



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Toronto, Canada, 3-5 & 8 June 2018 “Trademark Letters of Consent”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Toronto, Canada from 3 to 5 and 8 June 2018, passed the following Resolution:

Noting that in substantive examination countries Examiners may cite marks as being identical or confusingly similar to the mark under examination;

Recognizing that the question of confusion is multi-faceted and may extend beyond a simple mark-to-mark comparison mindful of the claimed goods and services;

Further recognizing that confusion between trademarks should be avoided to protect the consuming public;

Believing that trademark owners are likely to have the best appreciation of the nature of their goods and/or services and/or businesses and therefore may be best able to judge whether confusion between two marks is likely to occur;

Believing that the public interest would not be harmed by a Trademark Office considering the position of the parties as set out in a Letter of Consent;

Urges Trademark Offices to accept Letters of Consent and consider these in assessing confusion between marks.

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