

Die Geschmacksmusterrichtlinie Und Die Verordnung über Gemeinschaftsgeschmacksmuster - Carina Helbig

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Im Bereich der Formgebung hat sich in den letzten Jahrzehnten weltweit ein deutlicher Funktionswandel vollzogen. So entwickelte sie sich von einer reinen Zweckgebundenheit von Teilen oder aber reinen Verzierung kunstgewerblicher Gegenstände zu einem eigenständigen absatzfördernden Zusatznutzen- und Informationsträger. Die Kombination aus Zweck und Aussehen, das Design, gewann so erheblich an Bedeutung. Um Wettbewerbsnachteile europäischer Hersteller gegenüber anderen, auch internationalen Wirtschaftsräumen, zu verringern, war es geboten, die alten Geschmacksmustergesetze der europäischen Nationalstaaten in eine gemeinsame Fassung zu bringen, d. h. abzuändern. Das alte Recht verhinderte zudem einen effektiven, europaweiten Designschutz. Durch erhebliche Unterschiede der Rechtslage in den einzelnen Ländern, war die Herbeiführung eines Schutzes sehr zeit-, und kostenintensiv und mit hoher Rechtsunsicherheit verbunden, da der Schutzsuchende gezwungen war, Kenntnis über jede Rechtslage zu erwerben. Zur Schaffung eines funktionierenden Binnenmarktes hat die Europäische Kommission 1993 einen Vorschlag für die Verordnung des Europäischen Parlaments und des Rates über ein Gemeinschaftsgeschmacksmuster, sowie einen Vorschlag für eine Richtlinie des Europäischen Parlaments und des Rates über den Rechtsschutz von Mustern vorgelegt. Dabei entstand eine Richtlinie, die eine Angleichung der nationalen Rechte bewirkte und eine Verordnung, die es ermöglichte, einen einheitlich rechtlichen Schutz für gewerbliche Muster innerhalb der Europäischen Union zu erwerben. Author: Helbig, Carina Publisher: GRIN Verlag Illustration: N Language: GER Title: Die Geschmacksmusterrichtlinie und die Verordnung über Gemeinschaftsgeschmacksmuster Pages: 00023 (Encrypted PDF) On Sale: 2004-01-01 SKU-13/ISBN: 9783638301008 Category: Business & Economics : General

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