

HOW TO MAKE THE MOST OF MY BUSINESS!

Domain names and trade marks as business builders

Sophia Bonne - EUIPO

Konstantinos Chatzistamou – Aneta Szczepankiewicz - EURID

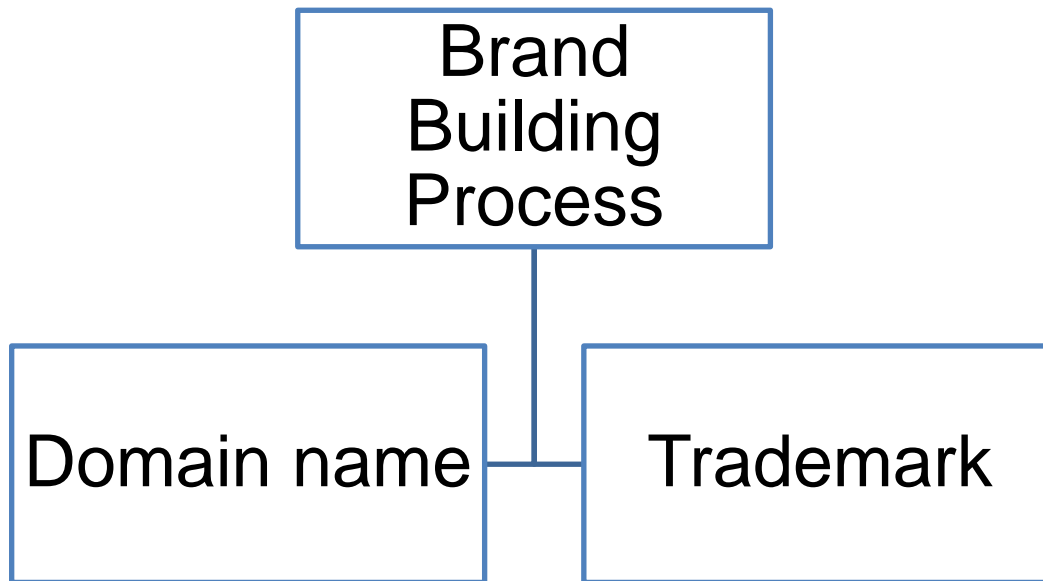
HOUSEKEEPING RULES

- You can send your questions by clicking on the Q & A button on the bottom of your screen
- Your questions will be answered at the end of the webinar

AGENDA

1. Brand building process (stones)
2. Domain names
3. Trademarks
4. Synergies
5. Conflicts
6. Conclusions

1. BUILDING A CORPORATE IDENTITY



SMEs Brand Strategy

Concept of Domain Name

- names that serve to **locate** and identify companies, people and organisations **online**
- a domain name uniquely **identifies** an Internet Protocol (IP) resource such as a **website** on the Internet.
- It's your online address

Concept of Trade Mark


- may consist of any **signs**, in particular words, including personal names, or designs, letters, numerals, colours, the shape of goods or of the packaging of goods, or sounds, provided that such signs **are capable of distinguishing the goods or services of one undertaking from those of other undertakings** (Article 4 EUTMR)

2. WHAT IS A DOMAIN NAME AND HOW TO USE IT?


DODONI
The taste of good

menu




our products

www.dodoni.eu



WEBSITE



A shop without a name and a shop-window has limited or no visibility!

