



20 December 2012

Office Order No. 13-008
Series of 2012

Subject: Guidelines on the Title and Description of the Mark

To ensure higher quality search results and following best practices, the following guidelines for the title and description of the mark are adopted:

1. If the mark consists of words or letters only, such words or letters shall constitute as title of the mark. The title may include the slogan, title, or catch phrase. Marks consisting purely of numbers shall be treated as word marks.
2. If the mark consists of a combination of words, numbers, and oriental characters, only the words or numbers shall be included in the title of the mark. The oriental characters shall not form part of the title of the mark.
3. In case of a label mark, only the dominant word/s or letter/s shall be used as title of the mark. If the label has a brand name, this shall be indicated as the title of the mark. The title shall also include the slogan, tagline, or catch phrase that is part of the label mark.
4. For a figurative mark without any word or letter component, the title should be left blank.
5. If the mark consists purely of oriental or non-Latin characters, the title shall be left blank. However, the translation or transliteration of the mark shall be required in the application.
6. In case of a container mark, the title should also be left blank. If the container has a word or letter or number component that is capable of exclusive appropriation, the mark will be treated as a combination mark and the textual elements included in the title of the mark.
7. If the mark consists purely of a figurative design or device and oriental or non-Latin characters, the title of the mark should be left blank. The translation or transliteration of the oriental or non-Latin characters shall be required.
8. In case the description submitted does not tally with the mark as represented in the application, the Examiner-in-Charge shall correct the description if the deviation is substantial. The applicant shall be informed of the correction made in the first office action, should one be issued by the Examiner concerning the registrability of the mark. No office action shall be issued solely on the description of the mark. The Examiner's description of the mark shall prevail.
9. The following terms shall not be included as part of the title of the mark nor shall they be used as title of marks:

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- Artistic Representation
- Caricature
- Cartoon Character
- Chinese character/s

- Design
- Device
- Device mark
- Drawing
- Emblem
- Label
- Label mark
- Logo
- Marks in a series
- Miscellaneous design
- Oriental character/s
- Representation
- Seal
- Stylized Representation
- Other analogous terms


10. In the event that the application consists of a title that is not part of the figurative mark, the title shall be deleted by the Examiner designated to assign Vienna codes.

These guidelines shall apply to all pending applications at the time of the issuance of this Office Order. The Examiners-in-charge of pending applications shall make the necessary correction in the titles of marks prior to the issuance of the first office action or recommendation for allowance.

These guidelines shall likewise be applied to all renewals that are pending and trademark registrations that will be renewed.

This Office Order shall take effect immediately.

20 December 2012; Taguig City, Philippines.


RICARDO R. BLANCAFLOR
Director General

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