

CompuLaw's International Trademark Questionnaire

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COUNTRY **GREECE**

(Note: If you are providing information for more than one jurisdiction,
list only one jurisdiction per questionnaire)

*****PLEASE FILL IN ALL OF THE INFORMATION AS REQUESTED*****

1. LIST TRADEMARK LEGISLATION (Example: Trademark Act of 1946 15 U.S.C.A. § 1051)

a. Trade Mark Law No. 2239/16.9.1994

Supplementary provisions are found in :

b. Law No. 146/1914 on Unfair Competition

c. Law No. 703/1977 on Free Competition

d. Council Regulation (EC) No 3295/94 of 22 December 1994 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods

e. Commission Regulation (EC) No 1367/95 of 16 June 1995 laying down provisions for the implementation of Council Regulation (EC) No 3295/94 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods

f. Council Regulation (EC) No 241/1999 of 25 January 1999 amending Regulation (EC) No 3295/94 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods

g. Commission Regulation (EC) No 2549/1999 of 2 December 1999 amending Regulation (EC) No 1367/95 laying down provisions for the implementation of Council Regulation (EC) No 3295/94 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods

2. LIST APPLICABLE CONVENTIONS COUNTRY IS A MEMBER OF

a. Paris Convention (Stockholm Act), since 1976

b. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, 8th Edition, since January 2002

c. Protocol relating to the Madrid Agreement Concerning the International Registration of Marks, effective June 2000, as implemented by Law No. 2783/07.01.2003, pursuant to Ministerial Decision No. K4-307 of January 2, 2001

3. LIST THE REQUIREMENTS FOR FILING TRADEMARK APPLICATIONS

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- a. Complete list of goods; a single application may be filed for registration of a mark for more than one classes of goods Full name, address, occupation and nationality of applicant
- b. Power of Attorney simply signed and stamped with the company's seal. The power of attorney is also valid for subsequent applications. Appointment of agent is compulsory
- c. 10 facsimiles in black and white; where colour is a distinctive feature, 15 additional specimens reproduced in colour are required; if the mark consists of a word in ordinary block letters, no facsimiles are required
- d. A certified copy of home application or registration with a translation attested by the agent is required only in convention cases (to be filed within three months of the date of filing), if not filed simultaneously.

4. CHECK OFF THE TYPES OF TRADEMARKS AND REGISTRATIONS THAT APPLY

Trademarks	<input checked="" type="checkbox"/>	Certification Marks	<input type="checkbox"/>	Honest Concurrent Use	<input type="checkbox"/>
Service Marks	<input checked="" type="checkbox"/>	Collective Marks	<input checked="" type="checkbox"/>	Associated Marks	<input type="checkbox"/>
Defense Marks	<input type="checkbox"/>	Part B Registration	<input type="checkbox"/>		

List any additional types of Trademarks and Registration: _____

5. TERM OF TRADEMARK REGISTRATION (fill in applicable boxes)

a. Trademark Term is:

b.

10 years from **the next day of the** Application Filing Date.

What is the Statute or Regulation? (i.e., 37 CFR 3.124) **art. 21 par.1 of Law No. 2239/16.9.1994**

Additional Requirements: _____

OR

_____ years from Registration Date.

What is the Statute or Regulation? (i.e., 37 CFR 3.124) _____

Additional Requirements: _____

b. Former Law

Trademark Term is:

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years from Application Filing Date.

Term is valid prior to the following date: _____

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

years from Registration Date.

Term is valid prior to the following date: _____

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

X Not Applicable

6. **TRADEMARK RENEWAL REQUIREMENTS** (fill in applicable boxes)

a. **Renewal Term** is **10** years.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) *art. 21 par.2 of Law No. 2239/16.9.1994*

Additional Requirements : _____

b. **Deadline** to file a Renewal Application is:

months prior to expiration of trademark term.

The expiration date

What is the Statute or Regulation? (i.e., 37 CFR §3.124) *art. 21 par.1 & 2 of Law No. 2239/16.9.1994*

Additional Requirements: _____

OR

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days prior to expiration of trademark term.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

c. **First day** to file a Renewal Application is:

12 months prior to expiration of trademark term.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) *art. 21 par.3 of Law No. 2239/16.9.1994*

Additional Requirements: _____

OR

days prior to expiration of the trademark term.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

d. **Grace period** for filing a Renewal Application is:

6 months after expiration of the trademark **renewal** term.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) *art. 21 par.3 of Law No. 2239/16.9.1994*

Additional Requirements: _____

OR

days after expiration of trademark term.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

Not Applicable.

e. **Former Law**

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Renewal Term is _____ years.

Term is valid prior to the following date: _____

What is the Statute or Regulation?(i.e., 37 CFR §3.124)_____

Additional Requirements:_____

OR

X Not Applicable.

