

The Collective Marks Act

(Law No. 645 of December 2, 1960)*

1. Associations of tradesmen may, in the same manner as provided for in the Trademarks Act,² for individual tradesmen, acquire through registration or establishment the sole right in a trademark or other trade symbol that is used by a member in respect of goods or services which he offers for sale in his business.

Public authorities, foundations or other corporate bodies exercising control of goods and services may also acquire the sole right in a trademark or other trade symbol for use in respect of goods and services which are the subject of control.

Trademarks covered by the provisions of this Act shall be called collective marks.

2. The appropriate sections of the Trademarks Act relating to trademarks and other trade symbols shall apply in respect of trade symbols as indicated in [Section 1](#) except where otherwise stipulated below.

3. An application for registration of a collective mark shall contain, in addition to the particulars required under [Section 17 of the Trademarks Act](#), particulars of the rules under which the mark may be used. If the application is granted, the said particulars shall be entered in the trademark register.

If the rules are subsequently altered, the proprietor of the trademark shall be responsible for revising the wording to be entered in the register.

4. In the case of registered collective marks, an entry in the register concerning the assignment of the mark shall be permitted on condition that as used by the new proprietor the mark is not obviously deceptive.

5. Apart from the grounds indicated in [Section 25 of the Trademarks Act](#), the registration of a collective mark may be cancelled if the appropriate rules for the use of the mark have not been properly notified to the Registrar or if the mark is used in such a manner that the public is deceived. Proceedings may be instituted by the authority designated by the Government as well as by anyone to whom the registration or use of the mark is detrimental and also by associations of tradesmen concerned therewith.

6. In cases concerning infringement of rights in a trade symbol such as those mentioned in this Act, only the proprietor of the symbol may be a plaintiff. He is entitled to sue for compensation in respect of damage incurred to others who are entitled to use the symbol.

* *Swedish title:* Kollektivmärkeslag.

Entry into force (of last amending Act): January 1, 1961.

Source: English translation published by the Institute for Intellectual Property and Market Law (ed. U. Bernitz), Stockholm University.

² See *Industrial Property Laws and Treaties*, SWEDEN - Text 3-001 (*Editor's note*).