



## European IPR Helpdesk

### Fact Sheet

### *How to search for trade marks*

*This fact sheet has been developed in cooperation with*



**January 2018<sup>1</sup>**

Introduction.....	2
1. Types of trade marks .....	2
2. Goods and services .....	3
3. Trade mark classification .....	3
4. Searching for Nice classification codes .....	3
4.1 How to use the search function? .....	4
4.2 TMclass .....	4
4.3 Goods and services builder .....	5
5. Searching for figurative trade marks at WIPO.....	5
5.1. WIPO.....	5
6. Searching for trade marks on TMview (managed by EUIPO) .....	6
6.1. Searching in TMview .....	6
6.2. Alerts in TMview .....	7
6.3. Searching for image searches in TMview.....	7
7. Searching for European Union Trade Marks (EUTMs) on eSearch plus database .....	8
7.1. Basic and advanced search .....	8
7.2. Alerts in eSearch plus .....	8
7.3. Searching for images in eSearch plus .....	8
8. Searching using national databases .....	9
9. Searching international trade marks.....	9
9.1. Madrid Monitor .....	9
9.2. Global Brand database .....	9
Useful Resources .....	14

---

<sup>1</sup> This fact sheet was initially published in November 2012.

## Introduction

A trade mark is a sign by which a company identifies its goods and/or services and distinguishes them from the goods and services supplied by other companies. The owner has the exclusive rights to use the trade mark in relation to those goods and services. Therefore, before applying for a new trade mark, it is essential to make sure that it is free to use, meaning that it should not be similar or identical to any trade mark already existing (registered or undergoing the filing process) for the classes of products or services the new trade mark applies to.

Trade mark registration is one of the strongest ways to defend a brand; a way to ensure that no one else uses it. If you do not register your trade mark, competitors may do so and acquire your rights to distinguish their goods and services.

Once a trade mark is registered, it is also important to regularly consult trade mark databases in order to check if similar or identical trade marks are being registered. As this would affect the owner's earlier rights and lead to infringement, consulting the databases allows preventing unlawful registrations by engaging in opposition procedures.

These databases are also an excellent source of business information. In fact, knowing the trade marks filed by a competitor can give you some insight into its commercial strategy, i.e. what kind of product or service is or will arrive on the market and in which territories it is intended to be marketed.

Trade marks are of great importance also in EU funded projects, such as Horizon 2020 (H2020) or the Programme for the Competitiveness of enterprises and SMEs (COSME). Indeed, in case of future commercialisation of related products or services, if the name of the project is to be used, it needs to be available for the class of product or services for which it is intended to be used<sup>2</sup>.

### 1. Types of trade marks

A trade mark may consist of any signs capable of being represented in any appropriate form using generally available technology, as long as the representation is clear, precise, self-contained, easily accessible, intelligible, durable and objective. In particular words, including personal names, designs, letters, numerals, the shape of goods or of their packaging, provided that such signs are capable of distinguishing the goods or services of one company from those of other companies. The most common types of trade marks are:

---

<sup>2</sup> For more information, click [here](#).

- **Word marks** consisting exclusively of words or letters, numerals, other standard typographic characters or a combination thereof that can be typed;
- **Figurative marks** consisting of non-standard characters, stylisation or layout, or a graphic feature or a colour including marks that consist exclusively of figurative elements or a figurative mark consisting of a combination of verbal and figurative elements.
- **Other signs** which may be registered as a trade mark include colours or combinations of colours; three-dimensional marks, shape marks, position marks, pattern marks, motion marks, multimedia marks, sound marks and hologram marks.

## 2. Goods and services

Every trade mark applied for registration has to define the scope of goods and/or services for which the trade mark intends to do business or trade in. In effect, a trade mark is linked to the goods and services it has been applied for and obtains exclusive protection only for those goods and services<sup>3</sup>.

## 3. Trade mark classification

When applying for a trade mark, the applicant has to provide a list of the goods and/or services for which the applicant intends to use the trade mark.

