

Trade Mark Litigation

Our team works with clients to develop an effective and tailored litigation strategy that suits the circumstances of each individual case.

We take the time to understand our client's business and provide practical advice which is both legally and commercially focused.

As trade mark agents, we work with our clients from clearance to filing trade marks which enables us to be better placed to enforce those rights, if necessary.

Our extensive experience in trade mark disputes coupled with our understanding of filing strategies and a diverse range of industry sectors informs and enhances our advice.

Our reputation as a leading advisor in this field ensures we are involved in the vast majority of trade mark cases issued in the Irish courts each year.

Our team are regular and trusted advisors to a wide variety of multinationals and indigenous companies and we enjoy long-standing relationships with international colleagues.

Our Expertise

- Trade mark filings
- Opposition and cancellation proceedings
- Anti-counterfeiting
- Pre-litigation strategy and assessment
- Trade mark infringement and passing-off proceedings
- Transactional trade mark work including due diligence
- Assignments and licencing



Our Experience

Our highlight cases include:

- Shamrock Gift Company v JLM Gifts: Acting for **JLM Gifts** in the defence of trade mark infringement and passing-off proceedings regarding the get up of souvenir products.
- Three Ireland v Eircom Limited: Acting for **Three Ireland** in respect of trade mark infringement proceedings concerning a national comparative advertising campaign by a competitor.
- Nutrimedical v Nualtra: Acting for **Nutrimedical and Aymes**, leading providers of nutritional products, in Community trade mark infringement proceedings before the Commercial Court.
- Calor v Flogas: Acting for **Calor Gas** in relation to trade mark infringement proceedings concerning cylinder refilling before the Irish High Court.
- Liberty Global v Eircom Limited: Acting for **Liberty Global** in a trade mark comparative advertising case in the Commercial Court.

Our Team



Gerard Kelly
Partner, Head of Intellectual Property
+353 1 614 5093
gkelly@mhc.ie



Brian McElligott
Partner
+353 1 614 2199
bmcelligott@mhc.ie

About Us

We are a business law firm with 90 partners and offices in Dublin, London, New York and San Francisco.

Our legal services are grounded in deep expertise and informed by practical experience. We tailor our advice to our clients' business and strategic objectives, giving them clear recommendations. This allows clients to make good, informed decisions and to anticipate and successfully navigate even the most complex matters.

Our service is award-winning and innovative. This approach is how we make a valuable and practical contribution to each client's objectives.

Recent Awards

Copyright
Firm of the Year – Ireland

Trademark Contentious
Firm of the Year – Ireland



FIRM OF THE YEAR
2019

What Others Say About Us

Our Trade Mark Litigation Team

“very responsive, with a very practical and thorough application of advice to our business”

Chambers & Partners, 2019

Our Trade Mark Litigation Team

“extremely diligent; they put in the hours to make sure that they really get what clients want...”

WTR 1000, 2018

Dublin

London

New York

San Francisco

