

**From:** <Dan.Collins@ipaaustralia.gov.au>  
**To:** <scit.mail@wipo.int>  
**Date:** Tue, Sep 6, 2005 9:10 AM  
**Subject:** Re:SDWG Task No. 20 (Figurative Elements of Marks)

Dear Sir/Madam

Please find attached AU's completed questionnaire.

kind regards

Dan Collins  
Director, Enterprise Solutions

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## **Additional questionnaire concerning formats for figurative elements of marks currently in use by Industrial Property Offices**

Task No. 20: Prepare, for adoption as a WIPO standard, a recommendation for the electronic management of the figurative elements of trademarks.

Please provide the following contact information in order for us to contact the person responsible for the Questionnaire in case of need:

<u>Contact details of the Reporting Office:</u>	
Name of the Reporting Office	<u>AU</u> (ST.3 two-letter country/organization code) <i>IP Australia</i>
Person to contact	Name: <i>Dan Collins</i>
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## **Q U E S T I O N N A I R E**

### **SECTION I**

#### **QUESTION 1**

Does your Office process electronically the figurative elements of marks?

- Fully YES** (in case that whole process employs digital image)
- Partially YES** (in case that some parts of the process employ paper)
- NO**

If your Office processes electronically the figurative elements of marks (i.e., if you answered "Fully Yes" or "Partially Yes"):

(a) Which format is your Office currently using?

(i) For scanning:

	Black White	Grayscale	Color	Others
Image format	<i>TIFF</i>	-	<i>PNG, JPEG (for non-editing)</i>	-
Image resolution & Depth	<i>Res 300 dpi Depth 1 bit</i>	-	<i>Res 150 dpi Depth 24 bit</i>	-
Minimum and Maximum size of image	<i>min 2048x1024 pix max no larger than 10 mb</i>	-	<i>min 1024x768 pix max no larger than 10 mb</i>	-
Image color management techniques	<i>Convert colour to black and white</i>	-	<i>Convert colour to black and white</i>	-
Compression technique & Rate	<i>Group 4</i>	-	<i>24 bit PNG, JPEG</i>	-

**Note:** Please fill in the tables according to the comments as follow:

- **Image format:** (TIFF, JPG, GIF, PNG, CCITT...specify with the version, e.g., TIFF Group 4):
- **Image resolution and Depth:** (in dots per inch for resolution and dpi for depth)
- **Minimum and Maximum size of image:** (specify physical size of the input image with unit, not the storage size of the resulting image)
- **Image color management techniques:** (i.e., description of techniques applied to ensure reliable color reproduction)
- **Compression technique and Rate:** (specify general or IPO's specific compression technique and rate)

(ii) For publishing:

	Black White	Grayscale	Color	Others
Image format	<i>TIFF</i>	-	<i>JPEG (for non-editing)</i>	-
Image resolution & Depth	<i>Res 300 dpi Depth 1 bit</i>	-	<i>Res 150 dpi Depth 24 bit</i>	-
Minimum and Maximum size of image	<i>min 2048x1024 pix max no larger than 10 mb</i>	-	<i>min 1024x768 pix max no larger than 10 mb</i>	-
Image color management techniques	<i>Convert colour to black and white</i>	-	<i>Convert colour to black and white</i>	-
Compression technique & Rate	<i>Group 4</i>	-	<i>24 bit JPEG</i>	-

**Note:** Please refer to the above comments.

(iii) For displaying:

	Black White	Grayscale	Color	Others
Image format	<i>TIFF</i>	-	<i>JPEG (for non-editing)</i>	-
Image resolution & Depth	<i>Res 300 dpi Depth 1 bit</i>	-	<i>Res 150 dpi Depth 24 bit</i>	-
Minimum and Maximum size of image	<i>min 2048x1024 pix max no larger than 10 mb</i>	-	<i>min 1024x768 pix max no larger than 10 mb</i>	-
Image color management techniques	<i>Convert colour to black and white</i>	-	<i>Convert colour to black and white</i>	-
Compression technique & Rate	<i>Group 4</i>	-	<i>24 bit JPEG</i>	-

**Note:** Please refer to the above comments.

(iii) For other purpose (please specify):

	Black White	Grayscale	Color	Others
Image format	<i>See above publishing information for data transfer specifications</i>			
Image resolution & Depth				
Minimum and Maximum size of image				
Image color management techniques				
Compression technique & Rate				

**Note:** Please refer to the above comments.

(b) What does your Office regard as an original image and how does your Office store it (please describe in detail)?

