

Switzerland signs Trademark Law Treaty Switzerland - Meyer Lustenberger

International procedures

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Switzerland has signed the Singapore Treaty on the Law of Trademarks, known as the [Trademark Law Treaty](#) (TLT). However, Switzerland already complied with the TLT's main requirements prior to ratification.

The TLT was adopted on October 27 1994 and entered into force on August 1 1996. The original goal was to harmonize substantive trademark law. This was later reduced to the more realistic goal of simplifying and harmonizing administrative procedures for trademark applications, assignments and renewals. The provisions of the TLT are supplemented by regulations, which provide rules concerning, among other things, administrative requirements and procedures.

The TLT typically changes national substantive trademark laws in two respects. First, countries must provide for 10-year periods of protection and renewal. Second, they must provide for service mark registrations. However, Switzerland already fulfils these requirements therefore the adoption of the TLT will have no real impact on substantive Swiss law.

Although the TLT establishes common procedures for national trademark filing and registration and creates standardized international application forms which all trademark offices must accept, it does not provide any material harmonization or centralization. It merely prohibits member countries from imposing their own requirements by prescribing the 'maximum requirements' member countries may impose. For example, national trademark offices are entitled to require further information only if it may reasonably doubt the veracity of the information received.

Adoption of the TLT may throw up issues for some countries. According to Article 2, for instance, the TLT applies to marks for goods and services. However, not all countries currently register service marks and accession will oblige that country to register such marks. In addition, member countries are also obliged, according to Article 16, to apply the provisions of the [Paris Convention for the Protection of Industrial Property](#) that concern trademarks to service marks. The same situation arises with regard to multi-class applications, which are accepted under the TLT but are not common in all countries. On the other hand, the TLT does not cover all forms of trademarks. Among others, collective marks, certification marks and guarantee marks are not covered by the TLT.

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