

## **Committee on WIPO Standards (CWS)**

### **Third Session Geneva, April 15 to 19, 2013**

#### **PROPOSAL FOR THE DEVELOPMENT OF NEW WIPO STANDARDS IN THE TRADEMARK DOMAIN**

*Document prepared by the Secretariat*

1. The Committee on WIPO Standards (CWS), at its second session in April/May 2012, agreed to create a new task (Task No. 46) to study the convenience of developing further standards in the trademark domain and assigned the task to the Trademark Standards Task Force. The Task Force was requested to present the results of the study, along with a plan for further activities, for consideration by the CWS at its session to be held in 2013. (See paragraph 44 of document CWS/2/14.)
2. The Trademark Standards Task Force conducted two surveys among its members in order to study the business needs for developing further standards in the trademark domain, the expected benefits from the standards, the features to be standardized and tentative recommendations for the features. Furthermore, the surveys were used to select candidates for further standardization. As a result of the surveys, the Task Force has selected 12 candidates for the development of new WIPO Standards for consideration by the CWS. Details on the surveys are available in the Annex to this document for consideration by the CWS.
3. The Trademark Standards Task Force proposes that:
  - (a) in a first stage, the CWS focus its efforts on one or two candidates and choose the candidate(s) among the following three options:
    - Recommendation for the electronic management of sound marks;
    - Recommendation for the electronic management of motion or multimedia marks;  
and

– Recommendation for published trademark documents;

- (b) with regard to the development of the corresponding standards for the other 10 or 11 candidates, work be held in abeyance until the standardization of the selected candidate(s) is completed;
- (c) Task No. 46 be considered completed and removed from the Task List of the CWS; and
- (d) the Trademark Standards Task Force be discontinued.

(See paragraphs 12 to 15 of the Annex.)

4. In accordance with the above and with the Task Force's proposal in paragraph 13 of the Annex, the International Bureau proposes the following for consideration and approval by the CWS:

- (a) the creation of new task(s) to prepare recommendation(s) on the selected candidate(s) for adoption as a WIPO standard in the trademark domain (see paragraph 3(a), above);
- (b) the establishment of a new task force to handle the new task(s);
- (c) the designation of a task force leader; and
- (d) a request that the task force presents a progress report on the work carried out, including a calendar for the development of the new standard(s), for consideration by the CWS at its fourth session.

5. With regard to the discussions on the candidates and future work mentioned above, at the last round discussion by the Task Force, the Representatives of Australia, Canada and Japan expressed their preference for addressing both sound marks and motion or multimedia marks simultaneously in a single task force.

6. *The CWS is invited to:*

*(a) note the survey results provided in the Annex to this document;*

*(b) select candidate(s) to prepare a proposal on new WIPO standard(s), as referred to in paragraph 3(a), above;*

*(c) approve that work for the other 10 or 11 candidates be held in abeyance until the standardization of the selected candidate(s) is completed, as referred to in paragraph 3(b), above;*

*(d) consider Task No. 46 as completed and remove it from the Task List of the CWS, as referred to in paragraph 3(c), above;*

*(e) discontinue the Trademark Standards Task Force, as referred to in paragraph 3(d), above;*

*(f) create new task(s) to prepare recommendation(s) on the selected candidate(s) for adoption as WIPO standard(s), as referred to in paragraph 4(a), above;*

*(g) establish a new task force to handle the new task(s), as referred to in paragraph 4(b), above;*

*(h) designate a task force leader, as referred to in paragraph 4(c), above; and*

*(i) request the task force to present a progress report on the work carried out, including a calendar for the development of the new standard(s), for consideration by the CWS at its fourth session, as referred to in paragraph 4(d), above.*

[Annex follows]

## **SURVEYS ON THE CONVENIENCE OF DEVELOPING NEW WIPO STANDARDS IN THE TRADEMARK DOMAIN**

### **BACKGROUND**

1. The Committee on WIPO Standards (CWS), at its second session in April/May 2012, agreed to create a new task (Task No.46) which is described as follows:

“Study the convenience of developing further standards in the trademark domain and prepare the corresponding proposal, including a description of the need and of the expected benefits for each new development, as well as a prioritization of the proposals.”

