

Should I register a trademark overseas blindly?

When registering a trademark abroad, there is a question of the probability of refusal, refusal in certain countries, limiting the list of goods.

Is there a way to prevent such problems or, at least, to minimize the probability of occurrence?

At first glance, the answer is obvious and straightforward - you need to go to the search engines, especially since they are free, and give users search tools.

But if you try to figure out where the search is made, which arrays are being processed and by what means? Answers to any questions we can get

Of course, an "analysis of the state of the art" was initially conducted on this issue, which revealed a very interesting publication - [Battle of the free trade mark databases – Global Brand Database versus TMview](#).

The author's conclusion is not ideal, but thank you too.

We wanted to go a little further, dig deeper, understand more.

First, collected and systematized data presented by open resources (Table 1). Collected data on the representation of countries in open search resources. It is evident that some countries are not represented at all.

Secondly, not only the lists of countries, but also the fullness were compared (Table 2). The data was filled up with resources. The red is more than 1% discrepancy.

Conducted a test benchmarking in the Global Brand Database and TMview with the following parameters:

Nice Class - 05, Country - USA, Status - Active

Result: Global Brand Database: 100686, TMview: 87336 (as of 30 January 2018)

Conclusions:

1. The bigger the country, the more developed the economy, the higher the reliability of the search.
2. Even for developed economies, there is an urgent problem of data reliability (table). Different resource search engines issue different answers to identical queries.
3. Open sources - this is definitely positive, but it's not worth relying on them completely. The price of the error is a business reputation.
4. The correct strategy - the previous "rough" search is carried out before the more perfect "manual", "human processed". As a result, there is a significant saving on the cost of overcoming the omissions in the registration abroad.



Table 1. Data collected in open resources

Country	EPO ASEAN Tmview	EPO TMview	WIPO GBDB	Madrid Monitor	Member of Paris Union
Afghanistan					YES
African Intellectual Property Organization (OAPI)				YES	YES
Albania		YES		YES	YES
Algeria			YES	YES	YES
Andorra					YES
Angola					YES
Antigua and Barbuda				YES	YES
Argentina		YES			YES
ARIPO		YES			YES
Armenia				YES	YES
Australia			YES	YES	YES
Austria		YES		EM	YES
Azerbaijan				YES	YES
Bahamas					YES
Bahrain			YES	YES	YES
Bangladesh					YES
Barbados					YES
Belarus				YES	YES
Belgium		YES		EM,BX	YES
Belize					YES
Benelux		YES		YES	YES
Benin				OA	YES
Bhutan				YES	YES
Bolivia (Plurinational State of)					YES
Bosnia and Herzegovina		YES		YES	YES
Botswana				YES	YES
Brazil		YES			YES
Brunei Darussalam	YES		YES	YES	YES
Bulgaria		YES		EM	YES
Burkina Faso				OA	YES
Burundi					YES
Cabo Verde					
Cambodia	YES	YES	YES	YES	YES
Cameroon				OA	YES
Canada		YES	YES		YES
Central African Republic				OA	YES
Chad				OA	YES
Chile			YES		YES



China				YES	YES
Colombia		YES		YES	YES
Comoros				OA	YES
Congo				OA	YES
Cook Islands					
Costa Rica					YES
Côte d'Ivoire					YES
Croatia		YES		EM	YES
Cuba				YES	YES
Cyprus		YES		EM	YES
Czech Republic		YES		EM	YES
Democratic People's Republic of Korea				YES	YES
Democratic Republic of the Congo					YES
Denmark		YES	YES	EM	YES
Djibouti					YES
Dominica					YES
Dominican Republic					
Ecuador					YES
Egypt			YES	YES	YES
El Salvador					YES
Equatorial Guinea				OA	YES
Eritrea					
Estonia		YES	YES	EM	YES
Ethiopia					
European Union (EU)		YES	YES	EM	YES
Fiji					
Finland		YES		EM	YES
France		YES	YES	EM	YES
FYROM		YES		YES	YES
Gabon				OA	YES
Gambia				YES	YES
Georgia		YES	YES	YES	YES
Germany		YES	YES	EM	YES
Ghana				YES	YES
Greece		YES		EM	YES
Grenada					YES
Guatemala					YES
Guinea				OA	YES
Guinea-Bissau				OA	YES
Guyana					YES
Haiti					YES
Holy See					YES
Honduras					YES



Hong Kong, China					
Hungary		YES		EM	YES
Iceland		YES	YES	YES	YES
India		YES		YES	YES
Indonesia	YES		YES	YES	YES
Iran (Islamic Republic of)				YES	YES
Iraq					YES
Ireland		YES		EM	YES
Israel			YES	YES	YES
Italy		YES		EM	YES
Ivory Coast				OA	YES
Jamaica					YES
Japan		YES	YES	YES	YES
Jordan			YES		YES
Kazakhstan				YES	YES
Kenya				YES	YES
Kiribati					
Kuwait					YES
Kyrgyzstan				YES	YES
Lao PDR	YES		YES	YES	YES
Latvia		YES		EM	YES
Lebanon					YES
Lesotho				YES	YES
Liberia				YES	YES
Libya					YES
Liechtenstein				YES	YES
Lithuania		YES		EM	YES
Luxembourg		YES		EM,BX	YES
Macao, China					
Madagascar				YES	YES
Malawi					YES
Malaysia	YES	YES	YES		YES
Maldives					
Mali				OA	YES
Malta		YES		EM	YES
Marshall Islands					
Mauritania				OA	YES
Mauritius					YES
Mexico		YES	YES	YES	YES
Micronesia (Federated States of)					
Moldova		YES	YES		YES
Monaco				YES	YES
Mongolia			YES	YES	YES



