

National German trademark vs. EU trademark - considerations



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Market considerations

Germany continuously has the **highest GDP** among all member states of the EU

See, e.g., <https://countryeconomy.com/countries/groups/european-union>

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Market considerations

In 2020, the available **per capita gross income** of households in Germany was **129 percent of the EU-27 average**. The purchasing power of households in Germany per capita is thus **29 percent above the average** value of the EU.

<https://de.statista.com/statistik/daten/studie/1202185/umfrage/kaufkraftindex-fuer-verfuegbares-pro-kopf-einkommen-in-der-eu/>

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Market considerations

With about **84 million** people, Germany has the highest number of inhabitants and possible **customers** of all EU countries

<https://de.statista.com/statistik/daten/studie/164004/umfrage/prognostizierte-bevoelkerungsentwicklung-in-den-laendern-der-eu/>

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System considerations

The German trademark system is
cost-efficient

290€ filing fee including 3 Nice classes;
no publication or registration fees

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System considerations

The German trademark system is
easy-to-use

no Power of attorney needed;
fully electronic filing

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System considerations

The German trademark system is
efficient

registration(!) times can be as short as 10
days, regularly around 1 to 2 months

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System considerations

The German trademark system offers
post-registration opposition

only registered marks are enforceable;
one may use **®** only with registered
marks

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Safety considerations

Examination on absolute grounds is only based on grounds valid in **Germany**

./.

absolute grounds from **27** EU member states can be cited against an EU application

Safety considerations

German **oppositions** are only based on
signs with effect for Germany

./.

marks from **27** EU member states can be
basis for an opposition against an EU
application

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