

TRADE MARKS JOURNAL SINGAPORE

PATENTS



DESIGNS

PLANT VARIETIES

TRADE MARKS JOURNAL

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Information Contained in This Journal

The Registry of Trade Marks does not guarantee the accuracy of its publications, data records or advice nor accept any responsibility for errors or omissions or their consequences. Permission to reproduce extracts from this Journal must be obtained from the Registrar of Trade Marks.

GENERAL INFORMATION

Trade Marks Journal

This Journal is published by the Registry of Trade Marks pursuant to rule 86A of the Trade Marks Rules.

Request for past issues of the journal published more than three months ago may be made in writing and is chargeable at \$12 per issue. It will be reproduced in CD-ROM format and to be collected at the following address:

Registry of Trade Marks
Intellectual Property Office of Singapore
51 Bras Basah Road #01-01
Manulife Centre
Singapore 189 554

This Journal is published weekly on Friday and on other days when necessary, upon giving notice by way of practice circulars found on our website.

Official working hours of the Registry

The official working hours of the Registry are as follows:

Monday to Friday : 0830 hours to 1730 hours
Saturday, Sunday and Public Holidays : Closed

Payment at the counter should be made during the following time period:

Monday to Friday : 0830 hours to 1700 hours

Enquiries

For enquiries relating to trade marks, please contact the Registry at the following telephone number:

6339-8616

Information on trade marks is available at the Registry's web site at:

<http://www.ipos.gov.sg>

Making Payment

IPOS accepts:

1. Payment by cheque (crossed), money order and bank draft (in Singapore Dollars and drawn on banks operating in Singapore). These should be addressed to the **Intellectual Property Office of Singapore**.
2. Payment by cash, NETS, GIRO, CashCard, eNets Debit (Internet Banking), eNets Credit (Credit Card).

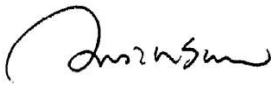
More information on the above payment modes is available at the Registry's web site, <http://www.ipos.gov.sg>

**IN THE REGISTRY OF TRADE MARKS,
INTELLECTUAL PROPERTY OFFICE OF SINGAPORE
PRACTICE DIRECTION NO. 1 OF 2014
EXCLUDED DAY**

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the day which is to be treated as excluded day:

(a) 30 January 2014 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 8th day of January 2014.



TAN YIH SAN
REGISTRAR
REGISTRY OF TRADEMARKS

**IN THE REGISTRY OF TRADEMARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE
PRACTICE DIRECTION NO. 1 OF 2013**

ALTERNATIVES TO ONLINE FILING DURING SERVICE DISRUPTION

This practice direction is issued by the Registrar to provide alternatives to online filing of form and/or document when a service disruption occurs.

This practice direction will come into effect on 1st May 2013.

- (1) In the event that the electronic online service (EOS) is unavailable for extended periods (for example, due to system downtime), a notice will be placed on the IPOS' website with the title "Alternatives Available for Filing of Form and/or Document".
- (2) On the broadcast of such a notice on IPOS' website, online payment fees will apply to forms submitted over the counter prior to 5 pm on that day if notification has been made to IPOS by contacting IPOS System Administrator at 6339 8616.

Dated this day 16th day of April 2013.



TAN YIH SAN
REGISTRAR
REGISTRY OF TRADEMARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE
PRACTICE DIRECTION NO. 2 OF 2013
EXCLUDED DAYS**

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

(a) 24 December 2013 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date; and

(b) 31 December 2013 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 5th day of December 2013.



CHIAM LU LIN
ACTING REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY
OFFICE OF
SINGAPORE
PRACTICE DIRECTION NO. 1 OF 2012
EXCLUDED DAYS**

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

- (a) 24 December 2012 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date; and
- (b) 31 December 2012 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 21th day of December 2012.



TAN YIH SAN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY
OFFICE OF
SINGAPORE**

**PRACTICE DIRECTION NO. 1 OF 2009
HOURS OF BUSINESS AND EXCLUDED DAYS**

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the hours of business of the Registry and the days which are to be treated as excluded days:

This Practice Direction will come into effect on 1st day of June, 2009.

A. Hours Of Business

Subject to rules 79(4) and 79(6A) of the Trade Marks Rules, the hours of business of the Registry shall be 8.30 am to 5.30 pm from Monday to Friday, except on a day which is an excluded day.

B. Excluded Days

- (1) All Sundays, public holidays and such other days as the Registrar may specify, shall be excluded days for all purposes under the Act and the Rules.
- (2) All Saturdays shall be excluded days for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 14th day of May, 2009



**LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS**

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 1 OF 2008

EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

- (a) 26th December 2008 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date; and
- (b) 2nd January 2009 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 25th day of April 2008.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 1 OF 2007

EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

- (a) 24th December 2007 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date; and
- (b) 31st December 2007 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 14th day of December 2007.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 1 OF 2006

EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

28th January 2006 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 17th day of January 2006.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 2 OF 2006

EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

23rd October 2006 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 16th day of October 2006.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 3 OF 2006

HOURS OF BUSINESS AND EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the hours of business of the Registry and the days which are to be treated as excluded days.

This Practice Direction will come into effect on 15 December 2006.

A. Hours Of Business

Subject to rules 79(4) and 79(6A) of the Trade Marks Rules, the hours of business of the Registry shall be as follows:

- (a) 8.30 am to 12.30 pm and 1.30 pm to 5.30 pm from Monday to Friday, except on a day which is an excluded day; and
- (b) 8.30 a.m. to 1.00 p.m. on any Saturday which is not an excluded day.

B. Excluded Days

- (1) All Sundays, public holidays and such other days as the Registrar may specify, shall be excluded days for all purposes under the Act and the Rules.
- (2) Subject to B(1), all Saturdays shall be excluded days for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 15th day of November 2006.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 1 OF 2005

EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the days which are to be treated as excluded days:

- (a) 24th December 2005 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date; and
- (b) 31st December 2005 is an excluded day for any business under the Trade Marks Act and Rules, where the time for doing the business expires on that date and where the business was not done by that date.

Dated this 19th day of December 2005.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 2 OF 2005

REGISTRATION AS ACCOUNT HOLDER TO E-FILE AND PAY BY GIRO

This Practice Direction is issued by the Registrar under Rule 78B(1) of the Trade Marks Rules, to specify the procedure for applying to the Registrar to be registered as an account holder.

This Practice Direction will come into effect on 1 January 2006.

Any person who wishes to use eTrademarks to effect a transaction and make payment by GIRO must register with the Intellectual Property Office of Singapore (IPOS) as an Account Holder. Approval is at the sole discretion of IPOS. Upon approval, an eTrademarks account will be created in the name of the person and the person will receive a User ID and Password.

To register, access IPOS address at <http://www.ipos.gov.sg> and [download the eTrademarks Account Holder Registration Form](#).

The person may appoint an Administrator to administer and manage his eTrademarks Account through the eTrademarks "[Maintenance of Authorised Representatives](#)" service.

The responsibilities of the Administrator are as follows:

- appointment of one or more Representatives to access eTrademarks and make payment by GIRO on behalf of the Account Holder;
- updating of the particulars of the Representatives; and
- removal of any Representative's rights to access eTrademarks and make payment by GIRO on behalf of the Account Holder.

These responsibilities are to be conducted through the eTrademarks "Maintenance of Authorised Representatives" service.

Please note that all Authorized Representatives must be CPF account holders with SingPass. The Authorized Representatives are required to sign in using their SingPass to ensure security for GIRO deductions for the online transactions. If the person does not have a GIRO account with IPOS, please complete the [GIRO Application Form](#) and submit it to IPOS.

The completed eTrademarks Account Holder Registration Form and GIRO Application Form should be mailed or couriered to the Intellectual Property Office of Singapore with the address 51 Bras Basah Road #04-01 Plaza By The Park Singapore 189554 and attentioned to Mrs Ang-Ong Bee Lian. Fax submissions are not acceptable.

Dated this 30th day of December 2005.



LIEW WOON YIN
REGISTRAR
REGISTRY OF TRADE MARKS

**IN THE REGISTRY OF TRADE MARKS, INTELLECTUAL PROPERTY OFFICE OF
SINGAPORE**

PRACTICE DIRECTION NO. 2 OF 2004

HOURS OF BUSINESS AND EXCLUDED DAYS

This Practice Direction is issued by the Registrar under Section 78 of the Trade Marks Act, to specify the hours of business of the Registry and the days which are to be treated as excluded days.

This Practice Direction will come into effect on 1 July 2004.

Hours Of Business

- (1) The hours of business of the Registry shall be as follows:
 - (b) 8.30 am to 12.30 pm and 1.30 pm to 5.30 pm from Monday to Friday, except on a day which is an excluded day; and
 - (b) 8.30 a.m. to 1.00 p.m. on any Saturday which is not an excluded day.
- (2) Notwithstanding paragraph (1), for the purposes of carrying out of any transaction referred to in rule 78A(2) by means of the electronic online system, the Registry shall be taken to be open every day at all hours, except on any day which is an excluded day for the purposes of carrying out of transactions by means of the electronic online system.

Excluded Days

- (1) All Sundays, public holidays and such other days as the Registrar may specify, shall be excluded days for all purposes under the Act and the Rules.

Dated this 1st day of July 2004.



CHIAM LU LIN
ACTING REGISTRAR
REGISTRY OF TRADE MARKS

NOTICES AND INFORMATION PERTAINING TO TRADE MARK APPLICATION AND REGISTRATION PROCEDURES

A) GENERAL

Pre-2004 Circulars

Amendment to Specification

Presently, whenever the Registrar raises an objection to the specification of goods or services, the agent representing the applicant would write to the Registrar with a proposed amendment to the specification. Only if the Registrar agrees to the proposed amendment will the agent file Form TM 27 to effect the amendment. The processing of such letters by the Registrar slows down the registration process considerably.

To shorten the registration process, agents should file Form TM 27 to effect the amendment straightaway instead of writing to the Registrar for her confirmation. If agents are relying on precedents in support of the amendment, they should enclose such precedents with the Form TM 27.

Certificates of Registration

The Trade Marks Act 1998 was revised on 30 December 1999 and accorded the same chapter number as the repealed Trade Marks Act, that is, chapter 332. To facilitate the Registry's operations, for both applications made under the repealed Trade Marks Act and applications made under the Trade Marks Act 1998 which have been accepted for registration and are not subject to opposition proceedings, the Registrar will issue certificates of registration which are headed:

SINGAPORE
TRADE MARKS ACT
(CHAPTER 332)
CERTIFICATE ISSUED UNDER SECTION 15(5)

Description of Device on Form TM 4

The purpose of the description of device on Form TM 4 is to assist the Registrar in conducting a search for conflicting marks. The description need not be too detailed; a general description is sufficient.

Disclaimers of Chinese Characters and Foreign Characters

A disclaimer relating to Chinese characters is published in the Journal as follows:

Registration of this mark shall give no right to the exclusive use of the Chinese character(s) of which the hanyu pinyin is "_____".

For characters other than Chinese characters (for example, Japanese characters), the disclaimer reads:

Registration of this mark shall give no right to the exclusive use of the _____ character(s) of which the transliteration is "_____".

Examination Practice With Respect to Colours in Marks

To avoid any confusion, this notice documents the Registrar's practice in relation to the examination of :

- (i) trade marks consisting solely of colours; and
- (ii) trade marks consisting of colours as a component or as an element in combination with other elements or components.

Such examination practice has been effected by the Registrar in relation to both national applications and international registrations designating Singapore.

(i) Trade Marks Consisting Solely of Colours

Where the trade mark consists solely of colours, the Registrar will need to be satisfied that the colours per se are capable of distinguishing the applicant's goods or services from those dealt with by others. As it will be necessary to determine the precise scope of such a claim, it will be necessary for the applicant to provide a description of the claim in the application form. For the purpose of an illustration, if the trade mark sought for registration is the colour "neon pink" and the colour is applied to the packaging of the goods, an appropriate description would be: "The trade mark is the colour neon pink as applied to an aspect of packaging of the goods as claimed as shown in the representation of the mark on the application form". Such a description will enable the Registrar to examine the mark as filed.

(ii) Trade Marks Consisting of Colours As a Component of the Mark

Where the trade mark consists of colours in combination with other elements such as a letter, word, name, signature, numeral, device, brand, heading, label, ticket, shape, aspect of packaging, the trade mark will be examined as a whole. If the trade mark as a whole is capable of distinguishing the applicant's goods or services from those dealt with by others, the trade mark will be registered as filed, that is, in the colours as filed. The Registrar does not require a colour limitation in such a case. The Registrar will also not seek to clarify whether the colour(s) as an element of the mark constitute a distinctive feature of the mark or not as the mark will be examined as a whole and registration rights will be conferred on the mark as a whole.

Mark Numbers Preceded by the Letter "L"

Search reports obtained from the Registry and examination letters issued by the Registrar may contain references to marks with numbers preceded by the letter "L" instead of the letter "T". These are marks which have been recorded with the Registrar for purposes of rule 13. The prefix "T" refers to marks which are the subject matter of trade mark applications or registrations.

(Multiple Classes, this circular was removed on 3 July 2009)

Representation of Marks

Marks published in the Journal and reflected on the certificates of registration appear exactly as represented on the application forms. Applicants and agents are reminded to provide clear representations of marks on the application forms. The marks should also be of reasonably large size (but not larger than A4) to ensure that all the features are clearly shown.

Series Clause

For applications for registration published in the Gazette on or after 15 January 1999 for opposition purposes, the series clause should read as follows:

"Application for a series of _____ (number) marks."

Service of Documents in Opposition, Revocation, Invalidation and Rectification Proceedings

When filing notices of opposition, counter-statements and applications for revocation, invalidation or rectification with the Registrar, a copy of the same must be served on the relevant party or parties concerned. Please refer to Rules 29, 30, 31, 32, 56, 57, 58, 65, 66 and 66A of the Trade Marks Rules as amended by the Trade Marks (Amendment) Rules 2000.

The requirement of service of evidence on the relevant party or parties concerned remains unchanged. Please refer to Rules 32, 33, 34, 56, 59 and 66A.

It would be greatly appreciated if trade marks agents filing the aforesaid documents with the Registrar could indicate in their covering letters that they have served the necessary on the relevant party or parties concerned in compliance with the Rules.

Validity of Priority Claims

Under Section 10 of the Trade Marks Act 1999, a person may claim a right of priority for the registration of a trade mark from the date on which a corresponding application was filed in a "Convention country" ("Convention application") if the application for the registration of the trade mark is filed within 6 months after the date on which the Convention application is made. A "Convention country" refers to a country or territory, other than Singapore, which is a party to the Paris Convention or a member of the World Trade Organisation. For the purpose of assessing the validity of a priority claim, IPOS will assess whether the "Convention application" was filed in a relevant country which has already become a Convention country as at the date of the filing of the Convention application in the Convention country.

For example,

Trademark application filed in country A on 3 Oct 2001.

Country A became a member of the Paris Convention or WTO on 2 Jan 2002.

Trademark application filed in SG = 3 Feb 2002 (claims priority of earlier application in country A).

Question: Is the claim to priority (application filed in country A) in the Singapore application valid?

Answer: No

2004 Circulars

(Application to Register a Change in Ownership (TM 22), Circular No. 13/2004, dated 18 June 2004. This circular is replaced by Circular No. 3/2008, dated 1 February 2008)

(Application to Register a Licensee (TM 37), Circular No. 13/2004, dated 18 June 2004. This circular is replaced by Circular No. 24/2007, dated 29 June 2007)

(Marks published for opposition purposes, Circular No. 16/2004, dated 2 July 2004. This circular is replaced by Circular No. 8/2009, dated 3 July 2009).

Applications for registration of sound marks (Circular No. 25/2004, dated 17 December 2004)

To assist the Registrar in the examination of applications for registration of sound marks, the Registrar may request the applicant to submit 2 copies of a CD-ROM recording of the sound mark sought for registration.

2005 Circulars

(Translation of Non-English words, Circular No. 4/2005, dated 30 March 2005. This circular is replaced by Circular No. 17/2007, dated 7 May 2007)

Amendment of Typographical Errors in Class Numbers in Form TM 4 (Circular No. 21/2005, dated 21 October 2005)

An amendment of the class number in Form TM 4 may be amended by lodging Form TM 27 with fee for each amended class of goods / services, but only if

- (i) a re-search in the new amended class revealed no prior conflicting marks;
- (ii) all of the items in the specification did not fall under the class as filed but in one other class; and
- (iii) that mistake was obvious to a third party inspecting the Register.

Three examples have been provided for illustrative purposes.

Example 1:

An application was filed in Class 5 in respect of "clothing, hats and shoes". An amendment of the class number from "5" to "25" would be allowed.

Example 2:

An application was filed in Class 5 in respect of "all goods in this class". An amendment of the class number from "5" to "25" would not be allowed because it would not be obvious to a third party inspecting the Register that the correct class intended to be claimed was Class 25 and not Class 5. It was possible that the applicant intended to claim all goods in Class 5.

Example 3:

An application was filed in Class 5 in respect of "clothing, hats and pesticides". An amendment of the class number from "5" to "25" would not be allowed, even with the deletion of the item, "pesticides" because it would not be obvious to a third party inspecting the Register that the correct class intended to be claimed was Class 25 and not Class 5. Since "pesticides" was correctly claimed in Class 5, it was possible that the applicant intended to claim "pesticides" in Class 5 but had incorrectly classified "clothing and hats" in Class 5 as well. It would be necessary for the applicant to file a fresh application in Class 25 in respect of "clothing and hats".

Trade Marks Act (Chapter 332) (2005 Revised Edition) (Circular No. 24/2005, dated 16 December 2005)

Pursuant to Order Under Section 11(3) of the Revised Edition of the Laws Act (Chapter 275) [S 467/2005], the Trade Marks Act (2005 Revised Edition) came into operation on 31 July 2005.

The following provisions in the 1999 Revised Edition of the Trade Marks Act have been renumbered by the Law Revision Commissioners in the 2005 Revised Edition:

1999 Ed.	2005 Ed.
8—(1) to (3)	8—(1) to (3)
(3A)	(4)
(3B)	(5)
(3C)	(6)
(4)	(7)
(5)	(8)
(6)	(9)
(6A)	(10)
(7)	(11)
10—(1) to (6)	10—(1) to (6)
(6A)	(7)
(7)	(8)
(8)	(9)
15—(1) and (2)	15—(1) and (2)
(3) <i>(Deleted by Act 20/2004)</i>	—
(4) <i>(Deleted by Act 20/2004)</i>	—
(5)	(3)
19—(1), (2) and (3)	19—(1), (2) and (3)
(3A)	(4)
(3B)	(5)
(4)	(6)
(5)	(7)
(6)	(8)
22—(1) to (4)	22—(1) to (4)
(5) <i>(Deleted by Act 28/2000)</i>	—
(6)	(5)
(7)	(6)
(8)	(7)

23—(1) to (6)

(6A)

(6B)

(7)

(8)

23—(1) to (6)

(7)

(8)

(9)

(10)

34—(1) and (2)

(2A)

(3)

(4)

(5)

(6)

(7)

34—(1) and (6)

(3)

(4)

(5)

(6)

(7)

(8)

39—(1) to (4)

(4A)

(5)

(6)

39—(1) to (4)

(5)

(6)

(7)

42—(1) to (5)

(5A)

(5B)

(6)

42—(1) to (5)

(6)

(7)

(8)

45—(1) to (5)(6) (*Deleted by Act 20/2004*)

(7)

(8)

(9)

(10)

(11)

45—(1) to (5)

—

(6)

(7)

(8)

(9)

(10)

Statutes (Miscellaneous Amendments) (No. 2) Act 2005 (Act No. 42 of 2005) (Circular No. 25/2005, dated 23 December 2005)

Section 21 of the Statutes (Miscellaneous Amendments) (No. 2) Act 2005 which amends the Trade Marks Act will come into operation on 1 January 2006.

A summary of some of the amendments to the Trade Marks Act (Cap. 332, 2005 Ed.) are:

(a) Convention country

The definition of "Convention country" in section 2(1) is amended to provide that except in section 10 and paragraph 13 of the Third Schedule (claiming priority) "Convention country" includes Singapore.

(b) Examination of application for registration

An application for registration will be treated as withdrawn if the applicant fails to respond to the Registrar's queries or objections regarding the registrability of the trade mark within the period specified by the Registrar for doing so.

The Rules, which are being amended to come into operation on 1 January 2006, will deal with restoration of applications which are treated as withdrawn and the conditions for such restoration.

(c) Collective marks

An application for registration of a collective mark will be treated as withdrawn if the applicant fails to file the regulations governing the use of the mark, pay the prescribed fee for lodging the regulations, or respond to the Registrar's queries or objections regarding the registrability of the trade mark, within the period specified by the Registrar for doing so.

The Rules, which are being amended to come into operation on 1 January 2006, will deal with restoration of applications which are treated as withdrawn and the conditions for such restoration.

(d) Certification marks

An application for registration of a certification mark will be treated as withdrawn if the applicant fails to file the regulations governing the use of the mark, pay the prescribed fee for lodging the regulations, or respond to the Registrar's queries or objections regarding the registrability of the trade mark, within the period specified by the Registrar for doing so.

The Rules, which are being amended to come into operation on 1 January 2006, will deal with restoration of applications which are treated as withdrawn and the conditions for such restoration.

Trade Marks (Amendment) Rules 2005 Notification (Circular No. 27/2005, dated 30 December 2005)

Trade Marks (International Registration) (Amendment) Rules 2005 Notification (Circular No. 27/2005, dated 30 December 2005)

The above Notifications were gazetted on 28 December 2005 and it declared that the Trade Marks (Amendment) Rules 2005 and Trade Marks (International Registration) (Amendment) Rules 2005 would come into operation on 1 January 2006.

Trade Marks (Amendment) Rules 2005

The following is a summary of some of the amendments in Trade Marks (Amendment) Rules 2005 which will come into force on 1 January 2006:

(a) Rule 7 : Service of documents

Non-fee bearing documents (except documents pertaining to hearings) may be sent to the Registry by facsimile transmission. However, each facsimile transmitted document must be legible and the responsibility for ensuring legibility rests with the sender.

(b) Rule 9 : Address for service

An address for service indicated on Form TM 19 and Form TM 24 is effective only for renewal matters and does not become the proprietor's address for service for all other matters pertaining to that trade mark.

(c) Rule 21 : Deficiencies in application

The amendment clarifies the actions that will be taken by the Registry if minimum filing requirements are not met.

(d) Rules 32, 33, 34 : Extension of time to file evidence by way of a statutory declaration in opposition/revocation/invalidation/rectification proceedings

The second and subsequent requests for extension of time to file evidence by way of a statutory declaration in opposition/revocation/invalidation/rectification proceedings have to be made on Form TM 50, for which a fee will be imposed.

(e) Rule 50 : Notice of renewal

The Registrar's notice to the proprietor informing him of the date of expiry of the trade mark registration will be sent to the proprietor's address for service for renewal purposes, that is, the address for service indicated on Form TM 19 or Form TM 24, if one has been lodged, or if none, to the proprietor's address for service.

(f) Rule 77B : Restoration of applications treated as withdrawn

Applications which are treated as withdrawn under the Act or Rules by reason that the applicant has failed to do any act on time may be restored by filing Form TM 40 with fee within three months from the date of the Registrar's notice informing the applicant of that fact.

(g) Removal of Forms TM 9, TM 14, TM 15 and TM 16

Forms TM 9, TM 14, TM 15 and TM 16 have been removed and Forms TM 4, TM 11, TM 12 and TM 13 respectively will be used in their place.

Trade Marks (International Registration) (Amendment) Rules 2005

The following is a summary of some of the amendments in the Trade Marks (International Registration) (Amendment) Rules 2005 which will come into force on 1 January 2006:

(a) Rule 5 : Specification of Goods/Services

The amendment clarifies that the Registrar is entitled to raise an objection against vague terms in the specification of goods / services of an International Registration designating Singapore.

(b) Rule 28 : Notification to International Bureau

The amendment clarifies that in relation to an international application, the Registry will notify the International Bureau where the basic application is treated as withdrawn and is not restored in accordance with the Trade Marks Rules.

Amendment of Trade Mark Forms

Some trade mark forms have been revised and the revised forms are to be used from 1 January 2006. A separate edition of the Trade Marks Journal containing a consolidation of forms to be used in proceedings before the Registrar will be available online at www.ipos.gov.sg from 30 December 2005.

The changes made to the forms are as follows:

- (a) All forms have been amended to incorporate information on the estimated time needed to complete the form.
- (b) Amendments have also been made to Forms TM 1, TM 4, TM 11, TM 12, TM 13, TM 19, TM 22, TM 24, TM 37 and MP 1.
- (c) Form TM 4, TM 11, TM 12 and TM 13 will now be used in place of Forms TM 9, TM 14, TM 15 and TM 16 respectively.
- (d) The Trade Marks (Amendment) Rules 2005 also introduce:
 - I. Form TM 40 for restoration of an application treated as withdrawn. The fee for this form is \$130; and
 - II Form TM 50 for second and subsequent requests for extension of time to file evidence by way of a statutory declaration in opposition/revocation/invalidation proceedings. The fee for this form is \$100 in respect of each trade mark.

2006 Circular**The State of Incorporation** (Circular No. 30/2006, dated 27 October 2006)

Please note with respect to companies incorporated in the United States of America, the state of incorporation must be indicated on all trade marks forms. This is because companies incorporated in different states of America are separate and distinct legal entities.

If the state of incorporation of a United States of America company is not indicated on Form TM 4, a Form TM 26 will be required for the insertion of the state of incorporation.

2007 Circulars

Trade Marks (Amendment) Act 2007 (Act No. 3/2007) (Circular No. 7/2007, dated 14 February 2007)

The Trade Marks (Amendment) Act 2007 has been passed by Parliament on 22 January 2007 and has received Presidential assent on 1 February 2007.

Some of the key amendments include:**Provision for multiple class registration**

Registration for trademarks is presently based on single classes. The amendments will now allow for a multi-class registration. A multi-class registration allows for one single application in multiple classes of goods and services to lead to one registration. Upon registration, the registration is maintained as one, resulting in the need to renew only once for the renewal to be effective for all the classes of goods and services registered.

Division of an application for registration

To complement a multiple-class system, it is now possible to divide a trademark application into two or more applications. A trademark applicant may divide up his application into two or more applications so that those classes of goods or services that do not face opposition or objection can proceed to registration first. Division will therefore expedite trademark registration where appropriate.

Relief Measures for Procedural Oversight

The Act also provides for relief measures to alleviate procedural mistakes by trademark applicants, notably missed time limits. The relief measures provide the avenue for a trademark applicant to maintain the rights in an application that has been filed, even when time limits have been missed.

Registration of Licence of Pending Trademarks

The amendments will now allow for registration of licences relating to pending trademarks. Prior to the amendments, only licences relating to registered trademarks can be recorded on the register.

The Trade Marks (Amendment) Act 2007 will come into operation on a date to be notified.

A copy of the Trade Marks (Amendment) Act 2007 can be purchased at SNP Corporation Ltd (www.snpcorp.com/webshop/).

Cautionary Notice on Unsolicited Mail about Unofficial Registration Services (Circular No. 13/2007, dated 11 April 2007)

It has been brought to our attention that trade mark proprietors and/or agents whose trade marks have been published in recent IPOS Trade Marks eJournals are receiving letters from companies for payments for unofficial registration services.

These companies use names, abbreviations or emblems that appear to be “official” and send out letters which resemble invoices to trade mark proprietors and/or agents with details of the proprietor, the trade mark, class(es) of goods or services, etc. These companies will offer to register marks in registers or publications for a fee, and in return, claim they will send the respondent a copy of the publication.

Please treat such letters as unsolicited mails. These companies are neither related to nor connected with IPOS. There is no obligation to pay for such services as they are not official services.

The only office constituted under Singapore laws that provides registration services for trade marks in Singapore is our office, the Intellectual Property Office of Singapore (IPOS).

Upon receiving such letter or invoice, if you are in any doubt, please consult your trade mark agent, your lawyer, or email us for clarification.

Amendments to the Trade Marks Act, the Trade Marks Rules and the Trade Marks (International Registration) Rules (Circular No. 17/2007, dated 7 May 2007)

The Trade Marks (Amendment) Act 2007, the Trade Marks (Amendment) Rules 2007 and the Trade Marks (International Registration) (Amendment) Rules 2007 have been gazetted and will come into force on 2 July 2007.

The (Amendment) Act and (Amendment) Rules can be purchased at SNP Corporation Ltd (www.snpcorp.com/webshop/).

Trade Marks (Amendment) Rules 2007

The following is a summary of some of the amendments in Trade Marks (Amendment) Rules 2007:

(a) Rule 17 : Division of applications for registration

An application for registration may be divided, at the request of the applicant, into 2 or more separate applications for registration. The request for division is to be made on Form TM 8 and a fee of \$280 is chargeable for each new divisional application created.

(b) Rule 22 : Amendment of application

Form TM 27 (Request to change the details of an application for registration) will no longer be used. In its place are Forms TM 27A and TM 27B. Form TM 27A is chargeable on a per class basis while Form TM 27B is chargeable on a per trade mark basis.

Form TM 27A is to be used for amendments pertaining to the class number, the specification of goods or services to which the application for registration relates, or the particulars of any claim to a right of priority included in the application for registration.

Form TM 27B is to be used for any other amendment not involving the above.

(c) Rule 56 : Application to alter registered trade mark

The proprietor of a registered trade mark may apply to the Registrar on Form TM 27B for alteration of the registered mark. Form TM 35, the form which is currently used, will no longer be used as from 2 July 2007.

(d) Rule 57 : Rectification of an error or omission in the register

An application to the Registrar for the rectification of an error or omission in the register may be made by the proprietor of a registered trade mark or by any other person.

Where the application is made by the proprietor of a registered trade mark, the amendment shall be made on –

- (a) Form TM 27A, where the amendment pertains to the class number, the specification of goods or services to which the registration relates, or the particulars of any claim to a right of priority;
- (b) Form TM 27B, for any other amendment not involving the above.

Where the application for rectification is made by any other person, the application shall be made on Form TM 28.

(f) Rule 77B : Reinstatement of application, right or thing

Subject to certain exceptions, an applicant, proprietor or other interested person who has missed a time limit for action before the Registry, may apply on Form TM 40 to have his rights reinstated, if:

- 1) the request for reinstatement is made within 6 months from the date of expiration of the time limit;
- 2) the omitted act is completed together with the request; and
- 3) the failure to comply with the time limit is unintentional.

Trade Marks (International Registration) (Amendment) Rules 2005

The Trade Marks (International Registration) (Amendment) Rules 2007 has been amended to make it clear that division does not apply to international registrations designating Singapore.

Amendment of Trade Mark Forms

Some trade mark forms have been revised and the revised forms are to be used from 2 July 2007. A separate edition of the Trade Marks Journal containing a consolidation of all Trade Mark forms will be available for sale from 29 June 2007.

The changes made to the forms are as follows:

(a) All forms have been amended to indicate whether the fee for that particular form is payable on a per class, per trade mark or per form basis. The fee structure is as shown in the table below.

Per form basis	Per trade mark basis	Per class basis
TM 26	TM 1	TM 4
MP 3	TM 7	TM 11
	TM 10	TM 12
	TM 20	TM 13
	TM 22	TM 19
	TM 27 B	TM 21
	TM 29	TM 24
	TM 30	TM 27 A
	TM 31	TM 28
	TM 33	TM 32
	TM 34	TM 44
	TM 37	TM 45
	TM 38	TM 50
	TM 39	MP 1
	TM 40	MP 2
	TM 42	
	TM 46	

(b) Where fees are payable on a per class basis, such as renewal forms and opposition forms, the class numbers affected by the request, are to be indicated on the form.

(c) Amendments have been made to all forms, with the exception of Form TM 23.

(d) Forms TM 18 and TM 35 have been removed.

(e) Forms TM 8, TM 27A and TM 27B are new.

Translation of Non-English words (Circular No. 17/2007, dated 7 May 2007)

For purposes of rule 20(2), where the mark consists of non-English words, it is not necessary to file with the Registrar a certified translation by a qualified translator. A copy of relevant extracts from relevant dictionaries showing the meaning of each word and the words as a whole in English will be sufficient. However, it will be necessary to indicate on the application form that the mark consists of non-English word/words. A failure to include such an indication on the application form will have to be rectified by the filing of amendment via Form TM 27 with the requisite fee. The applicant should forward to the Registrar the requisite translation and/or the transliteration together with a copy of relevant extracts from dictionaries or relevant certification as soon as possible.

As regards the indication on the application form, it is necessary to submit an accurate and complete translation and/or transliteration of the non-English words in the mark.

Two examples are provided below as illustration.

Example 1:

An application was filed for the mark consisting of three Chinese Characters which is the phonetic equivalent of the Applicant's company name.

菲立士

The transliteration of the Chinese characters of which the mark consists is "Fei Li Shi" which has no meaning and it is the phonetic equivalent of the Applicant's company name "Philips".

An appropriate indication in the Application form may read as:

9 If the mark contains or consists of word(s) not being English word(s), provide the derivation of the word(s). If it is invented, state so. If it can be translated, fill in Part 10 below.	
The Chinese characters of which the mark consists is derived from the Applicant's company name i.e. it is the phonetic equivalent of "Philips"	
10 If the mark contains or consists of non-English word(s), and/or non-Roman character(s), provide the English translation and/or transliteration as follows:	
Representation of the words(s)/ characters	菲立士
Language of word(s)/character(s)	Chinese
Translation of each word(s)/ character(s) and the word(s)/ character(s) taken together as a whole	Translation of the Chinese characters as a whole: no meaning. It is the phonetic equivalent of the Applicant's company name "Philips".

		(Enclosed dictionary exact/ Certified translation/ supporting document of the same)	
	Transliteration of character(s)	Transliteration of the Chinese characters: "Fei Li Shi".	

Example 2:

An application was filed for the mark consisting of two Chinese Characters and the word "SINGER" (which is part of the Company name).

勝家
SINGER

Company : THE SINGER COMPANY LIMITED

The transliteration of the Chinese characters appearing in the mark is "Sheng Jia" which has no meaning.

An appropriate indication in the application form may read as:

9 If the mark contains or consists of word(s) not being English word(s), provide the derivation of the word(s). If it is invented, state so. If it can be translated, fill in Part 10 below. The Chinese characters "勝家" appearing in the mark is used to denote a brand name of Singer's product.									
10 If the mark contains or consists of non-English word(s), and/or non-Roman character(s), provide the English translation and/or transliteration as follows: <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Representation of the words(s)/ characters</td> <td>勝家</td> </tr> <tr> <td>Language of word(s)/character(s)</td> <td>Chinese</td> </tr> <tr> <td>Translation of each word(s)/ character(s) and the word(s)/ character(s) taken together as a whole</td> <td> Translation of the Characters as a whole: no meaning. (Enclosed dictionary exact/ Certified translation/ supporting document showing meaning of each of the Chinese characters and characters taken as whole) </td> </tr> <tr> <td>Transliteration of character(s)</td> <td>Sheng Jia</td> </tr> </table>		Representation of the words(s)/ characters	勝家	Language of word(s)/character(s)	Chinese	Translation of each word(s)/ character(s) and the word(s)/ character(s) taken together as a whole	Translation of the Characters as a whole: no meaning. (Enclosed dictionary exact/ Certified translation/ supporting document showing meaning of each of the Chinese characters and characters taken as whole)	Transliteration of character(s)	Sheng Jia
Representation of the words(s)/ characters	勝家								
Language of word(s)/character(s)	Chinese								
Translation of each word(s)/ character(s) and the word(s)/ character(s) taken together as a whole	Translation of the Characters as a whole: no meaning. (Enclosed dictionary exact/ Certified translation/ supporting document showing meaning of each of the Chinese characters and characters taken as whole)								
Transliteration of character(s)	Sheng Jia								

Application to Register a Licensee (TM 37) (Circular No. 24/2007, dated 29 June 2007)**(i) Processing Of An Application To Register A Licensee (TM 37)**

An application to register a licence (Form TM 37) filed on or after 2/7/2007, will be processed by the Registry even though the status of the mark is still pending registration. However where the application to register a licence (Form TM 37) was filed before 2/7/2007, it will be processed only after the mark has been registered.

(ii) Licence Commencement Date

The licence commencement date (i.e. the date entered in Part 5 of TM 37) should not predate the date from which the proprietor's rights in the mark accrue. For a trade mark application filed before 1/7/2004, the earliest licence commencement date is the trade mark application date or the priority date, if any. For a trade mark application filed on or after 1/7/2004, the earliest licence commencement date is the trade mark application date.

(iii) Exclusive Licence Periods Do Not Overlap

Where there are 2 exclusive licences or more, the licence periods involving the same goods or services should not overlap.

(iv) Licensed Goods/Services Should Not Be Wider Than Trade Mark Application/Registration

The list of licensed goods or services (Annex of TM 37) should not be wider than those under the trade mark application/registration.

Deficiencies in applications for registration : amendments after filing (Circular No. 28/2007, dated 27 July 2007)

The Registrar has been conducting formalities check on all applications for registration to ensure that they contain all formal requirements under the Trade Marks Act.