2. The CWS decided to assign the Task to the Trademark Standards Task Force and requested that the Task Force present the results of the study, along with a plan for further activities, for consideration by the CWS at its session to be held in 2013.

3. The Trademark Standards Task Force held an informal meeting on May 1, 2012, during the second session of the CWS, and discussed future work to be done and some possible candidates for further standardization in the trademark domain. The Task Force members agreed to conduct a survey within the Task Force to study the business need of further standardization in trademark offices and to prepare the corresponding proposal.

4. At its fourth session in January 2004, the former Standards and Documentation Working Group (SDWG) decided that further attention should be given to the standardization of trademark information and agreed on a list of 13 trademark standard items that had been identified by the Trademark Standards Task Force. The SDWG agreed to give first priority to the development of two standards, namely the current WIPO Standards ST.66 and ST.67. With regard to the revision or, if necessary, the creation of 11 other standards for trademarks, the CWS, at its first session, decided that work should be held in abeyance until Task No. 20 is completed. Task No. 20 was considered completed at the second session of the CWS. (See Annex II to document SCIT/SDWG/4/4; paragraphs 34 to 44 of SCIT/SDWG/4/14, document CWS/1/9 and paragraph 52 of CWS/1/10 and paragraph 42 of document CWS/2/14.)

### **SUMMARY OF SURVEY RESULT**

5. In order to perform Task No.46, two surveys were conducted among members of the Trademark Standards Task Force. The surveys aimed at studying the business needs of developing further standards in the trademark domain; the expected benefits from the standards; the features to be standardized and tentative recommendations for the features as well as selecting candidates for further standardization.

6. In the first survey, the questionnaire consisted of three parts. The first part was related to the possible candidates for further standardization which were discussed at the Task Force meeting in May 2012; the second part was for other possible candidates; and the last part concerned the remaining 11 proposals which were held in abeyance since 2004. The following seven trademark offices participated in the survey: Australia (AU), Canada (CA), the Office for Harmonization in the Internal Market (EM), Japan (JP), Republic of Korea (KR), Russian Federation (RU), and United Kingdom (GB).

7. Based on the responses given by the Task Force members participating in the first survey, 12 candidates have been chosen for possible further standardization in the trademark domain: six new candidates and six candidates from the remaining 11 proposals.

Each chosen candidate was supported by one or more participant members in the first survey. The chosen 12 candidates are:

- 1) Recommendation for the electronic management of sound marks
- 2) Recommendation for the electronic management of olfactory (scent) marks
- 3) Recommendation for the electronic management of three-dimensional marks
- 4) Recommendation for the electronic management of hologram marks
- 5) Recommendation for the electronic management of motion or multimedia marks
- 6) Recommendation for the electronic management of position marks
- 7) Recommendation concerning the minimum data elements required to uniquely identify a trademark document
- 8) Standard recording of the NICE classification symbols on machine-readable records
- 9) Recommendation for published trademark documents
- 10) Guidelines for issuing corrections, alterations and supplements relating to trademark information
- 11) Recommended of standard code for the identification of different kinds of trademark documents
- 12) Recommendation for the coding of headings of announcements made in official gazettes.

8. Based on the responses in the first survey, the second survey was aimed to study further each selected candidate in light of the expected benefits, the features to be standardized and tentative recommendations; and to know priorities among the selected candidates. Details of the results are available in the Appendix to this document for consideration by the CWS. The following ten trademark offices participated in the survey: Australia (AU), Canada (CA), France (FR), the Office for Harmonization in the Internal Market (EM), Japan (JP), Republic of Korea (KR), Russian Federation (RU), Sweden (SE), United Kingdom (GB) and United States of America (US).