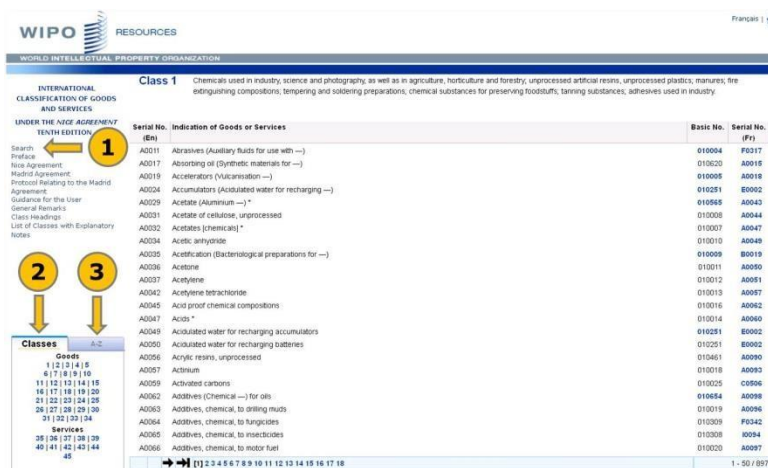
The Nice Agreement establishes an international classification of goods and services for the purposes of trade mark registration called the Nice Classification. Such classification is applicable to all types of trade marks and **serves the purpose of defining the scope of protection of a trade mark**. It provides a trade mark applicant, when organising the goods or services for which its sign will be used into the correct classes, with general information about the types of goods (classes 1 – 34) and services (classes 35 – 45) belonging to each class.

## 4. Searching for Nice classification codes

There are three main ways to find a classification when using the [Nice classification database](#):

---

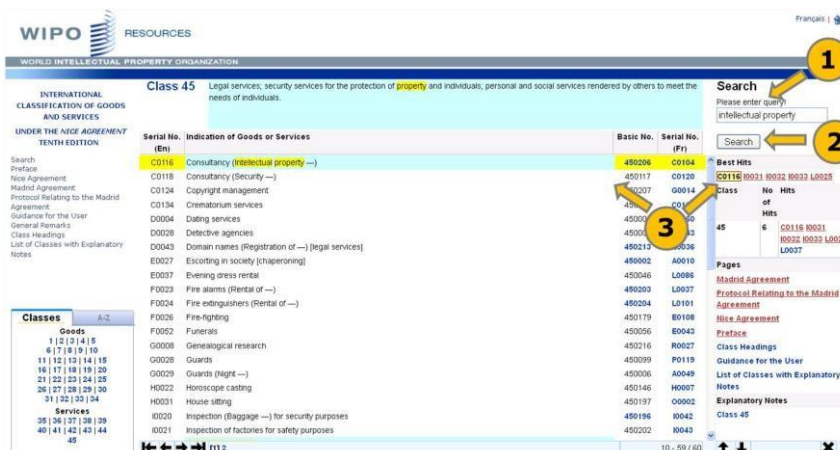
<sup>3</sup> For more information on how to present the lists of goods and services, please click [here](#).



1. To search for classification codes using the keyword search option.
2. To consult the classification code and to search manually for code(s).
3. To consult the alphabetic list of products and services introduced in the classification, in order to determine the related code(s) to further use.

#### 4.1 How to use the search function?

Click on [search](#) (in the left menu) to open the search interface.



1. Introduce your search terms in the related query box.
2. Click on "Search".
3. Results are presented just under the search related part. When clicking on a result/code, the system provides you with the meaning of the code.

#### 4.2 TMclass

The European Intellectual Property Office (EUIPO), the EU agency in charge of the European Union Trade Mark, also has an extensive classification database (which includes all of the terms in the Nice Classification) called TMclass. TMclass is a useful tool aiming at assisting applicants with the classification of goods and services when filing trade mark applications. The tool allows applicants to compare the classification databases of the participating trade mark offices supplying data to TMclass. Lists of goods and services can be verified for acceptance by participating offices and, where no entry is found, it provides a list of similar terms in the searched classes. If a term is selected from the EUIPO database to be included in a EUTM application, it is guaranteed that it will be automatically accepted by EUIPO.

