



### Why should a trade mark be protected?

The purpose of a trade mark is to distinguish the goods or services from similar ones. Your trade mark should be memorable, so that the consumers could select your goods or services again and again, if they were pleased with them. Trade mark also has a promotional function, therefore the distinctiveness and notability of your trade mark are essential. If your goods or services have a good reputation, your trade mark will become a valuable sign of origin or quality, which needs legal protection.

Trade mark protection is a right, not an obligation. It gives to the trade mark owner an exclusive right to use the trade mark for designating particular goods or services. Registered trade mark provides a right to prohibit third parties from using any signs which are identical or similar to your protected trade mark, in the same field of activity, on the territory where your trade mark is protected. The mark entered into the trade mark registry of Estonia has legal protection on the territory of the Republic of Estonia.

Trade mark protection has to be acquired in good faith, i.e. it is meant for protection of the business activity of the trade mark owner, not for restriction of freedom of competition or for deliberate blocking of the business activities of other entrepreneurs.

Was this information useful? \*      Yes

No

Please provide details:

Last modified 03.04.2019

**Source URL:** <https://www.epa.ee/en/trade-marks/why-should-trade-mark-be-protected>