EMAIL ADDRESS



EMAIL ADDRESS




2. WHAT IS A DOMAIN NAME AND HOW TO USE IT?


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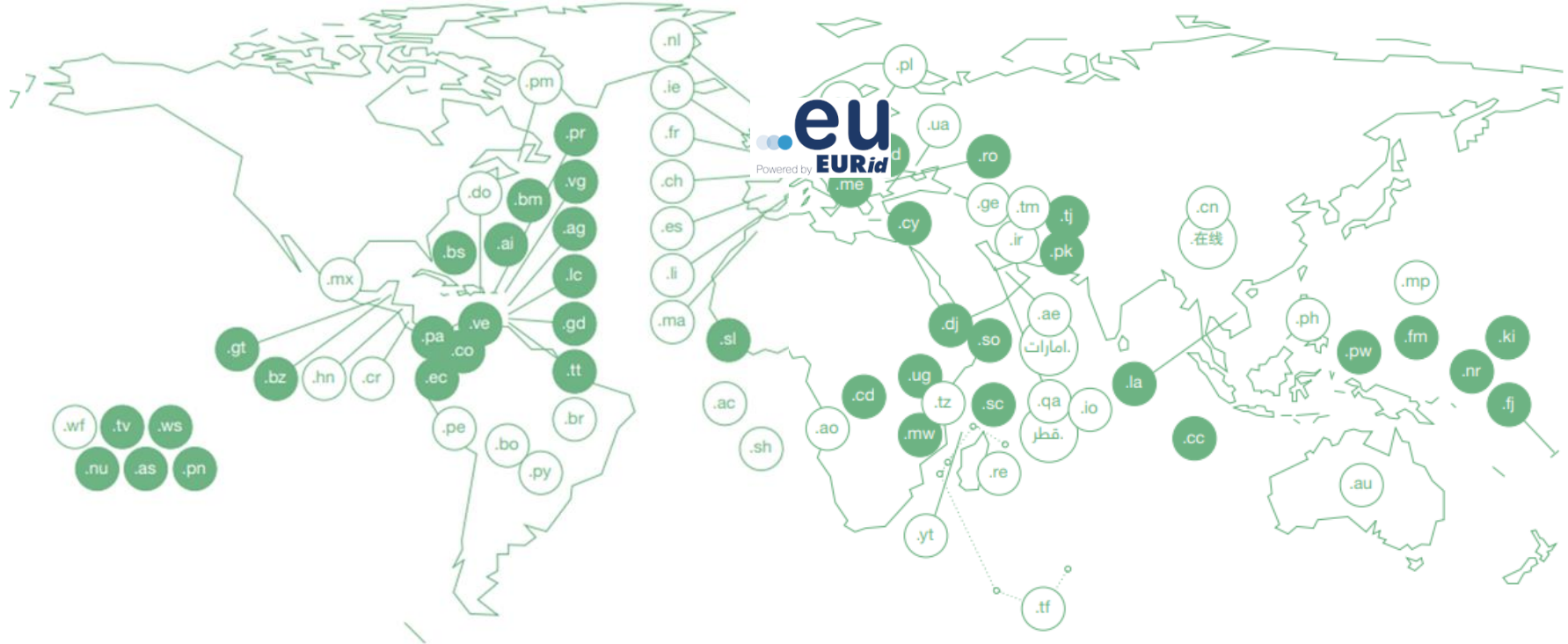



