

## THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

<b>Country</b>	<b>Namibia</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	Yes
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	No
2. Signs excluded from registration	
Are any signs excluded from registration as a mark?	Yes
Please, specify:	sign or indication which serves, in trade, to designate the kind, quality, intended purpose, value, geographical origin, or time, or mode of production of the goods or rendering of the services; sign or indication which has become customary in the current language or amongst bona fide traders in regard to the goods or services concerned. identical with, or is an imitation of or contains as an element, an armorial bearing, flag or other emblem of state, intergovernmental organization or organization created by an international convention. it is incapable of distinguishing goods or services of one person from those of other persons; it is contrary to public order or morality; it would be likely to cause confusion or would offend any class of person or would be contrary to law;
<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?	No
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	Yes
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:	photographic reproduction or a graphic representation
c) Hologram marks	No
Please, specify how they must be represented:	
d) Three-dimensional marks (shape marks)	Yes
Please, specify how they must be represented	photographic reproduction or a graphic representation
i. Product packaging	

Please, specify how it must be represented:	
ii. Product shape	Yes
Please, specify how it must be represented:	photographic reproduction or a graphic representation
e) Color marks	Yes
Please, specify how they must be represented	colour reproduction of the mark and colours making up the mark must also be indicated in words and a reference to a recognized colour code may be added
i. A single color	Yes
Please, specify how it must be represented:	colour reproduction of the mark and colours making up the mark must also be indicated in words and a reference to a recognized colour code may be added
ii. A combination of colors	Yes
Please, specify how it must be represented:	colour reproduction of the mark and colours making up the mark must also be indicated in words and a reference to a recognized colour code may be added
f) Sound marks	No
Please, specify how they must be represented	
i. A musical sound	
Please, specify how it must be represented:	
ii. Any sound	
Please, specify how it must be represented:	
g) Motion marks	No
Please, specify how they must be represented:	
h) Multimedia marks (motion and sound)	No
Please, specify how they must be represented:	
i) Other(s) (e.g., gesture marks, olfactory marks, pattern marks, position marks, taste marks, texture marks, trade-dress)	No
Please, indicate what other types of marks are accepted:	
Please, specify how each of the other types of marks indicated above must be represented:	
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	No
d) TIFF	No
e) Other(s)	Yes
Please, specify in which other format(s):	still to be determined
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)?	No
Please, select below the format accepted by the Office	
a) MID	
b) MP3	
c) WAV	
d) Other(s)	
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?	No
Please, select below the format(s) accepted by the Office	
a) AVI	
b) GIF	
c) MOV	
d) MP4	
e) MPEG	
f) WMV	
g) Other(s)	
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?	No
Please, select below the format(s) used by the Office	
a) AVI	
b) MP4	
c) MPEG	
d) WMV	
e) Other(s)	
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	N/A
c) a digital recording of moving images without sound	N/A
d) a digital recording of moving images and sound	N/A