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**1<sup>st</sup> April 2026**

To all the Members of the AIPPI - UAE National Group

7<sup>th</sup> Circular/ 2026

### **Third-Party Trade Mark Database Searches: Purpose, Scope & Best Practice**

We are pleased to share our 7<sup>th</sup> circular for 2026, authored by Ishraga Abutaha, which explores the practical role of third-party trade mark databases in clearance strategies.

Today is April Fool's Day, a reminder to embrace a little humor and lightness, even as we focus on continuity, progress, and new opportunities in our work and community.

While official UAE Trade Mark Office ("UAE TMO") searches remain the primary and authoritative reference for national clearance, third-party databases serve a distinct and strategic role in modern trade mark practice. This circular focuses exclusively on:

#### **What Are Third-Party Trade Mark Databases?**

Third-party databases are publicly accessible (or subscription-based) platforms that compile trade mark data from national and regional offices. They are not official registers. They aggregate information from official sources.

Commonly used platforms include:

- WIPO Global Brand Database
- TMview (EU-wide consolidated database) - Free
- EUIPO eSearch Plus - Free
- USPTO Trademark Electronic Search System (TESS) - Free
- UKIPO Trademark Search - Free
- Fovea - paid subscription
- Coresearch -paid subscription

### **Why Practitioners Use Third-Party Databases**

Official UAE search results provide limited output as it only search for identical marks. They do not display for example Device/logo representation or detailed goods/services descriptions.

### **The Role of Third-Party Searches in Clearance Strategy**

Third-party databases are most useful in three contexts:

#### **(1) When an Official UAE Search Reveals a Potentially Conflicting Mark**

A third-party database may allow:

- Viewing the mark visually
- Confirming level of similarity
- Reviewing goods overlap in detail

#### **(2) When Assessing International Expansion**

If a client intends to expand beyond the UAE, databases allow broader jurisdictional review before filing internationally.

#### **(3) When Mapping Portfolio Behaviour**

Patterns matter, Third-party databases allow practitioners to determine whether a competitor:

- Files systematically in certain classes
- Extends filings across related classes
- Engages in defensive registrations
- Has a history of oppositions

That information can influence strategy.

## Functional Advantages of Third-Party Databases:

Third-party databases may offer:

- Image viewing
- Phonetic similarity tools (in some systems)
- Multi-language search
- Cross-class visibility
- Advanced filtering
- Filing history review
- Portfolio grouping

Some platforms offer AI-assisted similarity analysis. However, functionality varies.

## Limitations and Caution

Third-party databases are not authoritative. Key limitations include:

- Data may not be updated in real time
- Some databases show published marks only
- Status may lag behind official registers
- Errors in data transmission may occur
- Not all jurisdictions are fully integrated

## Best Practice Approach to Using Third-Party Databases:

A structured and defensible methodology typically involves:

**Step 1 – Official National Search:** Conduct UAE TMO search in relevant classes.

**Step 2 – Targeted Third-Party Review:** Where potential conflicts arise, review:

- Mark representation
- Specification
- Filing history

**Step 3 – Cross-Border Visibility:** If expansion is planned, review WIPO/TMview.

**Step 4 – Portfolio Analysis:** Identify repeat filings and enforcement posture.

**Step 5 – Risk Assessment:** Integrate findings into a legal opinion.

This layered approach mirrors international best practice.

**Professional Judgment Remains Central:**

Search tools do not assess:

- Likelihood of confusion
- Market perception
- Enforcement posture
- Coexistence history

Third-party databases provide information. They do not provide conclusions.

## **Final Observations**

Third-party trademark database searches are neither optional decoration nor substitutes for official searches. They are strategic visibility tools and when used correctly, they:

- Clarify risk
- Enhance analysis
- Inform filing strategy
- Support cross-border planning

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