## CONCLUSIONS

9. As requested by the CWS, the Trademark Standards Task Force studied the convenience of developing further standards in the trademark domain and selected 12 candidates on the basis of the results of the two surveys.

10. For each one of the 12 candidates, the Task Force has investigated the problem(s) or need(s) to be addressed, the features to be standardized and the expected benefits from the development of the corresponding new standard. The results of this investigation are presented in the Appendix to this document for consideration by the CWS. This investigation should be taken as a preliminary study to provide the CWS with information to decide which is (are) the candidate(s) on which the CWS should first focus its efforts to develop new standard(s) in the trademark domain.

11. The Task Force has also studied the preference and urgency with regard to each one of the 12 candidates expressed by the respondents to the second survey. The corresponding results are summarized in Table 3 of the Appendix for consideration by the CWS.

12. The Task Force believes the results of the investigation clearly show the convenience of continue developing new standards in the trademark domain. As many trademark offices have already started, or are considering, the protection of non-traditional marks, it is important that new standard(s) are established early in the process so that CWS Members have clear direction on how to electronically process these marks. Several candidates could be selected on the basis of the information provided by the surveys. However, considering the time, resources and amount of work that are necessary to develop a standard for each possible candidate, the Task Force would like to propose that, at the beginning, the CWS focus its efforts on one or two candidates to prepare proposal(s) for new standard(s) in a first stage. In particular, on the basis of the priorities summarized in the Table 3 in the Appendix, the Task Force proposes that the candidate(s) be selected among the following three options:

- Recommendation for the electronic management of sound marks
- Recommendation for the electronic management of motion or multimedia marks
- Recommendation for published trademark documents.

13. Once the candidate for standardization referred to in the previous paragraph has been selected by the CWS, the Task Force proposes that, the CWS create new task(s) and establish a new task force to handle the new task(s) in order to prepare a proposal for the selected candidate(s) for consideration and adoption as new WIPO standard(s) in the future.

14. With regard to the development of the corresponding standards for the other 10 or 11 candidates, the Task Force proposes that work be held in abeyance until the new task proposed in the previous paragraph is completed.

15. The Task Force would also like to propose that Task No. 46 be considered completed and removed from the Task List of the CWS, and the Trademark Standards Task Force be discontinued.

[Appendix follows]

## APPENDIX

### RESULTS OF TWO SURVEYS

In Table 1 below, collective information is available regarding the 12 candidates; and the expected benefits from the standards, the features to be standardized and tentative recommendation for each candidate as well as preference of respondents to each candidate. In Table 2 below, further information regarding other features to be standardized or recommendations, based on the practices in the responded trademark offices, which may be useful for future standardization work. Table 3 shows the priority to each candidate by trademark offices who responded in the second survey.

Table 1: Business needs and tentative recommendations

Candidate for further standardization	Necessity/Benefits/Features to be standardized	Tentative recommendations	Priority (H, M or L)
Recommendation for the electronic management of sound marks	<p>As trademark business environment has changed rapidly, sound marks have been often recognized and accepted by some Industrial Property Offices (IPOs).</p> <p>Due to the absence of international standards for the electronic management of sound marks, IPOs need to establish their own ways to process the sound mark data.</p> <p>In order to assist IPOs on how to process the electronic management of sound marks in a common way and to facilitate sound mark data exchange among IPOs, a WIPO standard should be established to provide recommendation on the electronic management of sound marks, in particular, on file format and size.</p>	<p>File format: MP3, WAV</p> <p>File size: 3MB, 2MB</p> <p>Sampling rate for mini use 22.05 KHz for music and combined sound use 22.05 KHz or 44.1 KHz</p> <p>Bit depth: 16 bits</p> <p>Channels: 2=stereo</p> <p>Streaming, surround and loop are not allowed</p>	<p><b>H:</b> AU, CA, EM, FR, KR, RU, US (7)</p> <p><b>M:</b> GB, JP (2)</p> <p><b>L:</b> SE (1)</p>
Recommendation for the electronic management of olfactory (scent) marks	<p>As trademark business environment has changed rapidly, olfactory (scent) marks have been often recognized and accepted by some IPOs.</p> <p>Due to the absence of international standards for the electronic management of olfactory (scent) marks, IPOs need to establish their own ways to process the olfactory (scent) mark data.</p> <p>In order to assist IPOs on how to process the electronic management of olfactory (scent) marks in a common way and to facilitate sound mark data exchange among IPOs, a WIPO standard should be established to provide recommendation on the electronic management of olfactory (scent) marks, in particular, how to handle these types of marks.</p>	<p>File format: ST.67</p>	<p><b>H:</b> n/a</p> <p><b>M:</b> FR, JP (2)</p> <p><b>M/L:</b> CA (1)</p> <p><b>L:</b> AU, EM, GB, KR, RU, SE, US (7)</p>

