

The **i**NTERPATENT newsletter



MAY 2026

TRADEMARKS AND RISK OF CONFLICT: THE VATICAN'S "MICHELANGELO" CASE

Exactly one year ago, in [our May 2025 newsletter](#), we discussed how the Vatican makes use of intellectual property tools, such as trademarks and domain names, in order to protect its symbols and preserve the sacredness of religious signs.

Several Vatican trademarks, particularly before the European Union Intellectual Property Office (EUIPO), have been filed by **La Fabbrica di San Pietro in Vaticano**, an entity specifically established to oversee and manage the architectural and artistic works relating to St. Peter's Basilica.

In December 2025, the Fabbrica di San Pietro filed European Union Trademark Application No. 019290012 for the figurative mark "**Michelangelus**", covering a broad range of goods and services in Classes **04** (including candles), **14** (including rosaries and jewellery), **16** (including diaries and calendars), **18** (including umbrellas and luggage), **20** (including fans), **21** (including vases and sculptures), **24** (including doilies and fabrics),

25 (including clothing and footwear), **28** (including decorations), **35** (including advertising and marketing services), **38** (including telecommunications services), **39** (including vehicle rental and transport services), **41** (including educational and religious instruction services), and **43** (including catering and temporary accommodation services).

The trademark is intended to identify a project launched in connection with the 400th anniversary of the consecration of St. Peter's Basilica and was deliberately inspired by Michelangelo Buonarroti. Indeed, the graphic style used in the logo recalls the artist's handwriting, reflecting Michelangelo's role as chief architect of the Basilica works between 1546 and 1562.

Unfortunately, however, not even the Vatican is immune from the risk of trademark conflict.

In 2024, a company based at Riva del Garda, **Michelangelo International Travel S.r.l.**, filed

the word mark “**MICHELANGELO**” before the EUIPO, claiming protection for services in Classes 35 (including the organisation of exhibitions for commercial or advertising purposes), 39 (including travel agency services), and 41 (including event organisation services).

Michelangelo International Travel boasts more than 40 years of experience in the tourism industry, particularly in the organisation of group travel worldwide. The company also contributed to the organisation of the International Gathering of Altar Servers in Rome.

The company did not limit its trademark strategy to the European Union. The first filing for the “Michelangelo” mark was made in Italy in 2023, after which protection was extended through an international trademark registration designating several non-European countries, including Australia, China, Monaco, the United Kingdom, and Switzerland.

In April 2026, Michelangelo International Travel formally filed an opposition against the “Michelangelus” trademark application, requesting refusal of registration for the services in Classes 35, 39, 41, and 43.

According to the Opponent, the similarity between the signs, combined with the identity and/or similarity of the relevant services, gives rise to a likelihood of confusion for the relevant public within the European Union.

Following the filing of the opposition, the Fabbrica di San Pietro in Vaticano decided to remove the contested classes from the list of goods and services claimed in the “Michelangelus” application by filing a limitation request.

The request was submitted only a few days ago and, should it be accepted by the EUIPO, the opposition proceedings would effectively become devoid of purpose, as the contested services would no longer form part of the application. The Vatican’s trademark application would therefore proceed towards

registration for Classes 04, 14, 16, 18, 20, 21, 24, 25, 28, and 38 only.

Without prejudice to the (highly plausible) assumption that the Fabbrica di San Pietro duly carried out the appropriate clearance searches beforehand, this case nevertheless serves as a useful reminder of the importance of verifying the existence of prior identical or similar trademarks before filing a new trademark application.

Indeed, filing a trademark without first assessing the existence of earlier conflicting rights may expose a company to a number of risks, including oppositions, objections, rebranding requests, and, in more complex cases, litigation. Even a seemingly original trademark may conflict with earlier rights registered for identical or similar goods and services, thereby generating a likelihood of confusion among the relevant public.

Trademark clearance searches therefore make it possible to assess, in advance, the strength and registrability of the intended sign, identify potential criticalities, and take corrective action before filing, when strategic flexibility is still greater and costs remain comparatively limited.

