

OFFICE ORDER NO. 125

Series of 2004

SUBJECT: RULES ON THE TRADEMARK ELECTRONIC  
FILING SYSTEM ("TM ONLINE")

All trademark applications filed electronically using the Trademark Electronic Filing System ("TM ON LINE") shall be governed by the following rules:

1.0 The provisions of the *Trademark Regulations* on filing of applications for trademark registration shall apply to all applications filed online. All applications files online shall be examined in accordance with the IP Code and the *Trademark Regulations*.

2.0 Applicants filing applications online are required to (2.1) submit a duly accomplished electronic application form; (2.2) transmit an electronic reproduction of the mark following the specifications; and (2.3) pay the applicable filing fees, in accordance with the IPO's schedule of fees on the TM online website, through the authorized payment gateway facility. In addition to the IPO's filing fees, all bank charges incident to the electronic filing shall be paid by the applicant to the bank.

3.0 Upon transmission of a duly accomplished electronic application and payment of the necessary fees through the payment gateway, the applicant will receive an electronic confirmation from the bank. The application shall be considered as filed on the date (Philippine time/GMT +8:00) indicated in the confirmation receipt, provided all the requirements are complied with and subject to the provisions on priority right if convention priority is claimed.

4.0 If the applicant does not receive a confirmation receipt from the bank, the application and payment shall be deemed not to have been received by the IPO.

5.0 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 electronically, the mark should be scanned at 300 dpi and saved in .jpeg format, 1200 x 1200 pixels, and must not exceed 2 megabytes. Its dimensions should be 50.8 mm (height) x 76.2 mm (width) (or 2 in x 3 in). The marks should be in black and white, unless there is a claim for color/s.**

6.0 The IPO will send an e-mail confirming receipt of the application and the application number to the applicant and/or agent/authorized representatives within seven (7) days from filing.

Ms. Aniwat 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 30 November 2004 and one (1) certified copy each to the Department of Trade and Industry, Senate of the Philippines, House of the Representatives, the Supreme Court of the Philippines, and the National Library.

Mr. Restituto E. Maligaya, Division Chief, Operations and Maintenance Division, MIS-EDP Bureau, is hereby directed to post this Office Order in the IPO Website immediately upon receipt hereof not later than 30 November 2004.

This Office Order shall take effect on 16 December 2004 after its publication in a newspaper of general circulation not later than 01 December 2004.

Done this 26<sup>th</sup> day of November 2004, in Makati City Philippines.



EMMA C. FRANCISCO  
Director General