

THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

Country	Kazakhstan
Definition of Trademark	
1. According to the applicable legislation or to the practices of the Office, marks are defined as	
a) Visually perceptible signs	Yes
b) Signs capable of being represented graphically	Yes
c) Any sign capable of distinguishing the goods and services of one undertaking from those of another	No
2. Signs excluded from registration	
Are any signs excluded from registration as a mark?	No
Please, specify:	
Acceptable Types of Marks and Means of Representation	
Types of marks	
3. Is the applicant required to specify in the application the type of mark for which registration is requested?	Yes
4. Is a description of the mark [one option only]	b) Optional?
5. When an indication of the type of mark is neither specified nor included in the description, would the Office accept and process the application?	Yes
One option only:	a) Without an indication of the type of mark?
Please, specify:	
6. Please, indicate below the types of marks accepted by the Office and, where applicable, the way in which they must be represented:	
a) Word marks	Yes
i. Does the Office require the use of a standard character for the representation of word marks?	No
ii. Where applicable, does the Office require that words be translated into the language used by the Office	Yes
iii. Where applicable, does the Office require that words be transliterated following the phonetics of the language used by the Office	No
Please specify the font to be used to represent a standard character mark:	
b) Figurative marks (device marks)	Yes
Please, specify how they must be represented:	figurative trademarks are presented in the form of images of various living creatures, objects, other objects, figures, artistically executed font elements.
c) Hologram marks	Yes
Please, specify how they must be represented:	If a protection of a holographic trademark is requested, then several images should be attached to the application, clearly revealing the holographic effect as a whole (observed reflections of the images, changes in brightness and contrast), the holographic designation from different directions, in particular, perpendicular and at an angle above and below the perpendicular direction.
d) Three-dimensional marks (shape marks)	Yes
Please, specify how they must be represented	Three-dimensional objects, the shape of which is original, are referred to as volumetric designations.
i. Product packaging	Yes
Please, specify how it must be represented:	If the package is a three-dimensional object, the shape of which is original and not exclusively related to the function of the goods.
ii. Product shape	Yes

Please, specify how it must be represented:	If the package is a three-dimensional object, the shape of which is original and not exclusively related to the function of the goods.
e) Color marks	Yes
Please, specify how they must be represented	Sound marks can be represented by fragments of musical works or short original sounds. With the provision of notes.
i. A single color	Yes
Please, specify how it must be represented:	if the registration of a color mark is a symbol that represents a color or combination of colors without delineated contours, the reproduction of the mark shall consist of a sample of the color or colors.
ii. A combination of colors	Yes
Please, specify how it must be represented:	if the registration of a color mark is a symbol that represents a color or combination of colors without delineated contours, the reproduction of the mark shall consist of a sample of the color or colors.
f) Sound marks	Yes
Please, specify how they must be represented	Sound marks can be represented by fragments of musical works or short original sounds. With the provision of notes.
i. A musical sound	Yes
Please, specify how it must be represented:	Sound marks can be represented by fragments of musical works or short original sounds. With the provision of notes.
ii. Any sound	Yes
Please, specify how it must be represented:	Sound marks can be represented by fragments of musical works or short original sounds. With the provision of notes.
g) Motion marks	Yes
Please, specify how they must be represented:	was not in practice
h) Multimedia marks (motion and sound)	Yes
Please, specify how they must be represented:	was not in practice
i) Other(s) (e.g., gesture marks, olfactory marks, pattern marks, position marks, taste marks, texture marks, trade-dress)	Yes
Please, indicate what other types of marks are accepted:	You can see the information in the Rules for the examination of applications for trademarks and appellations of origin paragraph 3 Chapter 2.
Please, specify how each of the other types of marks indicated above must be represented:	You can see the information in the Rules for the examination of applications for trademarks and appellations of origin paragraph 3 Chapter 2.
Format and Means to File an Application with the Office	
7. Which of the following are acceptable formats to file an application with the Office?	
a) A paper form	Yes
b) The image of a paper form (e.g., PDF, JPG)	No
c) Structured data (e.g., e-filing, XML files)	Yes
8. How does the applicant submit the application?	
a) On a physical support (e.g., paper, CD-ROM or USB device)	Yes
b) By fax	No
c) Electronically, other than fax (e.g., by e-mail, by e-filing)	Yes
9. Is the applicant either required or allowed to submit an electronic representation of the mark along with the application?	Yes
Format(s) in which the Office accepts the electronic representation of the mark	
10. Depending on the type of mark, may the electronic representation consist of one or more digital still images?	Yes
Please select below the format accepted by the Office	
a) GIF	No

b) JPEG	No
c) PNG	Yes
d) TIFF	No
e) Other(s)	No
Please, specify in which other format(s):	
When the representation consists of more than one digital still image:	
a) all images must be included in one file	Yes
b) each image may be in a separate file	Yes
11. Depending on the type of mark,	
may the electronic representation consist of a digital recording of sound only (i.e., without moving images)?	Yes
Please, select below the format accepted by the Office	
a) MID	No
b) MP3	Yes
c) WAV	No
d) Other(s)	No
Please, specify in which other format(s):	
12. Depending on the type of mark,	
may the representation consist of a digital recording of moving images without sound?	Yes
Please, select below the format(s) accepted by the Office	
a) AVI	Yes
b) GIF	No
c) MOV	No
d) MP4	No
e) MPEG	No
f) WMV	No
g) Other(s)	No
Please, specify in which other format(s):	
13. Depending on the type of mark,	
may the representation consist of a digital recording of moving images and sound?	Yes
Please, select below the format(s) used by the Office	
a) AVI	Yes
b) MP4	No
c) MPEG	No
d) WMV	No
e) Other(s)	No
Please, specify in which other format(s):	
Formats and standards used by the Office to store, manage and publish electronic representation of marks	
SCRx3421	
14. Does the Office store and manage an electronic representation of the mark (whether provided by the applicant or produced by the Office) in a database?	Yes
15. Is the electronic representation of the mark available to the public?	Yes
How can the public access the electronic representation of the mark?	
a) At the Office only (e.g., a dedicated computer terminal)	No
b) Online (e.g., online database)	Yes
16. In which format does the Office store, manage and publish the electronic representation of the mark when this consists of:	
a) one or more digital still images	PNG
b) a digital recording of sound only	MP3
c) a digital recording of moving images without sound	AVI
d) a digital recording of moving images and sound	AVI