Where the application does not comply with the requirements which are essential for a filing date to be accorded, the filing date will not be accorded until all the deficiencies have been rectified. In such cases, the application will be accorded the earliest date on which all essential requirements for filing date are complied with. There is no need for the correction to be accompanied by the relevant amendment form. The essential requirements for filing date are spelt out in section 5(2) and (3) of the Trade Marks Act.

In respect of other deficiencies or irregularities that do not affect the filing date, amendments must be effected through the lodgement of the relevant trade mark forms, such as Form TM 27A, Form TM 27B and Form TM 26.

This practice pertains only to new applications filed with effect from 01 August 2007.

The Geneva Conventions (Amendment) Act (Circular No. 40/2007, dated 5 December 2007)

The Geneva Conventions (Amendment) Act was passed in Parliament on 12 November 2007. Under the Act, the following emblems may not be used in Singapore, unless approval is given by the Ministry of Health:

- Red Cross emblem
- Red Crescent emblem
- Red Crystal emblem
- Red Lion and Sun emblem

			
Red Cross emblem	Red Crescent emblem	Red Lion and Sun emblem	Red Crystal emblem

With the commencement of the Act, the Registrar will object to trade mark applications consisting of or containing these emblems or emblems closely resembling them, under Section 7(5) of the Trade Marks Act, unless consent from the Ministry of Health is furnished. This is so even for applications lodged before the effective date of the Act.

Proprietors of registered trade marks containing or consisting of such emblems, or emblems closely resembling them, should note that in spite of their registration, they have one year from 12 November 2007 to cease using the emblems.

2008 Circulars

Image of e-filed mark (Circular No. 11/2008, dated 4 July 2008)

IPOS has encountered certain electronic trade mark applications which have images of marks that have jagged and blurred edges in our database and the images of the mark will not appear as clear as intended by the applicants in the trade mark journal and certificate of registration. The reason for the blurred image of marks is that applicants attach images of the marks with a lot of background or blank space. To ensure that such images are not too small for viewing purposes, IPOS has to make adjustment to the marks which then result in blurred images.

In order to ensure that the image of mark is accurately captured by IPOS, applicants should crop the mark with little background or blank space and save the image as approximately 480 x 480 pixel. This will remove the need for IPOS to make adjustment to the image in the publication and the registration certificate and the applicant can then obtain clear and accurate image of the mark.

(Translation Clause, Circular No. 12/2008, dated 11 July 2008. This circular was removed on 1 August 2008)

Return of assignment deeds and other registrable transaction documents (Circular No. 14/2008, dated 26 September 2008)

The Registry will stop its practice of returning deeds of assignment and other documents lodged in support of applications for transfer of ownership and recordal of other registrable transactions.

However, should the applicant wish for the return of such documents, he may make his request known at the time of lodgement of the recordal application on a covering letter accompanying the application to that effect. The letter shall provide contact details so that the Registry may make the necessary arrangements for the return of the documents. This practice will affect all applications lodged on or after 1 October 2008.

Launch of e-Communications Portal on 1 December 2008 (Circular No. 17/2008, dated 28 November 2008)**Trade Marks (Amendment) Rules 2008; Trade Marks (International Registration) (Amendment) Rules 2008** (Circular No. 17/2008, dated 28 November 2008)

IPOS will launch the e-Communications Portal on 1 December 2008. The e-Communications Portal is an electronic online system developed by IPOS for the main purpose of facilitating the sending, receipt and exchange of all correspondence, relating to trademark applications and prosecutions, between IPOS and registered account holders. The following firms and companies will be taking part in the pilot scheme that is scheduled for the initial period of 6 months.

DREW AND NAPIER LLC
DONALDSON & BURKINSHAW
ELLA CHEONG SPRUSON & FERGUSON (SINGAPORE) PTE LTD
ALLEN & GLEDHILL LLP
RODYK & DAVIDSON LLP
WONG & LEOW LLC
AMICA LAW LLC
LLOYD WISE
ALBAN TAY MAHTANI & DE SILVA
ONE LEGAL LLC
PATRICK MIRANDAH CO. (S) PTE LTD
HAQ & SELVAM
NAMAZIE & CO
TITO ISAAC & CO LLP
PHILIPS ELECTRONICS SINGAPORE PTE LTD
SAMUEL SEOW LAW CORPORATION

The Trade Marks Rules have been amended to give effect to the sending, receipt and exchange of correspondence via the e-Communications Portal. In particular, the changes in the Rules will:-

- (a) provide for service of documents by the Registrar as well as by applicants by electronic communication through the e-Communications Portal;
- (b) provide for the sending of a true and complete image of the original paper document by electronic communication through the e-Communications Portal for documents that are required to be signed, made on oath or affirmed or are required to be attested;
- (c) provide for the extension of deadlines that fall on excluded days in spite of the availability of the e-Communications Portal;

- (d) treat the date of receipt of documents received by IPOS as the day on which the documents are received by IPOS as long as the time of receipt is before the midnight of the day.

It is to be noted that applicants must still comply with the requirement to provide an address for service under rule 9. The electronic address of these persons, if they are using the eCommunications Portal to send documents to and receive documents from the Registrar, is not intended to be part of their address for service. However, service of documents by electronic communication through the eCommunications Portal is intended to be valid service notwithstanding that there is an address for service filed in accordance with rule 9.

The Trade Marks (International Registration) Rules have also been amended to permit the use of one Form for multiple classes of goods or services for Forms for use in opposition, namely Form TM 11 and Form TM 12.

A copy of the Trade Marks (Amendment) Rules 2008 and the Trade Marks (International Registration) (Amendments) Rules 2008 are available for sale at Toppan Leefung Pte. Ltd. (<http://www2.toppanleefung.com/webshop>).

Application for Renewal of Registration (Form TM 19) (Circular No. 18/2008, dated 12 December 2008)

With effect from 1st January 2009, the Registrar will not be issuing renewal certificates confirming that a mark has been renewed. This is applicable to all applications for renewal of registration (Form TM 19) lodged on or after 1st January 2009.

For applications for renewal made online, the renewal will be processed instantaneously and an acknowledgement of the renewal showing the extended expiry date will be displayed for printing. These acknowledgements of renewal will remain available for printing for a period of one month from the renewal application date. In very limited circumstances, such as where there are pending applications affecting the validity of the trade mark, instant renewal will not be possible and the applicant will be notified that the acknowledgement of renewal will be posted in due course.

Where the application for renewal is posted or submitted over the counter, the applicant will not be receiving any acknowledgement from the Registry. The onus will be on the applicant to check the expiry date of the mark at www.etrademarks.gov.sg within 2 weeks of lodgement of the application for renewal of registration (Form TM 19) to confirm that the expiry date has been extended by the Registry. If the expiry date has not been extended, applicants are advised to contact our Renewal Officer at 63302 707 immediately for assistance.

This change in practice does not apply to Late Application for Renewal of Registration (Form TM 24) and Application for Restoration and Renewal of Registration Removed from the Register (Form TM 21).

To reflect the change in practice in Form TM 19, an information note has been incorporated into the form. This revised form should be used from 1st January 2009.

A copy of the revised Form TM 19 will be available for downloading by end of December 2008 at www.ipos.gov.sg.

2009 Circulars**Trade Marks Work Manual** (Circular No. 5/2009, dated 24 April 2009)

The Registry of Trade Marks has added six new chapters to the existing Trade Marks Work Manual. The six new chapters cover the following topics:

- (1) Marks contrary to public policy or morality;
- (2) Names and representation of famous people, building, etc;
- (3) Other grounds of refusal;
- (4) Deceptive marks;
- (5) Licences; and
- (6) Slogans.

You may access the Trade Marks Work Manual online at:

<http://www.ipos.gov.sg/leftNav/tra/IP+Resources.htm>

Marks published for opposition purposes (Circular No. 8/2009, dated 3 July 2009)

The following types of publication in the Trade Marks Journal are subjected to opposition:

	Notice of Opposition via <u>Form</u>
1) Application published before registration;	TM 11
2) Collective or certification marks published before registration;	TM 11
3) Alteration to registered marks;	TM 11
4) Amendment to regulations governing use of collective or certification marks;	TM 11
5) Application amended after publication	TM 11

With respect to items 3)-5), the ground(s) stated in the Notice of Opposition must be confined strictly to the alteration or amendment. The Notice of Opposition must be lodged within 2 months from the date the alteration or amendment is published in the Trade Marks journal. If an extension of time to file the notice of opposition is required, the request must be filed using Form TM 48 within 2 months from the date of publication of the alteration or amendment. The maximum extension of time for filing Notice of Opposition is 4 months from the date of publication of the alteration or amendment. Rules 29(2) to (8) and 31 to 40 apply to these oppositions with the necessary modifications.

Costs for attending Case Management Conferences and Pre-Hearing Reviews (Circular No. 10/2009, dated 28 August 2009)

In opposition, invalidation and revocation proceedings for trade mark applications or registrations, the Registrar has, as a matter of course, directed parties to attend case management conferences and pre-hearing reviews at the appropriate time for the purpose of achieving a just, expeditious and economical disposal of the matter pursuant to the power conferred on the Registrar in the Trade Marks Rules. The Registrar will treat the costs for attending such case management conferences and pre-hearing reviews in the same vein as for attending interlocutory hearings, which costs may be included as party and party costs under rule 73 of the Trade Marks Rules to be awarded to the successful party at the end of the proceedings.

2011 Circular**Trade Mark (Amendment) Rules 2011 and Trade Mark (International Registration) Rules 2011** (Circular No. 5/2011, dated 28 October 2011)

The Trade Mark (Amendment) Rules 2011 amend the Trade Marks Rules (R 1, 2008 Ed.) (*the "TM Rules"*) and the Trade Mark (International Registration) Rules [*the "TM (IR) Rules"*] as follows:

- (a) Amendment of Rules 15 and 16 of the TM Rules, to come into effect from 1 November 2011.
- (b) Amendment of the First Schedule of the TM Rules, to come into effect from 1 December 2011.
- (c) Amendment to the First Schedule of the TM (IR) Rules to come into effect from 1 December 2011.
- (d) Amendment of the Third Schedule of the TM Rules, to come into effect from 1 January 2012.

(a) Rules 15 and 16 of the TM Rules

Rules 15 and 16 have been amended with a view to capture various types of non-traditional trade marks applications in addition to 3D shape marks and colour marks. The amendments to Rule 15 and 16 result from the amendment to the Regulations concerning the details concerning a trade mark application under the Singapore Treaty on the Law of Trademarks.

The rationale for this amendment is to provide for adequate means of representation of non-traditional marks avoiding procedural requirements that would be too prescriptive or onerous for applicants.

(b) First Schedule of the TM Rules; Schedule to the TM

The amendment to the First Schedule reflects revision in fees in respect of the following forms: TM1, TM4, TM42, TM11, TM12, TM13 and TM28.

(c) First Schedule of the TM (IR) Rules

The amendment reflects revision of fees in respect of form MP1.

(d) Third Schedule of the TM Rules

The amendment to the Third Schedule reflects changes to the Class headings and items thereunder brought about as a result of the upcoming 10th Edition of the Nice Classification.

2012 Circular**Translation of Non-English words** (Circular No. 3/2012, dated 9 November 2012)

For purposes of rule 20(1), where the mark contains or consists of non-English words, it is necessary to ensure accuracy of the translation and /or the transliteration filed.

Furthermore, if a portion of the subject mark comprises of non-English words which have no meaning and another portion of the mark refers to the name of a legal entity, country, city or place, or indicates the goods and/or services filed in the application, the translation clause that is endorsed with the application should be broken up accordingly to indicate the portion which has no meaning and, in respect of the portion which has a meaning, what that meaning is.

The following examples are meant to serve as a guide for submitting accurate translations and/or transliterations in respect of marks containing or consisting of non-English words. The examples are not meant to be exhaustive.

Example 1:

An application was filed for the mark consisting of Chinese characters, of which a portion has no meaning and another portion refers to the name of a legal entity, namely "Company".

Mark: 大中公司

The translation clause should read as:

The transliteration of the Chinese characters of which the mark consists is "Da Zhong" which has no meaning and "Gong Si" meaning "Company".

Example 2:

An application was filed for the mark consisting of Chinese characters, of which a portion refers to the name of a city, namely "London", and another portion which has no meaning.

Mark: 伦敦快海

The translation clause should read as:

The transliteration of the Chinese characters of which the mark consists is "Lun Dun" meaning "London" and "Kuai Hai" which has no meaning.

Example 3:

An application was filed in respect of Class 9 for the goods "Computers; computer software; computer hardware", and the mark consists of Chinese characters, of which a portion has no meaning and another portion means "computer servers" which is indicative of the goods.

Mark: 大中服务器

The translation clause should read as:

The transliteration of the Chinese characters of which the mark consists is "Da Zhong" which has no meaning and "Fu Wu Qi" meaning "Computer servers".

Example 4:

An application was filed in respect of Class 25 for the goods "Clothing, footwear, headgear", and the mark consists of Chinese characters, of which a portion has no meaning and another portion means "computer servers" which is not indicative of the goods.

Mark: 大中服务器

The translation clause should read as:

The transliteration of the Chinese characters of which the mark consists is "Da Zhong Fu Wu Qi" which has no meaning.

Example 5:

An application was filed for the mark consisting of Chinese characters of which the meaning submitted in the application, namely "Flower of the wind", is coined.

Mark: 风花

As the Chinese characters do not convey an intrinsic meaning, the translation clause should read as:

The transliteration of the Chinese characters appearing in the mark is "Feng Hua" which has no meaning.

Example 6:

An application was filed for the mark consisting of Chinese characters which convey a meaning when read as a whole.

Mark: 龙马精神

The translation clause should read as:

The transliteration of the Chinese characters of which the mark consists is "Long Ma Jing Shen" meaning "Old but still full of vitality".

Example 7:

An application was filed for the mark consisting of Chinese characters which has no meaning and is the phonetic equivalent of the name of a person or company, "Edison".

Mark: 爱迪生

The translation clause should read as:

The transliteration of the Chinese characters of which the mark consists is "Ai Di Sheng" which has no meaning.

2013 Circulars**Raising of late citation objections (Circular No. 3/2013, dated 7 June 2013)**

In light that the turnaround time for the first examination of trade mark applications is six months or less, certain trade mark applications may be accepted before the Registrar receives or processes, at a later date, applications for similar or identical marks with priority

claim dates. The priority claim dates may be earlier than the filing dates of the earlier-received applications. Under such circumstances, the Registrar will take the appropriate measures to raise late citation objections against the earlier-received applications.

Companion marks (Circular No. 3/2013, dated 7 June 2013)

Feedback from users indicate that one area of concern is with the consistency of examiner's decisions in relation to companion marks. The Registry shares these concerns as well.

As such, we would like applicants who are filing a set of trade mark applications in which the marks are similar or identical, or where the specification of goods and/or services are similar or identical, to notify IPOS that these applications are intended to be companion applications, and request for them to be examined by a single examiner. These notifications can be made in the following ways:

- For applications submitted via e-filing, applicants may attach a cover letter indicating the e-filing numbers of all the applications to be treated as companion applications. Alternatively, they may drop us a notification on the same via our online Enquiry Form at <http://www.ipos.gov.sg/AboutUs/ContactInformation.aspx>.
- For applications submitted manually, applicants may attach a note to indicate that the enclosed applications are intended to be companion applications.

Change in practice relating to the revocation of trade marks published in the Trade Marks Journal (Circular No. 4/2013, dated 7 August 2013)

Following feedback from users, the Registry has decided to stop our current practice of revoking trade marks that have been published in the Trade Marks Journal.

With this change, quality control review will be undertaken prior to communication to applicants of the acceptance of the mark and its publication in the Trade Marks Journal. The Registry believes that this would give greater certainty for applicants whose trade marks have proceeded to publication whilst ensuring that trade mark applications are still put through a review before publication.

Certificate of Registration (Circular No. 4/2013, dated 7 August 2013)

The Registry has received enquiries pertaining to the issuance of a new original certificate of registration in the event where the original certificate was lost in post and was never received by the applicant or the agent. Should applicants encounter a situation, they may inform the Registry in writing and request for a new original certificate of registration.

Changes in Refund Policy (Circular No. 4/2013, dated 7 August 2013)

The Registry has revised our refund policy as part of our efforts to be more customer-centric.

Moving forward, IPOS will refund any fees where there have been duplicated submissions. Applicants in such a situation will just need to inform us whenever they discover the duplicated submission, upon which we will cancel the duplicate and refund the fees.

In all other cases, we ask that you make your requests for refunds within 7 calendar days of filing the particular form.

Applicants may write in to us through our online enquiry form, fax or post. Our Contact Information can be found on our website <http://www.ipos.gov.sg>.

To facilitate the processing of the refund requests, applicants are to provide the following information in their written requests:

- Name and contact of person requesting for refund
- Date and Time of payment submission
- Amount deducted
- Reason(s) for requesting for a refund
- e-Filing number (if any)
- Online receipt and acknowledgment (if any)

Applicants will hear from us within 14 working days upon submission of their refund requests.

New feature to disable cross-class search when conducting similar mark searches in eTrademarks (Circular No. 5/2013, dated 23 August 2013)

When conducting similar mark searches in eTrademarks, cross-class searches are automatically carried out to enable search reports to capture marks with goods and/or services that were previously classified in a different class as a result of changes made to the International Classification of Goods and Services.

Following feedback from users, the Registry has incorporated a "Disable Cross-Class Search" feature allowing users to opt out of cross-class search when conducting similar mark searches in eTrademarks. With this feature, users can now have the flexibility of narrowing their searches only in respect of the classes they have specified.

Change in practice relating to the citation of conflicting marks which are reflected as "Treated As Withdrawn", "Abandoned" or "Cancelled" on the Register (Circular No. 6/2013, dated 20 September 2013)

Currently, the practice of citing marks which are reflected as "Treated As Withdrawn" or "Abandoned" on the Register is set out in the online Trade Marks Work Manual as follows:

"The Registrar will cite deemed withdrawn applications. For abandoned applications, the Registrar will only cite if the abandonment has occurred within one month as at the time of the examination. This one month period is to cater for possible restoration of the abandoned application."

(Chapter 7, Page 13: Relative Grounds for Refusal of Registration, Section 3: Meaning of Earlier Mark, Sub-section (f): Where conflicting mark is abandoned)

Following feedback from users, the Registrar has decided to cease the current practice with effect from 15 July 2013.

To increase certainty in examination decisions, the Registrar will not cite conflicting marks which are reflected as "Treated As Withdrawn", "Abandoned" or "Cancelled" on the Register.

This new practice will directly impact on an applicant whose mark has been reflected as "Treated as Withdrawn" on the Register ("TWN Mark"). We advise that the applicant of the TWN Mark should file his reinstatement request as soon as it is practicable in order to preserve his right against a later application.

The Registrar also wishes to emphasize that filing a reinstatement request via Form TM 40 **does not** guarantee an automatic reinstatement of the TWN Mark, given that prior to reinstatement, the TWN Mark is still subject to a "re-search" for conflicting marks.

In view of this change in practice, the Registry has replaced the original language in the online Trade Marks Work Manual with the following:

"The Registrar will not cite a conflicting mark that is reflected as "Treated As Withdrawn", "Abandoned" or "Cancelled" on the Register, against a later application.

The applicant of the "Treated As Withdrawn" mark, should expeditiously request for the Registrar's consideration to reinstate his mark by lodging Form TM 40 and the requisite fee, if intended."

(Chapter 7, Page 13: Relative Grounds for Refusal of Registration, Section 3: Meaning of Earlier Mark, Sub-section (f): Where conflicting mark is abandoned)

Change in practice relating to the translation of non-English words (Circular No. 7/2013, dated 11 October 2013)

With reference to Circular No. 3/2012, regarding our practice of endorsing translation clauses where a portion of the subject mark comprises non-English words which have no meaning, and another portion of the mark indicates the goods and/or services filed in the application, we had indicated that the translation clause that would be endorsed for the application should separately indicate the portion which has no meaning, and the portion which indicates the goods and/or services.

Example:

Subject Mark	Class	Goods/Services Claimed	Translation Clause Endorsed	Rationale
大中服务器 (Note: "大中" has no meaning, and "服务器" refers to "computer servers")	9	Computers; computer software; computer hardware.	The transliteration of the Chinese characters of which the mark consists is "Da Zhong" which has no meaning and "Fu Wu Qi" meaning "Computer servers". (See Example 3 of Circular No. 3/2012)	服务器 ("Fu Wu Qi") in the mark <u>is</u> <u>indicative</u> of the goods claimed.
	25	Clothing, footwear, headgear.	The transliteration of the Chinese characters of which the mark consists is "Da Zhong Fu Wu Qi" which has no meaning. (See Example 4 of Circular No. 3/2012).	服务器 ("Fu Wu Qi") in the mark <u>is not</u> <u>indicative</u> of the goods claimed.

To simplify the practice of the furnishing of translations, the Registry has reviewed and revised its practice.

With effect from 13 August 2013, **regardless of whether a portion of the subject mark indicates the subject goods and/or services**, the translation clause that is endorsed for the application should nevertheless separately indicate the portion which has no meaning, and the portion which indicates any goods and/or services.

Example:

Subject Mark	Class	Goods/Services Claimed	Translation Clause Endorsed
大中服务器 (Note: "大中" has no meaning, and "服务器" refers to "computer servers")	9	Computers; computer software; computer hardware.	The transliteration of the Chinese characters of which the mark consists is "Da Zhong" which has no meaning and "Fu Wu Qi" meaning "Computer servers".
	25	Clothing, footwear, headgear.	

Upgrading to Trade Mark System e-Communications (Circular No. 8/2013, dated 25 October 2013)

The Registry would like to inform its customers that, with effect from 1 August 2013, we have upgraded our e-Communications bandwidth from a shared line to a 10MB dedicated line. This means that customers on e-Communications can expect a faster speed of communication with the Registry.

However, customers should note that the speed of file uploads will also be affected by the bandwidth of the users' systems and is not entirely dependent on IPOS' infrastructure.

Priority claims in Singapore where the specification of goods and/or services falls under a different class number in the priority country (Circular No. 8/2013, dated 25 October 2013)

The Registry wishes to clarify that we accept priority claims for applications even if the specification of goods and/or services in the priority country falls in a different class number from the Singapore application. As long as the goods and/or services claimed in the Singapore application are also claimed in the priority application, the priority claim is deemed to be in order, provided that the application was filed within the 6 months' timeline and in a country which is a party to the Paris Convention or a member of the World Trade Organisation.

Trade Mark (Amendment) Rules 2013 (Circular No. 9/2013, dated 22 November 2013)

Pursuant to the Trade Mark (Amendment) Rules 2013, amendments to the First Schedule and Third Schedule of the Trade Marks Rules (R 1, 2008 Ed.) (*the "TM Rules"*) will come into effect on 1 January 2014.

A summary of the amendments is as follows:

(a) Amendment to the First Schedule of the TM Rules

Item 35 of the First Schedule is amended to clarify that the fee payable for the issuance of a certificate under section 103 of the Trade Marks Act (Cap. 322) is computed on a 'per certificate' basis.

This amendment does not impact the cost of requesting a certificate, as each certificate issued under section 103 may only be in respect of one trade mark.

(b) Amendment to the Third Schedule of the TM Rules

In view of the coming into force of the Tenth Edition, Version 2014 of the Nice Classification (hereinafter abbreviated as "**NCL (10-2014)**") on 1 January 2014, the Third Schedule is amended to reflect the changes to the Class headings and items introduced by NCL (10-2014).

2014 Circulars

Tracking changes for finalisation of specification of goods and services (Circular No. 1/2014, dated 17 January 2014)

Following feedback from users requesting for clarity in consolidated changes made to the specification of goods and services, the Registry will, with effect from 13 December 2013, highlight all finalised proposed/agreed amendments to the specification by way of a tracked-change Word document which shall be attached to the Examiner's Office Action.

Currently, due to system limitation, agreed amendments to the specification are only presented in uppercase in the Examiner's Office Action. Items which were proposed/agreed to be deleted are not reflected in the proposed amended specification. For ease of reviewing all consolidated changes made to the specification, the Examiner will now reflect these tracked changes in Word document in the finalisation of the specification, such that all changes made are apparent for viewing before the same are formalised via the amendment Form. This will enable both the Examiner and the applicant to review these changes in a more efficient manner, thereby speeding up the communication and registration process.

Should you have any queries regarding this new practice, please feel free to contact Ms Jasmine Chan from the Registry of Trade Marks at Jasmine.CHAN@ipos.gov.sg.

Pre-recordal notifications relating to assignment applications (Circular No. 2/2014, dated 30 January 2014)

Currently, upon receipt of an assignment application, the Registry will send a pre-recordal notification to the proprietor or his agent, giving him 7 days to contact the Registry if the assignment application is not authorised.

Following feedback from users that where the assignment agent is also the proprietor's agent, the pre-recordal notification is not necessary, the Registry has reviewed and revised its practice. With effect from 20 January 2014, the Registry has stopped sending the pre-recordal notification in such a situation so that the process may be truncated.

The Registry's practice of sending pre-recordal notifications continues to apply to all other situations.

Additional Publications of the Trade Marks Journal (Circular No. 2/2014, dated 30 January 2014)

Please be informed that there will be additional publications of the Trade Marks Journal on the following dates: 5, 12 and 19 February 2014.

Additional Publications of the Trade Marks Journal (Circular No. 4/2014, dated 21 February 2014)

Please be informed that there will be additional publications of the Trade Marks Journal on the following dates: 26 February 2014, 5 and 12 March 2014.

Additional Publications of the Trade Marks Journal (Circular No. 5/2014, dated 14 March 2014)

Please be informed that there will be additional publications of the Trade Marks Journal on the following dates: 19 and 26 March 2014, 2 and 9 April 2014.

Additional Publications of the Trade Marks Journal (Circular No. 6/2014, dated 25 April 2014)

Please be informed that there will be additional publications of the Trade Marks Journal on the following dates: 30 April, 7, 14, 21 and 28 May 2014.

Entering of particulars of express trusts and beneficiaries in the Register of Trade Marks (Circular No. 7/2014, dated 30 April 2014)

As part of the Registries' efforts to be more business-friendly and promote a more transparent Register, the option of entering a notice of an express trust and its beneficiary (or beneficiaries) will be available as of 30 April 2014¹.

For fresh applications, this can be done by entering the particulars "X in trust for Y" (where X is the trustee and Y is the beneficiary) in the "Name" field in form TM4.

For existing applications, this can be done by entering the particulars "X in trust for Y" (where X is the trustee and Y is the beneficiary) in the "Name" field in form TM26. In addition, the applicant should check the "Name only" box on this form.

For those using form TM26, it should be highlighted that entering a notice of an express trust will apply to *all* trade marks filed in the name of the proprietor. If an applicant wishes to enter a notice of an express trust only for *specific* trade marks, this has to be indicated in a separate annex to form TM26, along with details of the specific trade marks to which entry of notice should apply.

Lastly, it should be clarified that the entering of a notice of an express trust is not equivalent to registering a transaction under the Trade Marks Act and hence would not have the same statutory effects (e.g. entitlement to certain damages in respect of infringement). As such, any omission to enter notice would not void any underlying trusts.

¹ To give effect to this practice, the relevant amendments to the Trade Marks Act to remove the prohibition against the taking notice of express trusts will be brought into force on 30 April 2014.

Removal of circulars from the trade marks journal (Circular No. 7/2014, dated 30 April 2014)

Currently, the Registry informs the public of its circulars by publishing them in the trade marks journal and on our corporate website, and via a free email service to interested parties.

Following feedback from users, the Registry will cease our practice of publishing circulars in the trade marks journal. This will take effect from 30 May 2014. The Registry's circulars will, after this date, continue to be available via email service and on our website at <http://www.ipos.gov.sg> > Registries Circulars & Practice Directions, Trade Marks.

If you wish to receive our circulars via email, you may subscribe to our mailing list by emailing news@ipos.gov.sg and letting us know the subject matter of interest (Patents, Designs, Trade Marks).

Feedback on the Trade Marks Work Manual Chapters dealing with Collective, Certification and Series of Marks (Circular No. 8/2014, dated 9 May 2014)**Introduction**

The Intellectual Property Office of Singapore (IPOS) seeks feedback on the new chapters of Trade Marks Work Manual – namely collective and certification marks, as well as proposed updates to the current chapter on series of marks.

New Chapters of the Work Manual on Collective and Certification Marks, and Updated Chapter on Series of Marks

As part of IPOS' ongoing effort to provide greater clarity to applicants in relation to the submission and examination requirements of collective and certification marks, new chapters have been introduced to the Trade Marks Work Manual covering the said topics. The added chapters will explain what collective and certification marks are, how they differ from "ordinary" trade marks, and how they would be examined and processed at the Registry of Trade Marks. In addition, the guidelines for structure and content of regulations governing collective and certification marks are also drawn up to assist applicants in preparing the regulations.

Further, in providing greater certainty in examination decisions relating to applications for series of trade marks, the Registry has reviewed and brought the relevant chapter in the Trade Marks Work Manual up to date with references to our current trade mark examination practices.

The key amendments are made to the following areas:

- (a) Assessment of a series of trade marks
- (b) Misspellings in a series of trade marks
- (c) Differences in backgrounds
- (d) Positioning of Chinese characters
- (e) When a black and white mark is deemed to be dissimilar from the same mark in colours

To view the new chapters of the Trade Marks Work Manual on collective and certification marks, and the updated chapter on series of marks, please visit the Registry's website at <http://www.ipos.gov.sg> and refer to this Circular by selecting "Registries Circulars &

Practice Directions, Trade Marks" → "General" or "Collective and Certification Marks" → "Feedback on the Trade Marks Work Manual Chapters dealing with Collective, Certification and Series of Marks".

Feedback

IPOS invites interested parties to provide feedback on the proposed new and updated chapters of the Trade Marks Work Manual by 6 June 2014.

The feedback may be sent via email or hardcopy to the following:

Registry of Trade Marks

Intellectual Property Office of Singapore
51 Bras Basah Road #01-01, Manulife Centre
Singapore 189554

Email: kathryn_tham@ipos.gov.sg

B) PERTAINING TO COLLECTIVE AND CERTIFICATION MARKS**Pre-2004 Circular****Publication of Collective Mark and Certification Mark Applications**

Collective mark and certificate mark applications are published in the Trade Marks Journal for opposition purposes before protection is granted. They are published in a separate section of the Trade Marks Journal titled "Collective and Certification Marks Applications Published for Opposition Purposes". Pursuant to the First and Second Schedules of the Trade Marks Act (Cap. 332, 1999 Ed.), the Regulations governing the use of the collective and Certification Marks are available for inspection at the Registry of Trade Marks.

2004 Circular

Regulations Governing the Use of Certification/Collective Marks (Circular No. 7/2004, dated 19 March 2004)

The filing with the Registrar of regulations governing the use of certification or collective marks under rule 63 of the Trade Marks Rules must be accompanied by Form TM 10. Regulations filed without Form TM 10 will not be recognised and will be returned. The filing of TM 10 without regulations attached will also be rejected.

C) PERTAINING TO FORMS**Pre-2004 Circular****Form TM 26**

A request to change the name, address or other particulars (except trading nature) of an applicant for registration, proprietor of a registered trade mark or other interested person, where the change does not affect the representation of the trade mark, should be made on Form TM 26.

2004 Circulars**Form TM 26 Notification Letter** (Circular No. 8/2004, dated 26 March 2004)

Please note that the main purpose of the Notification Letter is to inform as to the fact that the name and/or address of the applicant/proprietor has/have been updated. Thus, the Notification Letter cannot be treated as conclusive as to the status of marks reflected therein.

Where there is no reply within the given period to our latest examination report, an application will be updated as abandoned notwithstanding any interim Notification Letter from the Registrar.

Form TM 1 [Request to appoint or change an agent or to enter or change an address for service] (Circular No. 18/2004, dated 30 July 2004)

One Form TM 1 may be used for multiple trade mark numbers. However, the fee for this form is still charged on a per trade mark number basis unless the request is to alter an agent's name and/or address for service which does not affect the legal entity of the agent. In such a case, only a single set of fee is payable.

Kindly note that it is not necessary to lodge Form TM 1 together with forms such as TM 4, TM 9, TM 11, TM 14, TM 19, TM 22, TM 24, TM 26, TM 28, TM 29, TM 37 and TM 48 as each of these forms contains a section for the indication of an address for service.

2006 Circular**Erratum - Form TM 40** (Circular No. 1/2006, dated 13 January 2006)

Please note that the title of Form TM 40 should read as "REQUEST FOR RESTORATION OF APPLICATION TREATED AS WITHDRAWN" and Part 2 of the Form should read as "Particulars of applicant/registered proprietor". Please visit IPOS website at <http://www.ipos.gov.sg> to download the corrected Form TM 40.

2007 Circular**Form TM 32** (Circular No. 32/2007, dated 21 September 2007)

Part 4 of Form TM 32 which used to read as "Goods or services to be cancelled" has been amended to "Goods or services to remain". The amendment is to ensure that there is clarity in the residual specification. Please visit IPOS website at <http://www.ipos.gov.sg> to download the amended Form TM 32.

The Registrar will reject the old Form TM 32 (V02/01/07) with effect from 1 October 2007.

It is also to be noted that Form TM 32 is the appropriate Form to file to effect any amendment to specifications of goods or services of registrations that has the effect of cancelling some goods or services or narrowing down the specifications. For example, Form TM 32 is to be filed to effect an amendment from "books" in Class 16 to "books *relating to business management*" in Class 16.

2008 Circular**Application to Register a Change in Ownership (TM 22)** (Circular No. 3/2008, dated 1 February 2008)**i)Effective Date when Subsequent Proprietor/Applicant for Registration Took Ownership**

The effective date when the subsequent proprietor/applicant for registration took over ownership (i.e. the date entered in Part 4 of Form TM 22) should not predate the date from which the proprietor's rights in the mark accrue. For a trade mark application filed before 1 July 2004, the earliest assignment effective date is the trade mark application date or the priority date, if any. For a trade mark application filed on or after 1 July 2004, the earliest assignment effective date is the trade mark application date.

ii)Address for Service of Subsequent Proprietor/Applicant for Registration

The address for service entered in Part 5 of the Form TM 22 is effective for all proceedings in respect of the trade mark including the subject application for change of ownership. As such, there is no need to lodge Form TM 1 together with Form TM 22 for this purpose.

Form TM 1 will be required only if:-

- a. there is a change of agent whilst the TM 22 is being processed; or
- b. the agent will not be continuing to act for the subsequent proprietor / applicant for registration after TM 22 is recorded.

Such Form TM 1 appointing the agent solely for "Assignment" matters (Part 3 of Form TM 1) will not be processed until a subsequent Form TM 1 appointing an agent for "Application for registration / Registration" is received.

iii)Correction of Errors in Relation to a Recorded Change of Ownership

Once a change in ownership has been recorded according to the request, should the owner need to correct any errors in the recorded details, Form TM 27B is required. Should the assignment(s) need to be re-recorded and re-examined, the relevant Form TM 22 with fees will need to be re-lodged.

iv)Covering Letter

To ensure that the transactions are recorded accurately, please lodge a covering letter stating :-

- a. the sequence of events;
- b. the exact nature of the transaction, and
- c. the trade mark numbers involved.

When e-filing, a covering letter can be attached via the “covering letter” button for eTM 22 and 27B.

2009 Circulars**eCommunications** (Circular No. 2/2009, dated 27 February 2009)

The Registry has been receiving Trade Mark Forms via the eCommunications portal. Please note that this portal is to facilitate the exchange of correspondences only. All forms should be either eFiled, submitted over the counter or posted to us.

Enhancements made to eTM 22 (Application to register a change of ownership)
(Circular No. 4/2009, dated 27 March 2009)

With immediate effect, users may file up to 50 trade mark numbers in one eTM 22 (Application to register change of ownership) form provided that all the trade mark numbers belong to the same assignor under the same IPOS assigned company code. A link is included in the eForm to a search page allowing applicants to check their company code.

Efiling multiple assignment applications (Circular No. 4/2009, dated 27 March 2009)

This is to inform users that eTrademarks may be used to efile multiple assignment applications. So long as there exists a prior assignment application which has not yet been recorded by the Registry, when the user attempts to efile a subsequent assignment application, the field under "Current Proprietor's details" is intentionally left blank by the system for the user to enter the correct details. For example in the case of an assignment from A to B (1st TM 22), and then from B to C (2nd TM 22), the user will have to input B's details manually when efilings the second TM 22.

Form TM 4 - Application to register a trade mark, collective mark or certification mark (Circular No. 9/2009, dated 21 August 2009)

Form MP 1 - Request to transform an international registration into national application(s) (Circular No. 9/2009, dated 21 August 2009)

With effect from 15/09/2009, an Application to register a trade mark, collective mark or certification mark and a Request to transform an international registration into national application(s) must be made on version V05/01/09 of Form TM4 and MP 1 respectively. The corresponding electronic Form TM 4 available on eTrademarks will also be amended on the same day. The changes are found at Annex A of both forms and pertain to the information to be provided when making a priority claim.

