

## THE ACCEPTABLE TYPES OF MARKS AND MEANS OF REPRESENTATION

<b>Country</b>	<b>Viet Nam</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	Yes
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:	1. Signs identical with or confusingly similar to the national flags, national emblems; 2. Signs identical with or confusingly similar to emblems, flags, armorial bearings, abbreviations, full names of State agencies, political organizations, socio-political organizations, socio-political professional organizations, social organizations or socio-professional organizations of Vietnam or international organizations, unless permitted by such agencies or organizations; 3. Signs identical with or confusingly similar to real names, alias, pen names or images of leaders, national heroes or famous persons of Vietnam or foreign countries; 4. Signs identical with or confusingly similar to certification seals, control seals, warranty seals of international organizations which require that their signs must not be used, except where such seals are registered as certification marks by those organizations; 5. Signs liable to mislead, confuse or deceive consumers as to the origin, functional parameters, intended purposes, quality, value or other characteristics of the goods or services.
<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]	a) Mandatory?
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:	A mark specimen must be clearly presented with the dimensions of each element of the mark ranging between 8 mm and 80 mm, and the entire mark must be presented within a mark model of 80 mm x 80 mm in size in the written declaration.
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	The mark specimen must be accompanied with a photo or drawing showing the three-dimensional disposition and may be accompanied with a descriptive specimen in the projection form.
i. Product packaging	Yes
Please, specify how it must be represented:	The mark specimen must be accompanied with a photo or drawing showing the three-dimensional disposition and may be accompanied with a descriptive specimen in the projection form.
ii. Product shape	Yes
Please, specify how it must be represented:	The mark specimen must be accompanied with a photo or drawing showing the three-dimensional disposition and may be accompanied with a descriptive specimen in the projection form.
e) Color marks	No
Please, specify how they must be represented	
i. A single color	
Please, specify how it must be represented:	
ii. A combination of colors	
Please, specify how it must be represented:	
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)	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	Yes

more digital still images?	
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	No
b) each image may be in a separate file	Yes
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?	No
15. Is the electronic representation of the mark available to the public?	
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	
b) a digital recording of sound only	
c) a digital recording of moving images without sound	
d) a digital recording of moving images and sound	