our products

www.dodoni.eu



Country Code Top Level Domains: .eu TLD

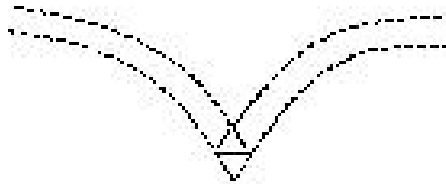


All ccTLD are two letters long, corresponding to ISO country codes

3. WHAT IS A TRADE MARK AND WHERE CAN YOU PROTECT IT ?

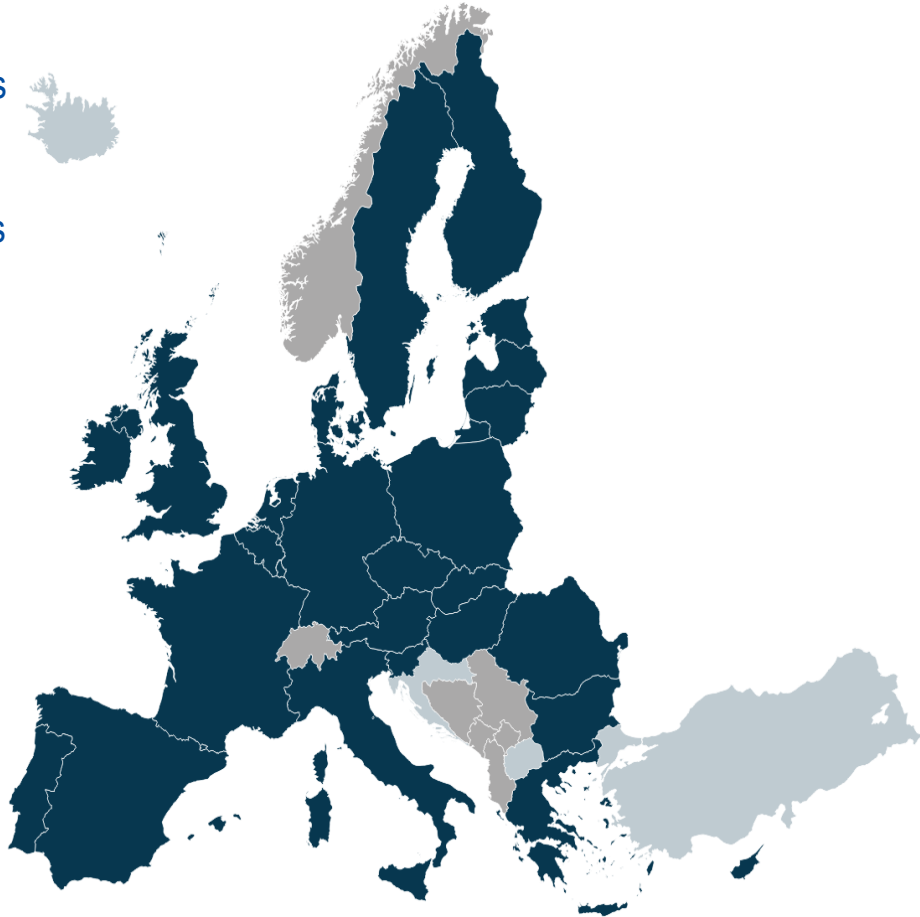
DODONI

EUTM nr. 002921336



1. The **National Trade Mark system** gives protection in the EU Member States and Benelux Countries. The TM can be registered at the national trade mark Offices and the Benelux Office.

2. The **European Union Trade Mark system** is a centralized system that gives a unitary protection in all of the 28 Member States of the European Union. The TM can be registered at the EUIPO.





