

THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

Country	Ireland
Definition of Trademark	
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?	Yes
Please, specify:	Signs that are not capable of being represented on the register in a manner which enables the Controller and the public to determine the clear and precise subject matter of the protection afforded to its proprietor.
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:	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?	No
ii. Where applicable, does the Office require that words be translated into the language used by the Office	No
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:	In JPEG format and limited to 4MB in size
c) Hologram marks	Yes
Please, specify how they must be represented:	In MP4 format and limited to 20MB in size or JPEG limited to 1 MB per image
d) Three-dimensional marks (shape marks)	Yes
Please, specify how they must be represented	JPEG limited to 1 MB per image
i. Product packaging	Yes
Please, specify how it must be represented:	JPEG limited to 1 MB per image
ii. Product shape	Yes
Please, specify how it must be represented:	JPEG limited to 1 MB per image
e) Color marks	Yes
Please, specify how they must be represented	JPEG limited to 1 MB per image and must contain a description of the colour using an internationally recognized coding system.
i. A single color	Yes
Please, specify how it must be represented:	JPEG limited to 1 MB per image and must contain a description of the colour using an internationally

	recognized coding system.
ii. A combination of colors	Yes
Please, specify how it must be represented:	JPEG limited to 1 MB per image and must contain a description of the colours using an internationally recognized coding system.
f) Sound marks	Yes
Please, specify how they must be represented	If the sound is presented in electronic format then it must be an MP3 file no larger than 2MB. If presented in the form of musical notation, it must be a JPEG file no larger than 1MB
i. A musical sound	Yes
Please, specify how it must be represented:	In MP3 format and no larger than 2MB
ii. Any sound	Yes
Please, specify how it must be represented:	If the sound is presented in electronic format then it must be an MP3 file no larger than 2MB. If presented in the form of musical notation, it must be a JPEG file no larger than 1MB
g) Motion marks	Yes
Please, specify how they must be represented:	In MP4 format and no larger than 20MB
h) Multimedia marks (motion and sound)	Yes
Please, specify how they must be represented:	In MP4 format and no larger than 20MB
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:	All possible types of marks are accepted so long as they can be represented in the Register. While this may prove impossible for some types (e.g. smell and taste), the Irish Patents Office will not reject an application until it is examined and it is established that it cannot be represented on the Register.
Please, specify how each of the other types of marks indicated above must be represented:	Gesture marks in MP4 format no larger than 20MB or JPEG file no larger than 1MB. Pattern marks in JPEG format no larger than 1MB. Position marks in JPEG format no larger than 1MB.
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	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	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)	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	MP3
c) a digital recording of moving images without sound	MP4
d) a digital recording of moving images and sound	MP4