



Scope of legal protection

The scope of legal protection of a trade mark is based on:

- **a representation of the trade mark** entered in the register or a well-known trade mark in the form in which it became well known, i.e. the proprietor of the trade mark has the right to prohibit the use of the signs identical or similar to the above-mentioned signs;

- **a list of goods and services**, i.e. legal protection of a trade mark does not enhance all areas, it is related to the goods or services listed in the registration. Only legal protection of a well-known trade mark may extend to the goods and services, which are not contained in the trade mark registration or for the designation of which the trade mark is not used. The goods and services are classified in accordance with the international classification of goods and services established by the valid edition of the [Nice Classification](#);

- **a territory** where the trade mark is valid, i.e. legal protection can be acquired in the country or a union of countries where the mark has been registered or become well known. There is no uniform worldwide legal protection of a trade mark. Therefore, a territory where legal protection is required, should always be chosen. The trade mark registered by the Estonian Patent Office provides legal protection [on the territory of the Republic of Estonia](#). For protection abroad you can choose other options: [via other national offices](#), [the EU system](#) or [the Madrid system](#);

- **a period of time**, during which the trade mark registration is valid. It is 10 years from the date of the trade mark application, whereas it can be renewed upon payment of the fee by 10 years. So the time of legal protection of the trade mark is not automatically unlimited. You have to monitor the term of legal protection of your trade mark and you can apply for the renewal of the term. If the term of legal protection is constantly renewed, your trade mark can enjoy legal protection for unlimited time.

Was this information useful? * Yes

No

Please provide details:

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