

THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

| | |
|--|---|
| Country | Belarus |
| 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? | Yes |
| Please, specify: | - certification or guarantee marks; - single color; - holograms; - sound marks; - olfactory marks; - taste marks; - texture marks; - motion marks; - multimedia marks. |
| 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? | 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? | 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: | Times New Roman |
| b) Figurative marks (device marks) | Yes |
| Please, specify how they must be represented: | The reproduction can be a photo, a typographic print, or computer graphic, all the size of 8 cm x 8 cm. Applications for marks with color as a distinctive feature must contain an indication of color(s) in words or, alternatively, color code(s) according to the CMYK color model. |
| 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 | A two-dimensional graphical or photographic image is to be submitted showing the three-dimensional nature of the mark. The image can contain one or multiple views of the mark, at the applicant's choice. |
| i. Product packaging | Yes |
| Please, specify how it must be represented: | If the packaging is a figurative mark, see 6(b). If the packaging is a three-dimensional mark, see 6(d). |
| ii. Product shape | Yes |

| | |
|--|--|
| Please, specify how it must be represented: | See 6(d). |
| e) Color marks | Yes |
| Please, specify how they must be represented | Single color is currently not protectable. A color combination is to be represented like a figurative mark. See also 6(b). |
| i. A single color | No |
| Please, specify how it must be represented: | |
| ii. A combination of colors | Yes |
| Please, specify how it must be represented: | A color combination is to be represented like a figurative mark. See also 6(b). |
| 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) | No |
| 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) | No |
| 9. Is the applicant either required or allowed to submit an electronic representation of the mark along with the application? | No |
| 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? | No |
| Please select below the format accepted by the Office | |
| a) GIF | |
| b) JPEG | |
| c) PNG | |
| d) TIFF | |
| e) Other(s) | |
| 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 | |
| b) each image may be in a separate file | |
| 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) | 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 | JPEG |
| b) a digital recording of sound only | Sound, motion and multimedia marks are currently not protectable. |
| c) a digital recording of moving images without sound | Sound, motion and multimedia marks are currently not protectable. |
| d) a digital recording of moving images and sound | Sound, motion and multimedia marks are currently not protectable. |