7. LIST THE REQUIREMENTS FOR FILING RENEWAL APPLICATIONS

a. Power of Attorney only if the Attorney filing the Application for Renewal is other than the one appearing in the register

b. Deposit of official renewal fee

c.

d.

e.

f.

g.

8. OPPOSITION (fill in applicable boxes)

a. Oppositions deadline is:

Within 4 months from the 16th day of the next month of the publication date

_____ months after a trademark application is published.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) **art. 10 par.4 of Law No. 2239/16.9.1994**

Additional Requirements:_____

OR

_____ days after a trademark application is published.

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What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

Oppositions are not permitted

b. Extensions of Time

Deadline to file an Extension of Time to file an Opposition is:

days after publication of the Opposition

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

months after publication of the Opposition.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

X No Extensions of Time are permitted

c. How many Extensions of Time may be requested _____

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

9. CANCELLATION BASED ON NON USE (fill in applicable boxes)

a. Trademarks may be cancelled:

5 years from Registration Date.

What is the Statute or Regulation? (i.e., 37 CFR §3.124)) **art. 17 par.1 a of Law No. 2239/16.9.1994**

Additional Requirements: _____

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OR

years from Filing Date.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

Not Applicable.

10. PARIS CONVENTION PRIORITY (fill in applicable boxes)

a. Deadline to claim priority

Applicant must claim priority within:

_____ days from filing the new application (which is based on the priority application).

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

_____ months from filing the new application (which is based on the priority application).

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

X 6 months from the priority application filing date.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) **art. 4 C (1) of Paris Convention**

Additional Requirements: _____

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OR

Not Applicable.

11. OFFICIAL ACTIONS (fill in applicable boxes)

a. Responses to Official Actions must be filed within:

NOTE : The Examiner's objections are communicated to the Applicant's Attorney orally. It is the Trademark Committee (operating within the Trademark Office) which finally decides after a hearing, whether the objections raised by the Examiner are sustainable or not. Notice is served to the applicant's legal representative to attend the hearing and submit arguments.

Against an adverse decision of the Trademark Committee recourse may be filed before the Administrative Court of First Instance within 90 days from official notification for foreign parties and within 60 days from official notification for Greek citizens.

Adverse decisions issued by the Administrative Court of First Instance may be appealed to the Court of Appeal within 120 days from official notification for foreign parties and within 60 days from official notification for Greek citizens.

Adverse decisions issued by the Court of Appeal may be appealed to the Council of State within 90 days from official notification for foreign parties and within 60 days from official notification for Greek citizens.

days from receipt of Official Action.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) art. 66 pars 1 & 6, art. 81 par.2, art. 86 par. 1 and art. 94 par. 1, of Law No. 2717/14/17-05.1999 & art. 41 par. 3 and art. 53 pars. 1 & 2 of Presidential Decree No. 18/1989

Additional Requirements: _____

OR

months from receipt of Official Actions.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

Not Applicable.

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b. Extensions of Time

Deadline to file an Extension of Time to file an Office Action Response is:

days after receiving Office Action.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

months after receiving Office Action.

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

OR

No Extensions of Time are permitted.

c. How many Extensions of Time may be requested _____

What is the Statute or Regulation? (i.e., 37 CFR §3.124) _____

Additional Requirements: _____

12. MARKING (check if applicable)

a. Marking is not required

b. Marking is Optional

Fill in marking language: _____

13. HOLIDAYS

a. List all of the holidays of your jurisdiction and the dates that they fall on

(1) **New Year's Day - Jan. 1**

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- (2) **Epiphany - Jan. 6**
- (3) **First Monday of Lent - Feb 23 (ONLY FOR 2004)**
- (4) **Annuntiation of Virgin Mary - National Anniversary - Mar. 25**
- (5) **Good Friday - Apr. 9 (ONLY FOR 2004)**
- (6) **Easter - Apr. 11 (ONLY FOR 2004)**
- (7) **Easter Monday - Apr. 12 (ONLY FOR 2004)**
- (8) **Labor Day - May 1**
- (9) **White Monday - May 31 (ONLY FOR 2004)**
- (10) **V. Mary Dormit - Aug. 15**
- (11) **National Anniversary - Oct. 28**
- (12) **Christmas Day - Dec. 25**
- (13) **Virgin Mary - Dec. 26**
- (14)

What happens if a deadline falls on a holiday? (For example if the deadline to renew a trademark application falls on a holiday will the renewal still be due on the holiday or will it be due the day before or after the holiday? Please explain: **In such a case, the deadline expires on the first working day after the holiday**)

14. WEEKENDS

- a. What happens if a deadline falls on a Saturday or Sunday? ? (For example if the deadline to renew a trademark application falls on a Saturday or Sunday will the renewal still be due on the Saturday or Sunday or will it be due either or Friday or Monday? Please explain: **In such a case, the deadline expires on the first working day after the weekend (Monday)**)