

## Canada

On March 28 2014 the government introduced Bill C-31, the Economic Action Plan 2014 Act, as part of an omnibus budget implementation bill. The bill introduces significant amendments to the Trademarks Act. Among other things, applicants for registration in Canada will no longer need to identify a date of first use of the mark in Canada and information regarding use and registration of the mark abroad will no longer be required; the Nice Classification will be adopted; and the definition of a 'trademark' will be expanded to cover a "sign or combination of signs" including a word, personal name, design, letter, numeral, colour, figurative element, three-dimensional shape, hologram, moving image, mode of packaging goods, sound, scent, taste, texture and positioning of a sign.

## International

CentralNic Group has announced the launch of the new gTLD '.wiki', with an exclusive invitation for brands to secure domain names in the format 'trademark.wiki' before '.wiki' domains are released to the general public through leading domain retail outlets worldwide. '.wiki' is presented as "the open, generic domain designed for sharing ideas, resources, and knowledge". Meanwhile, CentralNic's new gTLD '.xyz' entered into a 60-day sunrise period on March 20, which will be followed by a 10-day landrush period on May 20. '.xyz' is intended to be the first truly generic new domain extension meant for every website and purpose.

## European Union

The revised Tobacco Directive was adopted by the European Council on March 14 2014, following the positive first reading before the EU Parliament. The directive aims to make tobacco products less attractive by revising the rules on tobacco manufacturing. However, the provisions on packaging have raised some concerns from a trademark law perspective.

## United Kingdom

The Intellectual Property Bill, which is designed to simplify the patent and design protection regime, is closer to becoming law after it was passed by the House of Commons and subsequently considered by the House of Lords on April 2. The main aspect of the bill, which now awaits royal assent, is the introduction of criminal sanctions for infringement of industrial design rights.

## France

A new IP law, passed on February 26 2014, aims to harmonise the various rules governing the different types of IP right. Among other things, the new law seeks to improve the methods used to compute damages with a view to increasing the amount of damages awarded in case of infringement. The new law also facilitates the *saisie-contrefaçon* procedure, which is a means of proving infringement. The law entered into force on March 13.

## Germany

The general availability phase for '.berlin', a new generic top-level (gTLD) domain from the dotBERLIN GmbH & Co KG registry, began on March 18 2014. Berlin is the first city to launch its own domain name in the new gTLD programme.

## Egypt

The minister of trade and supply has issued Decree 95/2014, which provides that a fee of E£250 must now be paid for each hearing in respect of trademark and industrial design oppositions (previously there was no fee). The fee for obtaining a duplicate certificate of a trademark or industrial design registration, or any other document, has also increased from E£56 to E£200, and official search fees are now E£200 instead of E£150. The decree is effective as of April 1 2014.

## Montenegro

Montenegro has drafted amendments to its trademark law in order to harmonise it with EU trademark legislation. The amended law regulates the trademark registration process and court proceedings for trademark infringement. Among other things, the new law provides for the cancellation of trademarks that have become generic, as well as of marks that are likely to cause confusion with existing marks, in line with the EU Trademarks Directive (2008/95/EC).

## Myanmar

Myanmar's first Consumer Protection Law is now in force. The law contains 12 chapters and 31 sections covering the rights and responsibilities of both consumers and manufacturers, and lists prohibitions for manufacturers. It also establishes a Committee for Consumer Protection, which will operate a disputes and sanctions system. The law provides new means for brand owners to combat counterfeit goods through consumer-based actions.

## Russia

On March 12 2014 the Russian president signed amendments to the fourth part of the Civil Code, which is dedicated to IP rights. Among other things, the amendments establish the principle of national exhaustion of rights. (However, due to the Customs Union between Russia, Belarus and Kazakhstan, the principle of regional exhaustion will apply between these three countries.)

## Australia

The government has introduced the Major Sporting Events (Indicia and Images) Protection Bill 2014 into Parliament. The bill aims to protect three major sporting events to be held in Australia: the Asian Football Confederation Asian Cup 2015; the International Cricket Council Cricket World Cup 2015; and the Gold Coast 2018 Commonwealth Games.

## South Korea

The Korean Intellectual Property Office (KIPO) has proposed a number of significant changes to the Trademark Act. Among other things, the proposed amendments would explicitly include 'use in an electronic manner' as one of the statutory types of trademark use. In addition, KIPO would be permitted to accept letters of consent from a senior registrant so that a junior trademark applicant could obtain a registration for an existing mark. It is hoped that, if passed by the National Assembly, the proposed amendments will take effect on July 1 2015.

## China

According to Thomson Reuters CompuMark's third annual "State of Trademarks Report: Global Insights on Trademark Trends", there has been a major shift in focus among multinational brand owners, with all eyes fixed on emerging economies. The report shows that China leads the world, with over 860,000 new trademarks published in 2013; it is followed by the United States, Brazil, South Korea, Turkey and Japan.