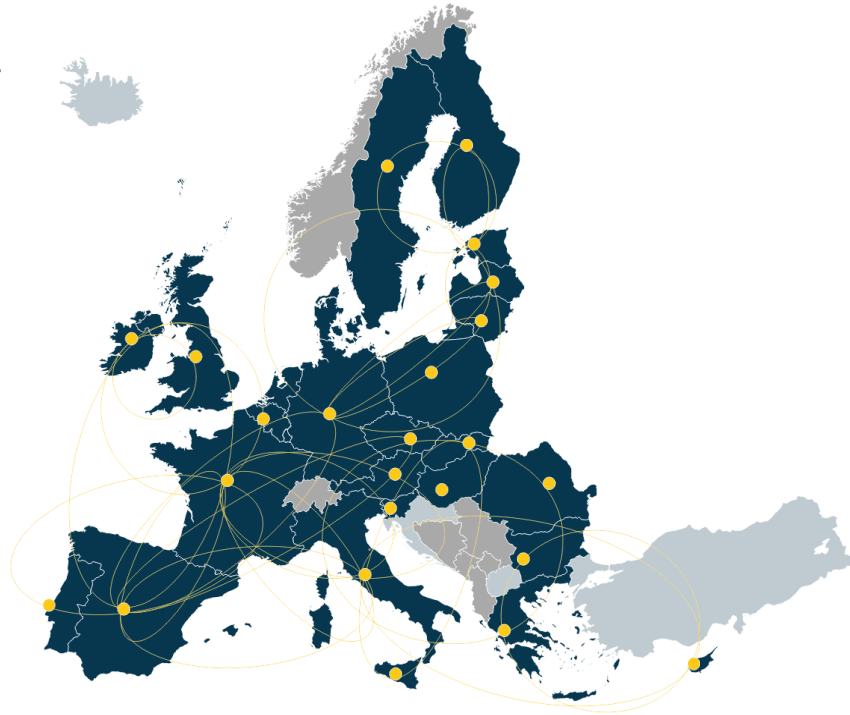
EUIPO

EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

The Characteristics of the EUTM

eu
Powered by EURid

3. The **International Trade Mark system** gives protection in the designated Countries or territories such as the EU, at a world wide level. The TM can be registered at the WIPO.



4. HOW CAN TM AND DOMAIN NAMES REINFORCE EACH OTHER ?

EURID and EUIPO strengthened their collaboration in 2019.

Now EUTM applicants can easily check if an equivalent .eu domain name is available and potentially register it.

Holders and applicants of an EUTM can opt-in to receive alerts if a .eu domain name is registered identical to their EUTM



✓ *Your application has been successfully submitted.*

 Download Receipt

 Print Confirmation

 Print Screen

Application details

EUTM Application Number
018103414

Process number:
EFEM201900001588635

Date of submission
15/11/2019

Time of submission
07:44 CET

Payment details

Payment method
Bank transfer

Payment Transaction Code
193DQPX7

Other things to consider:

.eu Once your trade mark application has been formally accepted it will be published in our online register and trade mark details will be publicly available. Don't forget to protect the domain name for your trade mark in the EU before someone else does. [How to apply for a .eu domain name](#)

hmh.eu is available!

.eu domain name matches are based on the trade mark name with any spaces and hyphens removed. Other potential .eu domains can be found by searching the .eu domain registry. [Search for a .eu domain name](#)

Please read the [EUIPO legal notice](#) regarding data received from third parties.

WHOIS DATA

Domain name	dodoni.eu
Status	Registered 
Registered	22 jun 2006
Registrar	Papaki.com

NAME SERVERS

REGISTRANT AND CONTACTS

<input type="text" value="AGROTIKI VIOMICHANIA GALAKTOS IPIROU AE DODONI"/>	
Contact type	Registrant
Organisation	AGROTIKI VIOMICHANIA GALAKTOS IPIROU AE DODONI
Language	Greek
Address	IOANNINA IPIROS GR
Email	ilazos@dodoni.eu

Tools :

Have you considered protecting your .eu, .eu or .eu domain name by registering it as a [European trade mark](#)?
Check the availability of a European trade mark in [TMView](#)

DOMAIN NAMES vs TRADE MARKS, bridging the great divide!

SMEs Brand Strategy

Domain Names



Trade marks

DOMAIN NAMES vs TRADE MARKS, bridging the great divide!

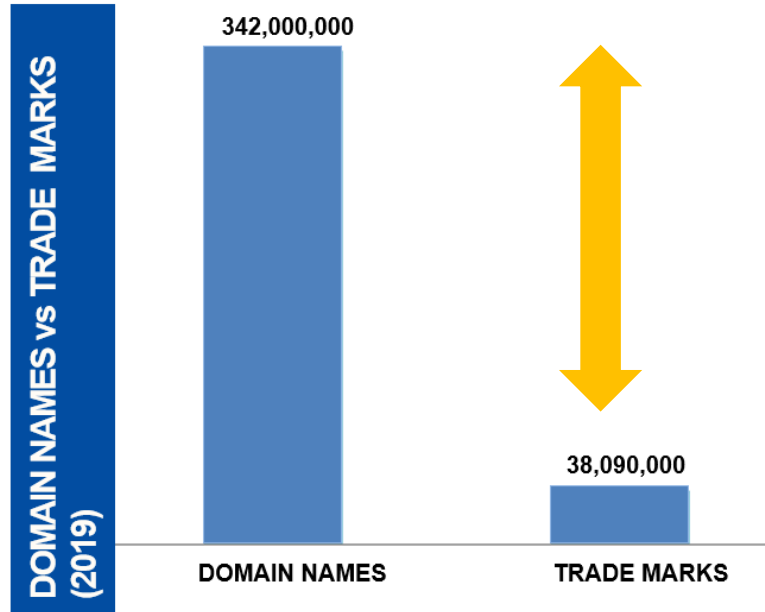


79%
EU SMEs
have a website

20%
EU SMEs
Sell online

9%
SMEs
have an IP Right

DOMAIN NAMES vs TRADE MARKS, bridging the great divide!