Candidate for further standardization	Necessity/Benefits/Features to be standardized	Tentative recommendations	Priority (H, M or L)
<p>Recommendation for the electronic management of three-dimensional marks</p>	<p>As trademark business environment has changed rapidly, three-dimensional marks have been often recognized and accepted by some IPOs.</p> <p>Due to the absence of international standards for the electronic management of three-dimensional marks, IPOs need to establish their own ways to process the three-dimensional mark data.</p> <p>In order to assist IPOs on how to process the electronic management of three-dimensional marks in a common way and to facilitate three-dimensional mark data exchange among IPOs, a WIPO standard should be established to provide recommendation on the electronic management of three-dimensional marks, in particular, on file format and procedures (e.g., single image or multiple images).</p>	<p>Single image with multiple views using file formats recommended in ST.67</p> <p>Resolution: 300dpi-400dpi</p>	<p><b>H:</b> EM, GB, KR (3)</p> <p><b>M:</b> AU, CA, FR, JP, RU (5)</p> <p><b>L:</b> SE, US (2)</p>
<p>Recommendation for the electronic management of hologram marks</p>	<p>As trademark business environment has changed rapidly, hologram marks have been often recognized and accepted by some IPOs.</p> <p>Due to the absence of international standards for the electronic management of hologram marks, IPOs need to establish their own ways to process the hologram mark data.</p> <p>In order to assist IPOs on how to process the electronic management of hologram marks in a common way and to facilitate hologram mark data exchange among IPOs, a WIPO standard should be established to provide recommendation on the electronic management of hologram marks, in particular, on file format.</p>	<p>File format: ST.67</p> <p>Resolution: 300dpi-400dpi</p>	<p><b>H:</b> n/a</p> <p><b>M:</b> CA, FR, GB, JP, KR, RU (6)</p> <p><b>L:</b> AU, EM, SE, US (4)</p>
<p>Recommendation for the electronic management of motion or multimedia marks</p>	<p>As trademark business environment has changed rapidly, motion or multimedia marks have been often recognized and accepted by some IPOs.</p> <p>Due to the absence of international standards for the electronic management of motion or multimedia marks, IPOs need to establish their own ways to process the motion or multimedia mark data.</p> <p>In order to assist IPOs on how to process the electronic management of motion or multimedia marks in a common way and to facilitate motion or multimedia mark data exchange among IPOs, a WIPO standard should be established to provide recommendation on the electronic management of motion or multimedia marks, in particular, on file format and size.</p>	<p>File format: ST.67 for image; and MPEG, MOV and AVI for multimedia</p> <p>Resolution: 300dpi-400dpi</p>	<p><b>H:</b> AU, CA, FR, KR, RU, US (6)</p> <p><b>M:</b> EM, GB JP (3)</p> <p><b>L:</b> SE (1)</p>



