30.05.2023 События

Today, the State Agency on Intellectual Property of the Republic of Moldova (AGEPI [1]) published a practice paper in relation to the distinctiveness of three-dimensional marks (shape marks) when the shape itself is non-distinctive.

The publication of this practice paper is the outcome of the combined effort of the AGEPI and the EUIPO on finding common grounds with the criteria listed under the Common Communication [2] distinctiveness of three – dimensional marks (shape marks) containing verbal and/or figurative elements when the shape is not distinctive in itself (CP9). [2] The principles of the practice will be generally applied and aim to cover a large majority of cases.

The document, developed within the framework of the international cooperation [3] activities of EUIPO and AGEPI, aims to **increase clarity, transparency, legal certainty and predictability** for the benefit of the users and examiners of the IP Offices. It also intends to be a reference for these and all other interested parties.

The practice paper provides a clear and comprehensive explanation of the principles on which the practice is based. It will be generally applied by the AGEPI and the IP offices of the European Union Intellectual Property Network (EUIPN [4]).

The practice paper can be found below both in Romanian and English. The documents are divided into two parts. The first summarises the key messages and statements of the practice principles. The second part provides a clear and comprehensive explanation of those principles.

Previously, AGEPI also published the following practice papers to add clarity to examination practices, available in Romanian and English:

- CP5 Likelihood of Confusion - impact of non-distinctive/weak components in Relative Grounds of Refusal RO [5] / EN [6]
- CP10 Disclosure of Designs on the Internet RO / EN

Вложение	Размер
CP9_-_Distinctiveness_of_3D_marks-EN_Final.pdf [7]	1.15 MB
CP9_-_Distinctiveness_of_3D_marks-RO_Final.pdf [8]	1.3 MB



[9]

Источник: https://www.agepi.md/ru/node/16495