Annex A

Annex A is amended so that where the priority claim is not in respect of all the goods or services claimed in the class, the applicant is to state the goods or services in respect of which priority is claimed. This amendment is to ensure that there is clarity in the scope of the priority claim.

2010 Circular

Notification on Application to Register a Change in Ownership (TM 22) (Circular No. 5/2010, dated 26 November 2010)

With immediate effect, the Registry will be issuing a notification prior to the recordal of an assignment in matters relating to an application for the registration of an assignment application in a trade mark or application for a trade mark pursuant to Rule 55 of the Trade Marks Rules. The purpose of the notification, which will be issued to the proprietor(s)/applicant(s) for registration [or their appointed agent] at the address for service in Singapore, is to provide an opportunity for the proprietor(s)/applicant(s) to inform the Registry without delay in the event they have not authorised the transaction.

2011 Circular

Amendment of Form TM 46 (Circular No. 1/2011, dated 15 July 2011)

To bring Form TM 46 for the "Application to register the grant, amendment or termination of Security Interest or memorandum relating to a trade mark" to be in alignment with the wordings in Rule 55(2)(d) relating to the signature of the grantor and requirements in Rule 55(3A)(d) of the Trade Marks Rules relating to the documentary evidence sufficient to establish the transaction, boxes 7 and 8 of Form TM 46 have been amended with immediate effect. Please use the new form TM 46 for all new applications filed.

2013 Circulars

Form TM 42 (Request for Registrar's General Certificate) (Circular No. 3/2013, dated 7 June 2013)

To address recent queries regarding fees for filing Form TM 42, applicants are reminded that the fees for Form TM 42 are charged on a per trade mark number basis per certificate.

We have also received feedback from users enquiring whether Part 2 of Form TM 42 can be dispensed with. The matter has been reviewed and we will be changing our practice to allow applicants to lodge Form TM 42 on or after 7 June 2013 without having to complete Part 2 of the form.

Amendment in Priority Claim Details of Form TM4 (Circular No. 8/2013, dated 25 October 2013)

The trade mark Form TM4 will be revised on 31 October 2013.

For clarity purpose, the wording "Class Number" under "Priority Claim Details" in Form TM4 will be amended to read "Class No. in Singapore" instead. This is to avoid confusion with the class number filed for in the priority country. The amendment will be implemented in both the hardcopy and electronic Form TM4 on 31 October 2013.

An illustration of the amendment in the "Priority Claim Details" in Form TM4 is set out below.

Before 31 October 2013	From 31 October 2013
Fill in this annex only if priority is claimed. Annex A <i>Notes</i> If the space provided is insufficient, please continue on separate sheets. Use one sheet for one priority claim. <u>Class Number</u> Name of country Date claimed - - Day Month Year Goods/services* Are you claiming priority in respect of all the goods or services claimed in this class ? ☐ Yes ☐ No If "No", please state the goods or services in respect of which priority is claimed.	Fill in this annex only if priority is claimed. Annex A <i>Notes</i> If the space provided is insufficient, please continue on separate sheets. Use one sheet for one priority claim. <u>Class No. in Singapore</u> Name of country Date claimed - - Day Month Year Goods/services* Are you claiming priority in respect of all the goods or services claimed in this class ? ☐ Yes ☐ No If "No", please state the goods or services in respect of which priority is claimed.

2014 Circulars

Amendment of "Address for Service" portion of forms (Circular No. 2/2014, dated 30 January 2014)

The Registry has amended the "Address for Service" portion of 24 hardcopy Trade Mark forms for the purpose of clarity and in order to align the fields with those in their corresponding electronic form. The affected forms are TM1, TM4, TM11, TM19, TM20, TM22, TM24, TM26, TM28, TM29, TM31, TM32, TM33, TM34, TM37, TM38, TM39, TM42, TM44, TM46, TM48, TM49, MP1 and MP3. The amendments relate to the following areas:

(1) "Name" field

The Registry wishes to clarify that the "Name" field in the "Address for Service" portion of the abovementioned forms is an optional field. This field refers to the name of the appointed agent acting for the matter. For greater clarity, the "Name" field will be amended to "Agent Name".

(2) "Address" field

The "Address" field will also be amended to read as "C/O Name (if any) and Singapore Address". This is to differentiate the appointed agent acting for the matter from the care of (C/O) representative (the intermediary responsible for receiving the correspondences and

transferring them to the applicant). The "Singapore Address" refers to the local address which the Registry will send correspondences to.

The amended forms are available for download on our website with immediate effect but the Registry will continue to accept the old version of the forms till 1 March 2014.

An illustration of the amendments is set out below.

Before	After
Address for service <u>Note</u> <i>The address for service must be a Singapore address.</i> Agent Code (if applicable) Name Address	Address for service <u>Note</u> <i>The address for service must be a Singapore address.</i> Agent Code (if applicable) Agent Name (if applicable) C/O Name (if any) and Singapore Address

Entering of particulars of express trusts and beneficiaries in the Register of Trade Marks (Circular No. 7/2014, dated 30 April 2014)

As part of the Registries' efforts to be more business-friendly and promote a more transparent Register, the option of entering a notice of an express trust and its beneficiary (or beneficiaries) will be available as of 30 April 2014¹.

For fresh applications, this can be done by entering the particulars "X in trust for Y" (where X is the trustee and Y is the beneficiary) in the "Name" field in form TM4.

For existing applications, this can be done by entering the particulars "X in trust for Y" (where X is the trustee and Y is the beneficiary) in the "Name" field in form TM26. In addition, the applicant should check the "Name only" box on this form.

For those using form TM26, it should be highlighted that entering a notice of an express trust will apply to *all* trade marks filed in the name of the proprietor. If an applicant wishes to enter a notice of an express trust only for *specific* trade marks, this has to be indicated in a separate annex to form TM26, along with details of the specific trade marks to which entry of notice should apply.

Lastly, it should be clarified that the entering of a notice of an express trust is not equivalent to registering a transaction under the Trade Marks Act and hence would not have the same statutory effects (e.g. entitlement to certain damages in respect of infringement). As such, any omission to enter notice would not void any underlying trusts.

¹ To give effect to this practice, the relevant amendments to the Trade Marks Act to remove the prohibition against the taking notice of express trusts will be brought into force on 30 April 2014.

Feedback on the Trade Marks Work Manual Chapters dealing with Collective, Certification and Series of Marks (Circular No. 8/2014, dated 9 May 2014)**Introduction**

The Intellectual Property Office of Singapore (IPOS) seeks feedback on the new chapters of Trade Marks Work Manual – namely collective and certification marks, as well as proposed updates to the current chapter on series of marks.

New Chapters of the Work Manual on Collective and Certification Marks, and Updated Chapter on Series of Marks

As part of IPOS' ongoing effort to provide greater clarity to applicants in relation to the submission and examination requirements of collective and certification marks, new chapters have been introduced to the Trade Marks Work Manual covering the said topics. The added chapters will explain what collective and certification marks are, how they differ from "ordinary" trade marks, and how they would be examined and processed at the Registry of Trade Marks. In addition, the guidelines for structure and content of regulations governing collective and certification marks are also drawn up to assist applicants in preparing the regulations.

Further, in providing greater certainty in examination decisions relating to applications for series of trade marks, the Registry has reviewed and brought the relevant chapter in the

Trade Marks Work Manual up to date with references to our current trade mark examination practices.

The key amendments are made to the following areas:

- (a) Assessment of a series of trade marks
- (b) Misspellings in a series of trade marks
- (c) Differences in backgrounds
- (d) Positioning of Chinese characters
- (e) When a black and white mark is deemed to be dissimilar from the same mark in colours

To view the new chapters of the Trade Marks Work Manual on collective and certification marks, and the updated chapter on series of marks, please visit the Registry's website at <http://www.ipos.gov.sg> and refer to this Circular by selecting "Registries Circulars & Practice Directions, Trade Marks" → "General" or "Collective and Certification Marks" → "Feedback on the Trade Marks Work Manual Chapters dealing with Collective, Certification and Series of Marks".

Feedback

IPOS invites interested parties to provide feedback on the proposed new and updated chapters of the Trade Marks Work Manual by 6 June 2014.

The feedback may be sent via email or hardcopy to the following:

Registry of Trade Marks

Intellectual Property Office of Singapore
51 Bras Basah Road #01-01, Manulife Centre
Singapore 189554

Email: kathryn_tham@ipos.gov.sg

D) PERTAINING TO eTRADEMARKS**Pre-2004 Circular****New Features of IPOS' eTrademarks Services****(1) Generation of Check Digit/Year of Trade Mark Numbers**

A new eService for the generation of year/check digit of Trade Mark Number is added to IPOS Online Transactions. This eService has two fields for entry. One is for the old TM No format while the other is for the new TM No format. For the old TM No format, both the year and the check digit would be generated. For the new TM No format, the check digit will be generated.

This eService is already available.

(2) Attachment for Form TM26

The eService for Form TM26 has been enhanced. As filing of Form TM26 usually requires a covering letter to list the TM numbers and sometimes to explain a certain situation, it can only be submitted through the counter. With this enhancement, when a Form TM26 is submitted, it allows for a covering letter to be attached to the said form. This is to facilitate the filing of Form TM26 through eTrademarks.

This eService is already available.

(3) Filing of mark in colour or greyscale

With effect from 1 November 02, eTrademarks will be accepting colour or greyscale attachments for marks filed for Forms TM4 and TM9 in addition to the current black and white. Marks filed in colour or greyscale would be printed in greyscale for the Acknowledgement Letter, Trade Marks Journal and Certificate of Registration. Please note that viewing and printing of the mark images from the Enquiry System would still be in black and white.

(4) "Save/Save As" feature

The "Save/Save As" feature has been implemented on 4 December 02, from 10am onwards. This feature would be available for Forms TM4 and TM9. Any application that is saved would be kept in IPOS' system for 3 working days excluding the current day. All saved documents residing in IPOS' database for more than 3 working days would be removed.

(5) Display Mark Image

The "Display Mark Image" feature has been implemented on 4 December 02, from 10am onwards. Mark images attached to Forms TM4 and TM9 will be displayed for viewing.

2004 Circular

Online Trademarks Search and Enquiry System (Circular No. 4/2004, dated 6 February 2004)

The Intellectual Property Office of Singapore is pleased to announce that its eTrademarks Search has been made available from 30 January 2004.

The following search services have been made available through the system:

Search for similar marks;

Search for marks belonging to a proprietor;

Search for mark detailed information, registered marks, pending marks, certification marks, collective marks, expired marks, cancelled marks, expired marks, withdrawn marks, abandoned marks, expunged marks, refused marks, destroyed marks and article 6ter based on relevant periods.

The services will be offered free of charge.

To access this service, please log on to the eTrademarks webpage and click on the eTrademarks Search link.

E) PERTAINING TO INTERNATIONAL APPLICATIONS AND REGISTRATIONS UNDER THE MADRID PROTOCOL**Pre-2004 Circulars****Singapore's Accession to the Madrid Protocol**

Singapore acceded to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol) on 31 July 2000. The Madrid Protocol came into operation in Singapore on 31 October 2000.

Publication of International Registration Designating Singapore for Opposition Purposes

International registrations designating Singapore under the Madrid Protocol are treated in the same manner as Singapore national applications, and are therefore published in the Trade Marks Journal for opposition purposes before protection is granted. They are published in a separate section of the Trade Marks Journal titled "International Registrations filed under the Madrid Protocol Published for Opposition Purposes under the Trade Marks Act (Cap. 332, 1999 Ed.)". Unlike Singapore national applications, they are not published according to the class of goods or services, but are published according to the international registration number.

Request for Recording of Changes in the Name and/or Address of the Holder for International Registrations Designating Singapore

Such requests must be presented to the International Bureau of the World Intellectual Property Organization (WIPO) using WIPO's prescribed Form MM9(E). Form TM 26 is not the relevant form to be used.

Form MM9(E) is available for downloading at www.ipos.gov.sg

2004 Circulars**Issuance of Registration Certificates for Protected International Trade Marks (Singapore)** (Circular No. 13/2004, dated 18 June 2004)

The Registrar has received queries as to whether IPOS issues registration certificates for protected international trade marks (Singapore). Please note that IPOS does NOT issue such certificates.

Under the Madrid Protocol, an Office which has examined an international registration in which it is designated and found no grounds for refusal may issue a statement of grant of protection. However, it is not obliged to do so and no legal consequences follow from the fact that no such statement is given. Further, such statements will only be issued if it is still within the 18-month time limit from the date of notification of the international registration. Where no such statements are issued, by the end of the 18-month time limit, the international registration will be regarded as protected in Singapore. In the Singapore context, IPOS does issue such statements, as a matter of customer service, if at the time of issuance, it is still within the said period.

In cases where a provisional refusal or a provisional refusal based on opposition has been issued, a confirmation or withdrawal of such a provisional refusal in the form of a letter of final decision in accordance with Rule 17(5) of the Common Regulations under the Madrid Agreement and Protocol relating to the Madrid Agreement concerning the International Registration of marks will be sent to the International Bureau, who will in turn transmit a copy to the holder of the international registration.

Requests for Recording of Changes in the Ownership of the International Registrations Designating Singapore or where Singapore is the Office of Origin (Circular No. 21/2004, dated 19 November 2004)

For international registrations designating Singapore, in accordance with Rule 25 of the Common Regulations, such requests must be presented to the International Bureau of the World Intellectual Property Organization (WIPO) directly by the holder on WIPO's official Form MM5(E). Form MM5(E) is available for downloading at www.ipos.gov.sg

Form TM 22 should not be lodged for such recordation of change in ownership.

Where Singapore is the Office of Origin, requests for recording of changes in the ownership must also be presented to the International Bureau of the World Intellectual Property Organization (WIPO) directly by the holder. However, Form TM 22 may be lodged (if appropriate) to record the change in ownership of the basic application or basic registration.

Requests for Recording of Changes in the Name and/or Address of the Holder for International Registrations Designating Singapore or where Singapore is the Office of Origin (this serves to replace an existing pre-2004 circular in the journal) (Circular No. 21/2004, dated 19 November 2004)

For international registrations designating Singapore, in accordance with Rule 25 of the Common Regulations, such requests must be presented to the International Bureau of the World Intellectual Property Organization (WIPO) directly by the holder on WIPO's official Form MM9(E). Form MM9(E) is available for downloading at www.ipos.gov.sg

Form TM 26 should not be lodged for such recordation of change in name and/or address.

Where Singapore is the Office of Origin, requests for recording of changes in the name and/or address of the holder must also be presented to the International Bureau of the World Intellectual Property Organization (WIPO) directly by the holder. In such a case, TM 26 should be lodged to amend the change in name and/or address of the basic application or basic registration.

Requests for Designation Subsequent to the International Registration (Circular No. 21/2004, dated 19 November 2004)

In accordance with Rule 24 of the Common Regulations, such requests must be presented to the International Bureau of the World Intellectual Property Organization (WIPO) directly by the holder on WIPO's official Form MM4(E). Form MM4(E) is available for downloading at www.ipos.gov.sg

2005 Circulars

(Effect of the Recording of Licenses in the International Register in respect of International Registrations Designating Singapore, Circular No. 21/2005, dated 21 October 2005. This Circular is replaced by Circular No. 1/2010, dated 12 February 2010)

2007 Circular

(Modes of Payment to the International Bureau of the World Intellectual Property Organisation for Madrid Protocol Matters, Circular No. 42/2007, dated 28 December 2007. This Circular is replaced by Circular No. 1/2008, dated 11 January 2008)

2008 Circulars**Modes of Payment to the International Bureau of the World Intellectual Property Organisation for Madrid Protocol Matters** (Circular No. 1/2008, dated 11 January 2008)

With effect from 1 January 2008, there will be some amendments to the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto ("AI"). The amendments are necessary for the implementation of a more broad-based electronic communications platform for the benefit of users of the Madrid system.

The AI can be found here (http://www.wipo.int/madrid/en/legal_texts/admin_instructions.htm) and the International Bureau's ("IB") notification of the amendments can be found here (http://www.wipo.int/edocs/madrdocs/en/2007/madrid_2007_20.doc).

Please note that under the new Section 19 of the AI, fees payable to the IB must be made

- i. by debit to a current account with the IB,
- ii. by payment into the Swiss postal account or to any of the specified bank accounts of the IB, or
- iii. by credit card, where, in the context of an electronic communication envisaged in Section 11, an electronic interface for online payment has been made available by the IB.

The previous modes of payment by cash at the IB and by a banker's cheque would no longer be available.

Please note that while Section 19 now provides that in the context of electronic communications, fees due to the IB may be paid by credit card only in relation to specific types of transaction or request in respect of which a dedicated electronic interface has been provided, the IB has advised that this mode of payment by credit card would not be applicable to the filing of international applications.

If you are filing an international application through IPOS on and after 2 January 2008, please note that our previous primary mode of payment to the IB via a banker's cheque is no longer available in light of the changes in the AI. Instead, your payment in Swiss Francs to the IB can be made by either options (i) or (ii) as stated above.

Current Account

If you conduct regular monetary transactions with the IB, you may opt to open a current account with them. Please see http://www.wipo.int/madrid/en/fees/about_fees.html for details.

Bank Transfer

We envisage that the majority of applicants and agents are likely to use bank transfers under (ii) as the preferred mode of payment. Details of WIPO's postal account and bank account are as follows:

WIPO bank account
IBAN No. CH51 0483 5048 7080 8100 0
Credit Suisse, CH-1211 Geneva 70
Swift/BIC: CRESCHZZ80A

WIPO postal account
IBAN No. CH03 0900 0000 1200 5000 8
Swift/BIC: POFICHBE

The above account details are found on page 6 of the Form MM2(E).

To confirm that the payment has been made, the applicant must indicate the payment details of the bank's transfer transaction in the appropriate space provided in IB's Form MM2(E) Application for International Registration Governed Exclusively by the Madrid Protocol at the time of filing. You must also provide us with a photocopy of the bank's transaction advice.

If you have any queries regarding the above, please do not hesitate to call our Customer Service Officer at 6339 8616 or email us at ipos_enquiry@ipos.gov.sg.

Requests for Recording of a Renewal for International Registrations where Singapore is the Office of Origin (Circular No. 5/2008, dated 22 February 2008)

For an international registration where Singapore is the Office of Origin, a request for the recording of a renewal may be made by the holder or his agent upon payment of the relevant fees in Swiss Francs to WIPO via any of the following ways:-

(a) lodgement of WIPO's Form MM11(E) or an official letter from the holder indicating the necessary information (number(s) of the international registration(s) concerned and the purpose of the payment);

<http://www.wipo.int/madrid/en/forms/>

(b) lodgement done online at WIPO Marks E-Renewal System portal
<http://www.wipo.int/madrid/en/services/>; or

(c) lodgement of Form MM11(E) or the official letter mentioned under (a) through IPOS, together with a separate fee of S\$85 for handling the renewal request.

Kindly note that the above renewal is only effective for the international registration. Holders should lodge IPOS Form TM 19 in order to renew the Singapore basic registration, if necessary.

With regard to the renewal of an international registration where Singapore is *not* the Office of Origin, even if Singapore had been designated, such a request must be effected via (a) or (b). It is also possible to do so via the Office of Origin of that international registration provided that that Office of Origin has agreed to collect the renewal fees and forward them to WIPO.

We wish to emphasise that IPOS Form TM 19 must not be lodged for the renewal of any international registrations designating Singapore. Only WIPO would be able to process the renewal of that international registration.

E-Payments to the World Intellectual Property Organization (Circular No. 19/2008, dated 26 December 2008)

The World Intellectual Property Organization (WIPO) has introduced an E-Payment Service at <https://webaccess.wipo.int/epayment/>, which allows payment of fees notified in their irregularity letters or other WIPO communications with regard to international applications or registrations.

Payments can be made through the WIPO Current Account or by credit card.

To make payment through the WIPO Current Account, you will be required to provide the userID and the password generated by them for the current account holders. If you do not have a current account, please read Current Account at WIPO at

http://www.wipo.int/resource/en/wipo_account.html for details, on how to open, use or close a current account with WIPO, if you are thinking of opening one.

If you already have a WIPO current account, but do not have a password, please send an email to WIPO at income.accounts@wipo.int, mentioning E-Payment as the subject matter.

To make payment by credit card, please follow the steps in the E-Payment Service. American Express, Mastercard and Visa are acceptable to WIPO.

Unfortunately at this stage, WIPO is still unable to accept payment via credit card for the filing of international applications. For such applications, the only payment modes are via the WIPO Current Account, or the Swiss postal account or any of the specified bank accounts of WIPO.

2010 Circular**Effect of the Recording of Licenses in the International Register in respect of International Registrations Designating Singapore** (Circular No. 1/2010, dated 12 February 2010)

Pursuant to Rule 20bis(6)(b) of the Common Regulations under the Madrid Protocol, Singapore has notified the Director General of the World Intellectual Property Organisation on 21 March 2002 that Singapore law would not give effect to the recording of trade mark licenses in the International Register. Accordingly, any recording of a license made under Rule 20bis(3) of the Common Regulations will have no effect on any International Registration designating Singapore. However, the holder of such an International Registration may still record the relevant license with IPOS by lodging Form TM 37, and the fee of S\$60.00 per trade mark number. Similarly, the holder of such an International Registration may request for the amendment or cancellation of the recording of the license via Forms TM 38 and TM 39 respectively.

F) PERTAINING TO THE CLASSIFICATION OF GOODS AND SERVICES**(I) General Information****Pre-2004 Circulars**

(8th Edition of the International Classification of Goods and Services, this circular was removed on 18 January 2008)

Compliance with the International Classification of Goods and Services

To assist the Registrar in expediting the acceptance of trade mark applications for registration, agents are reminded to ensure that the specifications of goods or services set out in the application forms conform with the International Classification of Goods and Services as far as possible. Very often, the Registrar receives applications where the marks are acceptable for registration but the specifications are not in order. This slows down the registration process.

Precedents in Support of Specification

In the examination of the specification of goods or services for compliance with the International Classification of Goods and Services, the Registrar is prepared to rely on precedents relating to Singapore, United Kingdom, Australia and Hong Kong registrations. Applicants and agents are therefore free to file these precedents in support of their specifications of goods and services for the Registrar's consideration.

However, the Registrar would not rely on such precedents in the following situations:

- (a) where the precedent relates to goods or services which have been accepted by the Registrar concerned in the wrong class;
- (b) where the precedent relates to goods or services which are no longer classified in the class stated in the precedent in view of a change of classes by the Special Union for the International Classification of Goods and Services for the purposes of the Registration of Marks (Nice Union);
- (c) where the precedent relates to goods or services which are no longer classified in the class stated in the precedent in view of a change or clarification of practice by the Registry concerned.

The use of square brackets [] and round brackets () in specifications

An expression between square brackets is intended to define more precisely the text or item preceding the brackets. Square brackets are used when the item is ambiguous for classification purposes. Round brackets are used to qualify the text or item preceding the brackets to ensure the correct classification. Round brackets are used when it is possible that the item can be classified in various classes depending on the intended goods or services sought to be covered.

Use of the term "Internet" in specifications of goods and services

In view of the widespread use of the term "Internet" in the generic sense, the Registrar will henceforth not raise any objections to the use of the term "Internet" in the specifications of goods and services of Singapore national applications or international registrations designating Singapore.

However, the use of the term “Internet” in specifications of goods and services is generally not encouraged as the word “Internet” is a registered trade mark in some countries and may be objected to by the designated offices of these countries in respect of international applications originating from Singapore filed under the Madrid Protocol. This may arise where the term “Internet” is listed in a Singapore national application or registration and the Singapore national application or registration forms the basis of an international application originating from Singapore under the Madrid Protocol. In the circumstances, it is advisable for applicants to use the term “global communications network” instead.

2004 Circulars

Underlining of precedents for objections on specification of goods / services (Circular No. 19/2004, dated 3 September 2004)

When lodging precedents to overcome the Registrar’s objection on the specification of goods / services, the Registrar requests that the relevant portions of the precedents to be underlined for greater visibility. This would assist the Registrar to identify and consider the relevant portions of the precedents in order to assess whether the objection should be waived.

Vague descriptions in specifications (Circular No. 20/2004, dated 12 November 2004)

A clear description of the goods or services claimed in a trade mark application is important as it determines the scope of the application. As such, the indication of goods, for example “pouches and the like”, is not acceptable as the expression, “and the like”, is vague. In the example given, it is not clear as to what other goods the applicant is claiming apart from pouches.

2005 Circular

(Use of acronyms for specifications of goods and/or services, Circular No. 6/2005, dated 22 April 2005. This circular was removed on 18 January 2008)

2006 Circular

International Classification of Goods and Services

NICE Classification – Ninth Edition (Circular No. 32/2006, dated 8 November 2006)

The ninth edition of the NICE Classification for the purposes of the registration of trade marks will come into effect on **1 January 2007**. Copies can be ordered online at <http://www.wipo.int/ebookshop?lang=eng>

The majority of the changes involve Classes 14, 20, 21, 26, 34, 42 and 45 but minor changes and additions have also been made to other classes. For more information regarding the specific changes, please refer to the *Nice Union Report CLIM/CE/20/* which is obtainable at the following link

http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=52419

The eighth edition of the NICE Classification shall still apply to all applications filed before 1 January 2007. Applications filed on or after 1 January 2007 shall be filed in accordance with the ninth edition of the NICE Classification. For the avoidance of doubt, there will be no reclassification of goods and services for existing applications filed prior to 1 January 2007, after the 9th Edition of the NICE Classification comes into force.

2007 Circular

Use of registered trade marks in specifications of goods and services (Circular No. 38/2007, dated 14 November 2007)

Registered trade marks which are ordinary dictionary words are allowed to be used in specifications of goods and services as a descriptor. This practice is consistent with our previous journal notice on the use of the term, "Internet", which has become generic. However, words which are invented and have been registered as trade marks will not be acceptable in specifications of goods and services. Instead, applicants should use ordinary English words to describe their goods and services. For example, a specification of goods which reads "bluetooth-enabled devices for communications, namely telephones, handsets, headsets, speakers, microphones and earphones" should be amended to "devices for communications which are enabled by short range radio technology, namely telephones, handsets, headsets, speakers, microphones and earphones".

2011 Circulars

The use of punctuation in specifications (Circular No. 2/2011, dated 9 September 2011)

Applicants are advised to take note of the following guidelines when using punctuation within a specification:

1. Use semicolons (;) to delimit the goods and services as segments within a class;
2. Use commas (,) within the same segment only if the goods or services claimed are related to each other;
3. Avoid the use of colons (:).

To illustrate, if a trade mark is used on computers, computer software, mouse pads, eyeglasses and goggles for sports, all of which are classified in Class 9, the list of goods should be indicated as "computers, computer software, mousepads; eyeglasses, goggles for sports". In the example given, the related goods are separated by commas while unrelated goods are separated by a semi-colon.

If, for example, a trade mark is used on pharmaceutical preparations, plasters, materials for dressings and disinfectants, the list of goods should be indicated as "Pharmaceutical preparations; plasters, materials for dressings; disinfectants". As both "plasters" and "materials for dressings" are used for wound dressing purposes, they may be separated by a comma instead of a semi-colon.

This practice applies to both International Applications as well as national applications.

International Classification of Goods and Services**NICE Classification – Tenth Edition** (Circular No. 3/2011, dated 16 September 2011)

The Tenth Edition of the NICE Classification for the purposes of the registration of trade marks will come into effect on 1 January 2012 and is available for reference at <http://www.wipo.int/classifications/nivilo/nice/index.htm?lang=EN>

For more information regarding the specific changes, please refer to the Nice Union Report CLIM/CE/21/ which is obtainable at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=151741.

Changes include the transfer of goods and services from one class to another, addition of items to a class, deletion of items, changes in descriptions and changes to the class headings. The Registry will provide more information on the specific changes shortly.

The Search & Pick and eTrademarks Search databases will be duly updated and the relevant changes will be captured once the Tenth Edition of the NICE Classification comes into force on 1 January 2012.

The Ninth Edition of the Nice Classification shall continue to apply to all applications filed before 1 January 2012. Applications filed on or after 1 January 2012 shall be filed in accordance with the Tenth Edition of the NICE Classification. For the avoidance of doubt, there will be no reclassification of goods and services for existing applications filed prior to 1 January 2012, after the Tenth Edition of the NICE Classification comes into force. The Registry will conduct cross class searches to ensure that relevant citations are captured.

International Classification of Goods and Services**NICE Classification – Tenth Edition****Specific Changes** (Circular No. 6/2011, dated 16 December 2011)

With reference to our circular issued on 16 September 2011, the Tenth Edition of the NICE Classification for the purposes of the registration of trade marks will come into effect on 1 January 2012.

The Registry has compiled a list of specific changes which includes:

- items that have been added to the Tenth (10th) edition of the NICE Classification;
- items that no longer exist in the Tenth (10th) edition of the NICE Classification;
- items that have been transferred to another class;
- descriptions of goods and services that have been changed; and
- descriptions of goods and services that have been changed and transferred to another class.

For the listing of the specific changes, please refer to the same Circular at www.ipos.gov.sg > Trade Marks> Other Information & Updates > Pertaining to the Classification of Goods and Services.

2012 Circulars**International Classification of Goods and Services**

NICE Classification – Tenth (10th) Edition, Version 2013 (Circular No. 2/2012, dated 24 August 2012)

The Tenth Edition, version 2013 of the NICE Classification, hereinafter abbreviated as "NCL (10-2013)", will come into effect on **1 January 2013**. The specific changes made to the current Tenth edition of the NICE Classification are found on WIPO's e-forum (under Project NC013) at:

<http://www.wipo.int/nef/en/project/1365/NC013>

The changes that will be introduced can be extracted from the Excel document in Annex 2 of Project NC013 by selecting the relevant "action" in Column B of the document. Please refer to Annex 1 of Project NC013 on how the specific changes can be extracted. Annex 3 of the Project relates to the changes to be made to the Explanatory Note of Class 5 and Class 39, as well as the rectification of a spelling error in the class heading of Class 43.

The Search & Pick and eTrademarks Search databases will be duly updated and the relevant changes will be captured once the NCL (10-2013) comes into force.

The current Tenth Edition of the Nice Classification shall continue to apply to all applications filed from 1 January to 31 December 2012. Applications filed on or after 1 January 2013 shall be filed in accordance with the NCL (10-2013). For the avoidance of doubt, there will be no reclassification of goods and services for existing applications filed prior to 1 January 2013, after the NCL (10-2013) comes into force.

International Classification of Goods and Services

Nice Classification – Tenth (10th) Edition, Version 2013

Specific Changes (Circular No. 4/2012, dated 28 December 2012)

The Registry had informed, via Circular No. 2/2012 dated 24 August 2012, that the Tenth (10th) edition, Version 2013 of the Nice Classification for the purposes of the registration of trade marks will come into effect on 1 January 2013.

The changes include:

1. items that have been added to the 10th edition, Version 2013 of the Nice Classification;
2. items that no longer exist in the 10th edition, Version 2013 of the Nice Classification;
and
3. descriptions of goods/services that have been changed.

To view the list of specific changes, please visit our website at <http://www.ipos.gov.sg>, and select "Trademarks" → "Other information & updates" → "Pertaining to the Classification of Goods and Services" → "2012 Circulars".

2013 Circulars**Online version of the Nice Classification /****Revision period of the Nice Classification** (Circular No. 1/2013, dated 15 February 2013)**Online version of the Nice Classification**

The Tenth (10th) edition of the Nice Classification, published in 2011, was the last printed edition. The current **Tenth (10th) Edition, Version 2013** of the Nice Classification, also known as “NCL(10-2013)” in short, is now only available in the form of an online publication which also comes with search functions. One useful feature of this online publication is the presence of an “information file” for some goods/services that are listed in the Nice Classification. If such a file exists, an icon () will be displayed beside a specific description of good/service, and when clicked on, additional information will be provided to users. As an example, if we were to click on the  icon that appears beside “belts [clothing]” in Class 25, a new page will appear with the following information provided:

- Definition of “belts [clothing]”;
- Classification criteria;
- Listing of an item in Class 25 that is similar to “belts [clothing]”;
- Listing of other kinds of belts that are classified in other classes.

This online publication, maintained by the World Intellectual Property Organization, is available at http://web2.wipo.int/nicepub/edition-20130101/taxonomy/?pagination=no&lang=en&mode=flat&explanatory_notes=hide&basic_numbers=hide.

Revision period of the Nice Classification

As from 2013, the Committee of Experts of the Nice Union (“Committee of Experts”) will revise the Nice Classification on a yearly basis. The corresponding annual versions of each edition will enter into force on 1 January every year. Each new version of the Nice Classification will include all changes adopted by the Committee of Experts since the adoption of the previous version. Such “changes” would relate to:

- the addition of a description of good/service to the Nice Classification;
- the deletion of an existing description of good/service from the Nice Classification;
- changes made to the wording of a good/service, to the class headings, or to the Explanatory Notes.

A new edition of the Nice Classification will enter into force every five years. Each new edition includes all changes and amendments adopted annually by the Committee of Experts during the whole five-year revision period. “Amendments” mean transfer of goods/services from one class to another, or the creation of a new class.

Trilateral List of Goods and Services (Circular No. 2/2013, dated 12 April 2013)

The updated Trilateral List of Goods and Services, deemed to be in conformity with the Nice Classification, 10th edition, Version 2013, is now available, in Excel format, on IPOS' eTrademarks classification search page and in the electronic Form TM4.

To view the list of specific changes that have been made to the previous Trilateral List, please refer to the same Circular at www.ipos.gov.sg > Trade Marks> Other Information & Updates > Pertaining to the Classification of Goods and Services.

International Classification of Goods and Services

Nice Classification – Tenth (10th) Edition, Version 2014 (Circular No. 9/2013, dated 22 November 2013)

1. Entry into force of the Nice Classification, Tenth (10th) Edition, Version 2014

The Tenth Edition, Version 2014 of the Nice Classification (hereinafter abbreviated as "**NCL (10-2014)**") will enter into force on 1 January 2014.

A copy of NCL (10-2014), in Excel format, is available on the website of the World Intellectual Property Organization at http://web2.wipo.int/nef/nef-projects/nc014/nc014-a05_ibli.xls.

2. Application of the Nice Classification, Tenth (10th) Edition, Version 2014

The current Tenth Edition, Version 2013 of the Nice Classification shall continue to apply to all applications filed from 1 January 2013 to 31 December 2013. Thereafter, applications filed on or after 1 January 2014 will be classified in accordance with NCL (10-2014).

For the avoidance of doubt, there will be no reclassification of goods and services for applications filed before 1 January 2014.

3. Online classification tools

Upon the coming into force of NCL (10-2014), the Search & Pick facility in the electronic Form TM4 and the eTrademarks Classification Search database on the Registry's website will be duly updated to mirror the changes that are introduced by NCL (10-2014) to the current Tenth Edition, Version 2013 of the Nice Classification.

4. Changes made to the current Tenth (10th) Edition, Version 2013 of the Nice Classification

To view the list of changes made to the current Tenth Edition, Version 2013 of the Nice Classification, please visit the Registry's website at <http://www.ipos.gov.sg> and refer to this Circular by selecting "Trademarks" → "Other Information & Updates" → "Pertaining to the Classification of Goods and Services" → "2013 Circulars".

2014 Circular

Expanding the list of precedents for specification claims (Circular No. 3/2014, dated 7 February 2014)

Currently, the Registry is prepared to rely on precedents from Singapore, United Kingdom, Australia and Hong Kong registrations in relation to specifications of goods or services.*

In order to further harmonize our practice with other developed jurisdictions and to better serve our customers, the Registry will now extend this practice to precedents from New Zealand and the United States of America.

With this extension, agents and applicants are welcome to submit precedents from the following jurisdictions in support of their specification of goods or services:

- Singapore
- United Kingdom
- Australia
- Hong Kong
- New Zealand
- United States of America

However, please note that the Registrar will not consider precedents which:

- Had clearly been accepted in the wrong class;
- Are no longer accurate in light of the relevant edition/version of the International Classification of Goods and Services;
- Are inconsistent with our current practice or that of the relevant foreign IP office.

*To view the relevant circular, please visit the Registry's website at <http://www.ipos.gov.sg> and select "Trademarks" → "Other Information & Updates" → "Pertaining to the Classification of Goods and Services" → "Pre-2004 Circulars" → "Precedents in Support of Specification".

(II) Information on specific items**Pre-2004 Circulars**

(Cereal-based beverages, Beverages made from cereals, Pre-2004 Circular. This Circular was replaced by Circular No. 7/2008, dated 5 March 2008)

Club [dining] services

With effect from 31 October 2003, the Registrar will accept the specification “club [dining] services” in Class 43 instead of Class 41 of the International Classification of Goods and Services. The emphasis on the word “dining” puts the item more in line with the class heading and explanatory notes of Class 43.

Consultancy Services

In the 8th edition of the International Classification of Goods and Services, consultancy services will be classified according to their subject matter. For example, consultancy services relating to telecommunications will be classified in Class 38, transportation consultancy services in Class 39 and intellectual property consultancy services in Class 42. The Registry had been taking this position in its examination of applications.

WIPO has clarified that pending the coming into force of the 8th edition, the correct classification is in accordance with the 7th edition where such services are classified in class 35 if they are business-related and class 42 if they are non-business-related. Hence, the Registry is adopting this stand.