Beyond the legal perspective, there is also a significant strategic component: building a brand around a genuinely available trademark means investing in a safer, more defensible, and more sustainable identity over time.

In other words, a thorough preliminary clearance assessment can help prevent future disputes and ultimately become a significant competitive advantage.

INTERPATENT is available to conduct trademark clearance searches, in order to identify any potential issues in advance and to assist our Clients in defining the most appropriate filing strategy for their trademark portfolio.

A SUCCESSFUL INTA ANNUAL MEETING IN LONDON AND VALUABLE DISCUSSIONS ON OPPOSITION PROCEEDINGS



We were delighted to attend this year's **INTA Annual Meeting**, which once again proved to be an excellent opportunity to reconnect with colleagues and clients from all over the world and to exchange views on the latest developments in trademark practice.

We are particularly proud that our colleague **Manuela Bruscolini moderated a roundtable discussion dedicated to trademark opposition proceedings**, focusing on oppositions not only as essential enforcement mechanisms for brand protection, but also as valuable opportunities for professional cooperation across jurisdictions, particularly within and into the EU.

The discussion explored and compared the **opposition system before the EUIPO with national opposition systems in both EU and non-EU jurisdictions**. Participants shared practical experiences and insights relating to procedural aspects, admissibility requirements, timelines, grounds for opposition, evidence of use, language requirements, as well as strategic considerations linked to risk assessment and possible counterattacks, including invalidity and revocation actions.

Particular attention was devoted to the strategic dimension of oppositions, including how they can be integrated into broader trademark portfolio management and used as

negotiation tools to reach coexistence agreements or commercially efficient settlements. The discussion also addressed the importance of effective cooperation between lead and local counsel in multi-jurisdictional disputes, highlighting the operational value of responsiveness, procedural reliability and alignment on both legal and commercial objectives.

The session gave rise to a lively and highly engaging discussion, enriched by the valuable contributions and experiences shared by participants from different countries and professional backgrounds. The exchange confirmed how opposition proceedings continue to evolve strategically and how important it is for practitioners to understand not only procedural rules, but also the practical and commercial dynamics behind these actions.

As mentioned during the discussion, **opposition proceedings in Italy have been in place since 2011** and today represent a well-established and effective instrument for trademark enforcement. The Italian PTO currently handles approximately **1,500–1,700 opposition cases per year**.

One of the key features of the Italian system is the cooling-off period, initially set at two months but extendable in practice up to twelve months. This mechanism encourages amicable settlements and commercially pragmatic solutions between the parties.

Indeed, statistics show that around **65% of Italian opposition proceedings end without a final decision**, due to settlements, withdrawals or limitations of the contested applications. Approximately 20% of cases are upheld, either fully or partially, while the remaining cases are rejected or otherwise closed. These figures clearly confirm that oppositions are widely used not only as enforcement tools, but also as cost-effective means to achieve negotiated resolutions.

At EUIPO level, opposition proceedings remain one of the most frequently used trademark enforcement mechanisms in Europe, with several tens of thousands of oppositions filed every year. EUIPO statistics consistently show that a significant percentage of cases are resolved during the cooling-off period, once again demonstrating the effectiveness of oppositions as a strategic tool for settlement and portfolio management.

Handling oppositions in Italy and before the EUIPO is an area in which INTERPATENT has developed significant expertise over the years.

Together with trademark invalidity and revocation actions before both the EUIPO and the Italian PTO (the latter possible since December 2022), this field represents an increasingly important area of activity and, we believe, a valuable opportunity to further strengthen cooperation with foreign associates and colleagues worldwide.

We would be pleased to continue the conversation started at INTA and to explore possible synergies in contentious trademark matters both in Italy and at EU level.

SOUND MARK “I AM GIUSY FERRERI”: IS OUR ITALIAN SINGER FOLLOWING THE TAYLOR SWIFT BRANDING APPROACH?