*Insert your reply below (free text, table, etc.):*

*E-Form (via internet)*

*Clients send the images in specified format(s), we convert these to PNG and display them back to the Client for validation/confirmation. After confirmation this image ie (PNG format) is regarded as the original*

*Paper form*

*Paper images are scanned and converted to PNG. Image is confirmed internally. The PNG scanned image is regarded as the original.*

**QUESTION 2**

Does your Office receive electronically trademark images in digital format?

YES  NO

- (a) If "Yes," please specify your regulations or guidelines for accepting digital images (specifically about size, format, media of an image):

Insert your reply below (free text, table, etc.):

Format	Size	Media
TIFF		Internet
JPEG		Internet
PNG		Internet
BMP		Internet
GIF		Internet

**Note:** See below for information provided to our customers on the internet application regarding the specification for images.

Files must be in GIF, TIFF, BMP, PNG or JPG format (animated GIFs are not supported) and the name of the file must NOT consist of any spaces. If your series of trade marks require more than one file to be represented, these should be zipped in a single file. If it is important that your zipped files are presented in a specific order, the file names should commence with a numerical sequence indicator (for example 1trademark.gif, 2bluemark.gif). Please note: there is a limit of 10MB for each file.

- (b) Does your Office accept color images?

YES  NO

- (c) Does your Office apply different regulations or guidelines depending on the color of the image (e.g., different for black-white image and color image)?

YES  NO

- (d) Please also indicate your practice for each item listed below based on your regulations or guidelines:

	Black White	Grayscale	Color	Others
Image format	<i>TIFF, GIF, JPEG, BMP, PNG</i>	<i>TIFF, GIF, JPEG, BMP, PNG</i>	<i>TIFF, GIF, JPEG, BMP, PNG</i>	-
Image resolution & Depth	<i>300 dpi, 1 bit</i>	<i>150 dpi, 24bit</i>	<i>150 dpi, 24bi</i>	-
Minimum and Maximum size of image	<i>min 2048x1024 pix max no larger than 10 mb</i>	<i>min 1024x768 pix max no larger than 10 mb</i>	<i>min 1024x768 pix max no larger than 10 mb</i>	-
Image color management techniques	<i>convert from colour to black and white</i>	<i>convert from grayscale to black and white</i>	<i>convert from colour to black and white</i>	-
Compression technique & Rate	<i>Group 4</i>	<i>24 bit</i>	<i>24 bit</i>	-

**Note:** Please refer to the above comments.

### QUESTION 3

Who carries out the electronic capture?

- Applicant
- Your Office
- Applicant and your Office
- Other (please specify):

### QUESTION 4

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

- Normal:
- Expandable thumbnails:
- Thumbnails only:
- Full screen image:
- Other (please specify):

**Note:** You may choose more than one if applicable.

### QUESTION 5

- (a) If your customer files a digital image that does not fully comply with the relevant regulation or guideline, how does your Office handle it (please describe in detail)?

*Insert your reply below (free text, table, etc.):*

- 1. Directions included on the E-Form specify the Offices requirements in relation to image format, etc– applicants generally heed these.*
- 2. E-form validation will generally prevent loading of an offending image. The image file will be rejected with error text along the lines of “Image file not in the specified format. Please refer to help file for image specification.”*

- (b) Please identify if you "Touch Up" scanned images. What procedures and software tools do you have in place for "Touch Up"?

*Insert your reply below (free text, table, etc.):*

*“Touch Up” is limited to the scanning process and is only for removing blemishes.*

- (c) Please also specify which practice(s) is(are) used to ensure that the quality of mark images is identical to that of original images:
- Skilled person:  
Insert your reply below (free text, table, etc.):  
*Internal QA during scanning process with validation again the paper image.*
  - Procedures (i.e., notification to applications, etc.):  
Insert your reply below (free text, table, etc.):
    1. *Initial validation/confirmation process via internet application after conversion to PNG format.*
    2. *Filing Reports including copy of any images are sent to the client for confirmation within 2 weeks of filing.*
  - Regulations or guidelines:  
Insert your reply below (free text, table, etc.):  
*N/A*
  - Imaging tool (i.e., scanner, software, etc.):  
Insert your reply below (free text, table, etc.):  
*Cannon DR 5080C Colour scanner, Image Magik and BFO (Big Faceless Organisation) for image conversion.*  
*Images are stored in Unix file directories and in electronic document management systems (Objective EDMS)*
  - Others (please specify):  
Insert your reply below (free text, table, etc.):

## QUESTION 6

How many mark images are stored with the above-indicated format(s) in your Office's computer system(s) (please list breakdown by format)?