However, in order not to prejudice any party who has acted on the Registrar’s earlier position on such services, the Registry will not reject consultancy services which have been classified according to their subject matter.

Desserts

With effect from 31 October 2003, the Registrar will not accept a specification consisting of “desserts” per se. This is in line with the World Intellectual Property Organization’s view that the said item, without further qualification, is vague.

Examples of acceptable descriptions are :

“Desserts [Jellies for food]” in Class 29 or

“Desserts [Ice cream]” in Class 30

(Executor services, Pre-2004 Circular. This Circular was replaced by Circular No. 7/2008, dated 5 March 2008)

Mail order services

A specification of services consisting of or containing "mail order services" is unacceptable as it does not conform to the International Classification of Goods and Services and should be reworded to "the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods from a general merchandise catalogue by mail order" in accordance with the practice in the United Kingdom.

Provision of information for business or domestic purposes in Class 38

With effect from 30 July 2003, a specification which reads "provision of information for business or domestic purposes" in class 38 will not be acceptable. The applicant is requested to further qualify the specification so that it will read as "provision of information in the field of telecommunications for business or domestic purposes". This is in line with the General Remarks as provided in the Nice Classification that the subject matter of the information being provided determines the correct class for the services.

(Provision of user access time to the global computer network, Pre-2004 Circular. This circular was removed on 26 September 2007)

(Storage of data, information or documents, Pre-2004 Circular. This circular was removed on 5 December 2008)

2004 Circulars**Retailing of services** (Circular No. 2/2004, dated 7 January 2004)

With effect from 7 January 2004, the Registrar will not accept a specification containing a claim for "retailing of services" or "the bringing together, for the benefit of others, of a variety of services (excluding the transport thereof), enabling customers to conveniently view and purchase those services". Applicants will be asked to clarify on the type(s) of services they are providing and to apply for such services in the appropriate class(es).

WIPO's Recommendation No. 16 (Circular No. 4/2004, dated 6 February 2004)

For applications lodged on or after 13 January 2004, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the items stated below in the designated classes:

- (1) Pastilles and chewing gum for cosmetic purposes - Class 3
- (2) Soap bubbles and foam generators for shows - Class 11
- (3) Lenyards (Keycards) - Class 14

(Joss sticks, Circular No. 5/2004, dated 13 February 2004. This circular was removed on 20 March 2009)

Canned foodstuffs of plant origin (Circular No. 6/2004, dated 5 March 2004)

For applications lodged on or after 12 March 2004, the Registrar will accept the specification "canned foodstuffs of plant origin" in Class 30 instead of Class 29. This is in line with the explanatory note of Class 30 which states "Class 30 includes mainly foodstuffs of plant origin prepared for consumption or conservation".

Manufacturing of goods (Circular No. 12/2004, dated 11 June 2004)

For applications lodged on or after 18 June 2004, a specification of services consisting of or containing "manufacturing of goods" is unacceptable as it does not conform to the International Classification of Goods and Services. If a person is manufacturing goods, registration should be sought for the goods only.

As appropriate, the specification may be phrased as "custom assembling of materials [for others]" or "custom manufacturing of goods [for others]". For example, where the items in question are cell cultures, it may be more appropriate to describe the service as "custom manufacturing of cell cultures [for others]". However, if the goods in question are clothing, "custom assembling of clothing [for others]" would be more appropriate.

(Providing search engines for the internet, Circular No. 12/2004, dated 11 June 2004. This circular was removed on 20 March 2009)

WIPO's Recommendation No. 17 (Circular No. 17/2004, dated 9 July 2004)

For applications lodged on or after 16 July 2004, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the items stated below in the designated classes:

- (1) Packaging containers of regenerated cellulose - Class 16
- (2) Refilling of empty toner cartridges - Class 37.

Provision of news (Circular No. 19/2004, dated 3 September 2004)

For applications lodged on or after 10 September 2004, the Registrar will not accept a specification consisting of "provision of news" *per se*. This is in line with the World Intellectual Property Organization's view that this description, without further qualification, is vague. The subject matter of the news provided and the purpose for which it is provided are important in determining the class to which it should fall under. Generally, these services are classified in the same classes as the services that correspond to the subject matter of the information. Examples of acceptable descriptions are:-

"Provision of business news [business management]" in Class 35;

"Provision of news [telecommunication services]" in Class 38; and

"Provision of news for entertainment purposes" in Class 41.

(Leasing services, Circular No. 20/2004, dated 12 November 2004. This circular was removed on 30 December 2011)

2005 Circulars

Computerised communication network security and other security services (Circular No. 5/2005, dated 1 April 2005)

For applications lodged on or after 8 April 2005, the Registrar will only accept “computerised communication network security” and like services in Class 42 and not in Class 45, as such items are forms of computer services classified under Class 42.

Class 45 covers services for the protection and security of individuals and property in general, eg “security services for buildings”, “personal body guarding” and “night guards”. If such services and information relating to such services are offered online or via a computer network, they will be classified under Class 45 as well.

However, Class 42 will cover security services if they pertain to security of computer networks or the internet, eg. “computerised communication network security”, or if such services are offered as a form of computer service, eg “data security services [firewalls]” or “professional consultancy relating to computer security”. It would not be correct to classify such computer security services in Class 45.

It is also useful to note that the International Classification of Goods and Services (8th Edition) classifies some security services in Class 39. Security services relating to transport, eg. “guarded transport of valuables” and “escorting of travellers”, are classified under Class 39 and not Class 45.

WIPO’s Recommendation No. 18 (Circular No. 5/2005, dated 1 April 2005)

For applications lodged on or after 8 April 2005, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes:

- (1) Enzymes for human consumption – Class 29
- (2) Soya milk [condiment] – Class 30
- (3) Supervision of teamwork to improve its effectiveness – Class 35
- (4) Consultancy in the field of computer security – Class 42
- (5) Therapy services – Class 44

Prepared meals (Circular No. 6/2005, dated 22 April 2005)

For applications lodged on or after 29 April 2005, the Registrar will not accept a specification consisting of “prepared meals” per se as the said item, without further qualification, is vague and may fall within several classes. The item should specify the content of the prepared meals, for example,

“Prepared meals consisting of meat” in Class 29 or

“Prepared meals containing principally of rice” in Class 30.

2006 Circulars**Crib bumpers** (Circular No. 3/2006, dated 3 February 2006)

For applications lodged on or after 10 February 2006, the Registrar will only accept the item, “crib bumpers”, in Class 20. This item is a type of cushion for lining the base and sides of the crib and serves a protective purpose for the baby. Since the item “cushions” is listed in Class 20 of the Nice Classification, by analogy, the item, “crib bumpers”, should be classified in Class 20 as well.

Retail services and other like services in Class 35 (Circular No. 6/2006, dated 24 February 2006)

The Registrar has revised her practice concerning retail services and other like services in Class 35. This revision in practice shall take effect for all applications lodged on or after 3 March 2006

In the past, applicants, in most instances, are required to list the goods to which the retail services relate. With the revised practice, where it is practical, it is still advisable to list the goods to which the retail services relate. However, the Registrar will no longer insist on such a requirement in all cases, as long as the description “the bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods”, is used in conjunction with the means of bringing goods together. Thus, in cases where it is not practical to list all the goods to which the retail services relate, the Registrar will accept an indication of the means of bringing goods together and displaying such goods for the benefit of customers, for example, from a retail outlet, a wholesale outlet or a distributor outlet. Such an indication can be inserted at the end of the description “the bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods”.

With the revised practice, “wholesale services” will also be treated in the same manner as “retail services”.

The following descriptions provide guidance on what is considered to be acceptable to the Registrar in future:

(a) “The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a retail outlet”;

(b) "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a retail outlet";

(c) "Retail services in relation to [list the goods]";

(d) "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a wholesale outlet";

(e) "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a wholesale outlet";

(f) "Wholesale services in relation to [list the goods]";

(g) "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a distributor outlet";

(h) "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a general merchandise catalogue by mail order or by means of telecommunications"; and

(i) "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a general merchandise web site in the global communications network".

The Registrar is prepared to accept similar descriptions of the above services provided that the services are clearly described and fall within the ambit of retail or wholesale services. Please note that vague descriptions such as "distributorship services" are not acceptable as the term "distributorship" may encompass more than just retail or wholesale services, for example, it may include transportation services.

Interior decoration services (Circular No. 22/2006, dated 7 July 2006)

For applications lodged on or after 14 July 2006, the Registrar will only accept "interior decoration services" in Class 42 and not in Class 37, as such services are analogous to the item "design of interior décor" which is listed in Class 42 of the International Classification of Goods and Services (8th Edition).

WIPO's Recommendation No. 19 (Circular No. 25/2006, dated 16 August 2006)

For applications lodged on or after 23 August 2006, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes :

(1) Incontinence garments – Class 5

(2) Telephone ring tones [downloadable] – Class 9

(3) Milk jam – Class 29

(4) Toasted natural wood chips added to wine to improve its flavour – Class 30

WIPO's Recommendation No. 20 (Circular No. 25/2006, dated 16 August 2006)

For applications lodged on or after 23 August 2006, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes :

- (1) Paper sheets, sensitized, for carrying photographic imaging materials – Class 1
- (2) Slot machines[vending machines] – Class 9
- (3) Paper sheets, not sensitized, for carrying photographic imaging materials – Class 16
- (4) Slot machines[amusement] – Class 28
- (5) Stand-alone video game machines – Class 28

Technical consultancy services (Circular No. 25/2006, dated 16 August 2006)**Technical support services** (Circular No. 25/2006, dated 16 August 2006)

For applications lodged on or after 23 August 2006, the Registrar will classify “technical consultancy services”, “technical support services” and other similar technical advisory and technical information services according to their subject matters. The General Remarks in the Nice Classification (8th Edition) states that services that provide advice, information or consultation are in principle classified in the same classes as the services that correspond to the subject matter of the advice, information or consultation. Further, in line with the view of the World Intellectual Property Organization, the Registrar will consider indications such as “technical consultancy services” and “technical support services”, *per se* as too broad and vague and objections will be taken. Such indications will have to be specified in respect of their subject matters for the purpose of classification.

2007 Circulars**WIPO's Recommendation No. 21** (Circular No. 27/2007, dated 25 July 2007)

For applications lodged on or after 1 August 2007, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes:

- (1) Scoreboards for sports, other than mechanical or electric – Class 20
- (2) Advice on tax preparation – Class 35
- (3) Advice on fiscal assessments, advice on fiscal valuations – Class 36
- (4) Carbon offsetting services [recycling] – Class 40
- (5) Prenatal exercises – Class 41
- (6) Weblog [blog] services [on-line publication of journals or diaries] – Class 41
- (7) Creating and maintaining weblogs [blogs] for others – Class 42
- (8) Hosting of weblogs [blogs] – Class 42
- (9) Preparation of technical projects, technical research and consultancy services in the field of carbon offsetting – Class 42
- (10) Carbon offsetting services [reforestation] – Class 44

Providing on-line forums (Circular No. 27/2007, dated 25 July 2007)

Operating chat rooms (Circular No. 27/2007, dated 25 July 2007)

Providing chat rooms (Circular No. 27/2007, dated 25 July 2007)

Providing discussion services on-line (Circular No. 27/2007, dated 25 July 2007)

For applications lodged on or after 1 August 2007, the Registrar will only accept the items "providing on-line forums", "operating chat rooms", "providing chat rooms", and "providing discussion services on-line" in Class 38, regardless of the topic of the discussion. These items are analogous to the items "electronic bulletin board services [telecommunication services]" and "providing internet chatrooms" listed in Class 38 of the NICE Classification (Ninth Edition). This is in line with the view of the World Intellectual Property Organization.

Arranging and conducting of colloquiums (Circular No. 27/2007, dated 25 July 2007)

Arranging and conducting of conferences (Circular No. 27/2007, dated 25 July 2007)

Arranging and conducting of congresses (Circular No. 27/2007, dated 25 July 2007)

Arranging and conducting of seminars (Circular No. 27/2007, dated 25 July 2007)

Arranging and conducting of symposiums (Circular No. 27/2007, dated 25 July 2007)

Arranging and conducting of conventions (Circular No. 27/2007, dated 25 July 2007)

Arranging and conducting of exhibitions (Circular No. 27/2007, dated 25 July 2007)

The Registrar wishes to clarify that the above items with the exception of the last, viz.

"arranging and conducting of colloquiums";
"arranging and conducting of conferences";
"arranging and conducting of congresses";
"arranging and conducting of seminars";
"arranging and conducting of symposiums"; and
"arranging and conducting of conventions"

are classified in Class 41, regardless of the topic relating to these services. It is the purpose of the service and not the topic that determines their classification in Class 41. By virtue of their dictionary definitions, the terms, "colloquiums", "conferences", "congresses", "seminars", "symposiums" and "conventions" refer to activities linked with training or education, both of which are proper to Class 41. To illustrate, "arranging and conducting of conferences for commercial or advertising purposes" and "arranging and conducting of seminars for commercial or advertising purposes" are both classified under Class 41.

However, the item, "arranging and conducting of exhibitions", will be classified according to the subject matter since this service only refers to showing of products or services to the public, and is not primarily offered for the purposes of training or education. By analogy, "organization of exhibitions for commercial or advertising purposes" is listed in Class 35 of the NICE Classification (Ninth Edition), but "organization of exhibitions for cultural or educational purposes" is listed in Class 41 of the NICE Classification (Ninth Edition). This is in line with the view of the World Intellectual Property Organization.

Providing access to databases (Circular No. 33/2007, dated 26 September 2007)

Rental of access time to the internet / global computer networks (Circular No. 33/2007, dated 26 September 2007)

Providing of user access to the internet / global computer networks (Circular No. 33/2007, dated 26 September 2007)

Rental of access time to databases (Circular No. 33/2007, dated 26 September 2007)

For applications lodged on or after 3 October 2007, the Registrar will accept these and other analogous items in Class 38 only. These are essentially telecommunication services and are classified under Class 38 whether they are provided by an Internet Service Provider or a non-Internet Service Provider. Hence, our previous journal notice on the classification of these services based on the status of the applicant is no longer applicable.

(The last paragraph in this circular was removed on 30 December 2011)

2008 Circulars

Cereal-based beverages (Circular No. 7/2008, dated 5 March 2008)

Beverages made from cereals (Circular No. 7/2008, dated 5 March 2008)

Executor services (Circular No. 7/2008, dated 5 March 2008)

The pre-2004 circulars on “cereal-based beverages/ beverages made from cereals” in Class 32 and “executor services” in Class 42 have been removed in light of recent directives from the World Intellectual Property Organisation.

A specification of goods consisting of or containing “cereal-based beverages” or “beverages made from cereals” will be classified in Class 30 by analogy to “cereal preparations” that are classified under Class 30 of the NICE Classification.

A specification of services consisting of or containing “executor services” will be classified in Class 36 because such services generally relate to the administration of money, investments, real estate, assets, and other valuables. Such services are analogous to “fiduciary services” and “trusteeship services” both of which are classified under Class 36 of the NICE Classification.

The above changes affect all applications lodged on or after 12 March 2008.

Retail services and other like services in Class 35 (Circular No. 9/2008, dated 2 May 2008)

In addition to Circular No. 6/2006, the Registrar will accept the descriptions for applications lodged on or after 9 May 2008 (where it is not practical to list all the goods to which the retail services or wholesale services relate):

- a. “retail services”
- b. “wholesale services”

However, the Registrar will continue to reject descriptions such as “distributorship services”, “mail order services”, “departmental store services”, “supermarket services”, or “internet shopping”. These terms are considered vague as they include services more than retail and wholesale services.

With the addition, the following descriptions provide guidance on what is considered to be acceptable to the Registrar in future:

- a. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a retail outlet";
- b. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a retail outlet";
- c. "Retail services in relation to [list the goods]";
- d. "Retail services";
- e. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a wholesale outlet";
- f. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a wholesale outlet";
- g. "Wholesale services in relation to [list the goods]";
- h. "Wholesale services";
- i. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a distributor outlet";
- j. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a distributor outlet";
- k. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a general merchandise catalogue by mail order or by means of telecommunications";
- l. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a general merchandise catalogue by mail order or by means of telecommunications";
- m. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a general merchandise web site in the global communications network";

- n. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a general merchandise web site in the global communications network";
- o. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a departmental store";
- p. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a departmental store";
- q. "The bringing together, for the benefit of others, of a variety of goods [list the goods] (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a supermarket"; and
- r. "The bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a supermarket".

WIPO's Recommendation No. 22 (Circular No. 16/2008, dated 21 November 2008)

For applications lodged on or after 28 November 2008, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes:

- (1) Milk ferments [bacteria preparations] used in making foodstuffs - Class 1
- (2) Wind turbines - Class 7
- (3) Pill distributor and organizer boxes for medical purposes - Class 10
- (4) Electronic cigarettes for medical purposes - Class 10
- (5) Meditation stones - Class 14
- (6) Pill boxes [not for medical purposes] - Class 21
- (7) Tablecloth holders - Class 21
- (8) Electronic cigarettes, not for medical purposes - Class 34
- (9) Publicity film production - Class 35
- (10) Illustrators' services - Class 42
- (11) Diamond authentication and certification services - Class 42
- (12) Electronic data storage - Class 42
- (13) Advice concerning cooking recipes - Class 43

Electronic data storage (Circular No. 16/2008, dated 21 November 2008)

Storage of data, information or documents (Circular No. 16/2008, dated 21 November 2008)

The pre-2004 circular on "Storage of data, information or documents" (Class 35 or 39) has been removed in light of recent directive from the World Intellectual Property Organization.

A specification of services consisting of "Electronic data storage" will be classified in Class 42 instead of 35 by analogy to "Duplication of computer programs" and "Data conversion of computer programs and data [not physical conversion]" which are classified under Class 42 of the NICE Classification. This is in conformity with the explanatory note "Class 42 includes mainly services provided by ... computer programmers, etc.".

On the other hand, if the data, information or documents are being stored physically, for example, in a warehouse, then it is proper to Class 39. The determining factor is **where** the data, information, or documents are being stored. Examples of items which are proper to Class 39 are:

- i. "Data storage"
- ii. "Information storage"
- iii. "Storage of electronically-stored data, information or documents".

The above changes affect all applications lodged on or after 28 November 2008.

2009 Circulars

Association services (Circular No. 6/2009, dated 30 April 2009)

For applications lodged on or after 7 May 2009, the Registrar will not accept a description consisting of "association services" per se because the item, without further qualification, is vague and may fall within several classes. The World Intellectual Property Organization also regards this description as being vague and takes the view that a service should not in principle commence with the description "association services" even if it is followed by a qualifier. For example, the description, "association services, namely arranging business introductions", is not acceptable.

In light of the above, applicants should avoid using descriptions beginning with "association services". A description like "association services, namely, promoting the general interests of those concerned with the importance of health and nutrition", should be reworded to "business promotion relating to the importance of health and nutrition, provided through an association" in order for it to be classified in Class 35.

Concierge services (Circular No. 6/2009, dated 30 April 2009)

For applications lodged on or after 7 May 2009, the Registrar will not accept a description consisting of "concierge services" per se because the item, without further qualification, is vague and may fall within several classes. This is in line with the view of the World Intellectual Property Organization that the description is vague and can fall within several classes.

In light of the above, applicants should specify the exact nature of the concierge services that are being claimed. If they insist on using the description, "concierge services", that must be qualified by a precise description of the concierge service. The following are examples of acceptable descriptions.

- i. "Concierge services for the arranging of tours" in Class 39
- ii. "Concierge services, namely, the delivery of luggage for guests" in Class 39
- iii. "Concierge services, namely, arranging for theater tickets" in Class 41
- iv. "Concierge services relating to restaurant reservations" in Class 43
- v. "Concierge services [baggage inspection for security purposes]" in Class 45.

On the other hand, descriptions such as "concierge services for others comprising of making requested personal arrangements and providing customer specific information to

meet the needs of individuals", "hotel and resort concierge services", and "personal services rendered by others to meet the needs of individuals, namely, concierge services" are not acceptable since the exact nature of the services is unclear.

Personal and/or social services rendered by others to meet the needs of individuals
(Circular No. 7/2009, dated 19 June 2009)

This is to clarify that a description consisting of "personal and/or social services rendered by others to meet the needs of individuals" in Class 45 has never been acceptable to the Registrar because it is vague and too broad in scope. For the purpose of clarity, applicants must specify the exact nature of the services that they wish to claim.

If, however, an applicant insists on using this description, it must be qualified by a precise description of the personal or social services claimed. An example of an acceptable description would be "personal services rendered by others to meet the needs of individuals, namely baby sitting".

Ancillary Services / Related Services (Circular No. 11/2009, dated 25 September 2009)

For applications lodged on or after 2 October 2009, the Registrar will not accept a description containing "ancillary services", "related services" or their equivalent, regardless of whether they are preceded or followed by a specific term. This is because the exact nature of these descriptions remains unclear. The addition of qualifiers such as "included in this class" or "all in this class" in such descriptions does not help in making those descriptions any clearer. The following are some examples of the objectionable descriptions:-

- (a) "advertising services; services ancillary or related to the aforementioned included in this class";
- (b) "services ancillary or related to the provision of business management services; all in this class"; and
- (c) "all services relating or ancillary to computer services; all included in Class 42".

In such cases, the Registrar will request that the applicant specify the "ancillary services" and "related services" claimed so that the specification is clear and unambiguous.

This practice direction is consistent with Circular No. 20/2004 that relates to "Vague descriptions in specifications".

2010 Circulars

WIPO's Recommendation No. 23 (Circular No. 2/2010, dated 5 March 2010)

For applications lodged on or after 12 March 2010, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes:

1. Trophies of common metals (Class 6)
2. Trophies of precious metals (Class 14)

3. Brackets for setting up flat screen TV sets (Class 9)
4. Baby gates (Class 20)
5. Decorative sand bottles (Class 21)
6. Ankle garters (Class 26)
7. Storage of human cells (Class 39)
8. Rental of water dispensers (Class 43)
9. Service of actual notice (Class 45)

Computer services (Circular No. 3/2010, dated 25 June 2010)

For applications lodged on or after 2 July 2010, the Registrar will not accept a description consisting of "computer services" per se because the item, without further qualification, is vague. The insertion of a description that reads, for example, "all included in this class" at the end of a specification will not assist in avoiding an objection from the Registrar.

According to the International Classification of Goods and Services (ICGS), services that relate to the installation, maintenance or repair of computer hardware are classified in Class 37, while services in relation to computer rental and the installation, maintenance or repair of computer software are classified in Class 42. To avoid ambiguity and to ensure conformity with the ICGS, applicants are requested to specify the exact nature of the computer services that they are claiming. However, those who wish to include the description, "computer services", in their specification of services may refer to the following examples which are considered acceptable to the Registrar:

- "Computer services, namely installation of computer hardware" (Class 37)
- "Computer services, namely providing search engines for the internet" (Class 42)
- "Computer services in the nature of hosting web sites for others" (Class 42)

WIPO's Recommendation No. 24 (Circular No. 4/2010, dated 8 October 2010)

For applications lodged on or after 15 October 2010, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the classes indicated in brackets next to the item:

1. Ear candles (Class 5)
2. Massage chairs with built-in massage apparatus (Class 10)
3. Airline seats with a massage function (Class 12)
4. Ergonomic chairs for seated massage (Class 20)
5. Electronic pet feeders (Class 21)

2011 Circular**WIPO's Recommendation No. 25** (Circular No. 4/2011, dated 21 October 2011)

For applications lodged on or after 28 October 2011, the Registrar, following the recommendations of the World Intellectual Property Organization, will accept the following items in the designated classes indicated in brackets next to the item:

1. Fuel gas cartridges (Class 4)
2. Metal stables (Class 6)
3. Emergency warning lights (Class 9)
4. Gasifiers for laboratory use (Class 9)
5. Emergency flares [pyrotechnics] (Class 13)
6. Christmas stockings (Class 28)
7. Streamers [novelty items] (Class 28)
8. Adhesive grip tape for sports equipment (Class 28)
9. Natural fishing bait [live or not live] (Class 31)
10. Snow removal services (Class 37)

2012 Circulars

Data storage (Circular No. 1/2012, dated 27 July 2012)

Information storage (Circular No. 1/2012, dated 27 July 2012)

For applications lodged on or after 3 August 2012, the Registrar will not accept a specification consisting of "data storage" or "information storage" either in Class 39 or in Class 42 as the descriptions, without further qualification, are vague. As such, examples 1 and 2 cited in Circular No. 16/2008 on "Electronic data storage" and "Storage of data, information or documents" will no longer be valid.

The following are examples of acceptable descriptions in the designated classes:

1. "Physical storage of electronically-stored data or documents" (Class 39)
2. "Physical storage of electronically-stored information" (Class 39)
3. "Electronic data storage" (Class 42)
4. "Computerised business information storage" (Class 42)

Cereal-based beverages (Circular No. 1/2012, dated 27 July 2012)

Beverages made from cereals (Circular No. 1/2012, dated 27 July 2012)

For applications lodged on or after 3 August 2012, the Registrar will not accept a specification consisting of "cereal-based beverages" or "beverages made from cereals" in Class 30. This is in line with the explanatory note in the Nice Classification which states that Class 30 includes in particular beverages with coffee, cocoa, chocolate or tea base. As an example, "honey" is listed in Class 30 of the Nice Classification but "non-alcoholic honey-based beverages" is listed in Class 32. By analogy, "cereal-based beverages" or "beverages made from cereals" should be classified in Class 32 even though "cereal preparations" is listed in Class 30. Hence, Circular No. 7/2008 on "Cereal-based beverages" and "Beverages made from cereals" will no longer be valid.

G) CIRCULARS RELATED TO PROCEEDINGS BEFORE THE HEARINGS AND MEDIATION GROUP (FORMERLY KNOWN AS HEARINGS AND MEDIATION DIVISION)**HMD 2009 Circulars**

(Applications for Security for Costs, HMD Circular No. 1/2009, dated 20 November 2009. This circular is replaced by HMD Circular No. 3/2011, dated 08 April 2011.)

Completion of Form TM 28 (HMD Circular No. 2/2009, dated 20 November 2009)

Form TM 28 is used for 3 different types of proceedings:-

- (i) Application for revocation of registration of a trade mark (Rule 57(1)(a) of the Trade Marks Rules 2008 Rev. Ed. (TMR));
- (ii) Application for declaration of invalidity of registration of a trade mark (Rule 57(1)(b) of the TMR); and
- (iii) Application for rectification of the register by persons other than the proprietor of the trade mark (Rule 57(1A)(b)).

Thus, when completing the form, please ensure that: -

- (i) the correct information is provided in Form TM 28 pursuant to the particular type of proceedings for which the Form TM 28 is filed; and
- (ii) the statement of grounds provided under Part 5 of Form TM 28 is worded consistently in accordance with the type of proceedings pursued under TM 28 ie application for revocation / declaration of invalidity / rectification of the register, as applicable.

In the event of any inconsistencies between the statement of grounds and the type of proceedings indicated, the applicant would generally be directed to re-file Form TM 28 with a clear indication as to the type of proceedings pursued, unless there are exceptional reasons for the Registrar to exercise her discretion to waive the need for such correction. The earlier application will be treated as withdrawn and the application date will be the later filing date. Fees paid are non-refundable as the need to re-file is attributable to the applicant or his agents.

Filing of Form TM 11 by Joint-Opponents (HMD Circular No. 3/2009, dated 20 November 2009)

Under the provisions relating to oppositions in the Trade Marks Act (Cap 332) 2005 Rev. Ed. and Trade Marks Rules 2008 Rev. Ed., there is no prohibition against joint-opponents opposing a trade mark application.

In such an instance, it is sufficient for the purposes of the opposition that one Form TM 11 be filed. To reflect that there are joint-opponents opposing the registration of a particular trade mark, the opponents simply need to indicate, at Part 3 of TM 11, the particulars of the different opponents opposing such a registration.

The fees which are chargeable for TM 11 will depend upon the number of classes included in TM 11.

Similarly, in such circumstances, for the purpose of lodging evidence via statutory declarations (this will occur at a later stage in an opposition proceeding), the joint-

opponents need to file only one set of evidence via statutory declarations provided that it is clear from each statutory declaration that the deponent has been duly authorized by all the joint-opponents to give such evidence on their behalf.

Service of Form TM 11 (Notice of Opposition) and Form TM 28 (Application for Revocation / Declaration of Invalidity / Rectification) (HMD Circular No. 4/2009, dated 20 November 2009)

Service of Form TM 11 and Form TM 28 is regulated under Rule 29 and Rule 57 of the Trade Marks Rules 2008 Rev. Ed. (TMR) respectively.

Rule 29(2) provides that the opponent shall serve on the applicant a copy of the notice of opposition at the same time as the notice of opposition is filed with the Registrar.

Rule 57(3) provides that the applicant for revocation / declaration of invalidity / rectification shall, if he is not the proprietor of the registered trade mark, serve a copy of the application and the statement of grounds on which the application is based on the registered proprietor at the same time as he files the application and statement of grounds with the Registrar.

For the purpose of ensuring compliance with the above Rules, the opponent / applicant is to indicate clearly, on the cover letter enclosing the notice of opposition or application for revocation / declaration of invalidity / rectification to the Registrar, that a copy of Form TM 11 or Form TM 28, as applicable, has been served on the applicant / registered proprietor. Failure to do so will be taken as non-compliance with Rule 29(2) or Rule 57(3) respectively. Accordingly, the Registrar will treat the case as no proper service of Form TM 11 and Form TM 28 respectively, unless the opponent / applicant proves otherwise.

In such an event, Form TM 11 / Form TM 28 will be rejected as non-compliant. The opponent / applicant will have to re-file Form TM 11 / Form TM 28 afresh and serve the same on the applicant / registered proprietor.

In relation to Form TM 11, in the event that the notice of opposition cannot be re-filed as the 2-month or 4-month maximum time period has expired, the prospective opponent will then have to consider filing for invalidation after the mark has been registered.

Service of Form TM 12 (Counter-statement) (HMD Circular No. 5/2009, dated 20 November 2009)

Service of Counter-statement for opposition is regulated under Rule 31 of the Trade Marks Rules 2008 Rev. Ed. (TMR) and service of Counter-statement for an application for revocation / declaration of invalidity / rectification is regulated under Rule 58 of the TMR.

Rule 31(2) provides that the applicant shall serve on the opponent a copy of the Counter-statement at the same time as it is filed with the Registrar.

Rule 58(2) provides that the registered proprietor shall serve on the applicant a copy of the Counter-statement at the same time as he files the Counter-statement with the Registrar.

For the purpose of ensuring compliance with the above Rules, the applicant / registered proprietor is to indicate clearly, on the cover letter enclosing Form TM 12 to the Registrar, that the same has been served on the opponent / applicant. Failure to do so will be taken as non-compliance with the Rules. Accordingly, the Registrar will treat the case as no proper service of Form TM 12.

In such an event of non-service, and provided that the irregularity would not result in a detriment to the other party that cannot be remedied, the Registrar would generally, pursuant to Rule 83, exercise her discretion to direct that the procedural irregularity be

rectified by issuing deadlines for service of the Form TM 12 on the other party and an order as to costs against the applicant / registered proprietor as appropriate.

HMD 2010 Circulars

Compliance with Rule 30(3) (HMD Circular No. 1/2010, dated 20 August 2010)

Where an opponent relies on an “earlier trade mark which is well known in Singapore” in support of his opposition, Rule 30(3) of the Trade Marks Rules 2008 Rev Ed applies.

Rule 30(3) requires that:

- (i) information on the use of the earlier trade mark; and
- (ii) information on any promotion undertaken for the earlier trade mark be provided in the notice of opposition.

There are no pre-set requirements on the specific information needed to comply with Rule 30(3). Therefore, any relevant information will be accepted as long as:

- (i) the information relates to the use or promotion of the earlier trade mark; and
- (ii) it is “for the purpose of determining if the trade mark is well known in Singapore” as expressed in Rule 30(3).

Non-exhaustive examples include:

- (i) revenue figures for the earlier trade mark worldwide and in Singapore, if any
- (ii) promotion figures for the earlier trade mark worldwide and in Singapore, if any
- (iii) information on the duration of the use and promotion of the earlier trade mark
- (iv) information on the extent of the use and promotion of the earlier trade mark
- (v) information on the geographical area of the use and promotion of the earlier trade mark

Examples (iii) to (v) above are essentially information pertaining to Section 2(7)(b) of the Trade Marks Act (Cap 332) 2005 Rev Ed.

The information provided can be descriptive (e.g. “Our well known mark has been used on clothing and footwear in 20 countries worldwide including the USA, UK, Germany, China and Singapore since 1990”) or quantitative (e.g. actual revenue and promotional figures”).

Any information provided under Rule 30(3) must, however, be more than that which is already required of earlier trade marks which are not registered nor pending registration under Rule 30(2)(c). In other words, the information must go beyond information on the goods or services in respect of which the mark is used.

If Rule 30(3) is not complied with, the opponent will be directed to amend his notice of opposition to comply with the requirement if the parties are not negotiating.

In practice, the above applies to an application for invalidation that is based on “an earlier mark which is well known in Singapore” as well.

Amendments to Form TM 11, Form TM 28 and Form TM 12 (HMD Circular No. 2/2010 dated, 20 August 2010)

Amendments may be made to Form TM 11 (Notice of Opposition), Form TM 28 (Application for Revocation or Declaration of Invalidity of Registration of Trade Mark) and Form TM 12 (Counter-Statement) in the course of opposition/revocation/invalidation proceedings before the Registrar if it is fair and reasonable to do so. Depending on when the request to amend is made, different considerations apply.

A. AMENDMENTS BEFORE CLOSE OF PLEADINGS

The Registrar will in appropriate cases generally allow amendments to Form TM 11 and Form TM 28 before pleadings are deemed to be closed. Pleadings are deemed to be closed immediately upon the filing of Form TM 12 (Counter-Statement), or, in the case of an invalidation action where no Counter-Statement is filed, the last date that the Counter-Statement could have been filed.

For avoidance of doubt, amendments to Counter-Statements are always made after the close of pleadings by the foregoing definition. In such instances, B. below applies.

Where the proposed amendments are allowed, the Registrar may grant an extension of time to the other party to file his Counter-Statement and/or award such costs as may be just against the party seeking the amendments.

B. AMENDMENTS AFTER CLOSE OF PLEADINGS

Where amendments are sought after pleadings are deemed to be closed, consent from the other party must first be sought. If there is consent from the other party, the Registrar will in appropriate cases generally allow the amendment and if necessary, issue such directions on the subsequent procedure as is deemed fit.

Where there is no consent, leave of the Registrar must be obtained for any amendment after the close of pleadings. Whether leave would be granted depends on the facts and circumstances of each case. In considering whether to grant leave for the amendments, the Registrar will conduct a balancing exercise, involving a consideration of the public interest that rules relating to procedure are complied with and the need to ensure that there is proper adjudication of a case based on its merits in the interest of justice between the parties. In particular, the Registrar will carefully weigh the following non-exhaustive factors on a case by case basis:

- (i) whether the party seeking the amendment could have claimed the particular ground/defence or cited the additional “earlier trade mark” earlier, when filing Form TM 11, Form TM 28 or Form TM 12
- (ii) whether the amendment is necessitated by the pleading or evidence filed by the other party
- (iii) whether the other party would suffer any real prejudice which cannot be compensated with costs if the amendment is allowed
- (iv) whether allowing the amendment will facilitate the determination of the real question in controversy between the parties or whether the amendment is only a tactical manoeuvre and allowing the amendment would result in prejudice to the other party

- (v) whether the amendment raises grounds or facts which the applicant need not set out in reply, for example, the ground was not raised by the opponent and is therefore inapplicable to the particular proceedings at hand
- (vi) the substantiality of the amendment
- (vii) the stage of the proceedings the amendment is sought.

If leave to amend is granted, the Registrar may issue such necessary directions on the subsequent procedure as is deemed fit, including but not limited to adjourning the case, allowing amendments to be made to the Counter-Statement by the other party, granting extensions of time for the filing of further evidence by both parties as well as awarding such costs as may be just against the party seeking the amendments.

Using Form TM 28 for Two or More Different Types of Actions (HMD Circular No. 3/2010, dated 20 August 2010)

Form TM 28 is used for 3 different types of actions:

- (i) Application for revocation of registration of a trade mark (Rule 57(1)(a) of the Trade Marks Rules 2008 Rev Ed ("TMR"))
- (iii) Application for declaration of invalidity of registration of a trade mark (Rule 57(1)(b) of the TMR)
- (iii) Application for rectification of the register by persons other than the proprietor of the trade mark (Rule 57(1A)(b) of the TMR)

As each type of action is different in that different grounds are applicable, **one Form TM 28** is required for **each** type of action (revocation / invalidation / rectification) pursued in relation to a trade mark. Thus, should the applicant for invalidation / declaration of invalidity / rectification seek to institute two (or three) different types of actions in relation to a trade mark, two (or three) Form TM 28's are to be filed accordingly.

