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Nota di contenuto	Part I The Average Consumer: A Consumer Fiction in European Trademark Law -- Background -- Methodology -- Legal Sources -- The Dynamics of the European Trademark Law -- Part II Horizontal Analysis: One Among Other Fictions and the UCPD Consumer Models -- The Average Consumer as a Legal Fiction and Beyond -- The Average Consumer and Its More or Less Distant Cousins -- The UCPD and Trademark Average Consumers: Two of a Kind? -- Part III Vertical Analysis: The Judicial Background and European Trademark Law -- The Early Beginnings of the Average Consumer Pre Sabel -- Likelihood of Confusion: Legislative Harmonisation? -- The Average Consumer in a "Global" Perspective -- Contextualisation of the Average Consumer -- Part IV Wrapping Up -- Putting the Average Consumer into Perspective

Sommario/riassunto

This book contends that, with regard to the likelihood of confusion standard, European trademark law applies the average consumer incoherently and inconsistently. To test this proposal, it presents an analysis of the horizontal and vertical level of harmonization of the average consumer. The horizontal part focuses on similar fictions in areas of law adjacent to European trademark law (and in economics), and the average consumer in unfair competition law. The vertical part focuses on European trademark law, represented mainly by EU trademark law, and the trademark laws of the UK, Sweden, Denmark and Norway. The book provides readers with a better understanding of key aspects of European trademark law (the average consumer applied as part of the likelihood of confusion standard) and combines relevant law and practices with theoretical content and other related areas of law (and economics). Accordingly, it is an asset for policymakers and practitioners, as well as general readers with an interest in intellectual property law and theory.