

THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

Country	Organisation africaine de la propriété intellectuelle (OAPI)
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	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:	- signes non visibles, - signes dépourvus de caractère distinctif (désignation nécessaire, générique du produit, composition du produit, etc.) - signes contraires à l'ordre public, aux bonnes mœurs ou aux lois - signes susceptibles d'induire en erreur le public ou les milieux commerciaux sur l'origine géographique, la nature, les caractéristiques des produits ou services, notamment - signes interdits par l'article 6ter de la convention de Paris pour la protection de la propriété industrielle.
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:	c) Other
Please, specify:	Le formulaire de demande d'enregistrement ne prévoit pas d'information sur le type de marque. En revanche, le déposant est tenu de préciser si la marque concerne des produits ou des services. Selon notre loi, le même dépôt ne peut porter à la fois sur des classes de produits et de services.
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:	La traduction ou la translittération doivent être produites sur un document séparé du formulaire de demande d'enregistrement de la marque. Ce peut être la correspondance qui accompagne la demande d'enregistrement ou cette transmettant des pièces de régularisation de ladite demande.
b) Figurative marks (device marks)	Yes
Please, specify how they must be represented:	La reproduction de la marque doit être apposée dans

	le cadre réservé à cet effet sur le formulaire de demande. En couleur si le signe est en couleur / en noir et blanc lorsque le signe ne comporte pas d'autres couleurs
c) Hologram marks	Yes
Please, specify how they must be represented:	Idem que les marques figuratives de mouvement.
d) Three-dimensional marks (shape marks)	Yes
Please, specify how they must be represented	le signe tridimensionnel peut être apposé, tout comme les différentes vues dudit signe.
i. Product packaging	Yes
Please, specify how it must be represented:	Idem que pour les signes figuratifs ou ceux tridimensionnels.
ii. Product shape	Yes
Please, specify how it must be represented:	Idem que pour les signes figuratifs ou ceux tridimensionnels.
e) Color marks	Yes
Please, specify how they must be represented	Les dispositions ou nuances de couleurs en elles mêmes ou associées à d'autres éléments peuvent être apposées dans l'espace dédié du formulaire de demande d'enregistrement.
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:	Idem que pour les marques de couleur.
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	Yes
Please, specify how they must be represented:	Le signe est apposé sur le formulaire de demande à travers les différentes séquences du mouvement.
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)	Yes
Please, indicate what other types of marks are accepted:	Tous les types de marques cités ci-dessus, à l'exception des signes olfactifs sonores et gustatifs, car ne sont pas des signes visibles.
Please, specify how each of the other types of marks indicated above must be represented:	- Les marques gestuelles sont représentées comme celles de mouvement; - Les marques de configuration, de texture et habillage commercial sont représentées comme les marques figuratives; - Les marques de position quant à elles sont représentées sur le produit ou sur une partie de celui-ci. Exemple: la position de la poche est des coutures sur le jean WRANGLER.
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?	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	Yes
e) Other(s)	Yes
Please, specify in which other format(s):	BMP
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?	No
How can the public access the electronic representation of the mark?	
a) At the Office only (e.g., a dedicated computer terminal)	
b) Online (e.g., online database)	
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	Les sons ne peuvent enregistrés comme marque à l'OAPI.
c) a digital recording of moving images without sound	S/O
d) a digital recording of moving images and sound	Les sons ne peuvent enregistrés comme marque à l'OAPI.