

RESOLUTION 2024-07

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The Delegates of the Member Organisations of the Federal Union of European Nationalities (FUEN) adopted the following resolution at their Assembly of Delegates in Husum/Hüsem, Germany on 21 September 2024:

Registration of general terms in regional and minority languages as protected commercial trademarks

Minority and regional languages should be better protected in the examination of EU trademark applications. In recent years there have been repeated cases in which companies have registered words or expressions such as place names, the name of the language or general slogans and words in minority or regional languages as European or national trademarks jeopardizing the free use of these terms by third parties. The FUEN reaffirms its view that all languages, including minority and regional languages, should be treated equally also during trademark registrations. Criteria for expressions in minority/regional languages concerning trademark registrations should be clarified. Furthermore, it is utmost importance that the EU trademark regulation is applied with full respect for fundamental rights, including non-discrimination based on language and linguistic diversity.

The FUEN Assembly of Delegates calls on the European Union and the Member States

- to prevent any unequal legal treatment of regional and minority languages in the commercial and business sphere,
- to revise any existing legal or procedural provisions in the field that could harm minority or regional languages,
- to reinforce provisions concerning the application of trademark law that terms commonly used in the respective regional or minority languages are excluded and cannot obtain commercial trademark protection,
- to make sure that the criterion for assessing the eligibility of names for trademark protection is not the comprehensibility from the point of view of the wider public, but the use within the language communities of the regional or minority languages.

The European Commission is called upon

- to take concrete steps to better protect and promote regional and minority languages in the EU, including within trade mark practices.
- to consider the amendment of Article 7 of the EU regulation on the European trade mark (EU regulation on the European trade mark) and include expressions in minority or regional languages to the grounds of registration refusal (in particular under No. 1 (c) and (d)).