In the event that two (or three) different types of actions are indicated in one Form TM 28, the form will only be considered to be relevant for **one** of the actions for the particular trade mark. This means that should the applicant for invalidation / declaration of invalidity / rectification still wish to pursue the second (or third) action(s), he will be required to file another Form TM 28 with the consequent costs and filing date implications.

For avoidance of doubt, the above does not affect the existing cost calculation for Form TM 28, which is on a per class basis.

Dealing With Extensions of Time and Case Management Conference Timelines (HMD Circular No. 4/2010, dated 20 August 2010)

To better manage trade mark opposition, invalidation and revocation proceedings, the Registrar has, at case management conferences (CMC) convened under Rule 81A of the Trade Marks Rules 2008 Rev Ed, been issuing timelines for the filing of evidence by both parties. The primary objectives are to ensure that the parties explore the possibility of a settlement through negotiations and that all parties have the same expectations on the amount of time given to each party for the filing of evidence. This circular sets out the Registrar's practice in relation to extensions of time for filing evidence and the application of CMC timelines.

Fast-Track and Slow-Track CMC Timelines

Timelines issued through CMCs are generally of two types – slow-track and fast-track. Slow-track timelines are issued in cases where parties are already exploring or are intending to explore the possibility of settlement through negotiations. In such cases, the objective of issuing a longer timeline for the party initiating the action to file his evidence is to allow parties sufficient time to negotiate and reach an amicable settlement. In other cases, fast-track timelines will be issued.

This table sets out typical timelines for slow-track and fast-track cases:

	Slow-Track Timelines	Fast-Track Timelines
Evidence of initiating party	14 months from Counter-Statement	8 months from Counter-Statement
Evidence of responding party	6 months from evidence of initiating party	6 months from evidence of initiating party

These CMC timelines represent the maximum extent to which the Registrar will generally exercise her discretion in granting extensions of time to parties and they are predicated on the appropriate requests for extensions of time being made.

Extensions of Time Within CMC Timelines

The Registrar will, as a matter of general practice, grant extensions of time where they fall within the CMC timelines.

Extensions of Time Beyond CMC Timelines

1. Slow-Track Cases

Under the slow-track timelines, as the evidence of the party initiating the action can be filed as late as 14 months from the Counter-Statement, parties effectively have a total of 14 months to reach a settlement. This saves parties unnecessary expense in preparing evidence for the adversarial process while they negotiate. As 14 months would provide parties a reasonable opportunity to reach a settlement in most cases, in exercising the discretionary power under Rule 32(9), the Registrar **will most likely refuse to grant** any further extension of time beyond that timeline unless it is shown to the Registrar's satisfaction that there are good and sufficient reasons to do so as required under Rule 32(9).

Once the filing of evidence has started, again, in exercising the discretionary power under Rule 33(9) or Rule 34(9), the Registrar **will most likely refuse to grant** any further extension of time beyond the CMC timelines unless the Registrar is satisfied that there are good and sufficient reasons to do so as required under Rule 33(9) or Rule 34(9) respectively.

2. Fast-Track Cases

Where initially fast-track timelines applied but subsequently parties require more time to negotiate, they may apply to the Registrar to adjust the timelines for the filing of evidence and provide the Registrar with information as to the specific additional period of time that will be needed for parties to fully explore settlement through negotiations. Again, in exercising the discretionary power under Rule 32(9), Rule 33(9) or Rule 34(9), the Registrar **will most likely refuse to grant** any further extension of time beyond the adjusted timelines unless it is shown to the Registrar's satisfaction that there are good and sufficient reasons to do so.

3. Reasons Supporting Extensions of Time beyond CMC Timelines

The Registrar may, in exceptional cases, and in so far as it is substantiated, consider the non-exhaustive list of circumstances below as justifications for the further extension of time to file evidence beyond the CMC timelines:

- (i) parties are negotiating a world-wide settlement agreement involving many jurisdictions
- (ii) parties are negotiating a settlement agreement involving a few other parties other than the parties themselves
- (iii) parties are awaiting the outcome of relevant court or other proceedings (such as proceedings before another IP office or foreign court or WIPO) that has a material bearing on the settlement agreement or on how the parties wish to proceed
- (iv) significant progress has been made but parties still require a specific period of additional time to complete the negotiations
- (v) one party has had a change of agent shortly before the deadline for him to file his evidence
- (vi) a circumstance has arisen that is beyond one party's control, provided that the party has acted promptly and diligently at all times; for example, corporate changes such as merger and bankruptcy; the party's decision-maker has taken ill or left and the party needs more time to make certain decisions; civil war; declaration of state of emergency.

Whenever an extension of time beyond the CMC timeline is sought, the party must provide the reason and information on the specific additional period of time needed. In addition, except for (v) and (vi) above, the party requesting an extension of time beyond the CMC timeline must also obtain the consent of the other party to the further extension of time. If the Registrar accepts the reason for a further extension of time beyond the CMC timeline, it shall not be possible to request any further extension of time based on the same reason beyond the specific additional period of time indicated by the party.

4. Adjustment of CMC Timelines

Where the Registrar has granted an extension of time beyond the original CMC timeline, the latter may also be adjusted as appropriate, to take into account the new circumstances that have set in.

Concurrent Statutory Deadlines and CMC Timelines

Parties should note that statutory deadlines and CMC timelines run concurrently. CMC timelines and any further extensions of time beyond CMC timelines granted do not negate the need for parties to apply for extensions of time in accordance with the Trade Marks Rules, including, where applicable, filing Form TM 50 and fee.

Typically, the Registrar will grant an extension of not more than 2 months each time for each Form TM 50 filed. To illustrate, if a party has specified an additional period of 4 months in addition to the 8 months given for the filing of his evidence pursuant to the fast track timelines under any of the reasons at (i) to (vi) above, and the Registrar has accepted the reason for extending the deadline for 4 months beyond the CMC timeline, the party would have to file one Form TM 50 for the first extension beyond 6 months from the date of the Counter-Statement and, then, two Form TM 50's for the additional 4 months required.

Conclusion

The Registrar will seek to apply these guidelines consistently and in a fair and reasonable fashion so as to ensure that timelines issued through the CMC process are properly tracked and complied with by both parties. This, in turn, will enhance the efficiency, effectiveness and transparency of the hearings process as well as the CMC process. It will also ensure that applications for extensions of time beyond CMC timelines are not made routinely but are the result of and supported by evidence of circumstances that warrant the extension.

HMD 2011 Circulars

Applications to File Further Evidence (HMD Circular No. 1/2011, dated 8 April 2011)

A party may apply to the Registrar for leave to file further evidence after evidence is closed (Rule 35, Trade Marks Rules 2008 Rev Ed). The requesting party should submit a draft statutory declaration setting out the further evidence that is sought to be admitted and state why the evidence is relevant but could not have been adduced earlier. At the same time, the other party must be copied on the request and his consent must be sought.

A. FURTHER EVIDENCE WITH CONSENT

If there is consent from the other party, the Registrar will in appropriate cases generally allow the further evidence and if necessary, issue such directions on the subsequent procedure as is deemed fit, including but not limited to adjourning the hearing, allowing the other party to file further evidence in reply where relevant, as well as awarding such costs as may be just.

B. FURTHER EVIDENCE WITHOUT CONSENT

If there is no consent from the other party, the Registrar does not allow further evidence to be filed simply as a matter of course. Whether leave would be granted depends on the facts and circumstances of each case. In considering whether to grant leave for the further evidence, the Registrar will conduct a balancing exercise, involving a consideration of the public interest that rules relating to procedure are complied with and the need to ensure that there is proper adjudication of a case based on its merits in the interest of justice between the parties. In particular, the Registrar will carefully weigh the following non-exhaustive factors on a case by case basis:

- (i) why the party seeking to file the further evidence did not do so earlier when the main evidence or evidence in reply fell due; it should be shown that the evidence could not have been obtained earlier with reasonable diligence
- (ii) whether the further evidence is necessitated by the evidence filed by the other party
- (iii) whether the other party would suffer any real prejudice which cannot be compensated with costs if the further evidence is allowed
- (vi) whether allowing the further evidence will allow the substantial issues to be satisfactorily and fully considered and determined or whether the application is only a tactical manoeuvre and allowing the further evidence would result in prejudice to the other party
- (v) the stage of the proceedings at which the further evidence is sought (e.g. at the Pre-Hearing Review in contrast to one day before the hearing), considerations of disruption to proceedings and extra costs generated by the delay being relevant.

All relevant factors will be considered, though the main weight is attached to the desirability of having the substantial issues satisfactorily and fully considered and determined. However, this factor may be outweighed by the totality of the other factors in certain cases.

If leave to file further evidence is granted, the Registrar may issue such necessary directions on the subsequent procedure as is deemed fit, including but not limited to adjourning the hearing, allowing the other party to file further evidence in reply where relevant, as well as awarding such costs as may be just.

Proprietor's Evidence in Trade Mark Revocations (HMD Circular No. 2/2011, dated 8 April 2011)

This circular pertains to trade mark revocations on the ground of non-use and the proprietor's obligation to file evidence in defence of his trade mark registration.

Rule 58(3) of the Trade Marks Rules (Cap 332) 2008 Rev Ed requires a proprietor to file evidence of use together with his counter-statement (Form TM 12).

Mode of Giving Evidence

Rule 69(1) provides that "evidence shall be given by way of a statutory declaration, unless otherwise provided by the Act or these Rules or directed by the Registrar."

In both the Trade Marks Act and Rules, there are no exceptions given to Rule 69(1) in terms of how evidence is to be given by a proprietor under Rule 58(3). Hence, Rule 69(1) applies to Rule 58(3).

In practice, this means that if a proprietor intends to defend his trade mark registration against revocation for non-use, he needs to file evidence of use by way of statutory declaration together with his counter-statement.

On the other hand, if a proprietor intends to defend his trade mark registration by giving proper reasons for non-use, there is no issue of evidence of use. Hence, he merely needs to give his reasons for non-use in the counter-statement without a statutory declaration.

Content of Evidence

At the counter-statement stage, a proprietor is only required to show that he has an arguable case. The evidence does not need to comprise the proprietor's entire defence in relation to use. More detailed evidence, if any, can be filed later in the proceedings.

The requirement in Rule 58(3) for a proprietor to file *prima facie* evidence of use upfront reflects the statutory burden on the proprietor of a registered mark to show what use has been made of it, under Section 105.

As a matter of best practice, the proprietor's *prima facie* evidence should comprise:

- (i) some material showing the mark in use e.g. catalogues, product labels, advertisements
- (ii) some indication of sales e.g. invoices, purchase orders

Grace Period

The consequence of not filing evidence in accordance with Rule 58(3) is that the application for revocation will be granted under Rule 59(1). This means that the proprietor's registered mark will be revoked.

As the Registrar has accepted counter-statements containing information on the use of the mark without sworn evidence under past practice, there will be a grace period of 6 months from 1 May 2011 to 31 October 2011 for proprietors to adjust to the change set out in this circular.

Where the proprietor's counter-statement is filed during this grace period, if his information on the use of the mark is not filed by way of a statutory declaration, the Registrar will direct the proprietor at the Case Management Conference to remedy this defect in evidence by re-filing it as a statutory declaration and will allow the proceedings to continue. However, if the counter-statement does not already contain any information on the use of the mark, nor proper reasons for non-use, the Registrar will apply Rule 59(1) to grant the application for revocation.

After the grace period, from 1 November 2011 onwards, the Registrar will apply Rule 59(1) to grant the application for revocation if no evidence by way of statutory declaration is filed with the counter-statement.

Evidential Rounds

After the proprietor's counter-statement and evidence by way of statutory declaration is filed, Rule 59(1) provides that Rules 32 to 40 apply with the necessary modifications to terms of reference.

In effect, this means that the applicant for revocation files his evidence after the counter-statement under Rule 32. This is followed by the proprietor's second set of sworn evidence under Rule 33, and the applicant's evidence in reply, if any, under Rule 34. If the proprietor does not file evidence under Rule 33, Rule 59(2)(d) applies and he is treated as admitting to the facts alleged by the applicant for revocation.

In practice, if the proprietor has already filed evidence of use amounting to his entire defence together with his counter-statement, after the applicant for revocation files his evidence, the proprietor may file a simple statutory declaration to refer to the statutory declaration filed earlier with his counter-statement as his entire evidence in defence. There is no need to adduce all the earlier evidence afresh in such a case. As there is no further evidence for the applicant to reply to in such a case, evidence for the matter will be deemed closed. The matter will move on to the Pre-Hearing Review stage.

On the other hand, if, beyond the evidence of use filed together with his counter-statement, the proprietor has more evidence to adduce after the applicant files his evidence, the usual evidential process in Rules 33 and 34 applies.

Costs (HMD Circular No. 3/2011, dated 15 April 2011)

A. LIABILITY FOR COSTS

Award of Costs

The Registrar has the discretion to award costs against any party to proceedings brought before him in relation to any matter and in the amounts provided for by the Trade Marks Rules (Section 69 of the Trade Marks Act (Cap 332) 2005 Rev Ed). Pursuant to the above discretionary power, the Registrar can also direct the method in which payment is to be made. In general, the successful party in contested proceedings is usually entitled to an award of costs. At any hearing, it is open to the parties to submit arguments on costs, and this should always be done especially if it is claimed that costs should not follow the event.

Consolidation of Proceedings

If the proceedings were consolidated before any evidence had been filed, the cost would normally be awarded for each stage of the evidence as if it was a single set of proceedings. However, if the consolidation had been requested after evidence had been filed, costs would normally be awarded for each set of proceedings separately up to the stage when consolidation was requested, and as though they were one set of proceedings thereafter.

Joint Initiating Parties

Where two or more parties have joined in to oppose / invalidate / revoke / rectify an application and the action is successful, any costs awarded to the joint initiating parties are calculated as being for one party only. If the action is not successful, the default position is that the joint initiating parties are considered to be jointly and severally liable unless otherwise stated.

Taxation

The usual order for costs in an *inter partes* hearing would direct the party and party costs to be taxed if not agreed. Unless they are agreed, no costs are payable unless they have been taxed. "Party and party costs" refer to such costs as are necessary or proper for the attainment of justice or for enforcing or defending the rights of the party whose costs are being taxed. The party and party costs chargeable under a taxation are all that are necessary or proper to enable the party to conduct the proceedings, and no more. Unless the order for costs specifies taxation on some other bases, costs would be taxed on party and party basis.

Applicability of Scale of Costs (Fourth Schedule of the Trade Marks Rules)

The Scale of Costs in the Fourth Schedule applies in relation to taxation hearings / proceedings. The Registrar does not have the discretion to depart from the Scale of Costs provided in the Fourth Schedule (Rule 75(1)). Further, it is to be noted that costs awarded in taxation proceedings are not intended to compensate the parties for the expense to which they may have been put (Rule 75(2)).

Guidelines to the Application of the Scale of Costs

In applying the Scale of Costs, the Registrar will be guided by the factors below:

- (i) In relation to the preparation, drawing, filing and review of the notice of opposition, application for revocation, declaration of invalidity of registration and rectification of an entry in the Register, the Registrar will take into account:
 - (a) the number of grounds raised
 - (b) the complexity of the issues of fact and law will be considered

- (ii) In relation to the preparation, drawing and filing of the evidence, the Registrar will take into account:
 - (a) the complexity of the evidence filed
 - (b) the amount and relevance of the evidence filed
 - (c) the number of deponents involved
- (iii) In relation to the preparation of all types of hearings, the Registrar will take into account:
 - (a) the number of grounds raised
 - (b) the complexity of issues of fact and law
 - (c) the length of written submissions (if any)
 - (d) the amount and relevance of authorities cited (if any)
 - (e) the number of witnesses taking the stand (if any)
- (iv) In relation to the attendance of all types of hearings, the Registrar will take into account:
 - (a) the complexity of issues of fact and law
 - (b) the time taken for the hearing
 - (c) the number of witnesses taking the stand (if any)
- (v) In relation to the general and travelling expenses incurred by witnesses, the Registrar will take into account:
 - (a) the complexity of issues of fact
 - (b) the time taken for the witness' attendance

B. SECURITY FOR COSTS

(This section of the circular updates and replaces HMD Circular No. 1/2009 on Applications for Security for Costs.)

Section 70 of the Trade Marks Act (Cap 332) 2005 Rev Ed provides:

If a person who neither resides nor carries on business in Singapore —

- (a) gives notice of opposition under section 13; or*
 - (b) applies to the Registrar under section 22 or 23 for the registration of a trade mark to be revoked or to be declared invalid, as the case may be,*
- the Registrar may require the person to give security for the costs for the proceedings and may, if security is not given, dismiss the proceedings.*

[Emphasis added]

It is clear from the above that there can be 2 stages involved in proceedings related to security for costs. At the first stage, the Registrar has the discretion whether to require one party to give security upon the fulfillment of the criteria. At the second stage, where security is not given, again the Registrar has the discretion whether to dismiss the proceedings. In general, the Registrar will exercise her discretion as a 2-stage process.

I. Application for Security for Costs

A) Whether to Grant Security for Costs

Condition Precedent

It is only if the Initiating Party¹ neither resides nor carries on business in Singapore that the Registrar has a discretion to require him to provide security for costs of the opposition or revocation or declaration of invalidity proceedings. Thus, the party seeking security for costs must first show that the Initiating Party neither resides nor carries on business in Singapore.

Registrar's Discretion

Once it has been shown that the Initiating Party neither resides nor carries on business in Singapore, the Registrar then has a discretion to require the Initiating Party to provide security for costs. The word "may" makes it clear that security cannot be ordered as a matter of course, but only if the Registrar thinks it is just to do so in the circumstances of the case. The Registrar will exercise this discretionary power judiciously and by considering all the circumstances of the case.

Although the wording of Section 70 differs from that of Order 23 of the Rules of Court, the primary purpose behind Section 70 is similar to that for Order 23, which is to ensure that the defending party ("Defending Party") in any action has some security that, in the event that he wins, the Initiating Party or the party taking out the action will pay his costs.

Thus, the factors that will be taken into consideration by the Registrar in deciding whether to grant security for costs in an opposition or revocation or declaration of invalidity proceedings are similar to the factors that the courts will take into account in deciding whether to grant security for costs in a civil suit.

These factors include, amongst others:

- (i) Whether granting the security would stifle a genuine claim. Impecuniosity of the Initiating Party is inextricably linked to this factor. Where the granting of the security would stifle a genuine claim, the application for security may be denied. One of the ways to moderate the concern of stifling a genuine claim is to reduce the quantum of the security allowed.
- (ii) The ease with which a Singapore decision can be enforced overseas. Generally, if the foreign jurisdiction is covered under either the Reciprocal Enforcement of Commonwealth Judgments Act (Cap 264) or the Reciprocal Enforcement of Foreign Judgments Act (Cap 265), then there is a tendency that the application for security may be refused.
- (iii) The likelihood of the Initiating Party succeeding. However, it is important to note that in coming to her view as to the probability of success of an action, the Registrar is not required to make a detailed examination as to the merits of the case. Indeed, the Registrar would not be in position to do so in particular where the action is still at an early stage. If both parties have an arguable case on the face of it, then this will be a neutral factor.
- (iv) The stage at which the application for security for costs is made. In general, the case is stronger where the application is made at an early stage of the action. This

¹ For clarity, in the context for Security for Costs "Initiating Party" refers to the party initiating the *main action* e.g. an Opposition, and not the application for the security for costs.

because where an application is made at a late stage, the Defending Party would have already expended much costs. This casts doubt as to whether the Defending Party is genuinely concerned about recovering costs from the Initiating Party.

- (v) Whether the Initiating Party is an individual or a corporate entity. This is relevant as the attitude in relation to impecuniosity differs with regard to companies versus individuals. Where the Initiating Party is a natural person, public policy leans much more towards encouraging access to the Registrar.
- (vi) Where the Initiating Party is a limited company, whether there is evidence that it is unable to pay costs. There are 2 potential ways this factor may apply:
 - (a) Where the Initiating Party is impecunious. When one is dealing with a company rather than a natural person, public policy is in favour of limiting, rather than encouraging, uninhibited access to the Registrar.
 - (b) Where the Initiating Party claims that it is fully able to pay the Defending Party's costs if the latter wins. For example, the Initiating Party may be a public listed company with many assets. Since the Defending Party is not able to show that the Initiating Party is unable to pay costs, this factor will work against the Defending Party.

Based on a consideration of the above, the Registrar may then decide whether the application for security for costs should be granted. However, where the circumstances are evenly balanced it would ordinarily be just to order security against a foreign Initiating Party.

B) Mode of the Security

In the event that the Registrar does grant the application for security for costs, the Registrar will also direct the quantum, mode of payment as well as the period within which such security is to be furnished.

There are two generally accepted modes for the provision of the security:

- (i) A solicitor's undertaking
- (ii) A banker's guarantee

If the Initiating Party's agents are a firm of solicitors, the more common mode for the provision of the security would be via a solicitor's undertaking as obtaining a banker's guarantee would entail the foreign Initiating Party opening an account with a Singapore bank if it does not already have one. In comparison, where a solicitor's undertaking is given, the foreign Initiating Party simply needs to make payment to its solicitor agent's account. Where the Initiating Party's agents are not a firm of solicitors, then a solicitor's undertaking is not applicable and a banker's guarantee will be required.

C) Stay of Proceedings

Once the Registrar has made a grant of security, pending the provision of the security, there may be a need to stay the proceedings. Whether or not such a need arises will depend on the stage of the action when the grant is made. If it is the Defending Party's turn to file a document, the proceedings are usually stayed so that the Defending Party does not

have to incur additional costs. However, if it is the Initiating Party's turn to file a document, the proceedings are usually not stayed.

II. Application for Proceedings to be Dismissed

Following the interlocutory hearing, in the event that the party whom the Registrar has ordered to provide security for costs fails to do so, the party to whom security for costs has been granted can then apply, in writing, for the opposition / revocation / declaration for invalidity proceedings to be dismissed.

The Registrar will call for submissions in writing from both parties and exercise her discretion to decide whether the proceedings should be dismissed. If parties request an interlocutory hearing to decide the issue, the Registrar may also fix one to hear the parties in person. Generally, unless there are good and sufficient reasons to justify the default in payment of the security, the Registrar is likely to order that the opposition / revocation / declaration for invalidity proceedings be dismissed.

Service of Form TM 11 (Notice of Opposition), Form TM 28 (Application for Revocation / Declaration of Invalidity / Rectification) and Notice Required under Rule 29(5) where there is no Address for Service (HMD Circular No. 4/2011, dated 26 August 2011)

In an opposition / invalidation / revocation / rectification proceeding before the Registrar, the Initiating Party has to file his action with the Registrar and serve the relevant documents on the Opposite Party at the same time. HMD Circular 4/2009 details the matters which the Registrar will be looking out for in determining whether this requirement has been met. HMD Circular 4/2009 applies in a situation where the Opposite Party has an address for service ("AFS") in accordance with rule 9 of the Trade Marks Rules (Cap 332, 2008 Rev Ed), which includes a trade or business address in Singapore under rule 9(9)(b).

This Circular supplements HMD Circular 4/2009 and caters for the situation where there is no AFS filed nor any trade or business address in Singapore to be treated as the AFS in accordance with rule 9.

Rule 9(1) provides that for the purposes of any proceedings before the Registrar, an AFS in Singapore shall be filed accordingly. In particular, rule 9(1)(a) and rule 9(1)(e) provide that an AFS shall be filed by every applicant for a registration of a trade mark and every proprietor of a registered trade mark which is the subject of an opposition / invalidation / revocation / rectification. The consequences of a failure to provide an AFS are provided in Rule 9(6).¹

In the case of oppositions to international registrations, rule 14(1) of the Trade Marks (International Registration) Rules (Cap 332, 2002 Rev Ed) ("TMIRR") requires the holder of an international registration to file an AFS within 4 months from the Registrar's notification of refusal based on opposition. The consequence of a failure to provide an AFS is provided in Rule 14(10).²

A. SERVICE OF FORM TM 11 (NATIONAL APPLICATION FOR REGISTRATION)

¹ In the case of an applicant for a registration of a trade mark, the application shall be treated as withdrawn. In the case of a proprietor of a registered trade mark, he shall not be permitted to take part in the proceedings in question.

² The holder's request for protection in Singapore shall be treated as withdrawn.

Where there is no AFS filed nor any trade or business address in Singapore to be treated as the AFS in accordance with rule 9, the Initiating Party should, when filing the opposition action with the Registrar, send a copy of Form TM 11 to the Opposite Party's address indicated on the Register at the same time and indicate to the Registrar accordingly (rule 29(2)).

Upon receipt of Form TM 11 from the Initiating Party, the Registrar will notify the Opposite Party to file a Counter-Statement (or a request for an extension of time to file Counter-Statement). Where there is no AFS filed nor any trade or business address in Singapore to be treated as the AFS in accordance with rule 9, the Registrar will also notify the Opposite Party to file Form TM 1 at the same time as he files his Counter-Statement (or a request for an extension of time to file Counter-Statement).

For avoidance of doubt, the Registrar will rely on the date of receipt by the Registrar of Form TM 11 for the purposes of compliance with rules 29(1) and (2) and for the purposes of calculating the due date for filing the Counter-Statement (or a request for an extension of time to file Counter-Statement) in accordance with rule 31, save under the circumstances below.

Opposite Party did not receive Form TM 11

If the Opposite Party clearly indicates that he did not receive Form TM 11, the Initiating Party is required to show Proof of Service. For proof, either a courier receipt or invoice or if by normal post, a Statutory Declaration that the Notice of Opposition (Form TM 11) has been posted will suffice. The Opposite Party will be directed to file an AFS and thereafter, the Initiating Party will be directed to re-serve the documents on the Opposite Party at the AFS. The deadline for the Opposite Party to file his Counter-Statement (or a request for an extension of time to file Counter-Statement) is 2 months from the date of receipt by the Opposite Party of Form TM 11 that was re-served.

Opposite Party receives Form TM 11 after the date of receipt by Registrar

If the Opposite Party receives Form TM 11 after the date that the Registrar receives the same, the Opposite Party should promptly inform the Registrar and the Initiating Party in writing of the actual date of receipt of Form TM 11. The deadline for the Opposite Party to file his Counter-Statement (or a request for an extension of time to file Counter-Statement) is taken to be 2 months from the actual date of receipt by the Opposite Party of Form TM 11.

Service which is effected in accordance with this HMD Circular is deemed to be in compliance with rule 29(2).

B. FILING OF FORM TM 11 (INTERNATIONAL REGISTRATION DESIGNATING SINGAPORE)

Rule 13 of the TMIRR governs the process for the filing of Form TM 11 in relation to an international registration.

In relation to an international registration, there is no issue of "service" of Form TM 11. The opponent is only required to file Form TM 11 with the Registrar.

C. SERVICE OF FORM TM 28 (NATIONAL REGISTRATION AND INTERNATIONAL REGISTRATION DESIGNATING SINGAPORE)

Where there is no AFS filed nor any trade or business address in Singapore to be treated as the AFS in accordance with rule 9, the Initiating Party should, when filing the relevant action with the Registrar, send a copy of Form TM 28 to the Opposite Party's address indicated on the Register at the same time (rule 57(3)).

Upon receipt of Form TM 28 from the Initiating Party, the Registrar will notify the Opposite Party to file a Counter-Statement (or a request for an extension of time to file Counter-Statement). Where there is no AFS filed nor any trade or business address in Singapore to be treated as the AFS in accordance with rule 9, the Registrar will also notify the Opposite Party to file Form TM 1 at the same time as he files his Counter-Statement (or a request for an extension of time to file Counter-Statement).

For avoidance of doubt, the Registrar will rely on the date of receipt by the Registrar of Form TM 28 for the purposes of calculating the due date for filing the Counter-Statement (or a request for an extension of time to file Counter-Statement) in accordance with rule 58, save under the circumstances below.

Opposite Party did not receive Form TM 28

If the Opposite Party clearly indicates that he did not receive Form TM 28 at all, subject to proof that the Initiating Party has sent Form TM 28 by post to the Opposite Party, the Opposite Party will be directed to file an AFS and thereafter, the Initiating Party will be directed to re-serve the documents on the Opposite Party at the AFS. The deadline for the Opposite Party to file his Counter-Statement (or a request for an extension of time to file Counter-Statement) is 2 months from the date of receipt by the Opposite Party of Form TM 28 that was re-served.

Opposite Party receives Form TM 28 after the date of receipt by Registrar

If the Opposite Party receives Form TM 28 after the date that the Registrar receives the same, the Opposite Party should promptly inform the Registrar and the Initiating Party in writing of the actual date of receipt of Form TM 28. The deadline for the Opposite Party to file his Counter-Statement (or a request for an extension of time to file Counter-Statement) is 2 months from the actual date of receipt by the Opposite Party of Form TM 28.

Service which is effected in accordance with this HMD Circular is deemed to be in compliance with rule 57(3).

D. SERVICE OF NOTICE REQUIRED UNDER RULE 29(5) (NATIONAL APPLICATION FOR REGISTRATION AND INTERNATIONAL REGISTRATION DESIGNATING SINGAPORE)

Where there is no AFS filed nor any trade or business address in Singapore to be treated as the AFS in accordance with rule 9, the Initiating Party should send the notice required under rule 29(5)¹ to the Opposite Party's address indicated on the Register.

For avoidance of doubt, the Registrar will take the date of receipt by the Registrar of Form TM 48 together with the notice required under rule 29(5) as the date for the purposes of compliance with rules 29(3) and (6).

¹ The notice shall contain (i) a statement of the opponent's intention to request for an extension; (ii) the extension requested for; (iii) the reason for the extension; and (iv) a request for the consent of the applicant or other person to the extension.

Separately, the Registrar will take the date stated on the face of the notice required under rule 29(5) as the date for the purposes of compliance with rule 29(5), unless the Opposite Party clearly indicates otherwise, e.g. the Opposite Party notifies the Registrar in writing that the notice required under rule 29(5) was not received by the date the Registrar receives Form TM 48. In cases of irregularity, the Registrar will exercise her discretion under rule 29(7) and/or rule 83 on the facts of each case and may grant an extension of time (for more details see below).

Service which is effected in accordance with this HMD Circular is deemed to be in compliance with rule 29(5).

E. REGISTRAR'S DISCRETION UNDER RULE 29

Rule 29(7) provides that the Registrar may refuse to grant the extension of time if:

- (i) the person requesting for the extension fails to provide a good and sufficient reason for the extension; or
- (ii) if the person fails to show to the Registrar's satisfaction that a notice referred in rule 29(5) has been served on the applicant and every person likely to be effected by the extension.

Where a person on whom a notice referred to in rule 29(5) is served fails or refuses to give his consent within 2 weeks from the date of the notice, the Registrar may, if he is satisfied that a good and sufficient reason has been shown, grant the extension and the Registrar may do so without having to conduct a hearing in accordance with rule 67 – see rule 29(8). The Registrar's discretion is not constrained by whether or not the Opposite Party gives his consent to an extension of time.

While the effect of rule 29(7) and rule 29(8) is such that the Registrar has the discretion to grant an extension of time to file Form TM 11, the total extension of time which can be granted is 4 months from the publication date of the national application for registration or international registration designating Singapore (r29(4)).

Attendance at Opposition / Revocation / Invalidity / Rectification Hearings (HMD Circular No. 5/2011, dated 26 August 2011)

This circular seeks to clarify the application of rule 37 of the Trade Marks Rules (Cap 332, 2008 Rev Ed).

Rule 37 relates to attendance at an opposition hearing. In particular, rule 37(3) provides that any party who intends to appear at the hearing shall file Form TM 13 before the hearing. Rule 59 extends the application of rule 37 to revocation / invalidation / rectification proceedings.

Form TM 13 not filed by one party: Registrar will usually proceed with hearing

If no Form TM 13 is filed on behalf of a party, he may be treated as not desiring to be heard. The Registrar may proceed with the hearing in the absence of that party or may, without proceeding with the hearing, give his decision, dismiss the proceedings or make such other order as he thinks fit (R37(4)). Where Form TM 13 is filed by only one party, the Registrar will, under ordinary circumstances, proceed with the hearing in the absence of the party who did not file Form TM 13.

In practice, if a party has not filed Form TM 13 but appears at the hearing desiring to be heard before the session formally begins, the Registrar will require the party to file Form TM 13 immediately or extract a solicitor's undertaking, where relevant, from the party's agent that Form TM 13 will be filed by the end of the next working day.

Form TM 13 filed but party does not appear: Registrar will usually ascertain party's intention

Where a party does not attend the hearing after filing Form TM 13, the Registrar may proceed with the hearing in the absence of that party or may, without proceeding with the hearing, give her decision, dismiss the proceedings or make such other order as she thinks fit (R37(5)).

In practice, the Registrar will contact the absent party/parties as far as reasonably possible to ascertain his/their intention. Where a party has filed Form TM 13 but fails to turn up at the hearing, the Registrar will be slow to move the matter ahead with the other party who is present without hearing further from the absent party who has filed Form TM 13. Likewise where both parties do not attend the hearing, but Form TM 13 has already been filed by both parties, the Registrar will be slow to strike out the proceedings without verifying their intention. If it is a party's intention to be heard but he cannot be present for legitimate reasons (e.g. medical reasons), the Registrar will, where reasonable, vacate the hearing and refix it for another day.

Form TM 13 not filed by both parties and both parties do not appear: Registrar will usually strike out the proceedings

Where both parties do not attend the hearing, and Form TM 13 has not been filed by either party, the Registrar will, under ordinary circumstances, strike out the proceedings. The proceedings may, however, be restored on the Registrar's direction (R37(6)).

In practice, where parties do not intend to attend the hearing, they would usually have informed the Registrar in writing before the hearing date. They would also have requested the Registrar to make a decision without their presence at a hearing. In such cases, where the parties' intention is clear, the Registrar will decide on a case by case basis whether to proceed to make a decision without a hearing (if both parties are not present) or dismiss the proceedings under Rule 37(4) or strike out the proceedings under Rule 37(6). Generally, the initiator of an action is expected to attend the hearing to prove his case unless there are exceptional reasons, for example, the responding proprietor in an invalidation action has shown no interest in defending his registration and has not filed any document through the process.

Restoration of proceedings

Where the Registrar has exercised her discretion to strike out the proceedings, a party may apply to restore the proceedings under Rule 37(8). Such an application must be made within 7 days after the Registrar's notice that the proceedings have been struck out.

Completing Form TM 48 (HMD Circular No. 6/2011, dated 26 August 2011)

Form TM 48 is to be filed with the Registrar when requesting an extension of time to file a Notice of Opposition.

Rule 29(3) provides that such request shall be made by filing Form TM 48 with the Registrar within 2 months from the date of the publication of the application for registration.

A. DETAILS OF INTENDED OPPONENT

Part 2 of Form TM 48 requires the Intended Opponent to include his details. Where there is no clear indication of who the Intended Opponent is, the Registrar will reject Form TM 48 as being non-compliant, unless there are exceptional circumstances which dictate otherwise.

B. DISCREPANCY BETWEEN FORM TM 48 AND FORM TM 11

Where there is a discrepancy in the details of the Intended Opponent in Form TM 48 vis-a-vis the details of the Opponent in Form TM 11, the Registrar will reject Form TM 11 as non-compliant unless there are exceptional circumstances which dictate otherwise. For example, the Opponent can show to the satisfaction of the Registrar that the Intended Opponent and the Opponent are related entities or belong to the same group of companies.

Bill of Costs (HMD Circular No. 7/2011, dated 26 August 2011)

HMD Circular No 3/2011 relates to costs, including taxation. This circular supplements HMD Circular No 3/2011 and provides clarification on some of the items in a Bill of Costs submitted for a taxation hearing.

Rule 73(1) provides that where the Registrar has awarded party and party costs and the party wishes to have the costs taxed by the Registrar, the party shall, within one month from the date of the award of costs, apply for the costs to be taxed by filing a copy of the bill of costs with the Registrar and send at the same time a copy of the bill of costs to every other person having an interest in the taxation proceedings.

Rule 73(2) provides that every bill of costs shall set out the following items:

- (a) the work done in the cause or matter;
- (b) all disbursements made in the cause or matter;
- (c) the sum claimed for each item; and
- (d) in chronological order and with dates, all events in the cause or matter which are relevant.

Any party on whom a copy of the bill of costs has been served shall, if he wishes to dispute the bill or any part thereof, within one month from the receipt of the copy of the bill, mark the copy in accordance with rule 73(5) and send copies of the marked copy to the Registrar and the party requesting for taxation – see rule 73(4).

Rule 73(5) provides that the marking of a copy of a bill of costs shall be effected by writing on the right hand margin against each item the word "Agree" if the party concerned agrees with the costs claimed for that item, or the word "Disagree" if the part concerned disagrees with the costs claimed for that item.

A. COST ITEMS

Where parties have agreed on a particular costs item in the bill of costs, the Registrar will not intervene in relation to that item and will award the quantum as agreed between the parties.

In the event that parties disagree in relation to a particular item claimed, the Registrar will award an amount for the item having regard to the Fourth Schedule as well as to the particular circumstances of the case.

B. DISBURSEMENTS

Similarly, where parties have agreed on a particular item claimed, the Registrar will not intervene in relation to that item and will award the quantum as agreed between the parties.

