

# Czech Republic: Changes to Czech Trademark Act

In order to implement EU

Directive No. 2015/2436 of the European Parliament (approximating the trademark laws of Member States by January 14, 2019), the following amendments to the Czech Trademark Act will take effect as of January 1, 2019 (among other changes):

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- The definition of “trademarks” will no longer be restricted to marks capable of graphic representation, but will be broadened to include non-traditional marks such as sounds, holograms, dynamic/multimedia signs, and possibly also scents, tastes, and textures.
- The Industrial Property Office will no longer examine applications for prior similar/identical marks; rather, it will be up to trademark owners to oppose marks they consider confusingly similar to theirs.
- Trademark owners may be required to prove use of their marks when relying on them for enforcement or opposition purposes. The burden of proof of use will be on the trademark owners seeking to enforce their rights.

## Primary Contacts

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