Candidate for further standardization	Necessity/Benefits/Features to be standardized	Tentative recommendations	Priority (H, M or L)
Recommendation for the electronic management of position marks	<p>As trademark business environment has changed rapidly, position marks have been often recognized and accepted by some IPOs.</p> <p>Due to the absence of international standards for the electronic management of position marks, IPOs need to establish their own ways to process the position mark data.</p> <p>In order to assist IPOs on how to process the electronic management of position marks in a common way and to facilitate position mark data exchange among IPOs, a WIPO standard should be established to provide recommendation on the electronic management of position marks, in particular, on file format and size.</p>	File format: JPEG, TIFF	<p><b>H:</b> n/a</p> <p><b>M:</b> CA, FR, JP, KR, RU (5)</p> <p><b>L:</b> AU, EM, GB, SE, US (5)</p>
Recommendation concerning the minimum data elements required to uniquely identify a trademark document	This Recommendation defines the minimum data elements required to uniquely identify all types of trademark documents whether published in paper or electronic form.	N/A	<p><b>H:</b> FR, RU, SE (3)</p> <p><b>M:</b> EM, KR, US (3)</p> <p><b>L:</b> AU, CA, GB, JP (4)</p>
Standard recording of the NICE classification symbols on machine-readable records	This recording convention provides that symbols of the International Classification of Goods and Services for the purposes of the registration of Marks (NICE Classification) should be presented on machine-readable records for the exchange of information in machine-readable form, in a fixed-length field.	N/A	<p><b>H:</b> EM, FR, RU (3)</p> <p><b>M:</b> KR, US (2)</p> <p><b>L:</b> AU, CA, GB, JP (4)</p> <p><b>?:</b> SE (1)</p>
Recommendation for published trademark documents	It has been recognized that, with increasing international exchange of published trademark documents, there is a need to adopt some uniform procedures relating to the format and physical characteristics of trademark documents, as well as to the layout and presentation of bibliographic data components.	N/A	<p><b>H:</b> FR, KR, RU, SE (4)</p> <p><b>M:</b> EM, US (2)</p> <p><b>L:</b> AU, CA, GB, JP (4)</p>
Guidelines for issuing corrections, alterations and supplements relating to trademark information	These guidelines aim at providing guidance to industrial property offices and other suppliers of trademark information on how to issue corrections, alterations and supplements relating to trademark information published in paper form or on machine-readable media, for the purposes of promoting an unambiguous and uniform presentation of such corrections, alterations and supplements.	N/A	<p><b>H:</b> SE (1)</p> <p><b>M:</b> EM, FR, RU (3)</p> <p><b>L:</b> AU, CA, GB, JP, KR US (6)</p>

Candidate for further standardization	Necessity/Benefits/Features to be standardized	Tentative recommendations	Priority (H, M or L)
Recommended of standard code for the identification of different kinds of trademark documents	<p>The aim of this recommendation is to provide for groups of letter codes in order to distinguish patent documents published by industrial property offices. The letter codes also facilitate the storage and retrieval of such documents.</p> <p>*The ST.16 belongs to the Group I (General purpose standards for patents, marks and designs) of WIPO Standards. There is no code for trademark</p>	N/A	<p><b>H:</b> EM, FR, SE (3)  <b>M:</b> KR, RU (2)  <b>L:</b> AU, CA, GB, JP, US (5)</p>
Recommendation for the coding of headings of announcements made in official gazettes	<p>Since WIPO Standard ST.17 is to improve the informative value of Official Gazettes, by including standard codes with the various headings, it should include contents about trademark with double letter-coded headings that were related to trademarks and not yet recorded.</p>	N/A	<p><b>H:</b> FR, RU (2)  <b>M:</b> EM, GB, KR (3)  <b>L:</b> AU, CA, JP, SE, JP (5)</p>

