

# TRADEMARK

In the UK protecting your business assets is vital, this is where a trademark and/or a copyright play an essential role in securing the intellectual property your business creates. From logos and signage to marketing slogans and packaging designs, keeping your intellectual property secure means it's important to understand the difference between trademark and copyright protection.

Trademarks are often referred to as badges of origin. They distinguish the goods or services of one trader from another and can take many forms: for example, words, slogans, logos, shapes, colours and sounds.

They should not be descriptive and must not include common surnames, geographical names, registered company names or anything implying royal patronage. In Europe, trademarks must be registered in order to have protection. Provided they are looked after properly, see below, a trademark can last indefinitely.

Trademarks are registered for specific goods or services within individual subjects, known as classes. It is possible for others to register identical or similar marks as long as it is in a different, unconnected class.

There are two abbreviations used by UK businesses to demonstrate their trademark rights:

- The term 'RTM' is how intellectual property professionals refer to registered trademarks. Trademark rights holders in the UK use the ® symbol to indicate a trademark is registered.
- The abbreviation 'TM' is used in the UK to indicate that a company/business is using something – be it a word, symbol or combination of the two – as a trademark but it is currently unregistered.

You should think about your future plans to ensure your protection covers all the areas your business might need. Think about the geographical coverage you need. You can register a trademark to protect you in the UK, throughout the European Union, internationally or in individual countries.

You do not have to have registered a trademark to use it and many companies will opt to use the TM symbol for new goods or services.

## Trademark TM

A trademark is a sign or service mark which can include any word, name, symbol, device, or any combination, used or intended to be used to identify and distinguish your goods and services from those of your competitors (you may refer to your trademark as your "brand").

Trademarks are acceptable if they are:

- distinctive for the goods and services you provide

In other words, they can be recognised as signs that differentiates your goods or service as different from someone else's.

## Registered Trademark RTM

A Registered trademark means it is protected under the country's trademark office, for example - UK Trademarks Office and a local country act, for example - UK Trade Marks Act 1994 (with amendments). Therefore, because it denotes legal ownership of the name, logo, or phrase, anyone trying to use it can be sued for trade mark infringement.

Registering a trademark is one of the most effective ways you can protect your name, brand and work. Regarding intellectual property protection, there's not much that can beat registering a trademark correctly.

## Trademark Processing

The trademark registration process has a typical processing time of 4 – 6 months in the UK, around 6 – 9 months for the EU Trademark and in the USA, it can take between 8 – 12 months.

If you feel you need to register your trademark in the UK here is the link to the site and to learn added information.

<https://www.gov.uk/how-to-register-a-trade-mark/apply>

## Advantages

- Trademarks can be renewed every ten years and are valid indefinitely.
- They are a much quicker and cheaper way of protecting your business than a patent is.

## Disadvantages

- You need to ensure that you have registered your trademark for all the categories and territories you need it for, for it to be completely effective.

*We support businesses to amplify growth*

