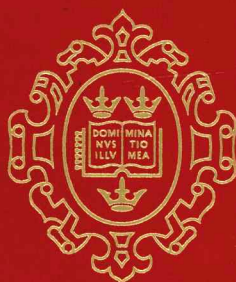

TRADE MARK REGISTRATIONS IN BAD FAITH

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OXFORD

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To Tamara, Valentina, and Philip

PREFACE

On a cold but beautiful day in December 2005 I successfully defended my doctoral thesis in public at Leiden Law School in the Netherlands. The subject of my dissertation is the topic of this book: 'Trade Mark Registrations in Bad Faith'. It was written in less than three years under the inspiring supervision of Professor Dr D.W.F. Verkade and consisted of over 500 pages. The only downside was that it was written in Dutch. It was therefore decided to one day publish an English edition.

The initial plan was to merely translate the dissertation. To this extent, following a generous grant from The Netherlands Organisation for Scientific Research (NWO), Claudette Kulkarni translated the initial chapters of my dissertation in 2006 from Dutch to English. However, in order to take into account new developments and insights, I subsequently decided to write a completely revised and refined version, containing a different structure and often taking a different approach.

The result is this book. Recent developments in case law and literature have been taken into account, including the most recent decisions of the European Court of Justice. The book takes a pan-European approach, comparing theory and practice in 15 Member States, while also recognizing the legislative developments in the new 12 Member States which have joined the European Union since 2004. Although such a rigorous comparative approach is a challenging multi-jurisdictional and multi-lingual adventure, I have tried to take into account as much foreign literature and case law as possible. Readers who have additional suggestions to include certain decisions in a future edition of this book are kindly invited to contact the author or publisher.

Finally, I am grateful to my family and friends for their support and patience in writing this book.

Alexander Tsoutsanis

July 2010

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