

99081001060000

# Trade mark, registration

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<https://fimportal.de/xzufi-services/6000077-99081001060000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99081001060000
Leistungsbezeichnung I	Trade mark, registration
Leistungsbezeichnung II	Trade mark, registration
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul	Sachverhalt
Fachlich freigegeben durch	
Handlungsgrundlage	• §§ 32 bis 47 Markengesetz (MarkenG)
Teaser	Trade marks are signs that can be used to distinguish the goods and services of one company from those of other companies. To effectively prevent competitors from using your trade marks and perhaps making a profit at your expense, you should apply for and register your trade marks.
Volltext	<p>Application for registration of a trade mark in the register pursuant to Sections 32 et seq. Markengesetz (MarkenG)</p> <p>Trade marks are signs that can be used to distinguish the goods and services of one company from those of other companies. To effectively prevent competitors from using your trade marks and perhaps making a profit at your expense, you should apply for and register your trade marks.</p> <p>Decide carefully which goods and services your trade mark should protect.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Application form</li> <li>• four identical graphical representations of the trade mark (except for word marks)</li> </ul> <p>Tip: More detailed information on the required documents and instructions for filling in the application form can be found in an information sheet of the DPMA.</p>
Voraussetzungen	
Kosten	<p>Registration Fee</p> <ul style="list-style-type: none"> <li>• for written registration: EUR 300.00</li> <li>• for electronic registration: EUR 290.00</li> <li>• for an accelerated examination: additional EUR 200.00</li> <li>• Payment within three months of registration</li> </ul> <p>Please note! In the event of non-payment, your application will be deemed cancelled.</p>

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The application fee applies to three classes of goods or services. An additional fee of EUR 100.00 will be charged for each additional class.

### Renewal Fee

- EUR 750.00 for three classes of goods or services, EUR 260.00 for each additional class.

Note: Legal aid cannot be granted for the application and maintenance of trade mark rights.

## Verfahrensablauf

Anyone can apply for intellectual property rights themselves. In principle, it is up to you whether or not you seek the help of a patent attorney. In many cases, however, it is advisable to consult a lawyer. Only if you are not resident in the Federal Republic of Germany do you need to be represented by an attorney.

You can search for a patent attorney in your area on the Internet portal of the Chamber of Patent Attorneys.

### Application

- You can obtain the application form from the above-mentioned offices or on the Internet (Forms & online services)
- It is also possible to apply for a trade mark online; you can find out about the requirements for this on the website of the Deutsches Patent- und Markenamt (German Patent and trade Mark Office) (DPMA).
- Submit the completed application with the required documents to the Deutsches Patent- und Markenamt (DPMA) in paper form or electronically and pay the application fee.
- You will receive a receipt with the file number and the essential application data.

### Application Examination

- Once your application fee has been received, the Deutsches Patent- und Markenamt (DPMA) will examine whether there are any absolute grounds for refusal (for example, whether the trade mark is not

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contrary to public morality or public policy). Note: It is not checked whether there are already trade marks in the register that are identical or very similar to the trade mark applied for.

- If your application is deficient, the DPMA will ask you to submit a statement, possibly also to complete your application.

### Registration in the Trade Mark Register

- If your application is complete and there are no objections to registering the trade mark, the Deutsches Patent- und Markenamt (DPMA) will register the trade mark.
- Trade mark protection takes effect on the date of entry in the register.
- In addition to registration, the trade mark is published in the Trade Mark Journal.

### Right of Opposition for Third Parties

After a trade mark has been registered, owners of earlier trade mark rights can file an opposition against their trade mark for three months if they believe their rights have been infringed. This means that a registered trade mark can also be cancelled.

## Bearbeitungsdauer

Duration of the Procedure • The registration procedure takes an average of six to eight months - sometimes considerably longer if further enquiries are necessary • For a separate fee, you can apply for an accelerated procedure, which is completed after just three to four months.

## Frist

Duration of Trade Mark Protection Trade mark protection ends ten years after the end of the month in which the application date falls. After that, you can renew your trade mark as often as you like for another ten years by paying a renewal fee. Note: When renewing, you must indicate whether you wish to renew the trade mark unchanged or with restrictions.

## weiterführende Informationen

Modul	Sachverhalt
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	