Correspondence of marks for Certification Purpose

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<table>
<thead>
<tr>
<th>FORMS</th>
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<tbody>
<tr>
<td>1) EM 2</td>
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<td>2) MM2</td>
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The mark

Reproduction of the mark:
- Same as in basic application / registration
- The applicant declares that he wishes the mark to be considered as a mark in standard characters
- The mark consists of a colour or a combination of colours as such

The Office extracts mark from basic EUTM application or registration

=> Full identity!!
Reproduction of the mark is allowed in Form

=> Office has to examine identity with basic mark
Strict approach

**Coincidence in:**
- colour claim
- Type of mark (figurative, 3-D, sound mark, collective…)
- Description

Exception: Disclaimer
Identity: black/white marks vs marks in colour

An insignificant difference between two marks is one that a reasonably observant consumer will perceive only upon examining the marks side by side.
Specific issue

Identity: black/white marks vs marks in colour
www.euipo.europa.eu

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Thank you