TMclass is the interface to the Harmonised Database (HDB) and a portal from which you can access the classification databases of each of the participating offices highlighted on the homepage, with a view to simplifying the application process. The HDB contains more than 78 000 terms that have been pre-validated by the EU trade mark offices (Harmonised Offices) and which can be searched via TMclass. It is also possible to see terms of Goods and Services that have been accepted by other participating offices. Available in 37 languages, it is designed to be a user-friendly tool offering advanced features to browse and search the database, verify terms between different classification databases and to translate terms.

### 4.3 Goods and services builder

The Goods and Services builder is a tool that helps users create lists of goods and services which are acceptable for the fast track of an application. This tool is recommended for professional practitioners, as sometimes several applications need to be submitted at once<sup>4</sup>.

## 5. Searching for figurative trade marks at WIPO

The searching procedures are simple and explained below.

### 5.1 WIPO

When searching for **figurative trade marks** for example, there is the possibility of using the [Vienna Classification](#). This international classification system was established through the [Vienna Agreement](#) and permits classifying figurative elements of trade marks. The classification of the images is usually done by the selected office when submitting a new application<sup>5</sup>.

The Vienna Classification constitutes a hierarchical system that proceeds from the general to the particular, classifying the figurative elements of trade marks into categories, divisions and sections, on the basis of their shape and appearance.

In order to search a figurative element using the Vienna Classification, the applicant first needs to identify as search criteria the Vienna Classification code(s) relevant to the image of the trade mark being searched for. These criteria could also be combined with another element for a better search (trade mark name, holder name, representative, etc.).

---

<sup>4</sup> You will find information on how to create, edit and manage lists of good and services by clicking [here](#).

<sup>5</sup> To perform a search under the Vienna Classification, it is recommended to contact an expert or ask your national IP office whether it provides such service.



1. Click on "Search" and introduce your search terms in the related query box.
2. Results/codes are presented just under the search related part. When clicking on a result/code, the system provides you with the meaning of the code.

Once the Vienna Classification code(s) have been retrieved, they can be used to perform a search within the [TMview](#) database.

## 6. Searching for trade marks on TMview

### 6.1 Searching in TMview

TMview is an online multilingual consultation tool, managed by the EUIPO, allowing free-of-charge trade mark searches. It includes all types of trade marks present in the official databases of the participating trade mark offices, the **EUIPO** and **WIPO**. The tool is updated daily by the respective national trade mark offices and it is available in more than 35 languages. Data of more than 50 national offices are available in TMview, including data from all national EU offices. You can use TMview to:

- Check the availability of your idea for a trade mark name.
- Find out about the goods and services protected by your competitors' trade marks.
- Receive updates on selected trade marks for: change of status, change of name and end of opposition period.

#### 6.1.1 Using TMview

The TMview database can be accessed via the website of any of the participating offices', allowing trade mark searches: at European level through the EUIPO website [eSearch plus](#); through the [European Trade Mark and Design Network](#) website through websites of the participating trade mark offices and at international level through [WIPO's website](#).

#### 6.1.2 Basic and advanced searches in TMview

The basic search allows you to perform rapid queries. The advanced search interface allows more accurate searches and the possibility to specify more criteria<sup>6</sup>.

## 6.2 Alerts in TMview

Let TMview help you by tracking your competitors and monitoring other trade marks. You can create an alert in TMview to keep up to date with trade marks that are of interest to you.

To set up alerts, you will need to **log in** or **register your details**. Click on [Log in/Register](#) with a valid email and password to receive the alerts directly in the registered email address. Once a search has been performed, users can create alerts regarding changes in selected trade mark:

- Changes in the name of the owner of the selected TM.
- Changes in the status of the selected TM.
- Alert on Opposition period close to end.

## 6.3 Searching for image searches in TMview

TMview allows you to perform an image search by clicking on the camera icon to display the "Drag and drop or upload image" box.

Upload or drag and drop the image you want to search for in the "Drag and drop or upload image" box. Remember using always files with JPEG, PNG, GIF and TIFF extensions, larger than 100x100 pixels and with a maximum size of 2 Megabytes.

