DZ TM	Active	1		DZ REEMTSA CIGARETTENFABRIKEN GmbH	DZT1994048408	2994-11-30		34	
<input type="checkbox"/>	GLAS	DK TM	Pending	1		DK GLAS - Christianshavn Optik I/S	VA201802069	2080-09-28		9, 42, 44	
<input type="checkbox"/>	No Verbal Elements	NZ TM	Pending	1		NZ Varinder kumar pal	1105960	2018-10-29		27	
<input type="checkbox"/>	91 club	NZ TM	Pending	1		NZ hamad emad hassan	1105961	2018-10-29		25	
<input type="checkbox"/>	Holy Cow Pure Milk Vodka	NZ TM	Pending	1		NZ Travis Jon Clayton	1105966	2018-10-29		33	
<input type="checkbox"/>	Hime	NZ TM	Pending	1		NZ Andrew John Severinsen	1105967	2018-10-29		35	
<input type="checkbox"/>	Coromandel Green	NZ TM	Pending	1		NZ Samuel Iain Brown	1105968	2018-10-29		5	
<input type="checkbox"/>	NZBF	NZ TM	Pending	1		NZ NEW ZEALAND BEST FOOD LIMITED	1105969	2018-10-29		5, 29, 32	
<input type="checkbox"/>	WOORK	NZ TM	Pending	1		NZ A LIMITED	1105962	2018-10-29		9, 35, 36, 42	

4. Where can a trademark be protected?

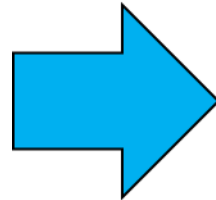
■ Trademark right = territorial

■ Different routes:

- **National** route
- **Regional** route (*e.g.*, EUIPO)
- **International** route (Madrid System)

4. Where can a trademark be protected?

- Registration in several countries



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5. Duration of protection

- Not less than 7 years
- INDEFINITELY renewable
- Under certain law: obligation to use

PART II

INDUSTRIAL DESIGNS

Plan

- 1. What is an industrial design?
- 2. How can a design be protected?
- 3. What are the requirements for protection?
- 4. Where can a design be protected?
- 5. What is the duration of protection?

1. What is a design?



1. What is a design?

■ PURCHASING DECISION

➔ What drives your choice?

■ APPEARANCE OF A PRODUCT – “LOOK”



