



OMS Trademark – The Legally Compliant Use

The OMS mark is protected for the OMS-Group by numerous trademark registrations (“OMS trademark”). In Germany, these are the **OMS** wordmark and the  mark, as well as the  mark in Europe and many other countries. In addition, the following EU certification marks are registered as OMS certification marks for the OMS-Group in Europe:



The use of an OMS certification mark for measuring instruments and accessories requires a certificate of compliance with the OMS Specification and a trademark license.

The use of OMS certification marks – or any other OMS trademarks – in commercial transactions for non-certified products may constitute a trademark infringement. At the same time, this may also constitute misleading the public unfairly. Both can lead to claims for injunctive relief and damages.

For a legally compliant use of the OMS trademarks, the following paragraphs must be observed.

OMS Certificates and Trademark License



With the certification of certain products, the manufacturer can acquire a trademark license¹. This gives it the right to use the respective OMS certification mark on certified products for the duration of the certificate and to advertise these products with the OMS certification mark.

Without a certificate and without a trademark license, the use of any OMS trademark for products is not permitted; neither on the products themselves, nor in product descriptions nor in advertising for these products.

Certificate and trademark licenses are only valid for individual products. If a manufacturer has only OMS-certified certain products, the use of the OMS certification marks or other OMS trademarks must not create the incorrect impression that its other products are also OMS-certified.

This applies regardless of membership in the OMS-Group.

OMS Membership

Members of the OMS-Group may use the  mark, or the  mark as a reference to their membership in the OMS-Group for the external presentation of their company, e.g. in company brochures or on the company website and in advertising.

However, members of the OMS-Group are also not allowed to create the impression that all their products are OMS-certified when using the  mark, or  mark, if this is not actually the case.

When members use an OMS trademark for individual products, the above-mentioned requirements for the respective product also apply, namely the requirements for an OMS certificate and a trademark license.

¹ The acquisition of a trademark licence is expected to be possible in the second half of 2023.



Use of "OMS" Without Certificate, License, Membership

The use of an OMS trademark in commercial transactions is only permitted under the above-mentioned conditions.

Any other commercial use of OMS trademarks in connection with instruments of measurement technology constitutes a violation of trademark law and will lead to claims for injunctive relief and damages by the OMS-Group. Any use may also violate competition law and competitors and competitor associations may be entitled to injunctive relief and claims for damages.

This also applies to claims of compliance with the OMS specification where certification has not yet been granted. For example, references to products such as "OMS compatible," "according to OMS," or "OMS-capable" without the existence of an OMS certificate for these products may also constitute trademark infringements and violations of competition law.