

## **The use of the supplier's/franchisor's trademark as AdWord in online search engines by members of the distribution network**

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# Legal and technical basics

- What are AdWords? How do they work technically?
- AdWords in practice
- AdWord strategy of trademark owners

# Legal framework of AdWords

- Who may use a trademark as AdWords?
- Legal possibilities to restrict the use of a trademark by trademark owner

# The Guess Decision

- Facts of Guess case
- Purpose of the trademark owner to restrict the use by its re-sellers.
- Outcome of Guess decision

## Consequences of Guess

- Impact of the Guess decision from the respective national perspectives
- Workarounds for the trademark owner to prohibit or at least make it practically more difficult for his resellers to use the trademark as AdWord



International Distribution Institute

# Discussion