### 6.3.1 Searches by Vienna code in TMview

<sup>6</sup> For more information about the available search criteria, please click [here](#).



- Enter the desired Vienna code in the search field using the format 00.00.00. You may also enter part of the code followed by an asterisk to retrieve all subclasses in a class.
- It is not possible to search by Vienna code using the main category alone, e.g. 01 "Celestial bodies, etc." A search specifying the second level, e.g. 01.01 "Stars, comets" will retrieve all marks belonging to the particular subcategory. Entering the entire code, e.g. 01.01.12 "Stars with uneven points" will find marks classified in this subcategory only.
- Please be aware that the Vienna codes cannot be used alone as a search criterion. It has to be combined with at least one more criterion.

The Vienna Classification search criteria can also be found in the advanced search function of the search engine eSearch plus. EUIPO uses a modified version of the Vienna Classification. This version has been adapted to the specific needs of EUIPO by creating new codes and letting others fall into disuse.

## **7. Searching for European Union Trade Marks (EUTMs) on eSearch plus database**

European Union Trade Mark applications and registered European Union Trade Marks (EUTMs) can be searched on EUIPO's website by using the eSearch plus database.

The eSearch plus database provides you with comprehensive information about trade marks, designs, owners, representatives and bulletins. It enables you to perform quick and efficient searches within EUIPO's databases.

### **7.1 Basic and advanced search**

You will find information on how to perform a basic search, advanced search, detailed file view by clicking [here](#).

### **7.2 Alerts in eSearch plus**

You can set a monitor alert and a watch alert from the "Trade marks" and "Designs" tabs in eSearch plus. Alerts can be set from the list view and the detailed view. You will find more information on setting alerts [here](#).

### **7.3 Searching for images in eSearch plus**

eSearch plus uses image recognition technology to find similar-looking marks. This feature is particularly suitable when the trade mark image being searched has a common or abstract shape that can be difficult to describe in words, or when there are many potential words to describe it<sup>7</sup>.

---

<sup>7</sup> For information on how to perform basic and advanced search of an image, click [here](#).



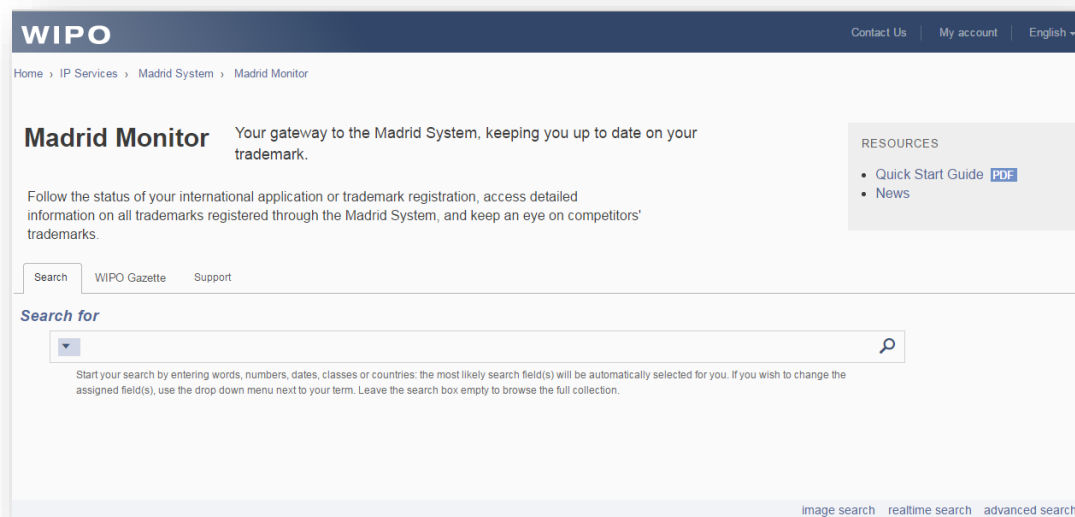
## 8. Searching using national databases

The other option when searching for a trade mark at national level is to consult the national trade mark databases accessible on the related office's website, mainly for those countries who are not yet part of the TMview database.

