DNPI Uruguay now aligned with CP3

May 20, 2020 <u>European Trade Mark and Design Network</u>

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The National Directorate of Industrial Property under the Ministry of Industry, Energy and Mining of Uruguay (<u>DNPI</u>) has published a Practice Paper concerning the examination of absolute grounds for refusal as regards figurative trade marks with purely descriptive words/expressions.

This publication is the result of the joint collaboration efforts of the DNPI, the EUIPO and the EU-funded project IP Key Latin America.

The DNPI is the **first Latin American IP office** to analyse and find common ground with the criteria developed under the Common Communication on the Common Practice of Distinctiveness — Figurative marks containing descriptive/non-distinctive words, referred to as marcas mixtas (mixed marks) in Uruguayan terminology. The publication of this Practice Paper is the result of the fruitful collaboration between the offices, under a set of actions promoted by IP Key Latin America.

The Practice Paper provides a clear and comprehensive explanation of the principles on which the practice of the DNPI and the IP offices of the European Union Intellectual Property Network (<u>EUIPN</u>) is based, in order to assess the examination of marks.

The publication of the Practice Paper seeks to increase transparency, legal certainty and predictability for the benefit of the users and examiners of the IP offices involved. The intention is that it will become a reference for IP offices, as well as for EU and Uruguayan users and other interested parties.

The Practice Paper has been made publicly available in Spanish and English.

Both versions can be found below. It is divided into two parts: the first summarises the criteria, the second provides a full explanation of the different criteria applicable in each case

DNPI Practice Paper Distinctiveness — Mixed marks containing descriptive/non-distinctive words SPANISH ENGLISH

Documento de Práctica

Practice Paper

CARÁCTER DISTINTIVO: Marcas mixtas que contienen términos descriptivos/carentes de carácter distintivo

Distinctiveness – Mixed Marks containing descriptive/nondistinctive words

Dirección Nacional de la Propiedad Industrial Ministerio de Industria, Energía y Minería Uruguay

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This achievement has been made possible thanks to the collaborative work carried out by the DNPI and the EUIPO under the framework of the IP Key Latin America project, directed by the European Commission and implemented by the EUIPO.