Why should you protect your trademarks abroad?

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Astha Negi explains the benefits of securing registration of trademarks abroad and what strategies companies should employ to protect their trademark globally. A trademark is a source identifier for any company whether big or small. The existing and potential customers of any company associate the goods and services under the trademark with such company. As such a trademark is a symbol of reliability, quality and company's reputation. Needless to say, trademarks must be protected not only in India, but also in foreign jurisdictions. Trademark rights are territorial, viz. protection that is granted to a trademark is limited to India alone. While seeking protection in jurisdictions where the company intends to expand its business, special focus should be on first-to-file countries. In these countries, priority is given to trademark registration than to trademark use (except in the case of well-known marks). In order to enforce trademark rights in these countries, a company needs to have a registered trademark. Along with first-to-file countries, a strategic approach for any company should also include seeking protection in important jurisdictions such as United States, United Kingdom, Australia and Canada.

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