What is Registrable as a Trade Mark?

Jurisdiction: Taiwan
By: Joseph S. Yang
Limits on what can and cannot be registered as a trademark

- Limits by law
- Limits by Distinctiveness

Something special (or not)

Something different (or not)
Limits on what can and cannot be registered as a trademark

1. Functional
2. National Identity
3. International identity
4. National quality certification
Limits by Law

5. Anti-public order or morality

6. Misleading in nature, quality or origin

7. Geographical indication (wine or liquor)
Limits by Distinctiveness

1. Traditional mark - presumed distinctive
2. Non-Traditional mark - presumed non-distinctive
3. Acquired distinctiveness - global basis

Limits on what can and cannot be registered as a trademark.
Something special (or not)

1. Slogan
2. Trade Dress
3. Color(S)
4. Sound
5. Motion
6. Hologram

如何好好說一張圖表？- 關鍵四步驟

Something special (or not)
Something Different (or not)

1. Language - national, dialect or foreign
2. Culture
Thank You

謝謝（Shei Shei）