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On-Line Trademarks News Release

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Headline: JAMES JONES v JACK JONES trademarks opposition case judgment

Likelihood of confusion and trademark opposition

A recent case in the European General Court considered a dispute concerning the registration of two trademarks. The trademarks involved related to JAMES JONES and JACK JONES. The marks JACK JONES, and JACK & JONES were registered trademarks for goods including clothing. JACK & JONES was also a registered Community trade mark.

Mr. Ozdemir, the owner of JAMES JONES applied to register the mark as a Community trade mark. The application was published, but was then opposed by the owners of the JACK JONES trademarks. The opposition was upheld. The opposition decision was then appealed. Again the opposition was upheld.

The court case considered a further appeal in this instance. The court considered the likelihood of confusion under the usual tests for similarity. Both trade marks refer to people's names and contain the surname JONES. It was conceivable that consumers might interpret the marks as referring to the same person. The court agreed that a likelihood of confusion did exist. The appeal was dismissed.

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