

## Frequently Asked Questions

### A. CLICKMARK and Trademark Registration

#### 1. What is CLICKMARK and how does it work?

CLICKMARK is a platform developed by the professionals of ELLIPSE IP, a boutique law firm specialized in Intellectual Property, so that you can manage the registration of your trademark yourself, in Spain and/or the European Union, in a simple way and at a lower cost. To proceed, you must fill in the application form, providing the required information about the trademark and the owner and then make the payment. As soon as the payment is verified, ELLIPSE IP professionals will formally file the application with the Trademark Office.

#### 2. What are the advantages of registering my trademark with CLICKMARK?

In addition to being a simple and user-friendly platform, with CLICKMARK you are the one who carries out the management, providing the data of the trademark you want to apply for, which translates into substantial savings because a professional is not involved in this stage.

#### 3. Is CLICKMARK an official service of a Trademark Office?

No, CLICKMARK is a platform developed by professionals in the sector and is in no way linked to any Trademark Office.

#### 4. Is it safe to use this platform?

Absolutely, CLICKMARK uses advanced security and encryption protocols to protect your personal information and application data. Your trust is our priority, and we comply with applicable data protection regulations.

#### 5. Why should I protect my trademark?

Registering your trademark gives you exclusive rights to its use, protects you from unauthorized copying or use, and increases the commercial value of your business.

### B. Types of Trademarks and What is Registrable

#### 6. What types of trademarks can be registered with Trademark Offices?

You can register different types of trademarks, depending on how you want to protect your commercial identity. The main ones are:

- Word marks: consisting only of text (words, names, acronyms).
- Figurative marks: conformed by images or logos only; or by the combination of text and images.
- Three-dimensional marks: consisting of the distinctive shape of a product or package, or the product itself or its appearance.
- Position marks: consisting of an element arranged in a specific way within the product.

- Pattern mark: formed by a set of elements that are periodically repeated.
- Color mark: made up of a color or combination of colors.
- Sound marks: conformed by a sound or combination of sounds.
- Motion mark: formed by a movement or change of position of the elements of a mark.
- Multimedia mark: formed by the combination of image and sound.
- Hologram mark: formed by elements with holographic characteristics.

The first two can be managed directly through CLICKMARK's online application form. For the rest, it is necessary to contact us at [trademarks@click-mark.com](mailto:trademarks@click-mark.com) as they require special formalities.

#### 7. What are the requirements for a trademark to be registrable?

For a trademark to be registrable, it must meet the following criteria:

- Not be descriptive: it must not consist of a generic or descriptive term of the goods or services to be protected (for example, you cannot register "Bread" to sell bread).
- Not misleading: it must not mislead the public as to the nature, quality or origin of the product or service.
- Not already registered by a third party: it must not be identical or similar to an existing trademark for the desired goods or services.

The above is not an exhaustive list and only contains the main grounds for refusal. The study of these grounds is carried out by an Examiner and his assessment is subjective.

#### 8. What names or signs cannot be registered as trademarks?

In general terms, they cannot be registered:

- Generic or descriptive names without distinctiveness.
- Official symbols (flags, national coats of arms, emblems of organizations).
- Misleading or confusing names as to the origin or quality of a product.
- Trademarks that violate public order or morality.

#### 9. Can I register a name similar to another existing trademark?

It depends on the degree of similarity and the sector. If the name is identical or very similar to a trademark already registered in the same class of goods or services, its owner is likely to file an opposition. To avoid problems, it is recommended to perform an anteriority search before starting the registration.

#### 10. Does my trademark need to have a logo or can I register just the name?

A logo is not necessary. You can register only the name (word mark) or, if you wish to protect also the design, you can register either a figurative mark (name + logo) or only the design.

## C. Trademark Registration Process

### 11. What are the steps to register a trademark with CLICKMARK?

All you have to do is fill out our online form, upload the required documentation, select the corresponding classes and we will take care of filing your application with the corresponding Trademark Office with the information provided.

### 12. What is the NIZA Classification?

It is an international system that classifies goods and services in 45 classes. Within each class, multiple goods and services are grouped together. Correctly selecting the class, and within it the specific goods and services of interest, is essential to define the scope of protection of your trademark. You can obtain more information about the classes and the goods and services covered by each one at this link <https://tmclass.tmdn.org/ec2/?lang=es>.

### 13. How long does the registration process take?

It depends on the Trademark Office, but it generally ranges between 10 and 12 months at the SPTO and between 6 and 8 months at the EUIPO in procedures without incidents, which do not receive objections or oppositions.

### 14. Can I register a trademark in any country using CLICKMARK?

Only in Spain and the European Union directly. For all other countries and jurisdictions, we offer international services through our network of local agents. Please contact us to request your specific quotation through [trademarks@click-mark.com](mailto:trademarks@click-mark.com).

### 15. What information and documents do I need to register?

You will need:

- Trademark name and logo (if applicable).
- Data of the owner
- List of goods/services to be designated
- Priority data (if applicable)
- Power of attorney signed in the case of applications before the SPTO.

### 16. Can I modify my application after sending it?

It depends on the status of the application. If it has not yet been filed with the Trademark Office, you can contact us to make changes. Once filed, the modifications that can be made are very limited and under no circumstances are you allowed to alter the trademark as such or extend its coverage.

### 17. What happens after filing?

Examination as to form and substance: once the application has been filed, the Trademark Offices initiate the examination procedure as to form and substance, in which it is verified whether the application complies with all administrative requirements (in the first case) and whether it is subject to absolute grounds for refusal

(in the second case).

