

Tracking design law violations

Is an unauthorized third party using one of your registered designs (formerly known as industrial design)? Is a competitor copying the design of one of your products? As the owner of registered or unregistered design rights, you have the right to prohibit unauthorized parties from using your designs or similar designs and to demand that the violator surrender any profits obtained with your design or optionally to appropriate licensing compensation.

What we offer

We will examine the legal situation for you if an unauthorized third party is using your design without authorization or is using it in a non-agreed-upon manner. If there is an infringement, we will document this and develop a strategy for you in order to stop the violations as quickly and efficiently as possible.

Normally, enforcement is carried out initially through a warning notice in which the unauthorized party is required to provide a cease-and-desist declaration, information, compensatory damages, elimination of the legal infringements, and reimbursement of the warning notice fees. If the recipient of the warning notice fails to give sufficient declaration to cease and desist in response to the warning notice or if said person fails to fulfill the additional claims, then we will initiate the necessary steps for court proceedings. Claims in this case can be enforced in the form of a temporary injunction or a complaint.

The tracking of your rights and the representation for official warnings, temporary injunctions, and principal proceedings throughout Germany are part of the special strength of our law practice due to the many years of practical experience and the technical expertise of the attorneys and specialized lawyers.

Scope of service

- Examination and assessment of the technical and legal situation
- Consulting with respect to the legal options and the strategic procedure
- Out-of-court representation in warning notice proceedings
- Court enforcement before all district and regional courts in Germany by means of temporary injunctions or complaints
- Enforcement of cease-and-desist agreements by asserting contractual penalties or fines

Costs

We normally offer our services to you calculated according to the time spent at a suitable hourly rate or according to the Attorneys Compensation Act (RVG). We believe that cost transparency and cost reliability form the basis of successful cooperation. We will be happy to provide you with an estimate of the expected costs and the cost risk before taking the job.