In the event that parties disagree in relation to a particular item claimed, the Registrar will only award claims which are reasonable. Generally, standard claims which are substantiated with receipts will be awarded.

Opposition to Amendment of Trade Mark Application after Publication (HMD Circular No. 8/2011, dated 26 August 2011)

Rule 23 of the Trade Marks Rules (Cap 332, 2008 Rev Ed) provides for opposition to amendment of a trade mark application for registration, where the amendment affects the representation of the trade mark or the goods or services covered by the application.

Rules 23(1) and (2) provide that the proposed amendment or a statement of the effect of the amendment shall be published for opposition purposes. The process for such opposition is similar to the process for opposing an application for registration under Rule 29. The same rules apply to these two types of oppositions (Rule 23(4)).

A Rule 23 action opposes the amendment of an application (which will move on to registration) while a Rule 29 action opposes the registration of the application mark itself.

A. OPPOSITION TO AMENDMENT – NO RE-OPENING OF SUBSTANTIVE OPPOSITION

An opposition under Rule 23 is confined to objections to the proposed amendment of an application and is not meant to re-open the application for opposition.

Thus, if a prospective opponent had missed the deadline for opposition when the application was first published, and there is subsequently an amendment to the application which is then published, he cannot file an opposition within 2 months of the publication of the amendment, unless his grounds of opposition are directly attributed to the published amendment. If his grounds of opposition are leveled against the registration of the application mark, the prospective opponent should instead apply to invalidate the registration after the application mark has been registered.

In summary, the publication of the amendment is not intended to extend the time for a prospective opponent to oppose the registration of a mark nor give him two bites of the cherry.

B. NOTICE OF OPPOSITION

The Notice of Opposition must contain a statement of the grounds upon which the person opposes the amendment. Such grounds include:

- (i) The amendment is contrary to Section 14(3) of the Trade Marks Act (Cap 332, 2005 Rev Ed) because it does not correct the name or address of the applicant or errors of wording or of copying or obvious mistakes.
- (ii) The amendment is contrary to Section 14(3) of the Trade Marks Act because it substantially affects the identity of the trade mark.
- (iii) The amendment is contrary to Section 14(3) of the Trade Marks Act because it extends the goods or services covered by the application.
- (iv) The amendment to the trade mark will render it contrary to specific absolute or relative grounds under Rules 7 and 8, to be specified in the statement of grounds.

C. APPLICATION OF THE PRINCIPLE OF RES JUDICATA

Where the substantive opposition to an application for registration has already been dealt with and results in an amendment which is published, it is not possible to revisit the issues raised in the substantive opposition by filing an opposition under Rule 23. The principle of *res judicata* applies. This means that a judicial decision is conclusive as between the parties.

In such a case, if an opponent disputes the decision of the Registrar in the substantive opposition, he has the right to appeal to the High Court. It is not for the Registrar to sit on appeal or review a decision that has been made by the Registrar on the same issues and between the same parties. The opponent is not entitled to a second opposition on the same issues.

The principle of *res judicata* was applied by the Registrar in **Campomar S.L. v Nike International Ltd and Another** [2004] SGIPOS 3. On appeal, the High Court in **Nike International Ltd and Another v Campomar S.L.** [2005] 4 SLR(R) 76 affirmed the application of this principle.

HMD 2012 Circular

Relevant Dates in Revocations on Grounds of Non-Use (HMD Circular No. 1/2012, dated 21 December 2012)

This circular clarifies the relevant dates for revocations on grounds of non-use and sets out the necessary information that an applicant for revocation should include in the grounds of revocation.

Sections 22(1)(a),(b) and 22(7) of the Trade Marks Act (Cap 332, 2005 Rev Ed) ("the Act") provides that:

- 22.** –(1) The registration of a trade mark may be revoked on any of the following grounds:
- (a) that, within the period of 5 years following the date of completion of the registration procedure, it has not been put to genuine use in the course of trade in Singapore, by the proprietor or with his consent, in relation to the goods or services for which it is registered, and there are no proper reasons for non-use;
 - (b) that such use has been suspended for an uninterrupted period of 5 years, and there are no proper reasons for non-use;

...

(7) Where the registration of a trade mark is revoked to any extent, the rights of the proprietor shall be deemed to have ceased to that extent as from –

(a) the date of the application for revocation; or

(b) if the Registrar or the Court is satisfied that the grounds for revocation existed at an earlier date, that date.

A. DATE OF COMPLETION OF REGISTRATION PROCEDURE

For national trade mark filings, the date of completion of the registration procedure is the "Cert Issuance Date" found on the e-Register of Trade Marks. This is the date that IPOS sends the certificate of registration to the Registered Proprietor.

For international registrations, the date of completion of the registration procedure is the "Date of Completion of Registration Procedure" found on the e-Register of Trade Marks.

B. PERIOD OF NON-USE

Section 22(1)(a)

If an applicant for revocation relies on Section 22(1)(a) of the Act, the relevant period of non-use starts from the day immediately following the date of completion of the registration procedure and ends on the fifth anniversary of the date of completion of the registration procedure.

Thus, for example, if the date of completion is 2 January 2013, the relevant period in question under Section 22(1)(a) is from 3 January 2013 to 2 January 2018 inclusive. If it is alleged that a registered proprietor has not used his trade mark in the course of trade from 3 January 2013 to 2 January 2018 inclusive, the earliest date that an applicant can file an application for revocation is 3 January 2018.

Section 22(1)(b)

If an applicant for revocation relies on Section 22(1)(b) of the Act, in the grounds of revocation, he will need to specify the relevant period of non-use alleged.

C. EFFECTIVE DATE OF REVOCATION

An applicant for revocation usually seeks the earliest possible effective date of revocation.

If the registered trade mark has not been used at all since completion of registration, the earliest possible effective date will be the date immediately following the fifth anniversary of the date of completion of the registration procedure. Alternatively, if the registered trade mark has been used after completion of registration but subsequently was not used for an uninterrupted period of 5 years, the earliest possible effective date will be the date immediately following the end of the 5-year period of non-use.

The date of the application for revocation may or may not coincide with the above two dates.

Hence, it is important and essential that the Applicant clearly states the requested effective date of revocation.

If no effective date is stated and the revocation is successful, the Registrar will typically apply Section 22(7)(a) to revoke the registered trade mark from the date of the application for revocation.

HMG 2013 Circular

Pleadings Issues at Case Management Conferences (HMG Circular No. 1/2013, dated 20 September 2013)

This circular sets out the Registrar's practice in relation to pleadings issues at Case Management Conferences (CMCs) that are conducted after the close of pleadings.

Generally, the Registrar will adopt one of the following three approaches to various pleading issues:

1. Require rectification by necessary amendment of the pleadings
2. Require clarification, but no need for amendment
3. Raise for parties' information, with a caution on cost implications

These pleadings issues may be addressed in the presence of the parties at the CMC or in writing.

The sections referred to in the examples in this circular are sections from the Trade Marks Act (Cap 332, 2005 Rev Ed). The rules referred to in the examples in this circular are rules from the Trade Marks Rules (Cap 332, 2008 Rev Ed).

A. REQUIRE RECTIFICATION BY NECESSARY AMENDMENT OF THE PLEADINGS

Where certain mandatory requirements specified in legislation are not complied with, the Registrar may require amendment of the pleadings and make the appropriate directions and orders, including orders as to costs.

Examples include the following scenarios:

(i) Rule 30(2)

The opponent / applicant for invalidation, if relying on an earlier trade mark in its case, must provide the stipulated information on such earlier trade mark.

(ii) Rule 30(3)

The opponent / applicant for invalidation, if relying on an earlier trade mark which is well known, must provide the stipulated information on such well known earlier trade mark.

Information on use and promotion such as information relating to duration, geographical area of the use and promotion of the well known mark; registrations / applications for the well known mark worldwide etc. will be acceptable for compliance with Rule 30(3), see HMD Circular 1/2010 dated 20 August 2010.

B. REQUIRE CLARIFICATION OF GROUND, BUT NO NEED FOR AMENDMENT

The Registrar will require clarification where the opponent / applicant for invalidation or revocation has cited the correct section of legislation but did not specify the respective

paragraph; or has cited the correct main section and paragraph but did not specify the respective sub-paragraph. The claims accompanying the cited section or paragraph sometimes indicate which paragraph or sub-paragraph is in view. However, since the cited main section or paragraph is general, the opponent / applicant for invalidation or revocation is not precluded from relying on any other or all paragraphs or sub- paragraphs, besides that specifically described in the claim. This poses some uncertainty over the grounds on which the opponent / applicant for invalidation or revocation relies.

It would be acceptable for the opponent / applicant for invalidation or revocation to clarify, either verbally at the CMC or in writing after the CMC, the paragraph(s) or sub-paragraph(s) of the section on which he relies. Such clarifications will be recorded so that the grounds relied on will be clear to all the parties and the Registrar. However, the Registrar will not require any amendments to the pleadings as a matter of necessity. If the opponent / applicant for invalidation or revocation were to make amendments to other aspects of the pleadings, the Registrar may suggest that such amendments specifying the paragraph(s) or sub-paragraph(s) of the section on which he relies be made at the same time since other amendments will be made in any case.

Examples include the following scenarios:

(i) Section 8(2) pleaded

The opponent / applicant for invalidation should clarify whether he intends to proceed on Section 8(2)(a) or (b) or both.

(ii) Section 8(4) pleaded

The opponent / applicant for invalidation should clarify whether he intends to proceed on Section 8(4)(b)(i), Section 8(4)(b)(ii)(A), Section 8(4)(b)(ii)(B) or a combination of some or all the three limbs under Section 8(4).

(iii) Section 8(7) pleaded

The opponent / applicant for invalidation should clarify whether he intends to proceed on Section 8(7)(a) or (b) or both.

(iv) Section 22(1) pleaded

The applicant for revocation should clarify whether he intends to proceed on Section 22(1) (a), (b), (c) or (d) or a combination of some or all of the sub-paragraphs under Section 22(1).

C. RAISE FOR PARTIES' INFORMATION, WITH A CAUTION ON COST IMPLICATIONS

In most of the following scenarios, the opponent / applicant for invalidation has pleaded certain grounds erroneously. The Registrar will raise the issue for the parties' information, with a general caution on cost implications should a successful opponent / applicant for invalidation or revocation fail on that particular ground, having been alerted to the issue at this early stage.

The opponent / applicant for invalidation or revocation is not required to amend the pleadings. However, the opponent / applicant for invalidation or revocation may on his own accord apply to amend the pleadings by removing or rectifying the pleading.

Examples include the following scenarios:

1. Pleading an absolute ground of objection where the substance of the objection is relative to an earlier right, and not absolute in nature

(i) Section 7(1)(a),(b),(c)

The opponent / applicant for invalidation pleads that the application mark / registered mark is so similar to his earlier trade mark that it is not capable of distinguishing the applicant's goods; or is devoid of any distinctive character; or directly describes the applicant's goods as emanating from the opponent / applicant for invalidation.

However, Section 7(1)(a),(b),(c) objections are based on absolute grounds and not founded on a claim of similarity of marks nor made with reference to an earlier trade mark.

(ii) Section 7(4)(b)

The opponent / applicant for invalidation pleads that the application mark / registered mark is so similar to his earlier trade mark that it will deceive the public that the applicant's goods emanate from the opponent / applicant for invalidation.

However, deceptiveness under Section 7(4)(b) is an absolute ground and not founded on a claim of similarity with an earlier trade mark.

(iii) Section 7(5)

The opponent / applicant for invalidation makes a claim of passing off and cites Section 7(5) instead of or in addition to Section 8(7)(a).

However, Section 7(5) is inapplicable to passing off as it is an absolute ground. Section 8(7)(a) specifically refers to the law of passing off and is the correct ground to plead where passing off is alleged.

2. Pleading an erroneous ground

(i) Section 4(1), Section 5(2)(e)

The opponent / applicant for invalidation makes a claim of bad faith under Section 4(1) and/or Section 5(2)(e) instead of or in addition to Section 7(6).

However, Section 4(1) and Section 5(2)(e) are not applicable grounds for the purpose of opposition or invalidation. Section 7(6) specifically refers to bad faith and is the correct ground to plead where bad faith is alleged.

(ii) Section 55

The opponent / applicant for invalidation relies on an earlier well known mark but pleads Section 55 instead of or in addition to Section 8(4).

However, Section 55 can only be invoked before the courts as it relates to the issuance of an injunction against a mark that conflicts with a well known mark and the Registrar

has no powers to order an injunction. Section 8(4) governs the registrability of trade marks in relation to earlier well known marks and is the correct ground to plead in this scenario.

(iii) Article 6*bis* of Paris Convention

The opponent / applicant for invalidation relies on an earlier well known mark but pleads Article 6*bis* instead of or in addition to Section 8(4).

However, Article 6*bis* is inapplicable as the Registrar does not have the power to apply an international obligation as such. The Registrar can only apply national legislation that implements Singapore's international obligations. Section 8(4) governs the registrability of trade marks in relation to earlier well known marks and is the correct ground to plead in this scenario.

(iv) Section 8(3)

The opponent / applicant for invalidation pleads Section 8(3) which applies to an application filed before 1 July 2004. However, the opposed application is filed on or after 1 July 2004.

Therefore, Section 8(3) has been erroneously pleaded. Section 8(4) is the correct ground to plead in this scenario.

3. Kitchen sink pleading

Rule 30(1) and Rule 57(2) require the Notice of Opposition and Application for Invalidation respectively to contain a statement of the grounds on which the action is proceeding.

A kitchen sink pleading purports to reserve the right to plead all or any other grounds not expressly pleaded.

If the statement of grounds contains a kitchen sink pleading, the Registrar will inform parties that such pleading will not be given effect.

Applications Published for Opposition Purposes under the Trade Marks Act (Cap.332, 2005 Ed.)

Registration has been applied for in the respect of the following Trade Marks under the provisions of the Trade Marks Act (Cap. 332, 2005 Ed.)

OPPOSITION

Notice is hereby given that any person who wishes to oppose the registration of any of the marks published in the class groups which follow may within two months from the date of this journal file a Notice of Opposition on Form TM 11 (fee \$374).

Formal opposition should not be filed until after reasonable notice has been given to the Applicant for registration so as to afford him an opportunity of withdrawing his application before the expenses of preparing the Notice of Opposition are incurred. Failure to give such notice will be taken into account in considering any application by an Opponent for an Order for Costs if the opposition is uncontested by the Applicant.

T0816959I 04/12/2008 (18 25)

By consent of the registered proprietor of TM No T0100035A and T9509287E.

C R XCHANGE

Class 18

Leather and imitations of leather and articles made thereof; Briefcases, attache cases, bags, handbags, pocket wallets, purses, suitcases, key cases, card cases [notecases], sling bags, vanity cases (not fitted); Umbrellas, walking sticks and parasols; all being for use by ladies only; all included in Class 18.

Class 25

Scarves, belts, boots, shoes, slippers; all being for use by ladies only; all included in Class 25.

BONIA INTERNATIONAL HOLDINGS PTE LTD

89 DEFU LANE 10, SINGAPORE 539220

ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10 COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE, SINGAPORE 049315

MAXI-Q
Maxi-Q
maxi-q

T1208420I 13/06/2012 (05 29)

Application for a series of three marks.

Class 05

Dietetic substances adapted for medical use; nutritional supplements; vitamin supplements; food and drinks being nutritional supplements for pregnant, lactating and breast feeding women; milks for pregnant and lactating mothers [for medical use]; food for babies; food and drinks for babies with special nutritional needs; cereals for infants; dietetic beverages adapted for medical use; food for infants; dried milk being food for babies and infants; milk foods for babies and infants; milk powder for babies; nutritional food supplements for medical use; pharmaceutical preparations; vitamin preparations; food proteins for human consumption.

Class 29

Milk; milk products; milk in powder form; milk beverages (milk predominating); soya based milk and soya milk [milk substitute]; cream (edible); whey; food made principally from milk; dairy products and substitutes thereof; milk foods for young children.

INTERNATIONAL NUTRITION CO. LTD. A/S

2A RORMOSEVEJ, DK-3450 ALLEROD, DENMARK

ADDRESS FOR SERVICE: WONG & LEOW LLC, 8 MARINA BOULEVARD, #05-01 MARINA BAY FINANCIAL CENTRE TOWER 1, SINGAPORE 018981

T1213434F 28/09/2012 (43)

The transliteration of the Chinese characters appearing in the mark is "Mian" meaning "Flour" or "Noodles" and "Jia" meaning "Home" or "Family".

Class 43

Restaurant reservation services; restaurant services; restaurant services for the provision of fast food; restaurants.



CHUA WEN FOO TRADING AS QQ NOODLE HOUSE

231 VICTORIA STREET, BUGIS VILLAGE, SINGAPORE
188025

T1215851B 24/10/2012 (03 25 30)

Class 03
Essential oils.



Class 25
Clothing and underclothing.

Class 30
Coffee; tea; cocoa; sugar; rice; artificial coffee; flour; cereal preparations; all included in Class 30.

ADC TRADE & LOGISTICS PTE LTD

8 TEMASEK BOULEVARD, #35-03 SUNTEC TOWER THREE,
SINGAPORE 038988

ADDRESS FOR SERVICE: FRANCINE TAN LAW
CORPORATION, 6 EU TONG SEN STREET, #09-09,
SINGAPORE 059817

T1217033D 09/11/2012 (30)

The transliteration of the Chinese characters appearing in the mark is "Dan Wan" meaning "Pill" and "Zi Di" which has no meaning.

Class 30
Coffee-based beverages; pastries; sugar; pizza; pasta; cereal based snack food; tea-based beverages; ice cream; condiments; tea; cereal preparations; honey; soya flour; natural starches for food; yeast; aromatic preparations for food; artificial tea (other than for medicinal use); fruit jellies [confectionery].



GUANG ZHOU GAO ZHAN CATERING OPERATION CO.,
LTD.

RM 5115, CHINA INTERNATIONAL CENTER TOWER B, NO.
33 ZHONGSHANSAN ROAD, YUEXIU DISTRICT,
GUANGZHOU, CHINA

ADDRESS FOR SERVICE: CONVERGE HONESTY INT'L
CONSULTANT LIMITED, P.O. BOX 119 CLEMENTI
CENTRAL POST OFFICE, SINGAPORE 911204

T1300135H 03/01/2013 (41)

Application for a series of four marks.

RE-INVENTING YOU
Re-inventing You
Re-Inventing You
ReInventing You

Class 41

Arranging and conducting of seminars; arranging and conducting of workshops [training]; coaching [training]; education information; educational services; live performances (presentation of-); practical training [demonstration]; teaching; training (practical-) [demonstration].

MASAGOS ZULKARNAIN BIN MASAGOS MOHAMED

476D CHOA CHU KANG AVENUE 5, #03-49, SINGAPORE
684476

ADDRESS FOR SERVICE: YEO & ASSOCIATES LLC, 47A
CIRCULAR ROAD, SINGAPORE 049402

T1316503B 14/10/2013 (09 35 41)



HORIPRO

Class 09

Cameras, films (exposed), cinematographic films and apparatus in Class 9; mobile phones, mobile phone covers, mobile phone sets, cellular telecommunication apparatus; compact discs, recording discs, video recording apparatus; video compact discs, tapes, recorders, phonograph records, software; downloadable software for computers and mobile phones.

Class 35

Advertising; advertising services provided over the internet; advertising services provided by television; advertising by mail order; bill board advertising, cinematographic advertising; advertising provided via a database; radio advertising, television advertising, event management services; online advertising on a computer network, outdoor advertising; preparation of advertisements, production of radio, television and cinema advertisements; promotional services; promotion (advertising) of concerts; the bringing together, for the benefit of others, of a variety of goods enabling customers to conveniently view and purchase those goods from a retail outlet; promoting the sale of goods and services of others in the entertainment business by dissemination of promotional materials through an online global computer network, through the distribution of printed materials, audio and video recordings, television and radio recordings; online advertising and promotional contests; event management services all in Class 35 including fashion show services [advertising or promotional services]; fashion shows for promotional purposes (organization of-); arranging exhibitions for advertising purposes; arranging exhibitions for business purposes; arranging exhibitions for commercial purposes; theatrical casting agency.

Class 41

Arranging and conducting of concerts; entertainment; entertainer services; entertainment information; live performances (presentation of); organization of shows; performances (presentation of live); production of shows; providing on line electronic publications; radio entertainment; recording studio services; shows (production of); television entertainment; theatre productions all in Class 41 including arranging of exhibitions for entertainment purposes; arranging of music performances; arranging of music shows; arranging of musical entertainment; arranging of talent quests and contests; fashion show services [entertainment]; film production, other than advertising films; live entertainment; music concert services; music festival services; musical entertainment services.

HORIPRO INC.

1-2-5, SHIMO-MEGURO, MEGURO-KU, TOKYO, 153-8660,
JAPAN

ADDRESS FOR SERVICE: HSLEGAL LLP, 80 RAFFLES
PLACE, #22-23 UOB PLAZA 2, SINGAPORE 048624

T1317405H 28/10/2013 (43)

The transliteration of the Japanese characters appearing in the
mark is "Nabe Hide" which has no meaning.

Class 43
Restaurants.

ROYAL CULINARY PTE LTD

368 ALEXANDRA ROAD, #01-02 ANCHORPOINT SHOPPING
CENTRE, SINGAPORE 159952



T1319543H 04/12/2013 (35)

Class 35

Import-export agencies.



FOOD EXPERTISE PTE LTD

18 BOON LAY WAY, #02-102 TRADEHUB 21, SINGAPORE
609966

T1319935B 10/12/2013 (05)

Class 05

Babies' beverages; cereal for babies; food for babies; foodstuff for babies; nutriments for babies; disposable baby diapers; babies diapers parts.

BEBENICETM

MY TRADING LLP

9 RIVERVALE CRESCENT, #13-29 RIVERVALE CREST,
SINGAPORE 545086

T1320981A 26/12/2013 (05)

Class 05



Pharmaceutical; medicines for human use; veterinary preparations; dietetic supplements adapted for medical purposes; food supplements; herbal supplements adapted for medical purposes; herbal medicines; vitamins and mineral preparations for human use and animals; all included in Class 5.

MEDISPEC (M) SDN. BHD.

**55 & 57, LORONG SEMPADAN 2 (OFF BOUNDARY ROAD),
11400 AYER ITAM, PENANG, MALAYSIA.**

**ADDRESS FOR SERVICE: K L TAN & ASSOCIATES, 144A
NEIL ROAD, SINGAPORE 088873**

T1321202B 30/12/2013 (28)

Class 28

Stationary exercise bicycles; treadmills for use in physical exercise; appliances for gymnastics; body-building apparatus; physical exercise machines (other than for medical purposes); rowing machines for physical exercise (other than for medical use); dumb-bells; chest expanders (exercisers); weights for physical exercise (other than adapted for medical use); all included in Class 28.

CANMIA

ERACARE(M) SDN. BHD.

**NO. 27, JALAN PERSIARAN INDUSTRI, BANDAR SRI
DAMANSARA, 52200 KUALA LUMPUR, MALAYSIA**

**ADDRESS FOR SERVICE: 664B JURONG WEST STREET 64,
#07-240, SINGAPORE 642664**

T1400601I 14/01/2014 (45)

Class 45

Evtec

Biometric security services; monitoring of burglar and security alarms; monitoring of security systems; provision of security alarm monitoring services; public events security services; rental of burglar, security or fire alarms; rental of security apparatus; rental of security surveillance apparatus; security advisory services; security assessment of risks; security consultancy; security guards; security services; security services for the protection of property and individuals; security surveillance.

EVTEC MANAGEMENT SERVICES PTE LTD

**3 NEW INDUSTRIAL ROAD, #04-01 KIMLY BUILDING,
SINGAPORE 536197**

T1400620E 14/01/2014 (09)

Class 09

Spectacles; spectacle frames; sunglasses; cases and containers for spectacles and sunglasses.

OPTICARE INTERNATIONAL PTE LTD

160 PAYA LEBAR ROAD, #02-01, SINGAPORE 409022

**ADDRESS FOR SERVICE: MALKIN & MAXWELL LLP, 4
BATTERY ROAD, #22-00 BANK OF CHINA BUILDING,
SINGAPORE 049908**

ABBA

T1400624H 15/01/2014 (34)



Class 34

Ashtrays for smokers; cigar cases; cigar cutters; cigar holders; cigarette paper; cigarillos; cigars; firestones; tobacco; tobacco jars.

CUBA TIANZHIYUAN ROBAINA CIGARS CO., LIMITED

ROOM 1801A, 18 F, AN KANG COMMERCIAL MANSION, NO. 145, HENNESSY ROAD, WANCHAI, HONG KONG

ADDRESS FOR SERVICE: CONVERGE HONESTY INT'L CONSULTANT LIMITED, P.O. BOX 119 CLEMENTI CENTRAL POST OFFICE, SINGAPORE 911204

T1400702C 16/01/2014 (09 16 35 36)

The transliteration and translation of the Arabic characters appearing in the mark is "Bank Nizwa".



Class 09

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus.

Class 16

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

Class 35

Advertising; business management; business administration; office functions.

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs.

BANK NIZWA SAOG

PO BOX 1423, PC 133, SULTANATE OF OMAN

ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10 COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE, SINGAPORE 049315

T1400708B 16/01/2014 (35)

QIN

Class 35

Administration (commercial-) of the licensing of the goods and services of others, assistance (business management-), business consultancy (professional-), business management and organization consultancy, business management assistance, business management consultancy, commercial administration of the licensing of the goods and services of others, licensing of the goods and services of others (commercial administration of the-), management (advisory services for business-), management assistance (commercial or industrial-).

SUPER MILL ENTERPRISE CO. LTD.

NO. 1063, YUNG AN ROAD, TAOYUAN, TAIWAN, REPUBLIC OF CHINA

ADDRESS FOR SERVICE: K L TAN & ASSOCIATES, 144A NEIL ROAD, SINGAPORE 088873

T1400713I 16/01/2014 (25)

Class 25

Shirts; pants; sweaters; jackets; hats; caps; socks; raincoats and shorts.

THE PROFESSIONAL GOLFERS' ASSOCIATION OF AMERICA

100 AVENUE OF THE CHAMPIONS, BOX 12458 PALM BEACH GARDEN, FLORIDA 33410, UNITED STATES OF AMERICA

ADDRESS FOR SERVICE: ELLA CHEONG LLC, P.O. BOX 590 CRAWFORD POST OFFICE, SINGAPORE 911903



T1401218C 27/01/2014 (03)

Class 03

Cosmetics, non-medicated skincare preparations, non-medicated toiletries, and fragrances for personal use.

YOUTHFINITY EMPOWER YOUR GUARDIAN OF YOUTH

MARY KAY INC.

16251 DALLAS PARKWAY, ADDISON, TX 75001, UNITED STATES OF AMERICA

**ADDRESS FOR SERVICE: DONALDSON & BURKINSHAW,
P.O. BOX 3667 ROBINSON ROAD POST OFFICE, SINGAPORE
905667**

T1401223Z 27/01/2014 (25)

Class 25

Clothing, footwear, headgear; bathing suits/swimsuits; bodices [lingerie].

BIGFOOT INTERNET VENTURES PTE. LTD.

21 EMERALD HILL ROAD, SINGAPORE 229303

KOZO

T1401225F 27/01/2014 (09 42)

**Class 09**

Computer hardware; computer hardware for use in computer-assisted software engineering; computer peripheral devices; computer programs for analysing computer hardware; computer programs for sales purposes; computer programs for testing computer hardware; computer software; computer software packages; computer software products; computer software programs; computer software programs for spreadsheet management; computers; data processing apparatus for use with computers; electronic data processing apparatus for the storage of computer programs; electronic notebooks; laptop computers; monitors (computer hardware); monitors (computer programs); monitors for use with computers; notebook computers; peripheral sharing devices for computers; personal computers; personal home computers; security devices for computer hardware; tablets computers.

Class 42

Advisory services relating to computer software; advisory services relating to computer system analysis; analytical services relating to computers; back-up (copying) of computer data; computer analysis; computer database consultancy services; computer disaster recovery services; computer network services; computer rental; computer support services (programming and software installation, repair and maintenance services); computer virus protection services; computerised business information storage; computerised data storage services; diagnosis of faults in computer software; duplication of computer programs; information technology (IT) services (computer hardware, software and peripherals design and technical consultancy); installation and maintenance of computer software; installation of computer software; maintenance of computer programs; maintenance of computer records; maintenance of computer software; recovery of computer data; rental of computers; repair of computer software; testing of computer installations; testing of computer programs; testing of computers; updating of computer programs; updating of computer software; updating of memory banks of computer systems; upgrading of computer software.

THE LAPTOP SPECIALIST PTE. LTD.**1 ROCHOR CANAL ROAD, #05-47 SIM LIM SQUARE,
SINGAPORE 188504**

T1401226D 27/01/2014 (09)

Class 09

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus.

SINGAPORE HEALTH SERVICES PTE LTD

**31 THIRD HOSPITAL AVENUE, #03-03 BOWYER BLOCK,
SINGAPORE 168753**

**ADDRESS FOR SERVICE: PATRICK MIRANDAH CO. (S)
PTE. LTD., P.O. BOX 1093 ROBINSON ROAD POST OFFICE,
SINGAPORE 902143**

T1401227B 27/01/2014 (09)

Application for a series of two marks.

Class 09

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus.

**SINGAPORE HEALTH SERVICES PTE LTD**

**31 THIRD HOSPITAL AVENUE, #03-03 BOWYER BLOCK,
SINGAPORE 168753**

**ADDRESS FOR SERVICE: PATRICK MIRANDAH CO. (S)
PTE. LTD., P.O. BOX 1093 ROBINSON ROAD POST OFFICE,
SINGAPORE 902143**

HEALTH BUDDY

T1401228J 27/01/2014 (09)

Class 09

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus.

SINGAPORE HEALTH SERVICES PTE LTD

**31 THIRD HOSPITAL AVENUE, #03-03 BOWYER BLOCK,
SINGAPORE 168753**

**ADDRESS FOR SERVICE: PATRICK MIRANDAH CO. (S)
PTE. LTD., P.O. BOX 1093 ROBINSON ROAD POST OFFICE,
SINGAPORE 902143**

KNACK

T1401230B 27/01/2014 (09)

Class 09

CD-ROM players, DVD-ROM players, computer game software recorded on magnetic or optical discs, video game software recorded on magnetic or optical discs, game software for hand-held games with liquid crystal display recorded on magnetic or optical discs, recorded video discs and video tapes, game machine software, optical discs encoded computer game software, optical discs encoded video game software, optical discs encoded game software for hand-held games with liquid crystal display, cases adapted for optical discs, computer game software downloaded via the global network, computer game programs, video game software downloaded via the global network, game software for hand-held games with liquid crystal display downloaded via the global network, downloadable video game software, downloadable video game program, downloadable game software for hand-held games with liquid crystal display, downloadable game software for a cellular phone, digital cameras, electronic publications, books and magazines in the form of electronic featuring video game machines and video game software.

**KABUSHIKI KAISHA SONY COMPUTER ENTERTAINMENT
(ALSO TRADING AS SONY COMPUTER ENTERTAINMENT
INC.)**

1-7-1 KONAN, MINATO-KU, TOKYO, JAPAN

**ADDRESS FOR SERVICE: ELLA CHEONG LLC, P.O. BOX 590
CRAWFORD POST OFFICE, SINGAPORE 911903**

T1401231J 27/01/2014 (18 25)

Class 18

Backpacks; bags for campers; bags for climbers; bags for use in sports for carrying sports clothing; beach bags; haversacks; travelling bags; travelling trunks; trunks (luggage); valises.



Class 25

Caps (headwear); cyclists' clothing; footwear; gloves (clothing); hosiery; sports jerseys; sports shoes; sports singlets; swimsuits; tee-shirts.

PENG DACHENG

DOOR 302, UNIT 9, NO.184 ZHONGSHAN ROAD, XIHU DISTRICT, NANCHANG CITY, JIANGXI PROVINCE, CHINA

ADDRESS FOR SERVICE: C/O JASMINE LIM, 24 SIN MING LANE, #05-94 MIDVIEW CITY, SINGAPORE 573970

T1401232I 27/01/2014 (33)

Class 33

Alcoholic beverages (except beers); whisky and whisky based alcoholic beverages.

DIAGEO BRANDS B.V.

MOLENWERF 10-12, 1014 BG AMSTERDAM, THE NETHERLANDS



ADDRESS FOR SERVICE: AMICA LAW LLC, 30 RAFFLES PLACE, #14-01 CHEVRON HOUSE, SINGAPORE 048622

T1401233G 27/01/2014 (03)

Class 03

Eyebrow pencils, lip liner, mascara, make-up foundations, hair colorants, cosmetic preparations for baths, body lotions, bath lotions, shower gels, skin lotions, eyeliner, eye creams, face and body lotions, perfumes, hair gel, hair spray, make-up powder, make-up removing lotions.

**DOOYEON CORP.**

25, SEOLLEUNG-RO 161-GIL, GANGNAM-GU, SEOUL,
135-897 REPUBLIC OF KOREA

ADDRESS FOR SERVICE: AMICA LAW LLC, 30 RAFFLES
PLACE, #14-01 CHEVRON HOUSE, SINGAPORE 048622

T1401234E 27/01/2014 (10 17)

Application for a series of two marks.

Class 10

Rubber gloves for medical purpose.

Class 17

Rubber in the form of sheeting for use in manufacture, namely ribbed smoked sheets; synthetic rubber in the form of blocks, namely technically specified rubber; concentrated latex [rubber]; rubber sheets (semi-worked).

**SRI TRANG AGRO-INDUSTRY PUBLIC COMPANY LIMITED**

NO. 10 SOI 10, PETCHKASEM ROAD, HAT YAI DISTRICT,
SONGKHLA 90110, THAILAND

ADDRESS FOR SERVICE: JOYCE A. TAN & PARTNERS, 8
TEMASEK BOULEVARD, #15-04 SUNTEC TOWER THREE,
SINGAPORE 038988



T1401235C 27/01/2014 (10 17)

Application for a series of two marks.

Class 10

Rubber gloves for medical purpose.

Class 17

Rubber in the form of sheeting for use in manufacture, namely ribbed smoked sheets; synthetic rubber in the form of blocks, namely technically specified rubber; concentrated latex [rubber]; rubber sheets (semi-worked).

SRI TRANG AGRO-INDUSTRY PUBLIC COMPANY LIMITED

**NO. 10 SOI 10, PETCHKASEM ROAD, HAT YAI DISTRICT,
SONGKHLA 90110, THAILAND**

**ADDRESS FOR SERVICE: JOYCE A. TAN & PARTNERS, 8
TEMASEK BOULEVARD, #15-04 SUNTEC TOWER THREE,
SINGAPORE 038988**

T1401241H 27/01/2014 (01)

Class 01

Enzyme preparations for industrial purposes; enzyme preparations for the food industry; enzymes for industrial purposes; enzymes for the food industry; meat tenderizers for industrial purposes.

RAMA PRODUCTION CO. LTD.

**522/101-103 SOI SONGPRANG, ASOKE-DINDANG ROAD,
DINDANG, BANGKOK 10400, THAILAND.**

**ADDRESS FOR SERVICE: C/O DHAFER, 469 PASIR RIS
DRIVE 6, #04-430, SINGAPORE 510469**

ProtiAct

EYEVAN

T1401242F 27/01/2014 (35)

Class 35

Retail services and/or wholesale services relating to eyeglasses, sunglasses, eyeglass frames, eyeglass lenses, eyeglass cases, eyeglass chains, and eyeglass wipes, including such services provided online from a computer network, the Internet, searchable directories and databases on mobile telephone networks or via the global communications network or extranets or from a general merchandise catalogue by mail order, a general merchandise website in the global communications network or by means of telecommunications; computerised on-line ordering services by means of the Internet or a global communications network relating to eyeglasses, sunglasses, eyeglass frames, eyeglass lenses, eyeglass cases, eyeglass chains, and eyeglass wipes; information, advisory and consultancy services relating to all the aforesaid services.

OPTEC JAPAN KABUSHIKI KAISHA**15-33, MINAMIAOYAMA 1-CHOME, MINATO-KU, TOKYO,
107-0062 JAPAN****ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10
COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE,
SINGAPORE 049315**

T1401257D 24/01/2014 (12)

Class 12

Spare parts of all kinds of vehicles (except parts of motors and engines).

ONG SEONG ENG TRADING AS TOKYO ROKI JAPAN**11 CHANGI NORTH WAY, GSH CENTRE, SINGAPORE 498796****ADDRESS FOR SERVICE: C/O KS CHEONG & ASSOCIATES,
20 MARTABAN ROAD, #09-02, SINGAPORE 328644**

T1401305H 29/01/2014 (10)

Class 10

Orthopedic implants and surgical instruments therefor.

SIRIUS

BIOMET MANUFACTURING, LLC

56 EAST BELL DRIVE, WARSAW, INDIANA 46582, UNITED STATES OF AMERICA.

ADDRESS FOR SERVICE: RAVINDRAN ASSOCIATES, P.O. BOX 2988 RAFFLES CITY POST OFFICE, SINGAPORE 911799

T1401306F 29/01/2014 (37 42)

Class 37

Interior decorating (installation, renovation or repair services); advisory services relating to building construction materials and construction; building construction supervision; building project management; project preparation relating to building renovation; retrofitting of buildings (construction).