In summary, in the case of the examination as to form, the Trademark Offices verify that:

- The applicant and trademark data have been correctly provided.
- The classification of goods/services is adequate.
- The required documents have been attached.
- The corresponding fees have been paid.

In the case of substantive examination, the Trademark Offices verify that the trademark has distinctive character and that it does not incur in any of the legal prohibitions explained in items 7 and 8.

Publication and opposition phase: once the examinations described above have been passed, the application is published in the corresponding Official Gazette. After such publication, a period (2 months in Spain and 3 months in the European Union) is opened for third party holders of prior rights to file an opposition, if they consider that the trademark applied for conflicts with their prior rights.

Grant: if no opposition is filed, or if the oppositions are rejected, the respective Trademark Offices will proceed to grant the registration of the trademark and issue the corresponding certificate of registration.

#### 18. What if I receive an opposition and/or objection from the Trademark Office?

Our team of experts can help you prepare a defense or response, evaluating the most appropriate strategy according to the case and providing you with the respective budget.

### D. Maintenance of the trademark registration

#### 19. How long is a trademark valid?

Generally, trademarks are valid for 10 years from the date they are granted, renewable indefinitely for equal periods. This applies both for Spain and the EU.

#### 20. Can you renew my trademark?

Yes, we offer renewal services so that you can keep your rights in force without worries. Contact us at [trademarks@click-mark.com](mailto:trademarks@click-mark.com) with the details of the trademark(s) you wish to renew.

#### 21. Do you keep an eye on it during its validity?

We offer surveillance services to alert you if third parties try to register similar trademarks that may affect your rights. In case you are interested, please contact us at [trademarks@click-mark.com](mailto:trademarks@click-mark.com) to learn more about this service.

#### E. Fees and Payment Methods

##### 22. How much does it cost to register a trademark with CLICKMARK?

The cost varies depending on the jurisdiction and the number of classes. You can check our updated fee schedule under the fees tab on our website.

##### 23. Are there any additional costs after submitting the application?

Additional costs may arise in case of oppositions and/or objections, which will be informed to you in a timely manner and prior to proceeding with any action on our part.

##### 24. What payment methods do you accept?

We accept credit card and PayPal.

##### 25. Does CLICKMARK offer refunds in case of error or withdrawal?

Once the trademark application has been filed, no refunds will be possible since the fee has already been paid to the Trademark Office.

#### F. Priority Search

##### 26. What is a trademark prior art search?

It is a pre-filing analysis that allows you to verify if there are identical trademarks already registered or pending in the official databases. It helps to reduce the risk of your application being rejected because it conflicts with an existing trademark.

##### 27. Is it mandatory to perform a search before applying for my trademark?

It is not mandatory, but highly recommended. Applying for a trademark without verifying its availability may result in a refusal by the Trademark Office, opposition by third parties, and, therefore, in the increase and lengthening of the application process and even in its definitive refusal.

##### 28. What type of prior art search can you perform?

Basic: this option will only generate a list of identical antecedents and will not include an analysis of each one of them. If there are similar antecedents, even with minimal or slight differences with respect to the searched sign, they will not be identified in this option.

Complete: this option contemplates both identical antecedents, as well as variations and similar marks, in addition to including the evaluation for absolute grounds for refusal (descriptive, generic, misleading marks, etc.). A report will be issued analyzing each of the identified antecedents.



29. How long does it take to obtain the search report and how much does it cost?

Basic: 1 to 3 business days.

Complete: 3 to 7 working days.

You can check the cost of this service in the rates tab of our website.

## G. Possible Problems and Solutions

### 30. What if my trademark is already registered by someone else?

We can help you evaluate alternatives, such as trademark adjustments, limitation of protection, coexistence agreements or other types of solutions.

### 31. Can I ask for help if my registration faces opposition or rejection?

Yes, we offer specialized legal advice to prepare responses and strategies in the face of oppositions and official refusal actions. If you have any questions, please contact us at [trademarks@click-mark.com](mailto:trademarks@click-mark.com).

### 32. How can I contact an expert in case of problems?

Of course, you can contact us at [trademarks@click-mark.com](mailto:trademarks@click-mark.com).

### 33. What happens if I make a mistake in the application?

If you detect the error before submission, we can correct it. Once submitted, we will advise you of the options available under the applicable regulations.

## H. Additional Support and Advice

### 34. Does CLICKMARK offer legal advice in case of problems?

Yes, we have the support of professionals for complex cases, oppositions, disputes, negotiations, and any type of legal consultation that may arise.

### 35. What is the cost of receiving expert assistance?

The cost varies according to the case and its complexity. In case of interest, we will provide you with a detailed quotation before initiating any additional management.

## I. Grants

### 36. What is a grant?

It is a financial aid offered by the EUIPO to SMEs and/or freelancers for the registration of their trademarks at European level. These grants have a series of acceptance requirements and are not always available. Grants must be requested before proceeding with the application.

### 37. What are the eligibility requirements?

- Be an SME or self-employed person established in one of the EU Member States.
- Be engaged in an economic activity, irrespective of the legal form of the company.
- Not having been a beneficiary of other EU funding for the same activities.



In case you require additional information or if you wish to proceed to apply for the grant, please consult the following link [SME Fund 2025 - EUIPO](#) and then return to start your application process.

Do you have further questions? Email us at [trademarks@click-mark.com](mailto:trademarks@click-mark.com)