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Positive Developments – EUTM

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Trademark owners should take note of two new types of trademark protection available in the European Community as of October 1, 2017.

¹ [Certification Marks](#) – although it has always been possible to register certification marks in a few individual EU member states, it was previously not possible to register a certification mark, for certification services, with the EUIPO. This will change as of October 1, 2017 when it will now be possible to register certification with the EUIPO, covering all EU member states. European Union certification marks are defined as marks that are “capable of distinguishing goods or services which are certified by the proprietor of the mark in respect of material, mode of manufacture of goods or performance of services, quality, accuracy or other characteristics, with the exception of geographical origin, from goods and services which are not so certified.”

² [Non-Visual Marks \(Sound, Smell, and Multimedia Marks\)](#) – it will now be possible to file for sound, hologram, motion, and multimedia marks; marks can now be represented in any form using generally available technologies. Unfortunately, it is still not possible to file for tactile, smell, and taste marks in the EU.

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