

23 December 2004

OFFICE ORDER NO. 142
Series of 2004

SUBJECT: Amendment of the TM Regulations on Publication in the IPO e-Gazette and Rule 414 on TM Applications filed Online

Rule 700 of the Trademark Regulations is hereby amended, as follows:

Rule 700. *Publication in the IPO e-gazette; end of jurisdiction of the Examiner.* – An application for registration is subject to opposition proceeding before issuance of the certificate of registration. A trademark application that has been examined and which appears to be entitled to registration shall, upon order by the Director and upon payment of the prescribed fee, be published in the IPO e-gazette for opposition, and the applicant notified of such action. **The applicant shall, within two (2) months from mailing date of the notice, pay the corresponding fee for the publication of the application in the IPO Gazette; otherwise, the application shall be declared abandoned. The abandoned application, however, may be revived subject to the requirements of these Regulations.**

The jurisdiction of an examiner over an application ceases after the Director has ordered the mark to be published for opposition.

Rule 414 of the Trademark Regulations is hereby amended to read as follows:

Rule 414. *The small facsimiles of the Drawing, how prepared.* – The ten small facsimiles of the Drawing must be printed in black ink or in color, if colors are claimed, and must be capable of being satisfactorily reproduced when published in the IPO Gazette. The size of the sheet on which these facsimiles are to be printed must be seventy millimeters (70 mm) long and thirty-five millimeters (35 mm) wide.

For Trademark applications filed online, the mark should be saved in .jpg format, and must not exceed 1 megabyte. Its dimensions should be 50.8 mm (height) x 76.2 mm (width) (or 2

in x 3 in). The mark should be in black and white, unless there is a claim for color/s.

Ms. Aniway Abranilla, Records Officer II, is hereby directed to file three (3) certified copies of this Office Order with the University of the Philippines Law Center not later than 23 December 2004, and one (1) certified copy each with the Senate of the Philippines, the House of Representatives, the Supreme Court of the Philippines, and the National Library.

Ms. Corina L. Antonio, Information Systems Researcher I, MIS-EDP Bureau, is hereby directed to publish this Office Order in the IPO Website immediately upon receipt hereof, not later than 23 December 2004.

This Office Order shall take effect fifteen (15) days from publication in the IPO Website. For purposes of disseminating information, this Order may also be published in a newspaper of general circulation.

Done this 23rd day of December 2004, in Makati City Philippines.

Recommending Approval:

LENY B. RAZ

Director, Bureau of Trademarks

Approved:

EMMA C. FRANCISCO

Director General