Insert your reply below (free text, table, etc.):

*Total numbers of images stored in our systems as at 05/09/2005 was 1449463 the format breakdown of these images are as follows:*

<i>Tiff images</i>	<i>360943</i>
<i>PNG images</i>	<i>5670</i>
<i>JPEG images</i>	<i>1082850</i>

### QUESTION 7

Which color space does your Office currently use (i.e., RGB, sRGB, YcrCb, etc.)?

*Insert your reply below (free text, table, etc.):*

*We predominantly use RGB.*

### QUESTION 8

Does your Office have a color management system for equipment such as scanner, monitor, printer, etc., to ensure the image quality?

YES  NO

If "Yes," please specify your practice:

(i) Calibration (please indicate specification of scanner, monitor, printer, etc.):

*Insert your reply below (free text, table, etc.):*

(ii) Profiling (or characterization):

If applying ICC profile: *Insert your reply below (free text, table, etc.):*

Others: *Insert your reply below (free text, table, etc.):*

(iii) Color transformation: *Insert your reply below (free text, table, etc.):*

*Conversion from colour images to black and white.*

### QUESTION 9

Please indicate the list of software and hardware on which your Office depends to process electronically an image (in particular color image), which information could eventually be used to establish a new WIPO standard:

*Insert your reply below (free text, table, etc.):*

*We use Image Magik, in our Unix environments, to ensure that the images are in the specified formats and then convert them to our internal storage formats.*



## QUESTION 10

Please identify any additional information that your Office has discovered related to the processing of images (i.e., best practices, problems, solutions, experiences, etc.):

*Insert your reply below (free text, table, etc.):*

*Our primary image tool Image Magic has encountered a few problems in converting CMYK images, reading different image compressions and new image libraries. However we have so far found this to be the best tool for us.*

*For Colour Marks we currently ask client to provide endorsement text to accurately describe the colour of the mark (eg in pantone codes) as colours can be slightly distorted in the scanning, printing, and display processes.*

## SECTION II

### QUESTION 1

Please indicate your Office's current and future direction for other types of marks (i.e., sound mark, smell mark, motion mark, etc.):

*Insert your reply below (free text, table, etc.):*

*We are currently considering storing motion marks (in animated gif format) and sound marks digitally. We have not considered any future direction for smell marks. These marks are still all currently described in endorsement text.*

### QUESTION 2

Please indicate the number of applications/registrations your Office currently has, grouped by the type of mark:

*Insert your reply below (free text, table, etc.):*

*The number of applications/registrations held by IP Australia as of 05/09/2005 was approximately 1,073,500. Of these, approximately 430,000 possess device components – either as image marks alone, or composite marks comprising both word and image constituents. We are not able to provide a breakdown identifying which of these might contain colour representations. Specific trade mark types are indicated below.*

<i>Sound Marks</i>	<i>50</i>
<i>Shape Marks</i>	<i>1504</i>
<i>Scent Marks</i>	<i>7</i>
<i>Colour Marks</i>	<i>740</i>

### QUESTION 3

Please indicate if your Office processes in electronic form any other types of marks besides those mentioned in Question 1 of Section II:

*Insert your reply below (free text, table, etc.):*

*N/A*

## GLOSSARY

### **Color space:**

A color model is an abstract mathematical model describing the way colors can be represented as tuples of numbers, typically as three or four values or *color components* (e.g., RGB and CMYK are color models). However, a color model with no associated mapping function to a reference color space is a more or less arbitrary color system with little connection to the requirements of any given application. For example, Adobe RGB and sRGB are two different color spaces, both based on the RGB model. (*Wikipedia, the free encyclopedia*)

### **Calibration:**

The process of returning a device to known color conditions. Commonly done with devices that change color frequently, such as monitors (phosphors lose brightness over time) and printers (proofers and other digital printing devices can change output when colorant or paper stock is changed). (*Adobe.com*)

### **Profiling (Characterization):**

Characterization is the process of identifying the relationship between a device-dependent color gamut and device-independent color. After a device has been calibrated, characterizing is the next process (sometimes referred to as profiling a device). Any production device that scans, displays, or prints a standard target comprised of many different solids and tints can be characterized. (*Adobe.com*)

### **ICC profile:**

Set of transforms from one colour encoding to another, e.g. from device colour coordinates to profile connection space, prepared in accordance with ICC.1. (*ISO 12231 and ISO 12647-1*)

### **Color transformation:**

A transformation process that begins with color information that is encoded in one color space, or appropriate for one device, and produces corresponding information in a different color space, or for a different device. Color transformations are of particular interest in digital imaging where they are used to transform images from one device space to another, e.g., monitor RGB to printer CMYK). (*Chem industry.com*)

[End of Annex and of questionnaire]