EU slashes Community Trademark fees; bargain CTMs offering protection in 27 member countries

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Significant Reduction of Official Fees Now Makes Achieving a European Community Trademark Registration an Even Greater Bargain

Allowing trademark owners, through a single filing, to secure a trademark registration covering the entirety of the European Union (a "Community Trademark" or "CTM") has always afforded trademark owners a major cost savings over registering their marks in even a few individual European countries. Now, as a result of a recent significant reduction of the official (government) fees associated with securing a trademark registration in the EU, trademark owners can achieve registration of their marks in the EU at an even lesser cost.

If your business sells products or services in any countries of the EU or has plans to do so, a CTM can prove to be an extremely valuable intellectual property asset.

For all trademark applications filed in with the EU after May 1, 2009, the registration fee, which was previously due at the end of the three month period following publication, has been abolished. Therefore, the overall cost of obtaining a CTM is reduced by nearly $2,000.

The new cost of preparing and filing a CTM application in up to three classes of goods and services is approximately $3,000, inclusive of all attorney and official fees. Assuming that the application progresses to registration in a straightforward manner, there are additional costs during the application process of approximately $1,500.

Consequently, for a total approximate cost of $4,500, trademark owners can achieve registration of a trademark in the entirety of the EU for slightly more than double the cost of securing registration of a mark in the United States or in a single European country.

The Community Trademark

The CTM offers the opportunity to protect a trademark in all of the countries of the EU by filing a single application. The countries covered are Austria, Benelux (Belgium, the Netherlands and Luxembourg), Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom. The initial registration period is ten years from the date of filing the application. As new countries join the EU, the protection afforded by an existing CTM automatically expands to cover the new Member country.

The most attractive feature of CTM registration is that it offers trademark protection in all 27 Member states of the EU at a cost that is much lower than that of filing separate applications in each Member country.

Flaster Greenberg's Trademark, Copyright and Internet Practice Group

Flaster Greenberg's TCI Practice Group has expertise in areas of trademark, copyright, and unfair competition strategic counseling, litigation, licensing, and prosecution matters. These matters include trademarks, trade dress, product configuration, unfair competition, trade secrets, copyrights, false advertising, and Internet- related intellectual property issues. The head of Flaster Greenberg TCI Practice Group, Jordan LaVine, was recently named in the Trademark Insider's® list of the Top 50 Trademark Attorneys in 2008, based upon the number of trademark applications filed in the U.S. Patent and Trademark Office.

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