

Trade marks - What is a trade mark, and why register?

Trade marks are used to protect a business or person's branding. They can be a word, logo, sound, shape or colour. The Trade Marks (Bailiwick of Guernsey) Ordinance, 2006 requires that a trade mark can be represented graphically, either by text or image and that it is capable of being distinctive.

Trade marks can include:

Company or business names

If you are an organisation, a sole trader, have a business or you have incorporated a company, the name can be registered as a trade mark.

An example of this would be 'Rocquaine Regatta' ([trade mark GGGT7750](#)).

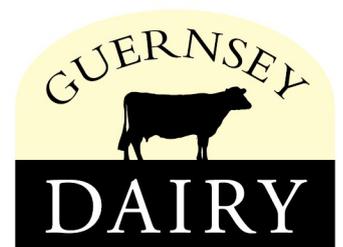
Please note that if you have incorporated a limited company the name is not automatically protected.

Incorporation only stops other companies with the same name being incorporated, it does not protect against the name being used by others in the course of trade. However if you register the name as a trade mark then this gives you protection against others using the name.

Logos

If you have a logo that you use for your business, for example on signs, business cards, vehicles etc, then that logo can be registered.

For example, the Guernsey Dairy has registered their logo shown here ([trade mark GGGT8054](#)).



Straplines

If you use a strapline or one liner to encourage people to use your business, you can gain protection and stop others from using it by registering it as a trade mark.

An example of this is the Guernsey Dairy's trade mark 'THE ORIGINAL & BEST' ([trade mark GGGT8055](#)).



Benefits of registering a trade mark

Whilst unregistered rights exist under common law, the main benefit of registering a trade mark is that it deters people from using your trade mark without your permission. If someone does use your trade mark without your permission it is much easier for you to take legal action against the offenders.

If you have spent time and money developing your brand, registering your trademark will protect it and stop others from using the brand that you have put effort into creating.

If you have registered your trade mark and others wish to use it, you can then licence it to them and charge a fee for use.

Protection gained

The registration gives the owner protection in the Bailiwick, the protection can then be extended to other jurisdictions by registering trade mark applications in different countries.

Registration in Guernsey costs £200 (in one class of goods/services).

A trademark registration generally lasts for 10 years and can potentially be renewed every 10 years for an indefinite period.

For more information on trade marks and the registration process, and the protection gained by registering, please contact the Guernsey Registry team who will be able to give you more information.

Contact us

For further information regarding registering your intellectual property please contact us:

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Web: <http://ipo.guernseyregistry.com>

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