As is known, both the EU and Italian trademark law provide for the registration of so called “**non-traditional trademarks**”, including sound marks and other non-visual signs.

A recent development from Italy concerns a **sound mark application** filed before the EUIPO in the name of the Italian **singer Giusy Ferreri**. The application consists of a **short spoken recording of the phrase: “I am Giusy Ferreri”**, captured in the artist’s own voice and intended to function as a distinctive identifier of her artistic identity.

By way of context, Giusy Ferreri (born Giuseppa Gaetana Ferreri) is an Italian singer-songwriter who rose to prominence after participating in the first Italian edition of *X Factor* in 2008, where she finished as runner-up. She subsequently achieved significant commercial success in the Italian music market, becoming **widely recognised for her distinctive and highly identifiable voice**.

The filing is a further example of the increasingly broad approach to trademark protection for elements linked to **personal branding and identity**, particularly in the entertainment and music sectors.

It also inevitably recalls the **well-known brand protection strategy adopted by Taylor Swift**, who has extensively relied on trademark filings covering names, slogans and various elements associated with her artistic and commercial universe.

More generally, these developments confirm the growing relevance of non-traditional marks as part of modern branding strategies, also in relation to personality rights and entertainment assets.

As always, please feel free to contact INTERPATENT should you wish to explore the possibility of protecting similar non-traditional signs, or to assess the most effective filing strategy at EU or national level.



CANADA APPROVES FIRST SEMAGLUTIDE GENERIC: LESSONS FROM THE “OZEMPIC CASE” FOR PATENT PORTFOLIO MANAGEMENT



On 28 April 2026, Health Canada (the federal agency responsible for the regulation of pharmaceuticals and healthcare products in Canada) granted **Dr. Reddy's Laboratories** authorization for the **first generic injectable semaglutide product** on the Canadian market. Semaglutide is the active ingredient underlying *Ozempic*, the blockbuster treatment for type 2 diabetes and weight management marketed by the Danish big pharma company **Novo Nordisk**.

The approval marks a significant milestone for the pharmaceutical industry, as Canada has become the **first G7 country to authorize a semaglutide generic**, well ahead of both the United States and Europe.

Beyond its immediate commercial impact, the case offers valuable insights into long-term patent portfolio management and demonstrates how strategic IP decisions taken many years before product launch can generate far-reaching and sometimes unexpected consequences.

A key factor lies in the specific Canadian pharmaceutical regulatory framework, which combines:

- an **8-year regulatory data exclusivity period** for innovative medicines; and
- **price regulation** by the PMPRB (Patented Medicine Prices Review Board), applicable to patented medicines.

Novo Nordisk originally held a patent for semaglutide with a natural expiry date in 2026, potentially extendable until 2028 through a supplementary protection certificate. However, in 2017 - before the Canadian launch of *Ozempic* in 2018 - the company strategically chose not to pay the annual maintenance fee, allowing the patent to lapse.

This decision produced two major effects:

1. **Ozempic was no longer subject to PMPRB's price control**, enabling Novo Nordisk to maintain higher pricing throughout the exclusivity period; and
2. **market protection became based solely on regulatory exclusivity**, which expired in January 2026.

Once the regulatory exclusivity period ended, Dr. Reddy's was able to obtain approval for its generic version immediately.

Importantly, **the lapse of the Canadian patent was not an administrative oversight but rather a deliberate strategic decision**. Patent owners routinely weigh factors such as market size, pricing regulation, expected exclusivity value, litigation and maintenance costs, and long-term commercial forecasts.

Back in 2017, when the decision was made, the market of pharmaceuticals containing GLP-1 receptor agonists had not yet reached today's scale, and avoiding years of Canadian price control may have appeared commercially more advantageous than preserving two additional years of patent protection.

With hindsight, it is easy to reach a different conclusion. However, the point is not whether Novo Nordisk “made a mistake”; rather, it is that every patent-related decision generates effects that may only become apparent many years later, often in a radically changed market environment.