DEVO

Class 42

Interior decoration design; architectural consultation services; architectural project management; off site building project management; advisory services relating to building design; commercial interior design; building design services; design of business premises; design of furnishings; design of kitchens; design of bathrooms; design of layouts for offices and office space; design of restaurants; design of shops and shop-fittings; design of scale models; house design; illustration services (design); conducting of feasibility studies; design planning; drawing up of plans; advisory services relating to the planning of premises; inspection of buildings (surveying); environment design services.

CHEW AI LI VICTORIA

356 ALEXANDRA ROAD, #03-05, SINGAPORE 159949

ADDRESS FOR SERVICE: FRANCINE TAN LAW CORPORATION, 6 EU TONG SEN STREET, #09-09, SINGAPORE 059817

T1401308B 29/01/2014 (23)

Class 23

Wool is cool!

Carded yarns in natural fibres for textile use; carded yarns made of wool; carpet yarns; ceramic fibre yarns for textile use; chenille yarn; coir thread and yarn; combed yarns made of natural fibres; cotton thread and yarn; darning thread and yarn; elastic thread and yarn for textile use; elastic yarn for textile use; embroidery thread and yarn; flocked yarns; glass yarns for textile use; hand knitting yarns; hemp thread and yarn; jute thread and yarn; kits consisting of yarn and knitting instructions; knitting yarns; knitting yarns made of acrylic materials; knitting yarns made of nylon; knitting yarns made of wool; linen thread and yarn; natural yarns; non-metallic yarns for textile use; polyester pre-oriented yarns; polyester textured yarns; rayon thread and yarn; sewing thread and yarn; sewing yarns; silica yarns; silk thread and yarn; spools of yarn; spun thread and yarn; textile yarns; woollen thread and yarn; yarn; yarns for domestic use; yarns for sale in kit form; yarns for textile applications; yarns for textile use; yarns made of angora for textile use; yarns made of carbon fibres for textile use; yarns made of cotton; yarns made of silk; yarns made of synthetic material for textile use.

THE SPINNING WHEEL PTE. LTD.

**32 WEST COAST ROAD, #01-21 VARSITY PARK
CONDOMINIUM, SINGAPORE 127451**

T1401309J 29/01/2014 (23)

**Class 23**

Carded yarns in natural fibres for textile use; carded yarns made of wool; carpet yarns; ceramic fibre yarns for textile use; chenille yarn; coir thread and yarn; combed yarns made of natural fibres; cotton thread and yarn; darning thread and yarn; elastic thread and yarn for textile use; elastic yarn for textile use; embroidery thread and yarn; flocked yarns; glass yarns for textile use; hand knitting wools; hand knitting yarns; hemp thread and yarn; jute thread and yarn; kits consisting of yarn and knitting instructions; knitting yarns; knitting yarns made of acrylic materials; knitting yarns made of nylon; knitting yarns made of wool; linen thread and yarn; natural yarns; non-metallic yarns for textile use; polyester pre-oriented yarns; polyester textured yarns; rayon thread and yarn; sewing thread and yarn; sewing yarns; silica yarns; silk thread and yarn; spools of yarn; spun thread and yarn; spun wool; textile yarns; woollen thread and yarn; yarn; yarns for domestic use; yarns for sale in kit form; yarns for textile applications; yarns for textile use; yarns made of angora for textile use; yarns made of carbon fibres for textile use; yarns made of cotton; yarns made of silk; yarns made of synthetic material for textile use.

THE SPINNING WHEEL PTE. LTD.**32 WEST COAST ROAD, #01-21 VARSITY PARK
CONDOMINIUM, SINGAPORE 127451**

T1401310D 29/01/2014 (23)

Class 23



Carded yarns in natural fibres for textile use; carded yarns made of wool; carpet yarns; ceramic fibre yarns for textile use; chenille yarn; coir thread and yarn; combed yarns made of natural fibres; cotton thread and yarn; darning thread and yarn; elastic thread and yarn for textile use; elastic yarn for textile use; embroidery thread and yarn; flocked yarns; glass yarns for textile use; hand knitting wools; hand knitting yarns; hemp thread and yarn; jute thread and yarn; kits consisting of yarn and knitting instructions; knitting yarns; knitting yarns made of acrylic materials; knitting yarns made of nylon; knitting yarns made of wool; linen thread and yarn; natural yarns; non-metallic yarns for textile use; polyester pre-oriented yarns; polyester textured yarns; rayon thread and yarn; sewing thread and yarn; sewing yarns; silica yarns; silk thread and yarn; spools of yarn; spun thread and yarn; spun wool; textile yarns; woollen thread and yarn; yarn; yarns for domestic use; yarns for sale in kit form; yarns for textile applications; yarns for textile use; yarns made of angora for textile use; yarns made of carbon fibres for textile use; yarns made of cotton; yarns made of silk; yarns made of synthetic material for textile use.

THE SPINNING WHEEL PTE. LTD.

**32 WEST COAST ROAD, #01-21 VARSITY PARK
CONDOMINIUM, SINGAPORE 127451**

T1401311B 29/01/2014 (30)

Class 30

Confectionery; biscuits; chocolate; cocoa; products made from or including chocolate and/or cocoa.

DELFI CHITATOS

DELFI CHOCOLATE MANUFACTURING S.A.

66, ROUTE DE BERNE, 1700 FRIBOURG, SWITZERLAND.

**ADDRESS FOR SERVICE: AMICA LAW LLC, 30 RAFFLES
PLACE, #14-01 CHEVRON HOUSE, SINGAPORE 048622**

T1401315E 29/01/2014 (05)



Class 05

Feminine napkins, pads, panty liners and tampons.

KIMBERLY-CLARK WORLDWIDE, INC.

401 NORTH LAKE STREET, PO BOX 349, NEENAH,
WISCONSIN 54957-0349, UNITED STATES OF AMERICA

ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10
COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE,
SINGAPORE 049315

T1401318Z 29/01/2014 (18)

Application for a series of two marks.

Class 18

Travelling cases, travelling bags, suit cases, brief cases, attache
cases, trunks, vanity cases, articles of luggage and parts thereof.

SAFARI INDUSTRIES (INDIA) LIMITED

8TH FLOOR, A WING, THE QUBE, CTS. 1498, A/2, M.V
ROAD, BEHIND TAJ FLIGHT KITCHEN, MAROL, ANDHERI
(E), MUMBAI 400059, INDIA

ADDRESS FOR SERVICE: ELLA CHEONG LLC, P.O. BOX 590
CRAWFORD POST OFFICE, SINGAPORE 911903



T1401330I 29/01/2014 (03)

Application for a series of two marks.

ETTUSAIS PREMIUM
ettusais premium

Class 03

Soaps, toiletries, fragrances, perfumeries, and cosmetics; sun care preparations; beauty care preparations; bath preparations; essential oils; skin care, hair care, body care, and make-up products.

SHISEIDO COMPANY, LIMITED

7-5-5 GINZA, CHUO-KU, TOKYO 104-0061, JAPAN

ADDRESS FOR SERVICE: WONG & LEOW LLC, 8 MARINA
BOULEVARD, #05-01 MARINA BAY FINANCIAL CENTRE
TOWER 1, SINGAPORE 018981

T1401551D 28/01/2014 (12)

Class 12

Vehicle wheels; hubs for vehicle wheels; brake pads for automobiles; brakes for vehicles; freewheels for land vehicles; brake discs for vehicles; clutches for land vehicles; shock absorbers for automobiles; brake linings for vehicles; brake shoes for vehicles.

The logo for JASUN, featuring the word "JASUN" in a bold, sans-serif font. The letter "A" is stylized with a horizontal bar extending to the right, ending in a small triangle.

JINAN GOLD PHOENIX BRAKE SYSTEMS CO. LTD

NO.6 ANSHUN STREET, JIBEI ECONOMIC DEVELOPMENT
ZONE, JINAN, SHANGDONG PROVINCE 251400, CHINA

ADDRESS FOR SERVICE: ADVOCAT IP CONSULTANCY,
43A LORONG L TELOK KURAU, SINGAPORE 425461

T1401928E 11/02/2014 (35)

The transliteration of the Chinese characters appearing in the mark is "Jing Dong" which has no meaning.



Class 35

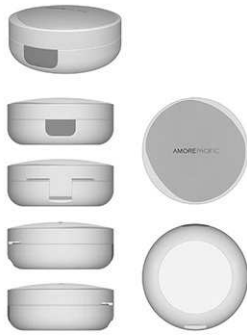
Advertising; online advertising on a computer network; rental of advertising time on communication media; presentation of goods on communication media, for retail purposes; business management assistance; commercial information and advice for consumers (consumer advice shop); price comparison services; business information; import-export agencies; auctioneering; sales promotion (for others); procurement services for others [purchasing goods and services for other businesses]; marketing; sponsorship search; compilation of information into computer databases; relocation services for businesses; personnel management consultancy; administrative processing of purchase orders; accounting; rental of vending machines; retail services; retailing of goods (by any means); the bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods from a retail outlet, distributor outlet, wholesale outlet, general merchandise catalogue by means of telecommunications or by mail order, and general merchandise web site in the global communications network; wholesale services.

BEIJING JINGDONG 360 DU E-COMMERCE LTD.

**ROOM B186, BUILDING 2, NO. 99, KECHUANG 14 STREET,
BEIJING ECONOMIC AND TECHNOLOGICAL
DEVELOPMENT ZONE, BEIJING, CHINA**

**ADDRESS FOR SERVICE: RODYK & DAVIDSON LLP, P.O.
BOX 462 ROBINSON ROAD POST OFFICE, SINGAPORE
900912**

T1402955H 28/02/2014 (03)



The mark consists of the three dimensional shape of a container with the word "AMOREPACIFIC" appearing on the top of the container.

Class 03

Cosmetics, skin lotions, eye shadows, lipsticks, perfumes, make-up removing preparations, solid powder for compacts (cosmetics), face powder paste for cosmetic purposes, shampoos, cosmetics for pets.

Priority Claims:

Class 03

30/12/2013

REPUBLIC OF KOREA

Partial goods/services claimed in this application.

AMOREPACIFIC CORPORATION

181, 2-GA, HANGANG-RO, YONGSAN-GU, SEOUL, REPUBLIC OF KOREA

ADDRESS FOR SERVICE: ATMD BIRD & BIRD LLP, P.O. BOX 0643 RAFFLES CITY POST OFFICE, SINGAPORE 911722

T1402956F 28/02/2014 (03)

The mark consists of the three dimensional shape of a container with the word "Sulwhasoo PERFECTING CUSHION" appearing on the top of the container.

Class 03

Cosmetics, skin lotions, eye shadows, lipsticks, perfumes, make-up removing preparations, solid powder for compacts (cosmetics), face powder paste for cosmetic purposes, shampoos, cosmetics for pets.



Priority Claims:

Class 03

30/12/2013

REPUBLIC OF KOREA

Partial goods/services claimed in this application.

AMOREPACIFIC CORPORATION

181, 2-GA, HANGANG-RO, YONGSAN-GU, SEOUL, REPUBLIC OF KOREA

ADDRESS FOR SERVICE: ATMD BIRD & BIRD LLP, P.O. BOX 0643 RAFFLES CITY POST OFFICE, SINGAPORE 911722

T1403241I 06/03/2014 (10)

Class 10

Orthopedic implants for hips and surgical instruments therefore.

ECHO

BIOMET MANUFACTURING, LLC

56 EAST BELL DRIVE, WARSAW, INDIANA 46582, UNITED STATES OF AMERICA.

ADDRESS FOR SERVICE: RAVINDRAN ASSOCIATES, P.O. BOX 2988 RAFFLES CITY POST OFFICE, SINGAPORE 911799

T1403260E 06/03/2014 (05)

Class 05

Pharmaceutical preparations, namely, pharmaceutical preparations for the treatment of diabetes.

ELI LILLY AND COMPANY

BASAGLAR

LILLY CORPORATE CENTER, INDIANAPOLIS, INDIANA 46285, UNITED STATES OF AMERICA

ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10 COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE, SINGAPORE 049315

T1403261C 06/03/2014 (43)

Application for a series of two marks.



Class 43

Services for providing food and drink; temporary accommodation; hospitality services (food, drink and temporary accommodation); providing and arranging accommodation; accommodation and reservation services for travellers and backpackers; providing hostel, bed and breakfast, hotel and motel facilities and services for travellers and backpackers; accommodation bureaux [hotels, boarding houses]; provision of restaurants, cafes, cafeterias and takeaway food and drink services; reservation of meals; catering services for food and drink; food cooking services; arranging of wedding receptions (food and drink); social clubs (provision of food); provision of cocktail lounge, bar, coffee bar, tea house, snack bar, wine bar, bistro; wine bar services; self-service restaurants; providing facilities [in the nature of provision of temporary accommodation, food and drink] for conventions, banquets, social functions, fund raising, and special events; rental of chairs, tables, table linen, glassware; provision of information about services for providing food, drink and temporary accommodation via all means of communication, including online from a computer database or the global communications network; provision of information, advisory and consultancy services in respect of all of the aforesaid services.

MUDDY MURPHY HOLDINGS PTE. LTD.

**10 ANSON ROAD, #19-02 INTERNATIONAL PLAZA,
SINGAPORE 079903**

**ADDRESS FOR SERVICE: WONGPARTNERSHIP LLP, 12
MARINA BOULEVARD, #28-01 MARINA BAY FINANCIAL
CENTRE TOWER 3, SINGAPORE 018982**

T1403262A 06/03/2014 (09)

**Class 09**

Carriers adapted for mobile phones, cases adapted for mobile phones; Cellular mobile telephones; Mobile phone sets; Mobile phone apparatus, mobile phone communications apparatus, mobile phones apparatus for use in vehicles; Laptop computers; Notebook computers; Bags adapted for laptops, sleeves for laptops; Computer keyboards; Computers; Data storage apparatus for computers; Devices for use in the networking of computers, devices for linking terminals on a computer apparatus; Electrical computer apparatus; Storage apparatus for computer data; Computer mouses; Mouse pads; Audio apparatus; Digital audio players, digital audio tape recorders; Compact discs (audio-video); Headphones for audio apparatus; Audio speakers for home, audio speakers for automobiles; Speakers (audio equipment); Digital tablets; Video projectors, image projectors; Camera apparatus, cameras, mounts for cameras, video cameras.

NEWSTEAD TECHNOLOGIES PTE LTD**180 KITCHENER ROAD, #09-01 CITY SQUARE MALL,
SINGAPORE 208539****ADDRESS FOR SERVICE: PINSENT MASONS MPILLAY
LLP, 16 COLLYER QUAY, #22-00, SINGAPORE 049318**

SAFARI KID

T1403297D 07/03/2014 (16 41)

Class 16

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

Class 41

Education; educational learning centers for children; play groups; pre-school education; nursery schools and kindergarten services; primary and secondary schools; interest classes; providing of training; entertainment; sporting and cultural activities.

SAFARI KID INC.

34899 NEWARK BLVD. NEWARK, CA 94560, UNITED STATES OF AMERICA

**ADDRESS FOR SERVICE: INFINITUS LAW CORPORATION,
P.O. BOX 259 RAFFLES CITY POST OFFICE, SINGAPORE
911709**



T1403298B 07/03/2014 (16 41)

The second and third mark(s) in the series are limited to the colours as shown in the representation on the form of application.

Application for a series of three marks.

Class 16

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

Class 41

Education; educational learning centers for children; play groups; pre-school education; nursery schools and kindergarten services; primary and secondary schools; interest classes; providing of training; entertainment; sporting and cultural activities.

SAFARI KID INC.

34899 NEWARK BLVD. NEWARK, CA 94560, UNITED STATES OF AMERICA

**ADDRESS FOR SERVICE: INFINITUS LAW CORPORATION,
P.O. BOX 259 RAFFLES CITY POST OFFICE, SINGAPORE
911709**

T1404008Z 19/03/2014 (07 29 30 32 43)

Class 07

Machines for the production of beverages.

STARBUCKS FIZZIO

Class 29

Milk, flavored milk, milkshakes and milk-based beverages; milk-based beverages containing coffee; milk-based beverages containing fruit juice; milk-based beverages containing fruit; milk-based beverages with chocolate; soy-based food beverage used as a milk substitute; dairy-based food beverages also containing cocoa.

Class 30

Coffee, tea, cocoa and espresso beverages; beverages made with a base of coffee; beverages made with a base of espresso; coffee-based iced beverages; coffee-based beverages containing milk; tea-based iced beverages; beverages made with a base of tea; beverages made with a base of herbal tea; tea-based beverages with fruit flavoring; chocolate-based beverages with milk.

Class 32

Flavored and unflavored water, mineral water, sparkling water; soft drinks; fruit drinks; fruit juices; sparkling fruit and juice based beverages; soda beverages; frozen fruit beverages and frozen fruit-based beverages.

Class 43

Restaurant, cafe, cafeteria, coffee bar and coffee house, carry out restaurant, and take out restaurant services; catering services; preparation of carry out beverages.

Priority Claims:

Class 07

30/09/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 29

30/09/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 30

30/09/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 32

30/09/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 43

30/09/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

STARBUCKS CORPORATION D/B/A STARBUCKS COFFEE
COMPANY

2401 UTAH AVENUE SOUTH, SEATTLE, WASHINGTON
98134, UNITED STATES OF AMERICA

ADDRESS FOR SERVICE: AMICA LAW LLC, 30 RAFFLES
PLACE, #14-01 CHEVRON HOUSE, SINGAPORE 048622

T1404323B 24/03/2014 (14 25 35)

Application for a series of two marks.

Class 14

Jewellery; bracelets; earrings; necklaces; rings and watches.

Class 25

Clothing; footwear and headgear.

Class 35

Retail services.

AUDAASH LLP

10 ANSON ROAD, #01-59 INTERNATIONAL PLAZA,
SINGAPORE 079903





T1405630Z 11/04/2014 (09 36 41)

Class 09

Computer software related to investment, namely, electronic trading software, investment portfolio management software, financial analytical software, electronic trading order management software, financial risk modelling software and software for providing electronic connectivity to financial exchanges and markets; downloadable software for use in accessing information about investment products, namely, securities, futures, and forex; downloadable software for use in trading investment products, namely, securities, futures, and forex.

Class 36

Financial services, namely, providing information, analysis, news and commentary about investment products, namely, securities, futures, and forex; securities, futures and forex trading for others.

Class 41

Educational services in the nature of conferences, webinars, webcasts, live-chat broadcasts and seminars in the fields of investing and investment products, namely, securities, futures and forex; providing on-line publications in the nature of magazines, newsletters and reports in the field of investing and investment products, namely, securities, futures and forex, and computer software.

Priority Claims:

Class 09

12/11/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 36

12/11/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 41

12/11/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

TD AMERITRADE IP COMPANY, INC.

**200 SOUTH 108TH AVENUE, OMAHA, NEBRASKA 68154,
UNITED STATES OF AMERICA**

ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10

COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE,
SINGAPORE 049315

T1405633D 11/04/2014 (09 42)

Class 09

Computers, personal computers, laptop computers, notebook computers, desktop computers, tablet computers, computer hardware, handheld computers, computer workstations; computer servers; computer thin clients; computer and communications networking hardware and software; data processing and data storage systems; computer software for information technology (IT) management, IT infrastructure management, remote IT infrastructure management, IT asset inventory, IT device life cycle management, software management, data protection, data security, computer security, and IT security; cloud-based software for information technology (IT) management, IT infrastructure management, remote IT infrastructure management, IT asset inventory, IT device life cycle management, software management, data protection, data security, computer security, and IT security.

HP TOUCHPOINT MANAGER

Class 42

Cloud computing featuring software for use in information technology (IT) management, IT infrastructure management, remote IT infrastructure management, IT asset inventory, IT device life cycle management, software management, data protection, data security, computer security, and IT security.

Priority Claims:

Class 09

31/01/2014

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 42

31/01/2014

UNITED STATES OF AMERICA

All goods/services claimed in this application.

HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.

**11445 COMPAQ CENTER DRIVE WEST, HOUSTON, TEXAS
77070, UNITED STATES OF AMERICA**

**ADDRESS FOR SERVICE: PATRICK MIRANDAH CO. (S)
PTE. LTD., P.O. BOX 1093 ROBINSON ROAD POST OFFICE,
SINGAPORE 902143**

International Registrations filed under the Madrid Protocol Published for Opposition Purposes under the Trade Marks Act (Cap.332, 2005 Ed.)

OPPOSITION

Notice is hereby given that any person who wishes to oppose the registration of any of the marks published in the class groups which follow may within two months from the date of this journal file a Notice of Opposition on Form TM 11 (fee \$374).

Formal opposition should not be filed until after reasonable notice has been given to the Applicant for registration so as to afford him an opportunity of withdrawing his application before the expenses of preparing the Notice of Opposition are incurred. Failure to give such notice will be taken into account in considering any application by an Opponent for an Order for Costs if the opposition is uncontested by the Applicant.

The logo for Spirax Sarco, featuring the word "spirax" in a bold, lowercase sans-serif font, followed by a diagonal slash and the word "sarco" in a similar bold, lowercase sans-serif font.

T1004658Z (01 07 09 11 37 42)
(International Registration No. 1033785)

Date of International Registration: 07/12/2009

Date of Protection in Singapore: 07/12/2009

Class 01

Water treatment chemicals.

Class 07

Steam traps; valves, filters, strainers and pumps, all being machines or parts of machines; separators and air compressors, all being machines or parts of machines, lubricators and regulators all being parts and fittings for machines; steam producing apparatus (parts of machines).

Class 09

Control, metering, monitoring, regulating apparatus and instruments; sight glasses and check valves fitted with sight glasses; valves (operated automatically by electric or electronic control by solenoid or by temperature or other changes in physical conditions); gauges; and parts and fittings for all the aforesaid goods.

Class 11

Heating, steam generating, cooling, ventilating and compressed air installations and apparatus; level controlling valves; filters (parts of industrial installations); pipeline accessories and boiler pipes; humidification apparatus; parts and fittings for all the aforesaid goods.

Class 37

Custom construction, repair, installation and maintenance of engineering systems, and fluid or steam control systems; commissioning (installation, repair and maintenance) services in relation to engineering systems, and fluid or steam control systems; consultancy and advisory services relating to custom construction, repair, installation and maintenance of engineering systems, and fluid or steam control systems; consultancy and advisory services relating to commissioning (installation, repair and maintenance) services of engineering systems, and fluid or steam control systems.

Class 42

Professional consultations and advice relating to engineering, and to the engineering of fluid and steam control; conducting surveys of industrial premises; feasibility studies relating to engineering, and fluid and steam control; technological and research and consultation services relating to engineering, and fluid and steam control; construction drafting, engineering, industrial design and

mechanical research; inspection and audit of engineering systems; consultation services and preparation of reports relating to the aforesaid.

Priority Claims:

Class 01

04/12/2009

EUROPEAN UNION

All goods/services claimed in this application.

Class 07

04/12/2009

EUROPEAN UNION

All goods/services claimed in this application.

Class 09

04/12/2009

EUROPEAN UNION

All goods/services claimed in this application.

Class 11

04/12/2009

EUROPEAN UNION

All goods/services claimed in this application.

Class 37

04/12/2009

EUROPEAN UNION

All goods/services claimed in this application.

Class 42

04/12/2009

EUROPEAN UNION

All goods/services claimed in this application.

SPIRAX-SARCO LIMITED

**CHARLTON HOUSE, 14 CIRENCESTER ROAD,
CHELTENHAM, GLOUCESTERSHIRE GL53 8ER, UNITED
KINGDOM**

**ADDRESS FOR SERVICE: LEE & LEE, 50 RAFFLES PLACE,
#06-00 SINGAPORE LAND TOWER, SINGAPORE 048623**

T1320566B (18 25)
(International Registration No. 1068084)

Date of International Registration: 11/10/2010

Date of Protection in Singapore: 11/11/2013

AVEC MODÉRATION

The mark consists of the French words meaning "With Moderation".

Class 18

Leather goods, namely leather bags and wallets, leather suitcases, leather handbags, handbags for ladies, leather shoulder belts.

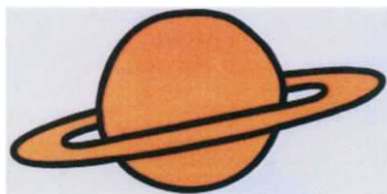
Class 25

Clothing, namely leather shoes, sandals and beach shoes, women's shoes, namely foldable flats, foulards, footwear for women, women's clothing, namely dresses, skirts, blouses; footwear and hats.

PBS S.R.L.

VIA GIORDANO BRUNO, 16, I-50136 FIRENZE, ITALY

T1112500I (35)
(International Registration No. 1088406)



Date of International Registration: 24/02/2011
Date of Protection in Singapore: 24/02/2011

The following claim is made in the International Registration:
Colours claimed : Black and orange.

Class 35

Retail services; cost price analysis; consultancy, namely cost analysis, cost-price analysis, cost management, cost accounting in the field of cost reduction, including costs for mobile phone rates; procurement services (purchasing goods and services for other businesses); auctioneering; wholesale and retail services relating to films (unexposed), paper which is used for photographic purposes, ink and ink cartridges, including, when used for printers and photocopiers, toner and toner cartridges, including, when used for printers and photocopiers, brackets including wall mounts for TV sets, ironing machines, steam cleaners, can openers (electric), meat grinders, dishwashers, beverage makers, yogurt makers, coffee grinders (other than hand-operated), kitchen machines (electric), knives (electric), mixer (electric) for household purposes including hand mixer, blender shafts and blenders, sewing machines, fruit presses, blade sharpening instruments, vacuum cleaners, vacuum cleaner bags, drying machines, washing machines, crushers (electric) for household purposes, slicers, beard clippers, irons (non-electric), can openers (non-electric), juicer, depilation appliances, hair straighteners (non-electric), hair clippers, cheese graters, curlers (non-electric), knives (non-electric), razors, razor blades, scientific, nautical, surveying, photographic cinematographic, optical weighing, measuring, signalling, regulating, life-saving and teaching, apparatus and instruments for conducting, switching, converting, storing, adjusting and controlling electricity, apparatus for recording, transmission or reproduction of sound and images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating materials, data processing equipment and computers, accumulators, alarms, answering machines, antennas, including indoor antennas, antenna cables, audio cables, audio/video receiver, baby-phones, batteries, blue-ray-player, blue-ray-recorder, blue-rays, recorded and non-recorded, CDs and DVDs, flashlights for photographic purposes, flash-bulbs for photographic purposes, bluetooth adapters, CD players, CD recorder, personal computer, slide frames, digital photo frames, voice recorder, dimmers, printers, including photo printers, ink jet printers and laser printers, DVB-C receiver, DVB-T receiver, DVD player, DVD recorder, DV cassettes, single and multiple sockets, input devices, including

gamepads, joysticks, steering wheels, mice and keyboards, electric power, connecting and extension cables, electronic databases, electric irons, electronic translating machines, power amplifiers, equalizer, remote controls, binoculars, TVs, TV cards, hard disks, hard disk recorders, filters for photographic purposes, cameras including digital cameras and disposable cameras, curling tongs (electric), walkie-talkies, saved and downloaded computer programs and computer software for personal computers and video game sets, saved and downloadable electronic books, audio books and music and video files, graphic cards, hair straighteners (electric), headsets, including headsets for mobile phones, home cinema systems, HIFI receivers, card readers, headphones including car loudspeaker, chargers for accumulators and batteries, laptops, loudspeaker including car loudspeaker, bass tubes, computer loudspeaker, hifi loudspeaker, loudspeaker for MP3 player and MP4 player, subwoofer and surround sound loud speaker, screens for beamer, reading machines for electronic books, curlers (electric), microphones, mobile phones, modems, monitors, MP3 player, MP4 player, musical instruments, navigational apparatus, net books, power supplies, network cables, notebooks, extra covers and protective covers for mobile phones, object lenses, location apparatus, projection apparatus, especially rear-projection TVs and beamer, radios including car radios, Internet radios and clock radios, satellite receivers systems, satellite receivers especially DVB-S receivers and analogue satellite receivers, scanners, including scanners for photos, records, switch boxes, welding devices, welders (electric) used for packaging made of plastic, sound cards, memory cards, memory modules, tripods, wall sockets, power plugs and sockets, stereos, tablet PCs, calculators, telephone systems, telephones, facsimile machines, desktop calculator, voltage surge protectors, UMTS card and UMTS sticks, USB-hubs, USB cables, USB sticks, amplifiers, video tapes, video cables, video cameras, video recorders, video editing cards, video game consoles used as additional devices for an external screen or monitor, scales including kitchen scales and personal scales, webcams, meteorological stations, rechargeable batteries, sphygmotensimeters, heart rate measuring apparatus, massage apparatus, thermometers for medical purposes, kitchen sinks, extractor hoods for kitchens, ovens, lighting apparatus especially lights and lamps, tanning apparatus [sun beds], bread makers, plates for crepe, steam cooking devices, disinfectants, branch boxes, egg boilers, boiling down apparatus, single and double cooking rings, heater for feeding bottles (electric), bedwarmers, ice machines, fondue devices, deep fryers, foot warmers, cooking devices, freezers, grilling devices including table grills, kettle grills and barbecue grills, hair dryers, electric blankets and pillows, not for medical purposes, hot air ovens, radiant heaters, stoves including electric-, gas-, coal-, and oil- heated stoves, coffee machines, air conditioners, hobs, cooling boxes, fridges, air

humidifiers, dehumidifiers, air filters, microwaves, raclette devices, radiators, rice cookers, sandwich makers, cabinets for storing and tempering wine, apparatus for foot baths with bubbles, torches, tea machines, toaster, drying hoods, ventilators, waffle irons (electric), water boilers, laundry dryers (electric), clocks and time measuring devices, digital clocks, printed matters, books, photo albums, copying paper, paper labels, paper for printers, including, when used for ink jet printers and laser printers, paper for photographic purposes, posters, magazines, newspapers, bags for keeping magnetic, optic and electronic sound, image or data images, bags for notebooks, bags for cameras, bags for mobile phones, bags for MP3 players and bags for MP4 players, picture frames, brackets including wall mounts for TV apparatus, computer furniture, TV furniture and HIFI furniture, heaters for feeding bottles (non-electric), roasters, coffee grinders (hand-operated), pots, including pressure cookers, cooling boxes, water apparatus for cleaning teeth and gums, noodle machines, pans, cleaning materials, waffle irons (non-electric), woks, tooth brushes (electric), coffee, as well as accessories for the aforementioned goods; advertising; advertising on TV; publication of publicity texts; commercial administration of the licensing of goods and services; layout services for advertising purposes; on-line advertising on a computer network; bill-posting; presentation of goods on communication media for retail purposes; price comparison services, especially comparison services concerning mobile phone rates and electricity prizes; radio advertising; shop window dressing; systemization of information into computer databases; disseminating advertisements; sales promotion; rental of advertising matter office machines and equipment; rental of photocopying machines; rental of automatic vending machines; rental of advertising space; rental of publicity material; rental of advertising time on communication media; advertising by mail order; distribution of samples; direct mail advertising (flyers, brochures, printing material, samples); document reproduction; administrative processing of purchase orders; demonstration of goods; compilation of information in computer databases; procuring the provision of the aforementioned services and the conclusion of contracts regarding these services; arranging subscriptions to telecommunication services, especially negotiation of contracts (for others) with regard to telephone and data access as well as with regard to broadcasting services, especially pay TV; procurement of contracts for power supply (for others); arranging newspaper subscriptions.

Priority Claims:

Class 35

18/02/2011

GERMANY

All goods/services claimed in this application.

MEDIA-SATURN-HOLDING GMBH

WANKELSTRASSE 5, 85046 INGOLSTADT, GERMANY

**ADDRESS FOR SERVICE: DREW AND NAPIER LLC, 10
COLLYER QUAY, #10-01 OCEAN FINANCIAL CENTRE,
SINGAPORE 049315**

T1200520A (10)
(International Registration No. 1102782)

Date of International Registration: 27/05/2011
Date of Protection in Singapore: 27/05/2011

COOPERSURGICAL

Class 10

Catheters and parts and fittings therefore; needles for medical purposes; pipettes for medical purposes; contraceptive diaphragms; endocervical aspirators; cannulas; diagnostic apparatus for determining sperm quantification; cervical and endometrial samplers; stethoscopes; biopsy instruments; specula; tenacula; surgical retractors; cervical dilators, cervical sounds [medical probes]; rectal dilators, rectal sounds [medical probes]; vaginal dilators, vaginal sounds [medical probes]; uterine dilators; osmotic dilators for the cervix; curettes; forceps; cervical scrapers; uterine manipulators being implements for diagnostic or surgical use; elastic stay hooks [apparatus for holding retracted skin during surgical procedures]; implant insertion devices; surgical isolation bubble system; disposable surgical scissor tips; anoscopes; colposcopes; retractors; medical instrument for finding and opening the cervix; fundus finders [instrument used for locating the fundus during medical procedures]; pessaries; suture passers [surgical instruments]; suture guides [surgical implements]; fetal and vascular ultrasound diagnostic apparatus and parts and fittings therefor; medical ultrasound apparatus and parts and fittings therefor; fetal monitor kits comprised primarily of fetal monitor, ultrasound transducer, tocolysis transducer and reusable transducer belt, all for medical use; fetal vacuum extractor [medical device for assisting the vaginal delivery of a fetus]; obturator tips [medical implement for laparoscopic surgery]; trocars; chemically activated heating pads; endocervical and endometrial tissue sampling devices; medical instruments for use in performing biopsies; cryosurgical apparatus for use in performing ablative surgery; cryosurgical instruments; cryosurgical probes; cell collectors [medical instrument for insertion into the cervix]; nasal tubes for promoting oxygen therapy; irrigation apparatus for wound cleansing; medical diagnostic devices for bone density assessment; endoscopic procedure kit containing suture, passer, graspers & knot pusher; medical vacuum system comprising vacuum pumps, collection feeders, vacuum gauges, extractor cups and lids; medical apparatus providing filtration for removing emissions of smoke, airborne particles, gaseous or like by-products from the site of medical procedures; laparoscopic and endoscopic instruments, namely, surgical irrigation and aspiration valves, surgical probes and surgical electrodes; medical apparatus, namely, stretching devices and tension cords for use by and rehabilitation of patients suffering from acute upper and lower extremity; in vitro fertilization kit for the preparation of sperm for

artificial insemination, consisting primarily of a container with a medium for the recovery of high quality motile sperm from semen, a heater for the medium containing sperm and instruments for transporting selected semen to the female reproductive tract; pap smear collection kits comprising brushes and scrapers for collection, specimen slides, holders and fixative; medical instruments for use in diagnosing and treating female urinary incontinence, namely urodynamic equipment, fiberoptic catheters, and pessaries; family planning products, namely, diaphragms and tubal ligation systems for contraception, fertility assessment tools, intrauterine insemination catheters, sperm selection systems, and in vitro fertilization media and devices; cervical and uterine diagnosis and treatment apparatus including pap smear collection kits, endometrial samplers, endometrial ablation, colposcopes, biopsy punches, and electrosurgical excision devices; laparoscopic port site closure devices, namely suture passers [surgical instruments] and suture passer guides [surgical implements]; obstetrical devices for monitoring and for assisting delivery; insufflator units comprised of CO2 insufflator unit, patient tubing, and CO2 tank hose and yoke; cardiac cryosurgical systems comprised of cardiac cryosurgical unit, hose and cardiac probes; medical and surgical diagnostic systems comprised of a camera/light source apparatus, CO2 insufflator, forceps, and diagnostic sheaths; surgical excision procedure systems comprised of monopolar electrosurgical generator, handpiece adapter, footswitch assembly, patient return pad and adapter, and metal cartridge syringe; surgical instruments, namely instruments for uterine resections; probes for transvaginal surgery, fiber light sources, retractable preparatory kits comprised of xylocaine cartridges, disposable needles.

Priority Claims:

Class 10

29/11/2010

UNITED STATES OF AMERICA

Partial goods/services claimed in this application.

COOPERSURGICAL, INC.

95 CORPORATE DRIVE, TRUMBULL CT 06611, UNITED STATES OF AMERICA

ADDRESS FOR SERVICE: ELLA CHEONG LLC, P.O. BOX 590 CRAWFORD POST OFFICE, SINGAPORE 911903

SILVER CROSS

T1202289J (35)

(International Registration No. 1106443)

Date of International Registration: 12/01/2012

Date of Protection in Singapore: 12/01/2012

Class 35

Retail services, including online retail services, connected with the sale of the following goods namely baby carriages, pushchairs, prams, car seats for babies, carry cots, bicycles, parts and fittings for the aforesaid goods, amulets, boxes, bracelets, brooches, buckles, candlesticks, figurines, napkin bands, necklaces, jugs and tankards of precious metals, clocks and watches, books, albums, photograph albums, pens, pencils, furniture, luggage, bags, cases, harnesses, reins and halters for use with babies and children, umbrellas and parasols for use with perambulators and baby carriages, mattresses, beds, cots, bedding for beds, bedding for cots, clothing, footwear, headgear, clothing, footwear, headgear for babies and children, toys, games, playthings, play/toy baby carriages, play/toy vehicles, rocking horses; but not including any goods in the shape of a cross or any goods featured with a cross or crosses.

