

**Refusal of an application for an EU trade mark (Article 7 and Article 42(2) of the EU Trade Mark Regulation)**

Alicante, 23/08/2023

Christer Hedlund  
Strängstorp Karlslund  
SE-64196 Katrineholm  
SUECIA

*Application number:* **018843822**

*Your reference:*

*Trademark:* **Put Putin In**

*Type of badge:* **Word mark**

*Applicant:* **Christer Hedlund  
Strängstorp Karlslund  
SE-64196 Katrineholm  
SEE**

**IN. Summary of facts**

The EUIPO filed an objection on 12 April 2023 in accordance with Article 7.1.fi of the EU Trademark Regulation as this trademark was considered unregistrable.

The remark concerned the following goods

Class 25 *Clothes; Headwear.*

The remark was based on the following main arguments:

- According to Article 7.1 f of the EU Trademark Regulation, trademarks that are contrary to public morals are exempt from registration, i.e. marks that a reasonable consumer with a normal level of sensitivity and tolerance would perceive as blasphemous, racist, discriminatory or offensive or as promoting drug use.
- The target audience is the English-speaking public who would perceive

the sign with the following meaning: *insert Putin; lock up Putin*.

- The above meaning of the words "Put Putin In" is supported by the following references to dictionaries (information retrieved on 12 April 2023):

[https://www.ne.se/ordb%C3%B6cker/search?d=ne\\_en\\_pro&s=put](https://www.ne.se/ordb%C3%B6cker/search?d=ne_en_pro&s=put)  
[https://www.ne.se/ordb%C3%B6cker/search?d=ne\\_en\\_pro&s=in](https://www.ne.se/ordb%C3%B6cker/search?d=ne_en_pro&s=in)  
[https://www.ne.se/ordb%C3%B6cker/search?d=ne\\_en\\_pro&s=put](https://www.ne.se/ordb%C3%B6cker/search?d=ne_en_pro&s=put)

The relevant content of the links was reproduced in the Notice of grounds for refusal.

- PUTIN is the President of Russia since the year 2012. Reference was made to the National Encyclopedia (information retrieved on April 12, 2022):

<https://www.ne.se/uppslagsverk/encyklopedi/l%C3%A5ng/vladimir-putin>

The relevant content of the link was reproduced in the Notice of grounds for refusal.

- The circulation circle would perceive the sign "Put Putin In" as something contrary to public morality as it seeks to profit from an event that is widely perceived as tragic, namely Russia's invasion of Ukraine.

The implications of the war in Ukraine for the EU extend to inflation, liquefied natural gas (LNG) imports (affecting energy and transport), increased defense spending, refugee flows from Ukraine across Europe, shortages of raw materials and negative impact on emerging and developing countries. In addition, it is widely known that the war has resulted in the deaths of thousands of soldiers and thousands of civilian casualties.

The mark violates accepted moral principles because it takes advantage of a tragedy for commercial purposes, i.e. the intention to seek financial gain from a tragic event, even though consumers may perceive the mark as positive, i.e. locking Putin (in prison).

The sign *get thus* not registered according to article 7.1 fi EU the trademark regulation.

## **II. Summary of the applicant's arguments**

The applicant failed to submit comments within the deadline.

### **III. Reason**

In accordance with Article 94 of the EU Trademark Regulation, it is the office's task to make a decision based on circumstances on which the applicant has had the opportunity to comment.

Since the applicant did not submit any comments, the Office has decided to maintain the remark made in the notice of grounds for refusal.

### **IV. Conclusion**

For the reasons stated in the refusal and in accordance with Article 7.1 fi EU-

trademark regulation, the application for EU trademark no. 18 843 822 is hereby rejected for all goods to which the application relates.

According to Article 67 of the EU Trademark Regulation, you have the right to appeal this decision. According to Article 68 of the EU Trade Mark Regulation, the appeal must be submitted in writing to the Office within two months from the date of notification of this decision. It must be entered in the language of the procedure for the procedure during which the appealed decision was taken. And the grounds for the appeal must be stated in writing within four months from the same day. The appeal will only be registered when an appeal fee of EUR 720 has been paid.



**Anne-Lee KRISTENSEN**