The case also highlights a broader principle: **regulatory exclusivity is not equivalent to**

patent protection. While data exclusivity prevents generic manufacturers from relying on the originator's clinical dossier for abbreviated approval pathways, it does not prevent them from developing full dossiers, manufacturing the active ingredient, or preparing market entry strategies. For high-value pharmaceutical products, regulatory exclusivity often functions more as a delay mechanism than as an absolute barrier.

Another noteworthy aspect concerns the **proximity between the Canadian and US markets.** By allowing the Canadian patent to lapse while maintaining higher Canadian prices, Novo Nordisk also **limited the risk of cross-border price arbitrage between Canada and the United States during the exclusivity period 2018-2026.**

If the Canadian price had been regulated and significantly lower than the US price, the resulting gap could have encouraged cross-border purchases or parallel imports, with potential commercial and political repercussions in the United States. By maintaining a Canadian price closer to the US level, Novo Nordisk effectively mitigated this risk.

However, following entry of the generic product in Canada in 2026, the situation changes considerably: the availability of lower-cost semaglutide products may increase political pressure in the US, attract media attention regarding price disparities, potentially weaken the perception of exclusivity surrounding the originator product, and increase the risk, albeit marginal, of informal consumer arbitrage.

The “Ozempic case” is a clear example of how a patent-related decision can produce opposite effects at different stages of a product's lifecycle: beneficial in reducing risks in the short term, yet potentially more exposed in the long term, once the competitive and regulatory landscape has evolved.

From an IP strategy perspective, the “Ozempic case” provides several important lessons for innovative companies across all sectors:

- patents should be treated as strategic business assets rather than purely formal legal rights;
- patent maintenance decisions must account for long-term market evolution and regulatory changes;
- patents last long, and seemingly minor administrative choices can have substantial consequences 10–15 years later;
- active and forward-looking patent portfolio management is essential to maintaining competitive advantage.

Conclusions

Ultimately, the Canadian semaglutide case serves as a reminder that intellectual property strategies must remain closely aligned with evolving business objectives, market conditions, and competitive dynamics throughout the entire lifecycle of a product.

SME FUND 2026: UPDATE ON FUND AVAILABILITY

The 2026 edition of the EUIPO SME Fund is attracting greater interest than initially expected. As recently reported by the Italian Patent and Trademark Office (UIBM), voucher applications filed between 2 February and 20 April 2026 reached 22,040, representing a 37% increase compared to the same period in 2025. This figure confirms that intellectual property support schemes are increasingly perceived as strategic tools for enhancing the competitiveness of European businesses.

This significant rise in the number of voucher applications has already had an immediate impact: Voucher 1 (IP Scan and IP Scan Enforcement) and Voucher 2 (Trademarks and designs) are currently exhausted and therefore closed, but may be reopened later, subject to the availability of any remaining budget. Companies interested in filing trademarks or designs with partial reimbursement of official fees should therefore closely monitor updates from the Office in the coming months.

The following vouchers, however, remain fully operational:

- **Voucher 3 - Patents**

- **Voucher 4 - Community Plant Varieties**

Although the budget currently available for these two categories appears sufficient to cover the entire duration of the scheme (i.e. until 4 December 2026), it would be prudent not to take this for granted. **Businesses interested in obtaining reimbursement for**

patent-related activities or plant variety protection should therefore be advised to submit their applications as early as possible, thereby avoiding the risk of potential early closure due to budget exhaustion.

For readers seeking a more comprehensive overview of how the Fund operates and of the different vouchers available, please refer to our in-depth article published earlier this year:

[EUIPO SME Fund 2026 "Ideas Powered for Business"](#)



The aim of this newsletter is to keep our Clients and Associates updated about developments in the sector of Intellectual Property in general and our firm in particular. In this way, we wish to provide a broader view of the tools that the field of trade marks, domain names, patents, designs and related rights offers to entrepreneurs to enhance and protect their efforts in researching and developing new solutions and ideas.



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REA (Economic and Administrative Index) Number 963838

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