## 9. Searching international trade marks

International trade marks can be searched in TMview, when selecting the WIPO's office. They can also be searched in the Madrid Monitor and the Global Brand Database, available at the WIPO's website.

### 9.1 Madrid Monitor



Madrid Monitor<sup>8</sup> gives you access to detailed information on all international marks recorded under WIPO's Madrid System. The intuitive interface facilitates searches using International Registration Number (IRN), holder or mark name, an image, Basic Mark number, classification, and more. Madrid Monitor also allows you to browse the official gazette, obtain the real-time status of an application and register to obtain E-alerts whenever any changes are made in relation to an international registration.

### 9.2 Global Brand database

The [Global Brand database](#) allows users to perform a trade mark search by text or image in brand data from multiple national and international sources, including trade marks, appellations of origin and official emblems.

The interface offers five search possibilities:

<sup>8</sup> Madrid Monitor is available [here](#).

- Brand (text, logo or goods),
- Names (holder or representative),
- Numbers (publication or application number),
- Dates (registration, application, expiration),
- Class (Vienna or Nice),
- Country (origin or designation).

Results can be filtered to narrow the search, using five filter options:

- Source (international trade marks, emblems or appellations of origin),
- Image (rank images by their visual similarity to an image you provide)
- Status (active, pending or deleted),
- Origin (geographical area of origin),
- App. Year (The application year listed for the record),
- Designation (countries designated),
- Expiration (date of expiration),
- Holder (Top 50 holder names),
- Reg. Year,
- Nice Classification (The Nice class(es) assigned to the record (if any)).

Boolean operators<sup>9</sup> and wildcards can be used in the search area. Moreover, interesting features have been included allowing textual searches to be done more easily:

- The “Normal” option allows searching exact matches to the search term(s) entered;
- The “Phonetic” function permit searches for terms that sound like the search term(s) entered;
- The “Fuzzy” allowing searches for terms that are spelled similarly to the search term(s) entered.

A “Stemming” option can be selected in order to enable the matching of other forms of the search term(s) entered.

For example, a search of the term “intellectual property”, filtered by international trade mark would provide you with two results presented just under the search and filter boxes. You may see the results below.

---

<sup>9</sup> See textbox at the end of this document.

**WIPO**  
WORLD INTELLECTUAL PROPERTY ORGANIZATION

Home Reference Global Brand Database

Global Brand Database Perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks, appellations of origin and official emblems. V: 2017-08-11 10:51

Free webinars Join us on Aug. 20 or 31 for a webinar on the Global Brand Database.

Data from Thailand available Over 730,000 records added

Data from Chile available Over 430,000 records added

Data from Viet Nam available Over 220,000 records added

Data from Spain available Over 740,000 records added

Data from Mongolia available Over 15,000 records added

Data NEWS Over 400,000 records added

SEARCH BY Brand Names Numbers Dates Class Country

Text e.g. wipo OR ompl, "ntel", ompl~

Image Class e.g. 05.07.13, apple AND tree



Goods (All) e.g. footwear, comput\*

search

CURRENT SEARCH BRAND intellectual property

1 - 30 / 8,891

Display: 30 per page

Brand	Source	Status	Relevance	Origin	Holder	Number	App. Date	Image Class	Nice Cl.	Image
TRY, INTELLECTUAL PROPERTY, SERVICE	JP TM	Active	18	JP	虎威国際知サービス株式会社	5741946	2014-09-29	VC 27.05	45	
IPJ, INTELLECTUAL PROPERTY, SERVICE	JP TM	Active	18	JP	虎威国際知サービス株式会社	5741946	2014-09-29	VC 26.04, VC 26.05	45	

When clicking on the result, further details are provided, as seen below:

Japanese Trademark JPO JAPAN PATENT OFFICE

HTML PDF

Please note that Japanese data is currently based on trademark gazettes published since 1999, and therefore may not represent the complete and accurate current status of records. For the most up-to-date information available, please see the Japanese J-PatPat trademark search page.