SILVER CROSS (IP) LIMITED

MICKLETHORN, BROUGHTON, SKIPTON, NORTH
YORKSHIRE BD23 3JA, UNITED KINGDOM

ADDRESS FOR SERVICE: MARKS & CLERK SINGAPORE
LLP, P.O. BOX 636 TANJONG PAGAR POST OFFICE,
SINGAPORE 910816

T1318154B (01)

(International Registration No. 1123596)

Date of International Registration: 04/06/2012

Date of Protection in Singapore: 24/09/2013

Class 01

Chemical additives for use in the manufacture of cosmetics and personal care products; chemicals for use in the manufacture of cosmetics and personal care products.

ARCH PERSONAL CARE PRODUCTS, L.P.

70 TYLER PLACE, SOUTH PLAINFIELD, NJ 07080, UNITED
STATES OF AMERICA

REGENISTEM



T1216176I (07)
(International Registration No. 1132662)

Date of International Registration: 04/04/2012

Date of Protection in Singapore: 04/04/2012

The following claim is made in the International Registration:
Colours Claimed: Pantone 7495C blue and Pantone 383C green.
Parts of Mark in Colour: Silhouette is in Pantone 7495C blue and CAMEO is in Pantone 383C green.

Class 07

Machines, namely, fiber cutting machines, computer aided digital craft die-cutting machine and plotter for cutting paper, cardstock, and fabric in sheet or roll form, sold as a unit.

Priority Claims:

Class 07

08/03/2012

UNITED STATES OF AMERICA

Partial goods/services claimed in this application.

SILHOUETTE AMERICA, INC.

1276 S. 1380 W, OREM UT 84058, UNITED STATES OF AMERICA



T1300210I (03)
(International Registration No. 1142362)

Date of International Registration: 19/10/2012
Date of Protection in Singapore: 19/10/2012

The following claim is made in the International Registration:
Colours claimed: Gray (Pantone 431).

The French word "Dermatologie" appearing in the mark means "Dermatology".

Class 03

Bleaching preparations and other substances for laundry use; cleaning, polishing, degreasing and abrasive preparations; soaps; perfumes, essential oils, cosmetics, hair lotions; dentifrices; depilatory preparations; make-up removing products; lipstick; beauty masks; shaving products; preservatives for leather (polishes); creams for leather.

CODEXIAL DERMATOLOGIE

**10 RUE DU BOIS DE LA CHAMPELLE, F-54500
VANDOEUVRE LES NANCY, FRANCE**

**ADDRESS FOR SERVICE: DONALDSON & BURKINSHAW,
P.O. BOX 3667 ROBINSON ROAD POST OFFICE, SINGAPORE
905667**

T1319744I (36)
(International Registration No. 1154183)

Date of International Registration: 18/02/2013
Date of Protection in Singapore: 30/10/2013

Class 36

Insurance underwriters and brokers in the fields of property, casualty, professional and general liability; financial services, namely, investment advice; providing venture capital, development capital, private equity and investment funding.

MARKEL

MARKEL CORPORATION

**4521 HIGHWOODS PARKWAY, GLEN ALLEN VA 23060,
UNITED STATES OF AMERICA**

MIRAC ELEGAN UNI

T1317923H (02)
(International Registration No. 1180500)

Date of International Registration: 11/06/2013
Date of Protection in Singapore: 11/06/2013

Class 02

Decorative coatings; anti-rust preparations for preservation; anti-corrosive preparations; mordants; natural raw resins; colorants; dyestuffs; pigments; paints and coatings; distempers; enamel paints; varnishes; lacquers; thinners for paints; siccatives (drying agents) for paints; printing ink; anti-rust greases; anti-rust oils; colorants for use in the manufacture of paint; colorants for use in the manufacture of paint.

Priority Claims:

Class 02

26/12/2012

JAPAN

All goods/services claimed in this application.

SK KAKEN CO., LTD.

4-5, MINAMISHIMIZU-CHO, IBARAKI-SHI, OSAKA-FU
567-0056, JAPAN



T1318073B (30)
(International Registration No. 1180755)

Date of International Registration: 13/09/2013

Date of Protection in Singapore: 13/09/2013



The mark consists of a three-dimensional shape of the packaging of the goods with the words "nimm2" appearing thereon as shown in the representation on the notification of international registration.



The following claim is made in the International Registration:
Colours claimed: Orange, green, red and white.

Class 30

Confectionery, chocolate, chocolate products, pastries, ice cream, preparations for making the aforementioned products, included in this class.

Priority Claims:

Class 30

14/06/2013

GERMANY

All goods/services claimed in this application.

AUGUST STORCK KG

WALDSTRASSE 27, 13043 BERLIN, GERMANY

VOLOPA

T1318353G (09 35 36 39 41)
(International Registration No. 1181267)

Date of International Registration: 26/06/2013

Date of Protection in Singapore: 26/06/2013

Class 09

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus; accumulators, electric; adding machines; apparatus and installations for the production of X-rays, not for medical purposes; automated teller machines [ATM]; bar code readers; cash registers; calculating machines; central processing units [processors]; chips [integrated circuits]; computer operating programs, recorded; computer programmes [programs], recorded; computer programs [downloadable software]; computer software, recorded; computers; data processing apparatus; disks, magnetic; electronic pocket translators; electronic publications, downloadable; electronic tags for goods; encoded magnetic cards; integrated circuit cards [smart cards]; integrated circuits; intercommunication apparatus; interfaces for computers; inverters [electricity]; invoicing machines; magnetic data media; magnetic encoders; magnetic tape units for computers; magnetic tapes; magnetic wires; magnets; microprocessors; money counting and sorting machines; monitoring apparatus, electric; readers [data processing equipment]; scanners [data processing equipment]; chip and pin cards; payment cards; credit cards; cash cards; parts and fittings for all the aforesaid goods.

Class 35

Advertising; business management; business administration; office functions; accounting; administrative processing of purchase orders; advisory services for business management; book-keeping; accounting; business appraisals; business auditing; business efficiency expert services; business information; business inquiries; business investigations; business management and organization consultancy; business management assistance; business management consultancy; business organization consultancy; business research; commercial information and advice for consumers [consumer advice shop]; commercial or industrial management assistance; compilation of information into computer

databases; compilation of statistics; computerized file management; cost price analysis; data search in computer files for others; economic forecasting; invoicing; on-line advertising on a computer network; procurement services for others [purchasing goods and services for other businesses]; professional business consultancy; retail services relating to chip and pin cards, payment cards, credit cards, cash cards; information, advisory and consultancy services relating to the aforesaid services.

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; banking; brokerage; business liquidation services, financial; check [cheque] verification; clearing, financial; credit bureaux; credit card services; debit card services; electronic funds transfer; exchanging money; financial analysis; financial consultancy; financial evaluation [insurance, banking, real estate]; financial information; financial management; financial sponsorship; financing services; fiscal valuations; fund investments; home banking; instalment loans; insurance brokerage; insurance consultancy; insurance information; insurance underwriting; issuance of credit cards; issue of tokens of value; issuing of travellers' checks [cheques]; loans [financing]; organization of collections; provident fund services; safe deposit services; savings bank services; securities brokerage; stock brokerage services; stock exchange quotations; cash and foreign exchange transactions; financial database services relating to foreign exchange; forecasting of foreign exchange rates foreign currency exchange; foreign exchange bureaux; foreign exchange information services; foreign exchange market; foreign exchange services; foreign exchange transaction; foreign monetary exchange advisory services; provision of financial protection against foreign exchange risks; provision of pricing information about foreign exchange rates; financial transactions relating to currency swaps; information, advisory and consultancy services relating to the aforesaid services.

Class 39

Transport; packaging and storage of goods; travel arrangement; delivery of goods; transport brokerage; transportation information; transportation logistics; accompaniment of travellers; advisory services relating to travel; computerised information services relating to travel; information services relating to travel; information, advisory and consultancy services relating to the aforesaid services.

Class 41

Education; providing of training; entertainment; sporting and cultural activities; academies [education]; arranging and conducting of conferences; arranging and conducting of seminars;

arranging and conducting of symposiums; arranging and conducting of workshops [training]; providing on-line electronic publications, not downloadable; training and education relating to financial services; training and education relating to currency exchange; information, advisory and consultancy services relating to the aforesaid services.

Priority Claims:

Class 09

25/06/2013

EUROPEAN UNION

All goods/services claimed in this application.

Class 35

25/06/2013

EUROPEAN UNION

All goods/services claimed in this application.

Class 36

25/06/2013

EUROPEAN UNION

All goods/services claimed in this application.

Class 39

25/06/2013

EUROPEAN UNION

All goods/services claimed in this application.

Class 41

25/06/2013

EUROPEAN UNION

All goods/services claimed in this application.

PLATINUM PAYMENT SERVICES LIMITED

**188 WEST REGENT STREET, GLASGOW G2 4RU, UNITED
KINGDOM**

MYRAMAZE

T1318355C (01 03)
(International Registration No. 1181298)

Date of International Registration: 04/09/2013

Date of Protection in Singapore: 04/09/2013

Class 01

Chemical products for use in industry, science and photography, as well as in agriculture, horticulture and forestry.

Class 03

Bleaching preparations and other substances for laundry use; cleaning, polishing, degreasing and abrasive preparations; soaps; all the aforesaid goods excluding dental care, oral care, throat care and lip care treatments and goods for dental care, oral surgery, orthodontics or dental laboratories, apparatus, equipment and instruments and surfaces and stocks for medical practices and laboratories; perfumery products, essential oils, cosmetics, excluding dental care, oral care, throat and lip care treatments; hair lotions.

RAHN AG

DORFLISTRASSE 120, CH-8050 ZURICH, SWITZERLAND

T1318356A (41)
(International Registration No. 1181306)

Date of International Registration: 23/08/2013

Date of Protection in Singapore: 23/08/2013

Class 41

Educational services, practical training (demonstration); providing of training, arranging and conducting of workshops and seminars; entertainment; sporting and cultural activities; publishing services, except for printing; publication of books.

LAMY Classroom

C. JOSEF LAMY GMBH

GRENZHOFFER WEG 32, 69123 HEIDELBERG, GERMANY

T1318490H (05 35 36)
(International Registration No. 1181416)

Date of International Registration: 17/06/2013
Date of Protection in Singapore: 17/06/2013



Class 05

Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic food and substances adapted for medical or veterinary use, food for babies; dietary supplements for humans and animals; plasters, materials for dressings; material for stopping teeth, dental wax; acids for pharmaceutical purposes; thermal water; nutritional supplements; medicinal alcohol; dietetic foods adapted for medical purposes; anaesthetics; fumigating sticks; antibiotics; antioxidant pills; antiseptics; sanitary towels; bath preparations, medicated; balms for medical purposes; medicated confectionery; sticking plasters; adjuvants for medical purposes; collyrium; compresses; chemical contraceptives; cultures of microorganisms for medical and veterinary use; decoctions for pharmaceutical purposes; deodorants other than for human beings or for animals; depuratives; digestives for pharmaceutical purposes; drugs for medical purposes; medicinal herbs; balsamic preparations for medical purposes; medicinal fungi; meal for pharmaceutical purposes; febrifuges; milk ferments for pharmaceutical purposes; chewing gum for medical purposes; medicinal infusions; insecticides; insect repellents; dietary and nutritional supplements; vitamin supplement products; mineral food supplements; nutritional supplements for medical purposes; protein dietary supplements; mineral food supplements; laxatives; lotions for pharmaceutical purposes; lotions for veterinary purposes; medicines for human purposes; medicines for dental purposes; medicines for veterinary purposes; serotherapeutic medicines; medicinal oils; royal jelly dietary supplements; parasitocides; lozenges for pharmaceutical purposes; pesticides; slimming pills; pomades for medical purposes; biological preparations for veterinary purposes; chemical preparations for pharmaceutical purposes; chemical preparations for medical purposes; chemical preparations for veterinary purposes; preparations of trace elements for human and animal use; bacterial preparations for medical and veterinary use; bacteriological preparations for medical and veterinary use; vitamin preparations; anticryptogamic preparations; hemorrhoid preparations; antiparasitic preparations; mothproofing preparations; anti-uric preparations; biological preparations for medical purposes; chemico-pharmaceutical preparations; pharmaceutical preparations for skin care; diagnostic preparations for medical purposes; air purifying preparations; radioactive substances for medical purposes; tonics (medicines); salts for medical purposes;

syrups for pharmaceutical purposes; serums; soporifics; radiological contrast substances for medical purposes; dietetic substances adapted for medical use; herbal teas for medicinal purposes; ointments for pharmaceutical purposes; vaccines; poisons; vermifuges.

Class 35

Publicity; business management; business administration; office functions; wholesale and retail services related to medical goods, cosmetics, antiseptic and insecticides, dietary supplements for human and animal nutrition, medical contrast agents for diagnostics, micronization and lyophilization; rental of advertising time on communication media; commercial administration of the licensing of the goods and services of others; cost price analysis; commercial or industrial management assistance; business management consultancy; demonstration of goods; organization of exhibitions and trade fairs for commercial and advertising purposes; presentation of goods on communication media, for retail purposes; sales promotion for others; publicity; on-line advertising on a computer network; sponsorship search; business research; procurement services for others; retail or wholesale services for pharmaceutical, veterinary and sanitary preparations and medical supplies.

Class 36

Insurance underwriting; monetary affairs; monetary affairs; real estate affairs; banking; credit bureaux; accommodation bureaux; debt collection agencies; real estate management; financial analysis; health insurance underwriting; life insurance underwriting; insurance underwriting; financial consultancy; guarantees; insurance information; fund investments; insurance brokerage; housing agents; financing services; provident fund services; fiduciary.

Priority Claims:

Class 05

10/01/2013

ITALY

All goods/services claimed in this application.

Class 35

10/01/2013

ITALY

All goods/services claimed in this application.

Class 36

10/01/2013

ITALY

All goods/services claimed in this application.

HOLDING F.I.S. S.P.A.

**VIALE GUGLIELMO MARCONI, 63, I-33170 PORDENONE
(PN), ITALY**

**T1318501G (09 11)
(International Registration No. 1181494)**

**Date of International Registration: 30/09/2013
Date of Protection in Singapore: 30/09/2013**

**Class 09
Apparatus and instruments for scientific research in laboratories;
measuring apparatus.**



**Class 11
Apparatus for lighting, heating.**

**Priority Claims:
Class 09
20/09/2013
UNITED STATES OF AMERICA
All goods/services claimed in this application.**

**Class 11
20/09/2013
UNITED STATES OF AMERICA
All goods/services claimed in this application.**

EXCELITAS TECHNOLOGIES, CORP.

**200 WEST STREET, STE E403, WALTHAM MA 02451, UNITED
STATES OF AMERICA**

T1319678G (20)
(International Registration No. 1183551)

Date of International Registration: 25/10/2013
Date of Protection in Singapore: 25/10/2013

HARBOR WORK LOUNGE

Registration of this mark shall give no right to the exclusive use of the words "Work Lounge".

Class 20
Office furniture.

Priority Claims:
Class 20
26/04/2013
UNITED STATES OF AMERICA
All goods/services claimed in this application.

HAWORTH, INC.

ONE HAWORTH CENTER, HOLLAND MI 494239576, UNITED STATES OF AMERICA

T1319680I (09)
(International Registration No. 1183561)

Date of International Registration: 08/10/2013
Date of Protection in Singapore: 08/10/2013

Class 09

Cases especially made for photographic apparatus and instruments; stands for photographic apparatus; video recorders; telephone apparatus; cell phone straps; telephone receivers; portable telephones; portable media players; headphones; hands free kits for phones.



Priority Claims:
Class 09
18/06/2013
CHINA
All goods/services claimed in this application.

SHENZHEN INNOMAX TECHNOLOGY CO. LTD.

**ROOM 2908, HUANGDU PLAZA TOWER 2, BINHE AVENUE
AND YITIAN ROAD, BORDER SOUTHEAST, FUTIAN
DISTRICT, SHENZHEN, 518048 GUANGDONG, CHINA**

STILNOVO

T1319766Z (11)
(International Registration No. 1183914)

Date of International Registration: 26/09/2013
Date of Protection in Singapore: 26/09/2013

Class 11

Lighting apparatus and installations; luminous house numbers; light diffusers; lamp globes; laboratory lamps; chandeliers; lamp reflectors; lamp chimneys; lamp glasses; street lamps; safety lamps; electric lamps; lamps; lanterns for lighting; luminous tubes for lighting; lamp shades; lampshade holders; ceiling lights.

Priority Claims:

Class 11

24/04/2013

ITALY

All goods/services claimed in this application.

STILNOVO S.R.L.

**VIA MARCONI, 4/A, SAN MARTINO BUON ALBERGO (VR),
ITALY**

T1319768F (09)
(International Registration No. 1183926)

Date of International Registration: 04/11/2013
Date of Protection in Singapore: 04/11/2013

Class 09

Mobile phones, smartphones and accessories therefor, namely battery chargers, adapters and removable covers.

MOTO G

Priority Claims:

Class 09

15/10/2013

UNITED STATES OF AMERICA

All goods/services claimed in this application.

MOTOROLA TRADEMARK HOLDINGS, LLC

**600 N. U.S. HIGHWAY 45, LIBERTYVILLE IL 60048, UNITED
STATES OF AMERICA**

T1319769D (14)
(International Registration No. 1183929)



Date of International Registration: 14/10/2013
Date of Protection in Singapore: 14/10/2013

The following claim is made in the International Registration:
Colours claimed: Black.

Class 14
Timepieces and chronometric instruments; jewelry.

Priority Claims:
Class 14
02/07/2013
EUROPEAN UNION
All goods/services claimed in this application.

GIANNI BULGARI IDEA SA

RUE DU MARCHE 20, CH-1204 GENEVE, SWITZERLAND



T1319821F (10)
(International Registration No. 1184395)

Date of International Registration: 14/10/2013

Date of Protection in Singapore: 14/10/2013

The following claim is made in the International Registration:
Colours claimed: Blue and grey.

Class 10

Medical apparatus and instruments, namely injectors; injectors for contrast media for computer tomography and nuclear spin tomography; syringes for injections; pumps for medical purposes, namely contrast media pumps for delivering contrast agents; pump tubing for contrast media injectors; patient tubing, namely tubes for intravenous injections; cannulae; injection needles; suture needles; medical containers for contrast agents; containers for medical waste.

Priority Claims:

Class 10

02/10/2013

EUROPEAN UNION

All goods/services claimed in this application.

ULRICH GMBH & CO. KG

BUCHBRUNNENWEG 12, 89081 ULM, GERMANY

T1320146B (09 41 42)
(International Registration No. 1184538)

Date of International Registration: 25/01/2013

Date of Protection in Singapore: 25/01/2013

CANTOR MOBILE CASINO

Class 09

Computers; computer hardware; smartphones; portable two-way radios; mobile telephones; personal digital assistants; wireless computer peripherals; wireless telecommunication devices for data and image transmission; handheld computers; apparatus for wireless transmission and reception of data including gaming and gambling data; computer game software; computer gaming software; computer game software for gaming machines; computer software for games of chance on any computerized platform, including wireless telecommunication devices and handheld computers.

Class 41

Entertainment services, namely, providing online electronic games; wagering services; casinos; entertainment services, namely, gaming, gambling, and betting services; entertainment services, namely, the provision of online gaming, gambling, and betting services; entertainment services, namely, gaming provided via wireless telecommunications devices; providing information in the fields of gaming and gambling; providing information in the field of sporting events; arranging for ticket reservations for shows and other entertainment events via online and mobile telecommunications devices; providing online games via telecommunication or computer networks; sporting and cultural activities, namely, provision of information relating to organizing sporting and cultural activities, contests and games.

Class 42

Design and development of computer hardware and software; design and development of electronic gaming and gambling systems; providing temporary use of non-downloadable computer software for gaming and gambling.

Priority Claims:

Class 09

25/07/2012

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 41

25/07/2012

UNITED STATES OF AMERICA

All goods/services claimed in this application.

Class 42

25/07/2012

UNITED STATES OF AMERICA

All goods/services claimed in this application.

CANTOR FITZGERALD SECURITIES

**110 EAST 59TH STREET, NEW YORK, NY 10022, UNITED
STATES OF AMERICA**

T1320243D (09)

(International Registration No. 1184928)

Date of International Registration: 04/11/2013

Date of Protection in Singapore: 04/11/2013

Class 09

**Network routers; computer hardware; computer security software,
computer hardware and software used to create virtual privacy
networks; networking hardware and software.**

BROCADE COMMUNICATIONS SYSTEMS, INC.

**130 HOLGER WAY, SAN JOSE CA 95134, UNITED STATES OF
AMERICA**

VYATTA

ANATOLI

T1320245J (14 18 20 21)
(International Registration No. 1184944)

Date of International Registration: 06/06/2013

Date of Protection in Singapore: 06/06/2013

Class 14

Jewelry goods including their imitations; gold, jewels, precious stones and jewelry manufactured thereof, cufflinks, tie pins, statues of precious metal and trinkets; watches and time measuring devices, chronometers, and their parts, watch straps.

Class 18

Processed or unprocessed leather and hides, artificial leather, cowhide, lining leather; articles made of leather, imitation leather and other materials use for carrying purpose not included in other classes, including bags, leather or cowhide boxes and trunks, trunks; key cases.

Class 20

Furniture made of any kinds of substances and materials; pillows; wood or synthetic panels, picture frames for paintings; boxes of wood or plastic, ornaments and decorative articles included in this class made of wood, wax, bee wax, plastic or plaster; baskets.

Class 21

Pots and pans, vases of precious metals; ornaments and decorative articles made of glass, porcelain, ceramic and clay; perfume burners, perfume sprayers and vaporizers, boxes for toilet articles; unworked or semi-worked glass, mosaics of glass and powdered glass not for construction, glass fibers other than for textile use and insulation.

**DEKORNAME DEKORASYON HEDİYELİK EŞYA SANAYİ
VE TİCARET LİMİTED SİRKETİ**

**HALİDE EDİP ADIVAR MAHALLESİ, 'İFTCEVİZLER
DERESİ SOKAK NO:2, AKIN PLAZA KAT: 4, SİSLİ
İSTANBUL, TÜRKİYE**

T-KIT

T1320456I (25)
(International Registration No. 1185329)

Date of International Registration: 03/10/2013
Date of Protection in Singapore: 03/10/2013

Class 25
Clothing, footwear, headgear.

Priority Claims:
Class 25
15/04/2013
EUROPEAN UNION
All goods/services claimed in this application.

AIGLE INTERNATIONAL S.A.

17, RUE SAINT-DENIS, F-92100 BOULOGNE-BILLANCOURT,
FRANCE

T1320603J (07)
(International Registration No. 1185462)

Date of International Registration: 29/08/2013
Date of Protection in Singapore: 29/08/2013

Class 07
Engraving machines; electric hammers; stone cutters; fretsaw
slices used as parts of machines; machines and apparatus for
polishing [electric]; diamond blades used as parts of cutting
machines and polishing machines; hand-held tools, other than
hand-operated; electric hand tools; pneumatic hand tools.

NFK

JIANGSU ANCHOR TOOLS CO., LTD.

NO. 88, TIEMAO ROAD, BINHAI XINQU, HAIMEN CITY,
226100 JIANGSU PROVINCE, CHINA

stylenanda

T1320604I (26)
(International Registration No. 1185485)

Date of International Registration: 26/08/2013

Date of Protection in Singapore: 26/08/2013

Class 26

False hair; metal fasteners for shoes and boots; shoe laces; shoe buckles; shoe fasteners; shoe hooks; shoe ornaments, not of precious metal; shoe eyelets; shoulder pads for clothing; hair accessories namely claw clips; passementerie; feathers [clothing accessories]; buckles [not of precious metal] [clothing accessories]; brooches [not of precious metal] [clothing accessories]; cords for rimming, for clothing; spangles for clothing; hair bands [ornaments].

KIM, SO HEE

**(HAGIK-DONG,EXLLU TOWER) 102-3903, 32,
 MAESOHOL-RO 309BEON-GIL, NAM-GU, INCHEON,
 REPUBLIC OF KOREA**

T1320502F (12 28)
(International Registration No. 1186219)

Date of International Registration: 30/10/2013

Date of Protection in Singapore: 30/10/2013

Class 12

Motor vehicles and parts thereof (included in this class).

Class 28

Model vehicles (minimized).

Priority Claims:

Class 12

02/05/2013

GERMANY

All goods/services claimed in this application.

Class 28

02/05/2013

GERMANY

All goods/services claimed in this application.

DAIMLER AG

MERCEDESSTRASSE 137, 70327 STUTTGART, GERMANY

V 250

CORRAX

T1320870Z (06)
(International Registration No. 1186279)

Date of International Registration: 06/11/2013
Date of Protection in Singapore: 06/11/2013

Class 06
Common metals and their alloys, including alloyed and unalloyed tool steel and stainless steel, in the form of bars, blocks, plates, rings, wires, strips and tubes.

UDDEHOLMS AKTIEBOLAG

SE-683 85 HAGFORS, SWEDEN

T1320872F (41)
(International Registration No. 1186332)

Date of International Registration: 25/09/2013
Date of Protection in Singapore: 25/09/2013

Class 41
Wine tasting events for cultural or educational purposes.

DAN SIMS

7/6 LANSLOWNE ROAD, ST KILDA EAST VIC 3183,
AUSTRALIA

Pinot Palooza

CORNER-TO-CORNER

T1321038J (03)
(International Registration No. 1186371)

Date of International Registration: 10/10/2013
Date of Protection in Singapore: 10/10/2013

Class 03
Adhesive for affixing false eyelashes, false eyelashes.

Priority Claims:
Class 03
30/05/2013
FRANCE
All goods/services claimed in this application.

L'OREAL

14, RUE ROYALE, F-75008 PARIS, FRANCE

T1321058E (36)
(International Registration No. 1186504)

Date of International Registration: 19/11/2013
Date of Protection in Singapore: 19/11/2013

Class 36
Financial portfolio management for individuals; investment advisory services for individuals; investment management for individuals; investment of funds for individual investors.

JADARA

JADARA CAPITAL PARTNERS LP

375 PARK AVENUE, SUITE 2607, NEW YORK NY 10152,
UNITED STATES OF AMERICA



T1321286C (25)
(International Registration No. 1186590)

Date of International Registration: 16/09/2013

Date of Protection in Singapore: 16/09/2013

The following claim is made in the International Registration:
Colours claimed: Red and black. The trademark consists of the black wording "PASQUALE" followed by "XY" in red and by the number "3" in black; the wording is superimposed to a red star.

Class 25

Clothing, namely, T-shirts, shirts, jumpers, trousers, skirts, jeans, jackets, bathing suits, underclothes, hats and caps, footwear.

Priority Claims:

Class 25

01/08/2013

ITALY

All goods/services claimed in this application.

PASQUALE MORGESE

VIA VENETO, 40 F/2, I-76121 BARLETTA (BT), ITALY

T1320897A (03)
(International Registration No. 1186736)

Date of International Registration: 21/11/2013

Date of Protection in Singapore: 21/11/2013

SHU UEMURA LIGHTBULB

Class 03

Foundations; mascaras; pencils for cosmetic use; eye shadows; lotions for face, hand and body care.

Priority Claims:

Class 03

05/08/2013

EUROPEAN UNION

All goods/services claimed in this application.

L'OREAL

14, RUE ROYALE, F-75008 PARIS, FRANCE

T1320898Z (21)
(International Registration No. 1186743)

Date of International Registration: 25/11/2013
Date of Protection in Singapore: 25/11/2013

CLARISONIC VELVET FOAM

Class 21
Cosmetic applicators for brushes; sonic oscillating brushes for cosmetic and skincare purposes; electric brushes for skin care.

Priority Claims:
Class 21
03/10/2013
EUROPEAN UNION
All goods/services claimed in this application.

L'OREAL

14, RUE ROYALE, F-75008 PARIS, FRANCE

T1320899H (34)
(International Registration No. 1186765)

Date of International Registration: 03/10/2013
Date of Protection in Singapore: 03/10/2013

Class 34
Tobacco, raw or manufactured; smoking tobacco, pipe tobacco, rolling tobacco, chewing tobacco, moist tobacco powder called "snus"; cigarettes, cigars, cigarillos; substances for smoking sold separately or mixed with tobacco for non-medical and non-therapeutic purposes; snuff; smokers' articles included in this class; cigarette paper, cigarette tubes and matches.

Priority Claims:
Class 34
03/04/2013
SWITZERLAND
All goods/services claimed in this application.

JT INTERNATIONAL SA

1, RUE DE LA GABELLE, CH-1211 GENEVE 26,
SWITZERLAND

U PICK

MY5

T1320900E (34)
(International Registration No. 1186766)

Date of International Registration: 03/10/2013
Date of Protection in Singapore: 03/10/2013

Class 34

Tobacco, raw or manufactured; smoking tobacco, pipe tobacco, rolling tobacco, chewing tobacco, moist tobacco powder called "snus"; cigarettes, cigars, cigarillos; substances for smoking sold separately or mixed with tobacco for non-medical and non-therapeutic purposes; snuff; smokers' articles included in this class; cigarette paper, cigarette tubes and matches.

Priority Claims:

Class 34

03/04/2013

SWITZERLAND

All goods/services claimed in this application.

JT INTERNATIONAL SA

**1, RUE DE LA GABELLE, CH-1211 GENEVE 26,
SWITZERLAND**

T1320913G (32)
(International Registration No. 1186866)

Date of International Registration: 07/08/2013
Date of Protection in Singapore: 07/08/2013

Class 32

Mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

SNO

KROPS SARL

13 RUE ALLES DES POIRLER, L-360 LUXEMBOURG

T1321103D (07)
(International Registration No. 1186959)



Date of International Registration: 18/10/2013
Date of Protection in Singapore: 18/10/2013

The Italian words "Officine Italiane" appearing in the mark mean "Italian Workshops".

Registration of this mark shall give no right to the exclusive use of the words "Officine Italiane".

The following claim is made in the International Registration:
Colours claimed: White, black, green and red. White: the word "ZARD", the rip of the sign on letter "D" and the central part of the stripe underlying; black: the background of the word "ZARD" and the wording "OFFICINE ITALIANE ZARD", the sign in the upper right of the letter "D"; green: the first part on the left side of the stripe; red: the last part on the right side of the stripe.

Class 07
Exhausts for motors and engines.

ZARD S.R.L.

VIA NAZIONALE, 11, I-14011 BALDICHIERI D'ASTI (AT),
ITALY

**T1320938B (35 36 37 38 39 41 42 43 45)
(International Registration No. 1187122)**

Date of International Registration: 18/09/2013

Date of Protection in Singapore: 18/09/2013

SWATCH GROUP

Class 35

Wholesale and retail sale services in stores and via computer networks, by catalog, by mail, by telephone, by radio and television and by other electronic means for timepieces and jewelry products; presentation of timepieces and jewelry products on all communication media for retail sale; advertising, marketing and public relations services; advertising services for the purchase and sale of timepieces and jewelry products; business management; business administration; office functions; business organizational and management consulting in the field of timepieces and jewelry products.

Class 36

Insurance underwriting; financial affairs; monetary affairs; real estate affairs.

Class 37

Construction, repair, installation, repair and maintenance services for timepieces and jewelry.

Class 38

Telecommunications.

Class 39

Transport; packaging and storage of goods.

Class 41

Education; training; entertainment; sporting and cultural activities.

Class 42

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computers and software.

Class 43

Services for providing food and drink; temporary accommodation.

Class 45

Legal services; security services for the protection of property and individuals.

Priority Claims:

Class 35
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 36
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 37
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 38
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 39
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 41
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 42
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 43
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

Class 45
25/04/2013
SWITZERLAND
All goods/services claimed in this application.

THE SWATCH GROUP SA (THE SWATCH GROUP AG)
(THE SWATCH GROUP LTD)

FAUBOURG DE L'HOPITAL 6, CH-2000 NEUCHATEL,

SWITZERLAND

T1320939J (06)

(International Registration No. 1187139)

Date of International Registration: 16/10/2013

Date of Protection in Singapore: 16/10/2013

Class 06

Common metals and their alloys, namely alloyed and un-alloyed tool steel and stainless steel in the form of bars, blocks, plates, rings, wires, strips, tubes and castings.

BURE

Priority Claims:

Class 06

30/04/2013

EUROPEAN UNION

All goods/services claimed in this application.

UDDEHOLMS AKTIEBOLAG

SE-683 85 HAGFORS, SWEDEN

RICK OWENS FOG

T1320940D (03)
(International Registration No. 1187165)

Date of International Registration: 21/10/2013
Date of Protection in Singapore: 21/10/2013

Class 03
Soaps; perfumery products; essential oils; cosmetics; hair lotions.

SKORPIO LIMITED

VIA SERAFINO BALESTRA 21, CH-6900 LUGANO,
SWITZERLAND

T1320941B (03)
(International Registration No. 1187174)

Date of International Registration: 07/11/2013
Date of Protection in Singapore: 07/11/2013

Class 03
Cosmetics for hair care, namely shampoos, gels, foams, balms, creams, powders, oils, waxes, serums, lotions, masks; hair straightening preparations; aerosol products for hair care and styling, hair spray, hair dyes and bleaching products, products for protecting dyed hair, hair waving and setting products; essential oils.

Priority Claims:
Class 03
05/06/2013
EUROPEAN UNION
All goods/services claimed in this application.

L'OREAL

14, RUE ROYALE, 75008 PARIS, FRANCE

CARMILANE

T1320951Z (17)
(International Registration No. 1187257)

Date of International Registration: 30/08/2013

Date of Protection in Singapore: 30/08/2013

UNIVERSALHYPER

Class 17

Valves of rubber or vulcanized fiber [not including machine elements]; gaskets; junctions for pipes [not of metal]; joint packings; electrical insulating materials; industrial packaging containers of rubber; rubber stoppers; rubber lids and caps [for industrial packaging containers]; plastic substances, semi-processed; rubber [raw or semi-worked].

NIPPON VALQUA INDUSTRIES, LTD.

**1-1, OSAKI 2-CHOME, SHINAGAWA-KU, TOKYO 141-6024,
JAPAN.**



T1400898D (05 10)
(International Registration No. 1189458)

Date of International Registration: 21/11/2013

Date of Protection in Singapore: 21/11/2013

Class 05

Pharmaceutical products, medicines for human medicine; sanitary products for medicine.

Class 10

Surgical and medical apparatus and instruments; gynecological apparatus and instruments for medically assisted reproduction, medical apparatus and instruments for sampling, gamete transfers, embryo transfers; embryo transfer catheters.

Priority Claims:

Class 05

23/07/2013

FRANCE

All goods/services claimed in this application.

Class 10

23/07/2013

FRANCE

All goods/services claimed in this application.

PRODIMED

**Z.I. - 4 RUE DE L'EUROPE, F-60530 NEUILLY-EN-THELLE,
FRANCE**

KEMBLA AUSTRALIA

T1402401G (06)
(International Registration No. 1192357)

Date of International Registration: 28/11/2013
Date of Protection in Singapore: 28/11/2013

Class 06

Common metals; common metals, unwrought or semi-wrought; alloys of common metal; copper based alloys in wrought form; copper; copper pipes (other than parts of machines); copper rings; copper tubes (other than parts of machines); copper wire, not insulated; copper, unwrought or semi-wrought; dispersion strengthened copper; surface treated copper; thermally insulated pipes made of copper (other than parts of sanitary installations); unwrought copper based alloys; pipes of metal; tubes of metal; cables of metal, non-electric; metallic wires (non-electric); articles of ironmongery; articles of common metal for use in building.

Priority Claims:

Class 06

30/05/2013

AUSTRALIA

All goods/services claimed in this application.

METAL MANUFACTURES LIMITED

**19-21 LOYALTY ROAD, NORTH ROCKS, NSW 2151,
AUSTRALIA**

T1405853A (14)
(International Registration No. 885309)

Date of International Registration: 16/02/2006
Date of Protection in Singapore: 21/02/2014

Class 14

Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

A N N A M A R I A
CAMMILLI

ANNAMARIA CAMMILLI GIOIELLI S.R.L.

**VIA DEL FORNACCIO, 46, I-50012 BAGNO A RIPOLI
(FIRENZE), ITALY.**

Lasea

T1320512C (05)
(International Registration No. 937309)

Date of International Registration: 13/08/2007
Date of Protection in Singapore: 01/10/2013

Class 05
Pharmaceutical and veterinary preparations as well as preparations for health care.

DR. WILLMAR SCHWABE GMBH & CO. KG

**WILLMAR-SCHWABE-STRASSE 4, 76227 KARLSRUHE,
GERMANY**

T1320513A (06)
(International Registration No. 998724)

Date of International Registration: 26/02/2009
Date of Protection in Singapore: 11/10/2013

Class 06
Common metals and their alloys, namely alloyed and unalloyed tool steel and stainless steel for moulds and dies for plastic, cold work and hot work applications, excluding furniture fittings.

UDDEHOLMS AKTIEBOLAG

SE-683 85 HAGFORS, SWEDEN

UNIMAX