

## THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

<b>Country</b>	<b>Poland</b>
<b>Definition of Trademark</b>	
1. According to the applicable legislation or to the practices of the Office, marks are defined as	
a) Visually perceptible signs	No
b) Signs capable of being represented graphically	No
c) Any sign capable of distinguishing the goods and services of one undertaking from those of another	Yes
2. Signs excluded from registration	
Are any signs excluded from registration as a mark?	No
Please, specify:	
<b>Acceptable Types of Marks and Means of Representation</b>	
<b>Types of marks</b>	
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:	b) With an ex-officio 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?	Yes
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	Yes
Please specify the font to be used to represent a standard character mark:	standard font; the mark shall be represented by submitting a reproduction of the sign in standard script and layout, without any graphic feature or colour.
b) Figurative marks (device marks)	Yes
Please, specify how they must be represented:	an application shall include photographic reproductions or printed copies, which represent or constitute the expression of that mark; the mark shall be represented by submitting a reproduction of the sign for which registration is sought, showing all its elements and, where applicable, its colours.
c) Hologram marks	Yes
Please, specify how they must be represented:	The mark shall be represented by submitting a video file or a graphic or photographic representation containing the views which are necessary to sufficiently identify the holographic effect in its entirety (JPEG or MP4)
d) Three-dimensional marks (shape marks)	Yes
Please, specify how they must be represented	an application shall include photographic reproductions or printed copies, which represent or constitute the expression of that mark; the mark shall be represented by submitting either a graphic reproduction of the shape, including computer-

	generated imaging, or a photographic reproduction. The graphic or photographic reproduction may contain different views.
i. Product packaging	Yes
Please, specify how it must be represented:	an application shall include photographic reproductions or printed copies, which represent or constitute the expression of that mark
ii. Product shape	Yes
Please, specify how it must be represented:	an application shall include photographic reproductions or printed copies, which represent or constitute the expression of that mark
e) Color marks	Yes
Please, specify how they must be represented	The mark shall be represented by submitting (i) a reproduction of the colour and an indication of that colour by reference to a generally recognised colour code; or, (ii) a reproduction that shows the systematic arrangement of the colour combination in a uniform and predetermined manner, and an indication of those colours by reference to a generally recognised colour code. A description detailing the systematic arrangement of the colours may also be added.
i. A single color	Yes
Please, specify how it must be represented:	The mark shall be represented by submitting a reproduction of the colour and an indication of that colour by reference to a generally recognised colour code
ii. A combination of colors	Yes
Please, specify how it must be represented:	The mark shall be represented by submitting a reproduction that shows the systematic arrangement of the colour combination in a uniform and predetermined manner, and an indication of those colours by reference to a generally recognised colour code. A description detailing the systematic arrangement of the colours may also be added.
f) Sound marks	Yes
Please, specify how they must be represented	The mark shall be represented by submitting an audio file reproducing the sound or by an accurate representation of the sound in musical notation (JPEG or MP3)
i. A musical sound	Yes
Please, specify how it must be represented:	The mark shall be represented by submitting an audio file reproducing the sound or by an accurate representation of the sound in musical notation (JPEG or MP3)
ii. Any sound	Yes
Please, specify how it must be represented:	The mark shall be represented by submitting an audio file reproducing the sound or by an accurate representation of the sound in musical notation (JPEG or MP3)
g) Motion marks	Yes
Please, specify how they must be represented:	The mark shall be represented by submitting a video file or by a series of sequential still images showing the movement or change of position. Where still images are used, they may be numbered or accompanied by a description explaining the sequence (JPEG or MP4)
h) Multimedia marks (motion and sound)	Yes
Please, specify how they must be represented:	The mark shall be represented by submitting an audio-visual file containing the combination of the image and the sound (MP4)
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:	e.g. pattern, position, and all others could be accepted under condition of being reproduced on the register in

	a clear, precise, self-contained, easily accessible, intelligible, durable and objective manner so as to enable the competent authorities and the public to determine with clarity and precision the subject-matter of the protection afforded to its proprietor.
Please, specify how each of the other types of marks indicated above must be represented:	<p>pattern - The mark shall be represented by submitting a reproduction showing the pattern of repetition. The representation may be accompanied by a description detailing how its elements are repeated regularly.</p> <p>position mark - The mark shall be represented by submitting a reproduction which appropriately identifies the position of the mark and its size or proportion with respect to the relevant goods. The elements which do not form part of the subjectmatter of the registration shall be visually disclaimed, preferably by broken or dotted lines. The representation may be accompanied by a description detailing how the sign is affixed on the goods. Others - The mark shall be represented in any appropriate form using generally available technology, as long as it can be reproduced on the register in a clear, precise, self-contained, easily accessible, intelligible, durable and objective manner so as to enable the competent authorities and the public to determine with clarity and precision the subject-matter of the protection afforded to its proprietor.</p>
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)	Yes
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	Yes
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	Yes
c) PNG	No
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	No
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	No
b) GIF	No
c) MOV	No
d) MP4	Yes
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	No
b) MP4	Yes
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)	Yes
b) Online (e.g., online database)	No
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	JPEG
b) a digital recording of sound only	MP3
c) a digital recording of moving images without sound	MP4
d) a digital recording of moving images and sound	MP4