Montenegro				YES	YES
Morocco		YES	YES	YES	YES
Mozambique				YES	YES
Myanmar					YES
Namibia				YES	YES
Nauru					
Nepal					YES
Netherlands		YES		EM,BX	YES
New Zealand			YES	YES	YES
Nicaragua					YES
Niger				OA	YES
Nigeria					
Niue					
Norway		YES		YES	YES
Oman			YES	YES	YES
Pakistan					YES
Palau					
Panama					YES
Papua New Guinea			YES		YES
Paraguay					YES
Peru		YES			YES
Philippines	YES	YES	YES	YES	YES
Poland		YES		EM	YES
Portugal		YES		EM	YES
Qatar					YES
Republic of Korea		YES	YES	YES	YES
Romania		YES		EM	YES
Russian Federation		YES		YES	YES
Rwanda				YES	YES
Saint Kitts and Nevis					YES
Saint Lucia					YES
Saint Vincent and the Grenadines					YES
Samoa					YES
San Marino		YES		YES	YES
Sao Tome and Principe				YES	YES
Saudi Arabia					YES
Senegal				OA	YES
Serbia		YES		YES	YES
Seychelles					YES
Sierra Leone				YES	YES
Singapore	YES		YES	YES	YES
Slovakia		YES		EM	YES
Slovenia		YES		EM	YES



Solomon Islands					
Somalia					
South Africa					YES
South Sudan					
Spain		YES	YES	EM	YES
Sri Lanka					YES
Sudan			YES	YES	YES
Suriname					YES
Swaziland				YES	YES
Sweden		YES		EM	YES
Switzerland		YES	YES	YES	YES
Syrian Arab Republic				YES	YES
Taiwan					
Tajikistan				YES	YES
Thailand	YES		YES	YES	YES
Timor-Leste					
Togo				OA	YES
Tonga					YES
Trinidad and Tobago					YES
Tunisia		YES		YES	YES
Turkey		YES		YES	YES
Turkmenistan				YES	YES
Tuvalu					
Uganda					YES
Ukraine				YES	YES
United Arab Emirates			YES		YES
United Kingdom		YES		EM	YES
United Republic of Tanzania					YES
United States		YES	YES	YES	YES
Uruguay					YES
Uzbekistan				YES	YES
Vanuatu					
Venezuela (Bolivarian Republic of)					YES
Viet nam	YES		YES		YES
Yemen					YES
Zambia				YES	YES
Zimbabwe				YES	YES
Appelations of Origin			YES		YES
WIPO		YES	YES		YES
Emblems			YES		YES



Table 2. Compare of similar countries in open resources (most significant differences shown in red)

Country	EPO ASEAN Tmview	EPO TMview	WIPO GBDB
Albania		13360	
Algeria			31735
Argentina		2595994	
ARIPO		2318	
Australia			1639269
Austria		174617	
Bahrain			51668
Benelux		371345	
Bosnia and Herzegovina		24077	
Brazil		3498028	
Brunei Darussalam	40110		43954
Bulgaria		141040	
Cambodia	82512	82512	82635
Canada		1555085	1546047
Chile			574828
Colombia		704713	
Croatia		48402	
Cyprus		85805	
Czech Republic		250548	
Denmark		288148	288151
Egypt			114692
Estonia		58257	58184
European Union (EU)		1521690	1521496
Finland		181774	
France		2650363	2650350
FYROM		32395	
Georgia		33631	28867
Germany		1978110	1975714
Greece		253736	
Hungary		117011	
Iceland		51143	102318
India		834960	
Indonesia	832845		902639
Ireland		167715	
Israel			267886
Italy		1134920	



Japan		4071015	2054266
Jordan			135021
Lao PDR	28949		41861
Latvia		61511	
Lithuania		79563	
Malaysia	790395	790395	794025
Malta		55470	
Mexico		1451113	1307916
Moldova		41983	39458
Mongolia			64419
Morocco		193652	163772
New Zealand			634379
Norway		266816	
Oman			58424
Papua New Guinea			30057
Peru		424105	
Philippines	413746	413743	417900
Poland		415134	
Portugal		425090	
Republic of Korea		3369265	3377414
Romania		207957	
Russian Federation		597504	
San Marino		3283	
Serbia		51300	
Singapore	648055		667206
Slovakia		117585	
Slovenia		48615	
Spain		868278	832374
Sudan			23762
Sweden		455404	
Switzerland		397448	397469
Thailand	476819		751802
Tunisia		78800	
Turkey		1420934	
United Arab Emirates			39540
United Kingdom		1118782	
United States		8551155	9071133
Viet nam	355092		222939
WIPO		990318	973356

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