

# Overdue reform: at last Romania is set to transpose the Trade Mark Directive

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Yesterday, 2 July 2020, the European Commission announced that it will refer Romania to the CJEU for not implementing the Trade Mark Directive ([Directive \(EU\) 2015/2436](#)) - see [here](#).

While the deadline to transpose the Trade Mark Directive is long overdue - 14 January 2019, Romania is yet to proceed with this, making it the last country in the EU to comply with its obligation and bring its trade mark law up to EU standard. The corresponding legislative draft - the Romanian Trade Mark Law (Law no. 189/2019) for the modification and completion of the Law no. 84/1998 referring to trade marks and geographical indications - has been in the [Romanian Parliament](#) for debate since April 2019. Already back in April 2019 with a three-month delay against the EU deadline, the Law no. 189/2019 intended to implement the Trade Mark Directive.

Coincidence or not, in "timely fashion", yesterday, 2 July 2020, the Romanian Trade Mark Law (Law no. 189/2019) has been adopted and sent to the President for passing. It is now expected that it will shortly be published in the Official Gazette. Further on, it will enter into force in 3 days from publication and there will be a term of 2 months for bringing the Implementing Regulation in line with the amending law.

The Trade Mark Directive introduced a number of significant changes to EU trade mark law which aim to a greater harmonization with EUTM law and practice. Unfortunately, Romanian trade mark proprietors and users are yet to benefit from the changes brought by the Trade Mark Directive. Is yet to be seen whether the long delay since the deadline to implement the Trade Mark Directive - 14 January 2019 - was beneficial for debate and for a proper implementation. This author (a Romanian trained lawyer) will surely look closely into the amending law once finally approved and published and be back with a fresh new blog post on this matter.