

QUESTIONNAIRE CONCERNING FORMATS CURRENTLY IN USE BY INDUSTRIAL
PROPERTY OFFICES FOR FIGURATIVE ELEMENTS OF MARKS

INTRODUCTION

1. This questionnaire aims at collecting information from Industrial Property Offices (IPOs) on formats currently in use for figurative elements of marks. The next steps would be to analyze the different standards/techniques applied by the IPOs of the various Member States and by regional organizations and to determine the feasibility of establishing a WIPO recommendation on how figurative elements of marks should be captured in electronic form.
2. The proposal to develop a WIPO recommendation on the above-mentioned subject matter was made in view of the fact that, with the entry into force of the Madrid Protocol and the ensuring internationalization of trademark data exchange, standards are needed to guarantee the exchange of highly standardized data in impeccable quality.
(See Task No. 20 of the SCIT Task List and document SCIT/SDWG/1/2).

Question 1: Does your Office process electronically the figurative elements of marks?

Yes ...X...

No

Question 2: Does your Office have a legal basis for the electronic processing (including electronic storage and/or exchange) of figurative elements of marks?
(If "Yes," please specify the national law, regional regulation, etc.)

Yes The Canadian Trade-mark Regulations (1996) were amended to remove references to the form of media that could be used. The Registrar can specify the format of all correspondence to be received by the Office. In addition a Practice Notice was published which specified that the Official Register of registered trade-marks would be the electronic database.

No

Question 3: Which format is your Office currently using for the capturing, presentation and exchange of figurative elements of marks?

(a) For scanning :

Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale: TIFF Group 4, 300dpi

(ii) Colour: N/A

(b) For publishing :

Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale: TIFF Group 4, 300dpi

(ii) Colour: N/A

(c) For displaying :
Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale: TIFF Group 4, 300dpi

(ii) Colour: N/A

(d) For other purpose (please specify): Electronic Filing of Applications
Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale: TIFF Group 4, 300dpi

(ii) Colour: N/A

Question 4: Indicate how the images of figurative elements of marks are displayed.
(e.g., expandable thumbnails, thumbnails only, full screen image).

(a) Expandable thumbnails

(b) Thumbnails only

(c) Full screen image

(d) Other (please specify): pop up window with zoom capabilities

Question 5: Who carries out the electronic capture?

(a) Applicant

For electronically filed applications the applicant, or their agent, is required to submit an electronic version of the design.

For paper based applications the applicant, or their agent, may submit the design on diskette. The Office encourages this, especially if the design is complex and/or has fine details.

(b) Your Office (if so, what are the dimensions in which the images of figurative elements of marks have to be submitted?)

The Office scans all designs with the exception of those identified in 5(a) above. The Canadian Trade-mark Regulations (1996) indicates that the design must be no greater than 2 ¾" x 2 ¾". To improve quality of scanned designs the Office has published a practice notice encouraging applicants, or their agents, to supply larger designs, up to 8 ½" x 14", especially if the design is complex and/or has fine details. During the scanning process all large designs will be scaled down to the 2 ½" x 2 ½" for storage, display and printing purposes.

(c) Other (please specify):

Question 6: How is your Office ensuring the quality of mark images taking into account the various quality levels ?

The Office has the following steps in place to ensure a high level of design quality:

- all designs are scanned by a single group within the Office, the Formalities Section. This ensures consistency in scanning and allows the Office to concentrate its design scanning training and quality requirements to this single group.
- all designs are reviewed by the Quality Assurance group. This group may correct scanning quality issues and/or return the design for re-scanning to the Formalities Section. The QA group will also identify trends in scanning quality and recommend corrective action and/or additional training.
- the Office sends out a Client Proof Sheet along with the Acknowledgement Notice of receipt of the application. The Client

Proof Sheet will include a reproduction of the scanned design to allow the applicant, or their agent, the opportunity to ensure the quality and accuracy of the scanned design.

- The Canadian Trade-mark Regulations (1996) allows the Office to request a better quality design where the original design is deemed not suitable for reproduction in the Canadian Trade-marks Journal (gazette).

Question 7: How many mark images are stored with the above-indicated format(s) in your Office's computer system(s)?
(Please specify breakdown by format.)

- 218,878 TIFF Group 4, 300dpi

Question 8: Which option does your Office prefer for the elaboration of a WIPO recommendation on the electronic processing of figurative elements of marks:

(a) the determination and application of a new format?

Yes

No

(b) the use of freely available non-proprietary standards?

Yes ...X.....

No

(c) the use of a proprietary de-facto standard (i.e., TIFF)?

Yes ...X.....

No

Further comments/remarks:

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[End of Questionnaire]

