

Recent Case Law in German Trademark Law



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FOREWORD

At EISENFÜHR SPEISER, trademark competence is pooled across the firm in the trademarks practice group. The attorneys-at-law and patent attorneys regularly exchange information regarding new developments in case law and practice. Together, the practice group draws on a wealth of experience of over 50 years. And our clients benefit from this.

The most up-to-date case law is also taken into account in the Commentary on European Trade Mark Regulation (Eisenführ/Schennen, UMV, Carl Heymanns Verlag 2017), published by EISENFÜHR SPEISER in cooperation with Detlef Schennen, Chairperson of a Board of Appeal at the European Union Intellectual Property Office (EUIPO), now already in its fifth edition.

In this case law review, the trademarks practice group has compiled and prepared eight current practice-related decisions from the last couple of months for you.

The courts dealt in particular with specific types of trademarks such as the abstract colour trademark or the three-dimensional trademark and its distinctiveness, as well as the closely related issue of the scope of protection. Furthermore, the courts also had to deal with parallel imports of pharmaceuticals, statements on online sales platforms, conflicting company symbols or the forfeiture of claims due to trademark infringement.

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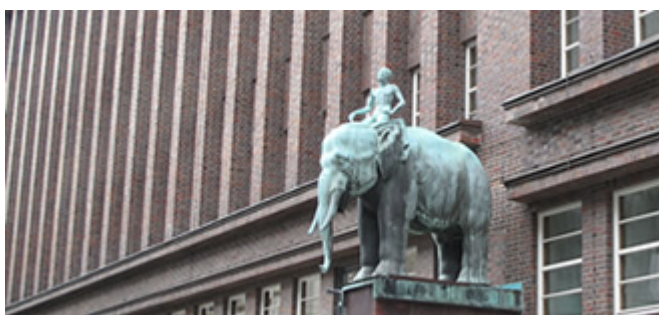
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