

## You wish to register your trade mark? Perform a search to be on the safe side.

We enter your trade mark in the register if your application complies with the legal requirements for protection. We do not examine whether identical or similar trade marks have already been registered.

Please make sure, before filing the application, that no trade mark that is identical or similar to your trade mark has already been registered. Otherwise the proprietor of an earlier trade mark could lodge an opposition to your later trade mark. In that case, your trade mark might have to be cancelled.

Even after your trade mark has been registered, you should check regularly if your competitors have also applied for or use your trade mark.

We recommend that you should not only consider the data pool of German national trade marks but also the Community trade marks and the international registrations of marks. For this purpose, you can search the three databases presented here. These registers are independent and each of them contains trade marks effective in Germany.

Furthermore, names and logos, used in trade, may infringe other trade mark rights even if they have not been entered in a trade mark register. For this reason, you should also look for identical or similar names in Internet search engines, telephone directories, commercial registers, publications on titles of works and/or business directories or other product directories.

Searches for identical trade marks and complex similarity searches are also offered by patent attorneys, lawyers specialising in trade mark law, specialist IP lawyers, search agents and the patent information centres. They can also provide access to commercial trade mark databases for you.

Patent attorneys, lawyers specialising in trade mark law and specialist IP lawyers will help you to interpret the search results and answer your questions about likelihood of confusion. For address directories and links please contact our enquiry unit or go to the website of the German Patent and Trade Mark Office.

## Contact us.

We will be pleased to answer your questions and provide detailed information on trade mark searches.

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[datenbanken@dpma.de](mailto:datenbanken@dpma.de)

For further information on trade mark searches please visit our website at  
[http://www.dpma.de/english/trade\\_marks/search/index.html](http://www.dpma.de/english/trade_marks/search/index.html)

## The main databases at a glance

**DPMAregister**  
<http://register.dpma.de>

**CTM-Online**  
<http://oami.europa.eu/en>

**Madrid Express Database**  
[http://www.wipo.int/madrid/en/services/madrid\\_express.htm](http://www.wipo.int/madrid/en/services/madrid_express.htm)

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German Patent  
and Trade Mark Office



# Online Searches for Trade Marks

DPMAonline

## DPMAregister

<http://register.dpma.de>

### Search DPMAregister to find

German national trade marks, which have been registered, applied for, cancelled, withdrawn or refused.

#### How to search

1. Click on "Trade marks" on the start page.
2. Select "Beginner" or "Beginner's search".

(The other options are also available to you for searches.)

3. Now you can
  - enter a search term in the "Reproduction of the trade mark (540)" entry field

*Hint:* The search will return more results if you add the ? wildcard directly to the end of the requested trade mark – or to the word stem. By this means, you will find also similar trade marks, allowing you to check for likelihood of confusion with other trade marks.

and/or

- enter the respective numbers (code) of the Vienna Classification of the Figurative Elements of Marks<sup>1</sup> in the data field "Class of the figurative elements of marks (Vienna Agreement) (531)". (For example: 02.09.01 – if you wish to find logos depicting a *heart*.)
4. "Start search"

*Hint:* Please also take note of any trade mark applications with the file status "Registration not possible" in the result list. This will help you to find out if the registration of the term that you have chosen was already refused on a previous occasion for the relevant class of goods/services (trade sector) on the grounds that it was not eligible for protection (eg. lacking distinctive character). If that is the case, your application too will possibly be unsuccessful.

## CTM-Online

<http://oami.europa.eu/en>

### Search CTM-Online to find

Community trade marks which have been

- registered, applied for, withdrawn, refused, rejected or cancelled or have lapsed,
- with effect in the European Union and therefore also in Germany.

#### How to search

1. "Databases" → "Search Community Trade Marks"

2. Click the "Search Online" button

3. Enter the search term in the field "Trade mark name"

*Hint:* If you choose "Begins with" or "Contains" from the drop-down menu, the search result will include also similar trade marks.

4. Click on "Search"

*Hint:* You can perform searches for trade mark applications refused by the Office for Harmonization in the case-law database (Refused Trade Marks) at [http://oami.europa.eu/search/legaldocs/la/EN\\_Refused\\_index.cfm](http://oami.europa.eu/search/legaldocs/la/EN_Refused_index.cfm), which has been specially provided for this purpose.

## Madrid Express Database

[http://www.wipo.int/madrid/en/services/madrid\\_express.htm](http://www.wipo.int/madrid/en/services/madrid_express.htm)

### Search the Madrid Express Database to find

- international registrations and international applications of marks under the Madrid system that
- are effective in the countries designated by the applicant.

#### How to search

1. Open the link "Madrid Express Database"

2. This will take you to the "Madrid Express Structured Search" screen

a) Choose "Both" in the drop-down menu "Please select a database"

b) Enter the requested trade mark name in the "Mark" field of the "Query" section

*Hint:* Use \* wildcard and add it directly to the requested name or word stem (similarity search)

3. Click on "Search"

(For an explanation of the codes used in the database fields (831), (832) and (822) please go to [http://www.wipo.int/standards/en/part\\_03\\_standards.html](http://www.wipo.int/standards/en/part_03_standards.html) → Standard ST.60 and Standard ST.3.)

<sup>1</sup> The classes for a search for figurative marks are listed in the Vienna Classification of the Figurative Elements of Marks at: <http://www.dpma.de/english/service/classifications/viennaclassification/index.html>.