

What is Well-known trademark?

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About Well-known trademark

- The **Trade Marks Act, 1999**, provides **protection** to well-known trademarks to prevent misuse and obligates the Registrar to safeguard them against similar trademarks.
- Once a mark is declared well-known, the owner can prevent others from registering or using identical or similar marks for different goods and services.
- This trademark mark **can be licensed or franchised** to others, providing the owner with an additional source of revenue.
- **Factors** that can be considered when determining whether a trademark is well-known are:
 - The **degree of knowledge** or recognition of the mark in the relevant section of the public in India
 - The **duration, extent, and geographical area** of any use of the mark
 - The duration, extent, and geographical area of any promotion of the mark in India.
 - The degree of inherent or acquired distinctiveness of the mark
 - The extent to which the mark has been registered in India or in other countries.

Significance of Well-known Trademark

- Well-known trademarks are highly valuable assets for businesses. They contribute to brand recognition, consumer trust, and market competitiveness.
- The recognition of a trademark as “well-known” grants it **additional protection against unauthorized use**, even for goods or services not directly related to the original trademark. This protection helps prevent consumer confusion and safeguards the reputation and distinctiveness of the mark.

What is a trademark?

- It is a **distinctive sign** or indicator used by a **business organisation** to distinguish its products or services from those of other entities.
 - It serves as a badge of origin exclusively identifying a particular business as a source of goods or services. Trademark infringement is the unauthorised usage of a sign that is identical or deceptively similar to a registered trademark.
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Q1: What is Intellectual property rights (IPR)?

These are the legal privileges granted to the inventor or creator to safeguard their intellectual work (in the arts, sciences, literature, etc.) for a specific period of time. These legal rights grant the inventor or creator, or his assignee, the sole right to fully exploit their invention or creation for a specific amount of time.

Source: [Delhi HC declares 'Haldiram' as well-known trademark](#)

Source: <https://vajiramandravi.com/current-affairs/well-known-trademark/>

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