商標登録第5741946号(T5741946) - TRY, INTELLECTUAL, PROPERTY, SERVICE

(111) Registration Number  
商標登録第5741946号(T5741946)

(151) Date of the registration  
平成27年02月20日(2015.2.20)

(210) Serial number of the application  
商標2014-85368(T2014-85368)

(220) Date of filing of the application  
平成26年09月25日(2014.9.25)

(540) Mark



(541) Reproduction of the mark where the mark is represented in standard characters  
TRY, INTELLECTUAL, PROPERTY, SERVICE

(531) International Classification of the Figurative Elements of Marks (Vienna Classification)  
27.05.01, 27.05.01, 27.05.01, 27.05.22

(550) Indication relating to the nature or kind of mark  
TRADEMARK

(591) Information concerning colors claimed  
色指定手続によるものであるもので色指定については原本を参照して下さい

(730) Name and address of the applicant or the holder of the registration  
虎威国際知サービス株式会社

Note that results can be saved for further use:

WIPO  
WORLD INTELLECTUAL PROPERTY ORGANIZATION

Home Reference Global Brand Database

Global Brand Database Perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks and official emblems. V: 2017-08-11 10:51

Free webinars 2017-07-24 Join us on Aug. 20 or 31 for a webinar on the Global Brand Database.

Data from Thailand available 2017-07-06 Over 730,000 records added

Data from Chile available 2017-04-10 Over 430,000 records added

Data from Viet Nam available 2017-04-10 Over 220,000 records added

Data from Spain available 2016-10-11 Over 740,000 records added

Data from India available 2016-10-11 Over 15,000 records added

Data NEWS Over 450,000 records

SEARCH BY Brand Names Numbers Dates Class Country

Text e.g. wipo OR ompl, "intel", ompl-

Image Class e.g. 05.07.13, apple AND tree

Goods (All) e.g. footwear, comput\*

search

CURRENT SEARCH BRAND intellectual property

FILTER BY Source Image Status Origin App. Year Expiration

AE TM	34	AU TM	2,335	BN TM	1	CA TM	411	CH TM	70
CL TM	14	DE TM	119	DK TM	17	DZ TM	4	EE TM	3
EG TM	21	EM TM	332	ES TM	150	GE TM	1	ID TM	459
IL TM	11	JO TM	31	JP TM	40	KH TM	5	KR TM	145
LA TM	0	MA TM	17	MD TM	2	MN TM	6	MX TM	59
MY TM	192	NZ TM	486	OM TM	4	PG TM	2	PH TM	88

Display List Sort Value - asc filter

1 - 30 / 8,891 Thview

Brand	Source	Status	Relevance	Origin	Holder	Number	App. Date	Image Class	Nice Cl.	Image
TRY, INTELLECTUAL PROPERTY SERVICE	JP TM	Active	18		JP 虎城国際知財サービス株式会社	5741946	2014-09-29	VC 27 05	45	TR
IPJ, INTELLECTUAL PROPERTY JAPAN	JP TM	Active	18		JP 株式会社アイピージェイ	5533567	2012-05-10	VC 26 04, VC 26 05, VC 26 15	41, 45	IPJ Intellectual Property Japan

WIPO  
WORLD INTELLECTUAL PROPERTY ORGANIZATION

Home Reference Global Brand Database

Global Brand Database Perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks, appellations of origin and official emblems. V: 2017-08-11 10:51

Free webinars 2017-07-24 Join us on Aug. 20 or 31 for a webinar on the Global Brand Database.

Data from Thailand available 2017-07-06 Over 730,000 records added

Data from Chile available 2017-04-10 Over 430,000 records added

Data from Viet Nam available 2017-04-10 Over 220,000 records added

Data from Spain available 2016-10-11 Over 740,000 records added

Data from Mongolia available 2016-05-10 Over 15,000 records added

Data NEWS Over 450,000 records

SEARCH BY Brand Names Numbers Dates Class Country

Text e.g. wipo OR ompl, "intel", ompl-

Image Class e.g. 05.07.13, apple AND tree

Goods (All) e.g. footwear, comput\*

search

CURRENT SEARCH BRAND intellectual property

FILTER BY Source Image Status Origin App. Year Expiration

AU TM	2,335	BN TM	1	CA TM	411	CH TM	70
DE TM	119	DK TM	17	DZ TM	4	EE TM	3
EM TM	332	ES TM	150	GE TM	1	ID TM	459
JO TM	31	JP TM	40	KH TM	5	KR TM	145
MA TM	17	MD TM	2	MN TM	6	MX TM	59
NZ TM	486	OM TM	4	PG TM	2	PH TM	88