Table 2: Trademark offices' practices regarding the candidates

Candidate for further standardization	Trademark offices' practices (e.g., other features to be standardized or recommendation)
Recommendation for the electronic management of sound marks	<p><b>EM:</b> Total Application (Aug 2012) = 167 (134 TM Registered).</p> <p>One graphical representation is mandatory with the possibility to join one file containing a recording of the sound (optional).</p> <p>Image file: JPEG, 300 dpi, RGB colour encoding, max 2 MB.</p> <p>Sound file: MP3, max 2 MB (about 2 minutes of play).</p> <p><b>US:</b> The Office currently accepts the following: "The reproduction must be in an electronic file in .wav, .wmv, .wma, .mp3, .mpg, or .avi format and should not exceed 5 MB in size for audio files and 30 MB for video files"</p> <p>Sound marks can be expressed in audio file with description such as musical notes or written explanation.</p> <p>Standards for audio file can be set in a way that permits easy access by the public and usability.</p> <p>The accessibility by public to the standard file formats should be considered. MP3 is a patented, non-free file format. CWS is asked to consider including one or more open-source or patent-free file formats. This comment applies to other questions likewise.</p> <p><b>KR:</b> For the expression of musical notes, there are several file formats including midi formats. Defining the standards for midi file or other formats for expressing musical notes should be made.</p> <p><b>CA:</b> The Office agrees a standard will need to be established for sound marks (as quickly as possible). CA would recommend that within this standard there is guidance on how to handle these marks (ex. have a sound file in the recommended format as well as an image of the sound as either musical notes or a sound wave and possibly a textual description). The reason for the image or textual description is so that the mark can be identified in non-electronic media (an Office report/letter). If an image is included it should follow ST.67. If a textual description is included then ST.66/96 would need to accommodate this text.</p> <p><b>SE:</b> Sound marks are most important to find recommendation for among this categories (candidate 1-6)</p> <p><b>JP:</b> The Office is considering the introduction based on the followings.</p> <p>Sound marks will be managed with image data of trademark samples, text data of trademark descriptions and audio files.</p> <ul style="list-style-type: none"> <li>- Format of electronic audio file: MP3</li> <li>- Size of electronic audio file: We are considering whether or not a storage limitation should be set.</li> <li>- Trademark sample (mark image): A single image or multiple images of a same scale size.</li> <li>- Resolution: &lt;JPEG&gt; 200dpi &lt;TIFF(only in black and white)&gt; 400dpi</li> <li>- We would not fix the file size, either 3MB or 2MB. It is better to determine the size below 3MB.(JP)</li> </ul>

Candidate for further standardization	Trademark offices' practices (e.g., other features to be standardized or recommendation)
<p>Recommendation for the electronic management of olfactory (scent) marks</p>	<p><b>EM:</b> Total Application (Aug 2012) = 7</p> <p>Note: Due to the very few cases, this type is now included in the type "Other"</p> <p><b>US:</b> There are very few of these in our inventory.</p> <p><b>KR:</b> It is not clear whether there is an electronic file format that can express and store olfactory data.</p> <p>ST.67 does not mention olfactory data. File format for olfactory mark should be reconsidered.</p> <p><b>CA:</b> The Office is curious why ST.67 is being suggested for olfactory marks. Until such time as the actual scent can be recorded I would suspect that the mark would be identified with a textual description describing the scent. Therefore I would suggest that this may just require an identified text in the ST.66 (and ST.96) XML format to contain this text. I have put the priority on this item as Medium or Low as the ST.66/96 work would be minimal and in fact this would be more of a monitoring activity to see how Offices handle olfactory marks as they become more common.</p> <p><b>JP:</b> JPO has not yet considered. Thus, JPO would like to share the information with other offices.</p>
<p>Recommendation for the electronic management of three-dimensional marks</p>	<p><b>EM:</b> Total Application (Aug 2012) = 6786 (3492 TM Registered).</p> <p>Current practice: 1 graphical representation (file) is mandatory.</p> <p>Image file: JPEG, 300 dpi, RGB colour encoding, max 2 MB.</p> <p><b>US:</b> There are very few of these in our inventory(US)</p> <p><b>KR:</b> The current status of standard setting of 3-D marks seems to address expressing 3-D marks in a single image with multiple views. In that case, 2-D file formats will suffice.</p> <p>Regarding 2-D formats, in line with our comments for audio file, we think it'd be appropriate to include one or more open-source or patent-free file formats in the standard formats.</p> <p>Since there are file formats that can express 3-D shapes (e.g. 3ds, dwg, dxf, iges), the CWS is asked to consider inclusion of 3-D file formats.</p> <p>For now, doesn't appear that dominantly used file formats have emerged or industry-standard or de facto standard has been determined. Given the situation, It'd be appropriate to discuss the standard features of the 3-D file formats.</p> <p>Also, at least one or more neutral (open-source or patent-free) file formats (e.g., dxf, iges) should be considered.</p> <p><b>CA:</b> The Office agrees this could be handled in ST.67 although I am wondering why JPEG was identified (should be either PNG or TIFF).</p> <p><b>SE:</b> Three-dimensional marks are most important to find recommendation for among this candidate (number 1-6)</p> <p><b>JP:</b> The Office has introduced its own system.</p> <ul style="list-style-type: none"> <li>- Trademark sample (mark image): A single image or multiple images of a same scale size.</li> <li>- Resolution: &lt;JPEG&gt; 200dpi &lt;TIFF(only in black and white)&gt; 400dpi</li> </ul>