DM/072618

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3.7

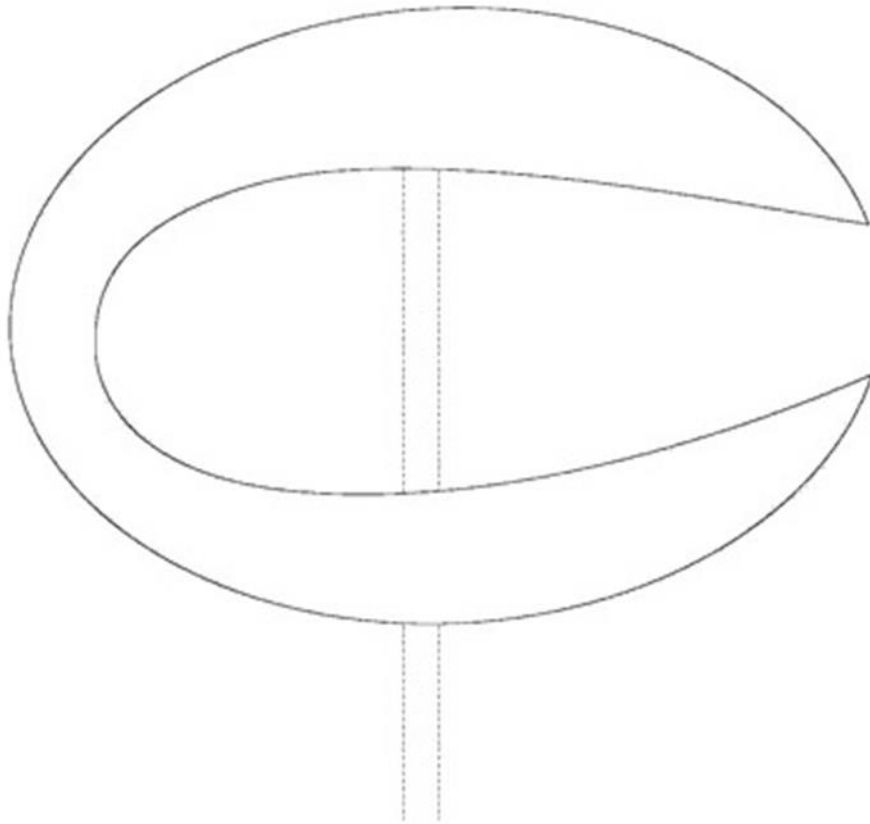


1.2





1.1

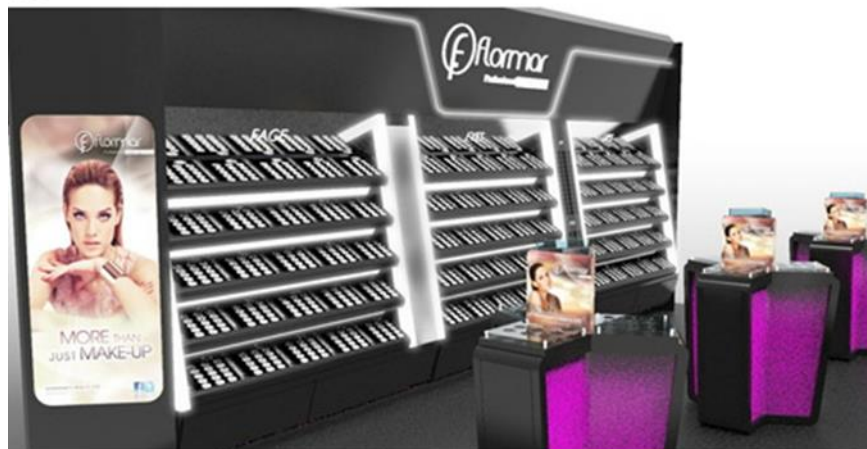


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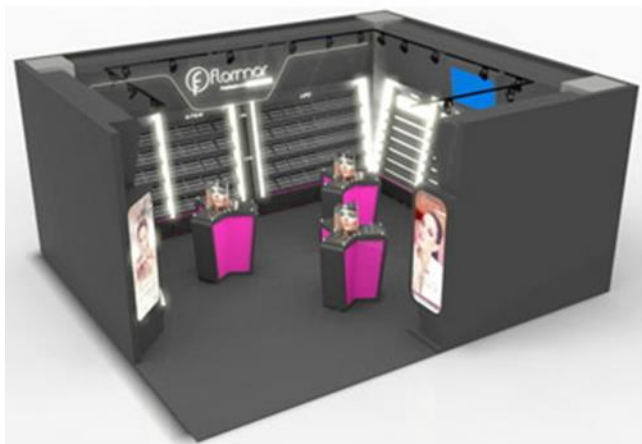
1.1



1.2



2.1



3





3



4



2. How can a design be protected?

- REGISTERED DESIGN / DESIGN PATENT

- UNREGISTERED DESIGN (*e.g.*, EU / UK)

- COPYRIGHT

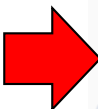


3. Requirements for protection

- **INDEPENDENTLY CREATED**

- **NOVELTY**

- **ORIGINALITY**



Global Design Database

A world-wide collection of industrial designs data; including WIPO Hague registrations and information from participating national offices.

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SEARCH BY

Design | Names | Numbers | Dates | Country

Indication of Products =

Design class =

Description =

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Source | Designation | Locarno Class | Reg. Year ✕

CA Designs	170,196	DE Designs	1,139,708	ES Designs	418,736	FR Designs	755,664
GE Designs	2,384	JP Designs	566,243	JO Designs	2,193	MD Designs	10,361
MN Designs	2,663	NZ Designs	48,695	US Designs	830,283	ID Designs	56,693
EM Designs	1,175,953	WO Designs	98,510				

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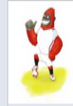




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1 - 10 / 5,278,282

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1 / 527,829

Sort by Reg. Date - desc ▾

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<input type="checkbox"/>	ESID D0529036-0002 Ornamentación 2018-10-26 USEFULMODELS, S.L.	
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<input type="checkbox"/>	ESID D0529035-0002 Ornamentación 2018-10-26	

4. Where can a design be protected?

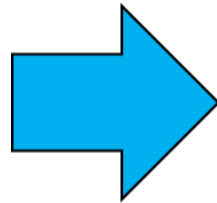
■ **DESIGN RIGHT = TERRITORIAL RIGHT**

■ **DIFFERENT ROUTES:**

- **National** route
- **Regional** route (*e.g.*, EUIPO)
- **International** route (Hague System)

4. Where can a design be protected?

- Registration in SEVERAL countries



WIPO



5. Duration of protection

■ Duration

- Protection shall amount to at least 10 years

Conclusion

■ TRADEMARKS

- Not infringing rights of third parties

■ INDUSTRIAL DESIGNS

- Originality/Novelty