Display List Sort Value - asc filter

1 - 30 / 8,891 Thview

Brand	Source	Status	Relevance	Origin	Holder	Number	App. Date	Image Class	Nice Cl.	Image
TRY, INTELLECTUAL PROPERTY SERVICE	JP TM	Active	18		JP 虎城国際知財サービス株式会社	5741946	2014-09-29	VC 27 05	45	TR

### Boolean operators

Boolean operators define the relationships between words or groups of words and within search engines have the purpose to refine the search. Depending on how they are used search results may then considerably differ. The following are the most common:

- **AND** (intersection: query returns only those documents which contain all the terms combined. It narrows the search);  
*Example: automobile AND electric*
- **OR** (query returns all documents containing at least one of the three terms. It broadens the search);  
*Example: automobile OR vehicle OR electric*
- **NOT** (exclusion: query returns only those documents which do not contain the term following the NOT operator. It narrows the search).  
*Example: vehicle NOT electric*

## Useful Resources

For further information on the topic please also see:

- EUIPO - databases

<https://euipo.europa.eu/ohimportal/en/databases>

- WIPO's "Trademark gateway"

<http://www.wipo.int/trademarks/en/>

## GET IN TOUCH

**For comments, suggestions or further information, please contact**

European IPR Helpdesk  
c/o infeurope S.A.  
62, rue Charles Martel  
L-2134, Luxembourg

Email: [service@iprhelppdesk.eu](mailto:service@iprhelppdesk.eu)

Phone: +352 25 22 33 - 333

Fax: +352 25 22 33 - 334



©istockphoto.com/Dave White

## ABOUT THE EUROPEAN IPR HELPDESK

The European IPR Helpdesk aims at raising awareness of Intellectual Property (IP) and Intellectual Property Rights (IPR) by providing information, direct advice and training on IP and IPR matters to current and potential participants of EU funded projects. In addition, the European IPR Helpdesk provides IP support to EU SMEs negotiating or concluding transnational partnership agreements, especially through the Enterprise Europe Network. All services provided are free of charge.

**Helpline:** The Helpline service answers your IP queries within three working days. Please contact us via registration on our website – [www.iprhelppdesk.eu](http://www.iprhelppdesk.eu) – phone or fax.

**Website:** On our website you can find extensive information and helpful documents on different aspects of IPR and IP management, especially with regard to specific IP questions in the context of EU funded programmes.

**Newsletter and Bulletin:** Keep track of the latest news on IP and read expert articles and case studies by subscribing to our email newsletter and Bulletin.

**Training:** We have designed a training catalogue consisting of nine different modules. If you are interested in planning a session with us, simply send us an email at [training@iprhelppdesk.eu](mailto:training@iprhelppdesk.eu).

## DISCLAIMER

The European IPR Helpdesk project receives funding from the European Union's Horizon 2020 research and innovation programme under Grant Agreement No 641474. It is managed by the European Commission's Executive Agency for Small and Medium-sized Enterprises (EASME), with policy guidance provided by the European Commission's Internal Market, Industry, Entrepreneurship and SMEs Directorate-General.

Even though this fact sheet has been developed with the financial support of the EU, its content is not and shall not be considered as the official position of the EASME or the European Commission. Neither EASME nor the European Commission nor any person acting on behalf of EASME or of the European Commission is responsible for the use which might be made of this content.

Although the European IPR Helpdesk endeavours to deliver a high level service, no guarantee can be given on the correctness or completeness of the content of this fact sheet and the European IPR Helpdesk consortium members are not responsible and may not be held accountable for any use which might be made of this content.

The support provided by the European IPR Helpdesk should not be considered as of a legal or advisory nature.

© European Union (2018)