DOMAIN NAMES vs TRADE MARKS, bridging the great divide!

DOMAIN NAME	TRADE MARK
internet address protection (tactical)	service / product protection (strategic)
world-wide vision	territoriality principle
apply with specified domain name registrars	apply with IP offices (NIPOs) or other international IP organisations (eg. EUIPO) or IP intermediaries
use not mandatory	use is mandatory
cost to acquire is €1 - 50 (in general) + per 1-year annuity	cost to acquire averages €140 (national) and €850 (European) + per 10-year annuity
“first come first served” basis	granted only after specific national/international examinations (Trade mark Act), formalities, prior rights

5. CONFLICTS BETWEEN DOMAIN NAMES AND TRADE MARKS

The cybersquatter offers to sell the domain name to the person or company who owns the trade mark contained within the name at an exaggerated price

Da: [name net.cn](mailto:net.cn.name4@gmail.com) [mailto:net.cn.name4@gmail.com]

A: [REDACTED]@co.uk

Oggetto: RE: China Domain Name - [REDACTED]

Dear sirs,

We have [REDACTED] and found that the domain is useful for you if you want to explore China market which is the most potential markets in the world.

I'd like to sell the domain names to you for \$2500. We could deal through Escrow.com or Ename.cn or goldename.com.

Look forward to your response.

Yours truly,

ICANN called "Trademark Dilemma" when a trade mark is used as a domain name without the trade mark owner's consent

DOMAIN NAMES vs TRADE MARKS: Solutions

Conflicts between domain names and trade marks must be resolved

- Administrative proceedings
- Court proceedings
- ADR in relation to .eu (ccTLD)
- Actions under EUIPO's IdeasPoweredforBusiness



ALTERNATIVE DISPUTE RESOLUTION – ADR for .eu

An ADR procedure provides mechanisms to resolve internet domain name disputes, without the need for court litigation.

ADR providers for .eu domain names

-  • World Intellectual Property Organization (WIPO)
-  • Czech Arbitration Court, Arbitration Center for Internet Disputes



ARBITRATION COURT

attached to the Economic Chamber of the Czech Republic
and Agricultural Chamber of the Czech Republic

ADR – PROCEDURE FOR .eu

- Can be initiated without the assistance of a legal representative
- Are conducted online and by email, so you will not need to travel
- Are resolved by independent panelists, not judges (usually intellectual property experts)
- Fast process, (four months to resolve)
- The Arbitration Court will decide who has the major rights for the registration of a .eu domain name

EUIPO's IdeaPoweredForBusiness

EUIPO Supporting Business

Access personalised
intellectual property
content and help your
business grow



More information

IP for business

SP 2025

COVID-19

6. CONCLUSIONS

- There is a strong link between the company's online presence (i.e. company's domain name) and its trade mark, the two jointly are integral to brand building process
- Domain Names and Trade Marks compliment and reinforce each other if registered in parallel
- A strong and well-founded company brand requires a trademark protection and safe online presence (i.e. well protected domain name).
- In conclusion: Domain Name and Trade Mark registration should be part of an SME initial formation stages in order to ensure a comprehensive brand and IP protection strategy against all forms of brand abuse and reputation



- EUIPO and EURid integrated their systems the way that notifications on registration of a new domain name identical to the trade mark name are sent to EUTM owners while holders of .eu domain names may check on the availability of a European trade mark via [TMView](#) link.

Q&A session

It is time for questions!

