

**Source: Secretary**

**Title: Monitoring the use of the Trade Mark "3GPP"**

**Agenda item: 5**

**Document for:**

Decision	
Discussion	
Information	<b>x</b>

**Authorisation request to register "3GPP2" from TIA.**

In October 2000, ETSI received from TIA a Consent to Registration Agreement to be signed by ETSI. The purpose of this agreement is for ETSI to give consent to TIA to apply for the registration of the mark "3GPP2" with the United States Patent and Trademark Office ("PTO") and other countries' registration authorities. Being the owner of the Trade Mark "3GPP" in certain countries and seeking registration in others (see 3GPP OP#5\_11) the following considerations were taken into account:

**ETSI's considerations.**

**Defend the value of the "3GPP" Trade Mark.**

Due to the popularity of the "3GPP" specifications, we are experiencing an increasing number of requests to use the ""3GPP" logo. In addition, it seems that some industry members have started to use the acronym ""3GPP" in their marketing material. This clearly demonstrate that the term "3GPP" has acquired a strong recognition and supports the ETSI's registration, for the benefit of 3GPP partner of the acronym "3GPP". As a consequence, we should carefully monitor the use of the word "3GPP" in order to properly benefit from this asset. Such a monitoring includes preventing the registration of similar and/or confusing Trade Marks.

**Control of the use of "3GPP" to avoid the risk of confusion.**

Whilst the members of the individual organizations behind 3GPP and 3GPP2 may not be confused by the use of the two marks (3GPP and 3GPP2) it is likely that a high proportion of the general public and also trade will believe (incorrectly) that products and services bearing the mark 3GPP2 are of a compatible but updated or improved version or standard of those bearing the mark 3GPP.

The numeral "2" is commonly used by businesses to indicate an updated or improved version of a proprietor's own goods or services. Accordingly, if we adopted the mark 3GPP most persons would

expect goods and services originating under the mark 3GPP2 to have originated from or be approved by our own organization but being of a higher specification or later version.

**Defence of the interests of the “3GPP” community.**

From the above comments, it is not only not in our interest that the mark “3GPP2” should not be registered but it should be made clear how the word “3GPP2” is to be used.

**Conclusion.**

In consideration of the above-mentioned principles and following consultation with our external Trade Mark consultants we were advised not to sign the TIA’s proposed Consent to Registration Agreement.