

## The rules of providing a free-of-charge trademark watching service

- 1) The free-of-charge watching service, hereinafter referred to as “Free-of-Charge Watching,” may be used by a New Client in the period from 30 September 2019 to 31 December 2020 provided that the Service Provider confirms that the service is available and that the Client undertakes to fill in a questionnaire after they have finished using the Free-of-Charge Watching service.
- 2) The Service Provider shall be JWP Rzecznicy Patentowi Dorota Rzążewska Sp.k.
- 3) The New Client shall be a natural person, a legal person or an organizational entity with legal personality which, upon starting to use the Free-of-Charge-Watching service and for the preceding 12 months, has not used the watching service rendered by the Service Provider.
- 4) When providing the watching service, the Service Provider shall search, according to the Nice Classification, commercial trademark databases available to the Service Provider and containing trademark information as published by competent IP authorities to look for trademarks identical or similar to the trademarks belonging to the Trademark Holder which may mislead the recipients or pose a risk of being associated with the trademark of the Trademark Holder as defined by the rules of law of the Republic of Poland and the European Union.
- 5) The Service Provider shall provide a free-of-charge trademark watching service in accordance with these Regulations and at the Client’s option:
  - a) in the territory of the Republic of Poland
  - b) in the territory of all EU states.
- 6) Free-of-Charge Watching activities shall be carried out in the period of 3 to 6 months – depending on the arrangements made each time between the Service Provider and the Client (with an option to extend the service at a charge according to the Client's instructions and based on the offer submitted to the Client).
- 7) Watching reports shall be compiled as frequently as required to take into account the publication of new trademark applications in specific countries/jurisdictions covered by the watching activities and they shall be sent once a month unless identical or similar trademarks to the trademark being watched are disclosed.

- 8) A report shall contain only trademarks selected by the Client which may potentially pose a risk of confusion, as defined by the Polish and EU rules of law, among recipients, as well as basic data allowing for identification of a specific trademark and its owner, in particular including:
- a) Name of a disclosed trademark
  - b) Name of Applicant/Trademark Holder
  - c) Classes of goods
  - d) Name of country/territory
  - e) Number and date of application/registration (if applicable)
  - f) Deadline for an appeal (if the information is available)

