

Here you can find the Judicial Decisions concerning trademark likelihood of confusion.

PRIOR TRADEMARK

SUBSEQUENT TRADEMARK

GOODS AND SERVICES

DECISION

NOTE

COURT

CHUFI(denominative)

CHUFASFIT(denominative)

SIMILAR

Written by Dott. Andrea Polo

Wednesday, 21 July 2010 11:15 - Last Updated Wednesday, 21 July 2010 15:58

NO LIKELIHOOD OF CONFUSION

Word-mark, registered for similar goods but different with reference to graphic character, pronounce and

Trib.I grado CEE, 6 luglio 2004, n. 117

'BABY LULU' (denominative with design of a flower)

'LULU'(figurative)

SIMILAR

NO LIKELIHOOD OF CONFUSION

The trademark made up of the word "lulù" with a design is really common, so it is to be considered weak

Trib Venezia, 30 dicembre 2004

'OLLY GAN(denominative)

Written by Dott. Andrea Polo

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HOOLIGAN(denominative)

IDENTICAL

NO LIKELIHOOD OF CONFUSION

Visual difference and lack of conceptual similarity cause lack of likeness; in particular in fashion world, a

Trib. I grado CEE, 1 febbraio 2005 n.57

MISS ROSSI(denominative)

SISSI ROSSI(denominative)

IDENTICAL

NO LIKELIHOOD OF CONFUSION

Being really common in clothing sector the use of the surname and being surname Rossi so much frequ

Trib. I grado CEE, 1 marzo 2005, n. 169

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ENZO FUSCO(denominative)

ANTONIO FUSCO(denominative)

IDENTICAL

LIKELIHOOD OF CONFUSION

In the present case, it has been decided that surname Fusco is more distinctive than the names Enzo e A

Trib. I grado CEE, 1 marzo 2005, n. 185

PENNY(denominative trademark used with different descriptive words)

PENNY SILVAN(denominative)

DIFFERENT

LIKELIHOOD OF CONFUSION (famous trademark)

Trademark ideological core is characterized by the word "penny"

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Trib. Napoli, 29 aprile 2005

CENTOVENTUNO(denominative)

121 BANCA(denominative)

DIFFERENT

NO LIKELIHOOD OF CONFUSION

Though phonetic assonance of numerical elements, the addition of the word “banca” is sufficient to avoid

Cass.28 ottobre 2005, n. 21086

LEVIA
(figurative)

LEVISSIMA
(figurative)

IDENTICAL

NO LIKELIHOOD OF CONFUSION

There is no likelihood of confusion when differences concerning graphic aspect and phonetic effect of th

Trib. Cagliari, 30 maggio 2005 n. 1309

POLO
(complex trademark)

ROYAL COUNTRY OF BERKSHIRE POLO CLUB (complex trademark- words arranged as a locket)

DIFFERENT

NO LIKELIHOOD OF CONFUSION

Global evaluation of the risk of confusion with reference to similarity should be based on global impressi

Trib. I Grado CEE, 21 febbraio 2006, n. 214