



## What is i-Search and what will be your challenge?

**s.m.d.-markeur** is the service mark of Schutz Marken Dienst GmbH, a privately held German company. We provide information on word and device marks, company names, domains, industrial designs, patents and utility models. Our company was the first of its kind in Germany. Being a leader in our home market since our foundation in 1949, we successfully extended our services worldwide during the 1980s. In the international sector, we closely cooperate with our subsidiary s.m.d.-Benelux.

Our best-selling product-line in the international sector is **i-Search**: international trademark searches with legal opinions. These are offered by s.m.d.-Benelux, but coordination and communication are carried out by Germany-based s.m.d.-markeur. Among our customers, there are well-known brand owners.

For i-Search, we have built up a worldwide network of local lawyers. Each of them is an expert on the legislation of his respective country or even a group of countries.

### **We would appreciate to welcome you as partnering local expert in our network of highly qualified trademark professionals.**

From joining our network you will benefit in the following ways: you will enhance your business through further orders and you will also receive attractive partner discounts when requesting our services.

As local expert, you will take part in the creation of the search report: depending on the country, searches will be conducted either by you, by us, or by other appropriate partners. The legal opinions are always provided by the local partner in the respective country. All results are returned to us.

Our task is to collect orders and to coordinate the work process. We distribute the work pieces among the partners, control their results and clarify potential further questions. Therefore, we might contact you again, after you have given your opinion. Finally, we write a summary containing a so-called overall opinion on the availability of the respective trademark in the countries covered by the search report.

As you might imagine, there is a lot of coordination involved in the whole process of producing an i-Search report. To increase efficiency for all parties involved, such as partners, clients and ourselves, we have just recently developed an internet-based platform for all the involved people to work on. We call it **Work IP**. This platform is used by customers and partners as well as by ourselves.

After log-in you can directly fill in your results. Either you use the Work-IP-editor or you produce a text in Word or any other text program and fill it in by "copy and paste". Immediately afterwards, your result is visible for us to further process it. After the result is checked and released by us, the customer can directly view and process the results via this platform.

To meet our high quality standards there are certain requirements concerning form and content of your contribution to our network. On the following page, we have compiled a list of requirements that you should meet in order to work with us. You are further asked for your quotes. Please fill in a separate form for each country you want to cover.



## **Requirements for Potential Partners**

### **1. Prices**

As we offer fixed prices to our clients, we cannot pay hourly rates to our local partners. Therefore it is important, that we agree on fixed prices for your work. Please tell us your quoted prices on the attached page.

### **2. Liability**

In order to ensure high quality we would like you to agree on the assumption of liability to the same extent as towards all other clients. Please attach your Terms and Conditions so that we can pass them on to our clients on request.

### **3. Content**

With regard to content, your legal opinion should cover the following aspects:

- **Inherent registrability (absolute grounds)**  
Is the proposed trademark inherently registrable according to the criteria in your country?  
Are there any limitations regarding its distinctiveness or scope of
- **Linguistic and phonetic remarks**  
Are there any unfavourable connotations of the proposed trademark in your language? Is the proposed trademark pronounceable?
- **Availability for use and registration (relative grounds)**  
Are there any potential bars which could block the registration and/or use of the proposed trademark, esp. third party rights that were revealed during in the search report? Please cite all potential bars, quoting registration number and proprietor, as well as whether usage of the trademark is required. Discuss the possibilities and chances to overcome the cited potential bars.
- **Conclusion: likelihood of successful registration (use)**  
What is the estimated overall chance of achieving a registration for this mark? What is the risk involved in using the proposed mark on its own/with a house mark? Is the proposed trademark registrable and available for adoption in your country? In case there are any potential bars, please advise whether these could possibly be overcome, e.g. if they are older than 5 years and not in use.

### **4. Internet Access**

All results have to be entered into the internet-based Work-IP. Therefore you need an internet access.

### **5. Distinctiveness Check**

Sometimes we may ask you for a so-called **Distinctiveness Check**. You are then asked to pre-check the inherent registrability of the trademark in order to clarify whether a search is required. Our international standard price is EUR 50, -- for each Distinctiveness Check.

### **6. Sample Search or Legal opinion**

Before we start to cooperate we usually ask for a sample search and/or sample legal opinion free of charge. The main reason is to compare it with what we've got from another partner and with what we expect to fulfil the client's needs and expectations.

For promotional purposes, we ask you for a sample search and/or sample legal opinion on a fictitious trademark. If this happens we will ask you to conduct it free of charge.



### Your requested prices

Please return to fax no.: +49 4102 80 48 35.

Otherwise download document on [www.smd-markeur.de/download/i-Search\\_partner\\_info.pdf](http://www.smd-markeur.de/download/i-Search_partner_info.pdf) and mail back to [spehlmann@smd-markeur.de](mailto:spehlmann@smd-markeur.de).

**NOTE:** A separate sample of this document has to be filled for each country you can provide legal opinions for.

Name of your company	
Country that you can search	
Currency	

### **Please fill in your prices for trademark search and for the legal opinion!**

	Search 1 <sup>st</sup> class	Search add. class	Legal opinion 1 <sup>st</sup> class	Legal opinion add. class
Word mark, 5 working days				
Word mark, 3 working days				
Device mark, 5 working days				
Device mark, 3 working days				

### **Please fill in your prices for legal opinions only!**

In such case you will receive our search results and will be requested solely for your legal opinion on these results

	Legal opinion 1 <sup>st</sup> class	Legal opinion add. class
Word mark, 4 working days		
Word mark, 2 working days		
Device mark, 4 working days		
Device mark, 2 working days		

**Thanks for your information!**

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