

Coca-Cola can't trademark new bottle, EU court rules

BRUSSELS - An EU court on Wednesday threw out an attempt by US drinks giant Coca-Cola to get trademark status for a new design of its iconic fluted bottle throughout the 28-nation bloc.



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Invented in the United States as a tonic drink in the late 19th century, Coca-Cola is a triumph of modern-day marketing, with its contoured bottle one of the most widely recognised global brands.

In 2011, the company introduced a flat surfaced bottle but European Union authorities rejected its trademark request because they said the new design lacked any "distinctive character."

The General Court of the EU, the bloc's second highest court, ruling on a company appeal, said there was no reason to change that view, with the new design simply a variant of its predecessor.

"The General Court finds that the sign at issue is devoid of the distinctive character required for registration under the Community trade mark regulation," it said.

"In those circumstances, the General Court dismisses in its entirety the action brought by Coca-Cola."

The judgment features drawings of the new Coke bottle from the side, the top, and at a forward-leaning angle.

Coca-Cola can in theory appeal to the European Court of Justice, the EU's highest court.

There was no immediate reaction from the company.

Source: AFP

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