



# BRAND MONITORING

The starting point for defending your new trademark registration and being prepared to deal with any infringement is to spot “unauthorised use”. For this, you need to **monitor** your brand after registration!



## What does brand monitoring do?

**Detects unauthorised use of your trademarks online and offline**



**Gives you early warning of potential infringements**



**Helps you protect your brand and reputation**



## I. Scan trademark and domain name registries

### Trademark watch

**Monitors trademark registers for identical or similar trademark applications**

**How?** Subscribe through trademark watch provider or your IP lawyer



**Types of service:** simple list of detected trademarks or “full service” review by IP lawyer + legal opinion on proper actions to take

**Types of subscription:** monthly or annual fee

**When identical or similar trademark application detected**

→ file an opposition at the IP Office where application was filed

### Domain name watch

**Monitors unauthorised domain name registrations that contain your trademark or a confusingly similar word**

**How?** Subscribe through domain name watch provider or your IP lawyer



**Types of subscription:** monthly or annual fee

**When confusingly similar domain name detected**

→ file a Domain Name Complaint before a domain name dispute resolution provider (more information [here](#))



Protect yourself by registering domain names simultaneously with or before filing your trademark application



## II. Monitor the markets for infringing activities

### Online market watch

**Monitors mentions, keywords, hashtags and uses of your trademarks on social media, marketplaces, and search engines**

#### How?

Subscribe through brand watch providers, social media management tools or your IP lawyer or monitor social media manually and register your brand with marketplaces



Types of subscription: monthly or annual fee

#### When unauthorised use detected

your strategy will depend on where that use was detected and actions can include cease-and-desist letters, social media platforms complaints, take-down notices, court proceedings, etc.

### Offline market watch

**Monitors unauthorised use of your trademarks in the physical world**

#### How?

Challenging to monitor; some IP firms offer detective or inspection services, regularly scanning and visiting physical markets known for being a hotspot for the sale of counterfeits

#### When unauthorised use detected

your strategy will depend on what type of use was detected and actions can include cease-and-desist letters, injunctions, court proceedings, etc.