Candidate for further standardization	Trademark offices' practices (e.g., other features to be standardized or recommendation)
<p>Recommendation for the electronic management of hologram marks</p>	<p><b>EM:</b> Total Application (Aug 2012) = 9</p> <p>Note: Due to the very few cases, this type is now included in the type "Other"</p> <p><b>US:</b> There are very few of these in our inventory</p> <p><b>KR:</b> Same as audio file formats.</p> <p><b>CA:</b> The Office agrees this could be handled in ST.67.</p> <p><b>JP:</b> The Office is now considering the following contents.</p> <p>Hologram marks will be managed with image data of trademark samples and text data of trademark descriptions.</p> <ul style="list-style-type: none"> <li>- Trademark sample (mark image): A single image or multiple images of a same scale size.</li> <li>- Resolution: &lt;JPEG&gt; 200dpi &lt;TIFF(only in black and white)&gt; 400dpi(JP)</li> </ul>
<p>Recommendation for the electronic management of motion or multimedia marks</p>	<p><b>EM:</b> Too few cases to justify a separated type.</p> <p>Included in the type "Other" (same for position mark)</p> <p>Total App "Other" (Aug 2012) = 581 (180 TM Registered)</p> <p>Current practice: 1 graphical representation is mandatory</p> <p>Image file: JPEG, 300 dpi, RGB colour encoding, max 2 MB</p> <p><b>US:</b> The Office's inventory of these has been increasing quite rapidly.</p> <p><b>KR:</b> Since many offices accept motion mark expressed either in motion picture file or in a series of still images, covering both still images and motion picture file formats are appropriate.</p> <p>Like our comments on audio file formats, one or more open-source or patent-free file format should be considered. The file formats of MPEG, MOV and AVI might not be freely usable formats.</p> <p><b>CA:</b> The Office agrees a standard will need to be established for motion marks (as quickly as possible). I would recommend that within this standard there is guidance on how to handle these marks (ex. have a motion file in the recommended format as well as a single image of multiple views of the motion and possibly a textual description). The reason for the image or textual description is so that the mark can be identified in non-electronic media (an Office report/letter). If an image is included it should follow ST.67. As per my previous email I would question the use of "AVI" format as it requires specific plug-ins that limit is general use. If a textual description is included then ST.66/96 would need to accommodate this text.</p> <p><b>JP:</b> The Office is now considering the following contents.</p> <p>Motion or multimedia marks will be managed with image data of trademark samples and text data of trademark descriptions.</p> <ul style="list-style-type: none"> <li>- Trademark sample (mark image): A single image or multiple images of a same scale size.</li> <li>- Resolution: &lt;JPEG&gt; 200dpi &lt;TIFF(only in black and white)&gt; 400dpi(JP)</li> </ul>

