

MEMORANDUM-CIRCULAR BT Y2k-9-05 Registration of Internet Domain Names (IDN) As Service Marks

TO : **ALL CONCERNED**
Trademark Duty Officers
All Others Concerned

FROM : **LENY B. RAZ**
Assistant Director
OIC, Bureau of Trademarks

DATE : **28 September 2000**

Pursuant to Rule 605 of the Trademark Regulations, as amended by Office Order No. 08, Series of 2000 and as further amended by Officer Order No. 39, Series of 2000 to include thereof Internet Domain Names (Service Marks) as one of those marks that may be afforded priority examination, the following guidelines are hereby issued:

A. The Application

1. The application must clearly indicate the IDN being sought for registration as servicemark.

2. The application shall specify the services covered using the following as guide:

*Class 35 - Advertising; Business management; Business administration;
Office functions*

*Class 36 - Insurance; Financial Affairs; Monetary Affairs;
Real Estate affairs*

Class 37 - Building construction; Repair, Installation Services

Class 38 - Telecommunications

*Class 39 - Transport; Packaging and Storage of goods; Travel
arrangement*

Class 40 - Treatment of materials

*Class 41 - Education; Providing of training; Entertainment; Sporting
and Cultural Activities*

*Class 42 - Providing of food and drink; Temporary Accommodation;
Medical, hygienic and beauty care; Veterinary and
Agricultural services; Legal services; Scientific and industrial
research; Computer programming; Services that cannot be
placed in other classes.*

3. Item No. "7. Class/es, if known" of the resent standard BOT application form for mark registration must be clearly filled up with the appropriate Class Number of the services indicated therein.

B. Priority Examination

1. Applicants who wish to avail of priority examination shall so indicate in a petition under oath for priority examination to be attached to the accomplished standard application form and pay the corresponding fee (P4,000 for Big Entity; P2,000 for Small Entity plus 1% legal research fund thereof) as provided in Ref. Code 504, Section 5.0 of IRR of IPO Fee Structure (IIFS) dated June 8, 2000.

2. Applications filed prior to the issuance of Office Order No. 39 may be accorded the privilege of priority examination upon compliance of the applicant with the following:

(a) Petition for priority examination, under oath

(b) The aforesaid petition clearly bear the following data: (a) applicant's name (b) the exact IDN sought to be registered as service mark; (c) the application's filing date; and (d) the application number;

(c) At least a xerox copy of the applicant's file copy of his/its application.

(d) Payment of fee

C. Code Number of IDN Applications

1. As previously mentioned in the August 28, 2000 Memorandum of the Director General regarding "FILING SYSTEM", number 20 had been assigned as the code number for internet domain name - service mark applications. Example: 20-2000-43245. This means, an IDN-service mark application filed in the year 2000 with the assigned serial number 43245.

2. Trademark duty officer, upon satisfying himself/herself that a particular application is one for an IDN-SERVICEMARK, is hereby instructed to clearly impress upon the subject application the IDN rubber stamp marking.

FOR IMMEDIATE COMPLIANCE.

(Sgd.) **LENY B. RAZ**
Assistant Director
OIC, Bureau of Trademarks

Approved:

(Sgd.) **EMMA C. FRANCISCO**
Director General