

Links for your own preliminary search

April 2022

1) Trade Marks

DPMA (German, European Union and international trade marks/applications registered for Germany)

<https://register.dpma.de/DPMAregister/marke/basis?lang=en>

There you will find all entries relevant for Germany. However, data taken from EUIPO and WIPO may be incomplete. Check such entries in the relevant databases (see below). Detailed information can be obtained by clicking on the file number in the hit list.

For a better overview, use the following specifications in the configuration of the hit list:

- Reproduction of the trade mark
- file status and/or type of holding
- filing date
- applicant(s)
- class(es) Nice (registered goods/services)

For a more complex search, you may use the **expert search**:

<https://register.dpma.de/DPMAregister/marke/experte?lang=en>

EUIPO (European Union trademarks/applications)

<https://euipo.europa.eu/eSearch/>

The language can be adjusted in the blue bar at the top left. In this combined search mask, you can search with one term for both types of protective rights (trade mark, design). The hits for trademarks and designs are listed on separate tabs. Details on trade mark hits you can obtain by clicking on the trade mark word in the hit list. For a more targeted search or for limiting the hit list, you may use the advanced search mask:

<https://euipo.europa.eu/eSearch/#advanced/trademarks>

WIPO (Internationally registered trademarks/applications):

<https://www3.wipo.int/madrid/monitor/en/>

By clicking „advanced search“ in the menu bar on the left, you can specify the search parameters. For obtaining details on the hits click on the file number or the trade mark word. This will take you to the register entry.

Foreign trade marks can be researched under

<https://www.tmdn.org/tmview/#/tmview> or

<https://www3.wipo.int/branddb/en/>

You can limit a large hit list by specifying **Nice classes** for the goods and services. However, this involves the risk that classes relevant for the assessment of similarity are not taken into account, since similarities of the goods and services are not limited to the same class. Relevant Nice classes can be found in the common database (eKDB) of the European Patent and Trade Mark Offices at

<http://tmclass.tmdn.org/ec2/?lang=en> .

This database only contains terms that have already been officially accepted and is therefore not complete with regard to real existing goods and services. If no appropriate term is available, try to find a suitable generic term. *You can adjust the language of the user interface at the top right, the language of the search terms in the search bar on the left.*

Notice:

We recommend that you use your search result only as an orientation for sign development, seeking legal advice for the legal assessment of the infringement or collision situation.

2) Technical Protection Rights (patents, utility models)

Worldwide application and patent documents as well as utility model documents can be found in the DPMA database at

<https://depatisnet.dpma.de/DepatisNet/depatisnet?&action=einsteiger&switchToLang=en>

Those who are more familiar with database queries can also compile more complex searches using the expert mode:

<https://depatisnet.dpma.de/DepatisNet/depatisnet?action=experte&switchToLang=en>

The field names can be shown via the selection field "Available fields and placeholders", the operators can be selected directly via push buttons.

or in the EPA database at

<https://worldwide.espacenet.com/> (select Office EPO for switching to English)

or in the WIPO database at

<https://patentscope.wipo.int/search/en/search.jsf>

This database offers machine translation of non-English publications.

Please note: In patent literature objects are often not referred to in terms commonly used in the market, but in a rather abstract form as a device for a specific function, e.g. "Device for Regulating Air Humidity" instead of "air-condition".

When using search terms, you will find documents in the respective language only. Therefore, at least add the term also in English to include English documents (British, US-American, English publications by the EPO and the WIPO). English (machine-translated!) summaries exist for Japanese and recently also Chinese documents, so that these documents are at least partially included in the term search.

A more systematic search strategy is possible with the use of IPC-classes (International Patent Classification) according to which applications are assigned to one or more technical fields. However, this requires knowledge of the classification structures. To begin with, you can take suitable IPC-classes from relevant publications found with the search terms and continue searching in these classes.

Despite all the effort and care you have taken, you should still assume that your search results are incomplete. A reasonable reliable search requires professional knowledge and experience with patent literature and patent databases. In the DEPATISnet-database, only German documents are full-text indexed. With ESPACenet, full text searches are possible in English, German and French with the appropriate settings. Your own preliminary search can provide valuable inspiration and orientation and facilitate the initial assessment by the patent attorney consulted.

If you want to delve deeper, you may also use the free service of the Patent and Trade Mark Centre Baden-Württemberg in Stuttgart (<http://www.patente-stuttgart.de/> German only). There is offered introduction and advice for your own search. For this you can use the uniform in-house user interface for various database sources.

Notice:

We recommend using your search result only as a first orientation on the prior art or a rough examination of the novelty of your invention and to seek legal advice for the assessment of the protectability (novelty and inventiveness) or the observance of third party rights.