Candidate for further standardization	Trademark offices' practices (e.g., other features to be standardized or recommendation)
Recommendation for the electronic management of position marks	<p><b>US:</b> The Office doesn't define position marks</p> <p><b>KR:</b> ST.67 can appropriately handle this issue, can't it?</p> <p><b>CA:</b> The Office would suggest this follow a similar approach as three dimensional marks, as a single image with multiple views to identify the position. As an image this should follow ST.67 (PNG or TIFF). There may also be a requirement to provide a textual description and so ST.66/96 would need to allow for this text.</p> <p><b>JP:</b> The Office is now considering the following contents.</p> <p>Position marks will be managed with image data of trademark samples and text data of trademark descriptions.</p> <ul style="list-style-type: none"> <li>- Trademark sample (mark image): A single image or multiple images of a same scale size.</li> <li>- Resolution: &lt;JPEG&gt; 200dpi &lt;TIFF(only in black and white)&gt; 400dpi(JP)</li> </ul>
Recommendation concerning the minimum data elements required to uniquely identify a trademark document	<p><b>US:</b> The Office has 300 different types of trademarks documents defined in our content repository.</p> <p><b>KR:</b> The phrase "all types of trademark documents" isn't clear. If the phrase means the type of trademark document that serves as status indicator for a trademark (i.e., application, first office action, final refusal, etc.), then the work would be useful.</p>
Standard recording of the NICE classification symbols on machine-readable records	<p><b>CA:</b> This information is already contained within ST.66/96 and given its current simple structure (2 digit codes) do not believe a separate standard would be required. If/when the NICE structure is modified to have class and sub-classes (similar to the Vienna Class structure) then this may need to be reviewed.</p> <p><b>SE:</b> The meaning of the proposed candidate was unclear to the Office.</p>
Recommendation for published trademark documents	N/A
Guidelines for issuing corrections, alterations and supplements relating to trademark information	<b>SE:</b> It is very important.
Recommended of standard code for the identification of different kinds of trademark documents	N/A
Recommendation for the coding of headings of announcements made in official gazettes	<b>CA:</b> The Office believes a more important discussion may be the future of Official Gazettes. Given the increasing use of electronic Gazettes and search systems, there should be a discussion on the ongoing requirement of a Gazette and what will constitute "publication".

Table 3: Summary of respondents' preference

List of Standard proposed for Trademarks	Priority										Total		
	AU	CA	EM	FR	JP	KR	RU	SE	UK	US	H	M	L
Recommendation for the electronic management of sound marks	H	H	H	H	M	H	H	L	M	H	7	2	1
Recommendation for the electronic management of olfactory (scent) marks	L	M/L	L	M	M	L	L	L	L	L	0	3	8
Recommendation for the electronic management of three-dimensional marks	M	M	H	M	M	H	M	L	H	L	3	5	2
Recommendation for the electronic management of hologram marks	L	M	L	M	M	M	M	L	H	L	1	5	4
Recommendation for the electronic management of motion or multimedia marks	H	H	M	H	M	H	H	L	M	H	6	3	1
Recommendation for the electronic management of position marks	L	M	L	M	M	M	M	L	L	L	0	5	5
Recommendation concerning the minimum data elements required to uniquely identify a trademark document	L	L	M	H	L	M	H	H	L	M	3	3	4
Standard recording of the NICE classification symbols on machine-readable records	L	L	H	H	L	M	H	-	L	M	3	2	4
Recommendation for published trademark documents	L	L	M	H	L	H	H	H	L	M	4	2	4
Guidelines for issuing corrections, alterations and supplements relating to trademark information	L	L	M	M	L	L	M	H	L	L	1	3	6
Recommended of standard code for the identification of different kinds of trademark documents	L	L	H	H	L	M	M	H	L	L	3	2	5
Recommendation for the coding of headings of announcements made in official gazettes	L	L	M	H	L	M	H	L	M	L	2	3	5

[End of Appendix and of document]