[NL] No Trade Mark protection for EURO 7'S "7"

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The Amsterdam Court of Appeal has refused to grant trademark protection to the "Euro 7" trade mark used by the Dutch cable channel of the same name. According to Euro 7 the use of the number "7" by newcomer "Sport 7", a Dutch sports channel, caused confusion in the television market place and thus amounted to trademark infringement. Both the President of the Amsterdam District Court, judging in first instance, and the Court of Appeal rejected Euro 7's claim. The use of a channel number as part of a television station's name was considered standard practice. Moreover, the Court of Appeal observed, it is not uncommon that different stations carry the same channel numbers (e.g. TV5 and AT5). Comparing both trademarks concerned (Euro7 and Sport7) in their entirety, the Court did not find sufficient similarity. Thus, trade mark protection was denied.

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President of the District Court of Amsterdam, 9 May 1996, Mediaforum 1996-6, B95-96.

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Court of Appeal Amsterdam, 24 October 1996, Mediaforum 1996-11/12, B145.

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