

NJORD Lithuania: New Law on Trade Marks in Lithuania

On 4 December 2018, the Lithuanian Parliament adopted the Law on Trade Marks, which implements Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 and sets significant changes helping to achieve a more effective and flexible system of legal protection for trademarks.

The new regulation on trademarks sets out the following changes:

1. It is no longer required to depict the trade mark graphically. This means that trademarks, such as sound, scent, movement, taste, etc., will be eligible for registration as long as it is possible to clearly and precisely identify the subject matter of legal protection.
2. New rules in relation to customs surveillance measures apply to the infringing goods, in particular in transit as a new ground to lay down the rights of trade mark proprietors.
3. Compulsory pre-litigation procedure in the State Patent Bureau.
4. Increase in the official fees for registration of trademarks and change of payment procedure.
5. Third parties may submit written observations to the State Patent Bureau, explaining on which grounds the trade mark should not be registered ex officio.

When the Law on Trade Marks had been signed by the President of the Republic of Lithuania, it has come into force on 1 January 2019.

Hopefully, the market will eventually find the most unexpected and most creative business decisions in developing and registering innovative brands.