

Display of trademark records in online search

The United States Patent and Trademark Office categories trademark records into “live” and “dead” according to the status of the individual registrations or applications in online search for searching purposes. We have taken reference of the categorization in modifying the interface of search results to display live records by default and provide an option for users to view dead records.

The proposed change will separate dead trademark records from live trademark records in the display of search results. This will facilitate users viewing live trademark records for citation search purposes and viewing dead trademark records for reference conveniently.

Classifying a trademark record as a live or dead record

The table below shows the proposed mapping of online search status of trademark records and the classification as live or dead record.

For TM Applications:

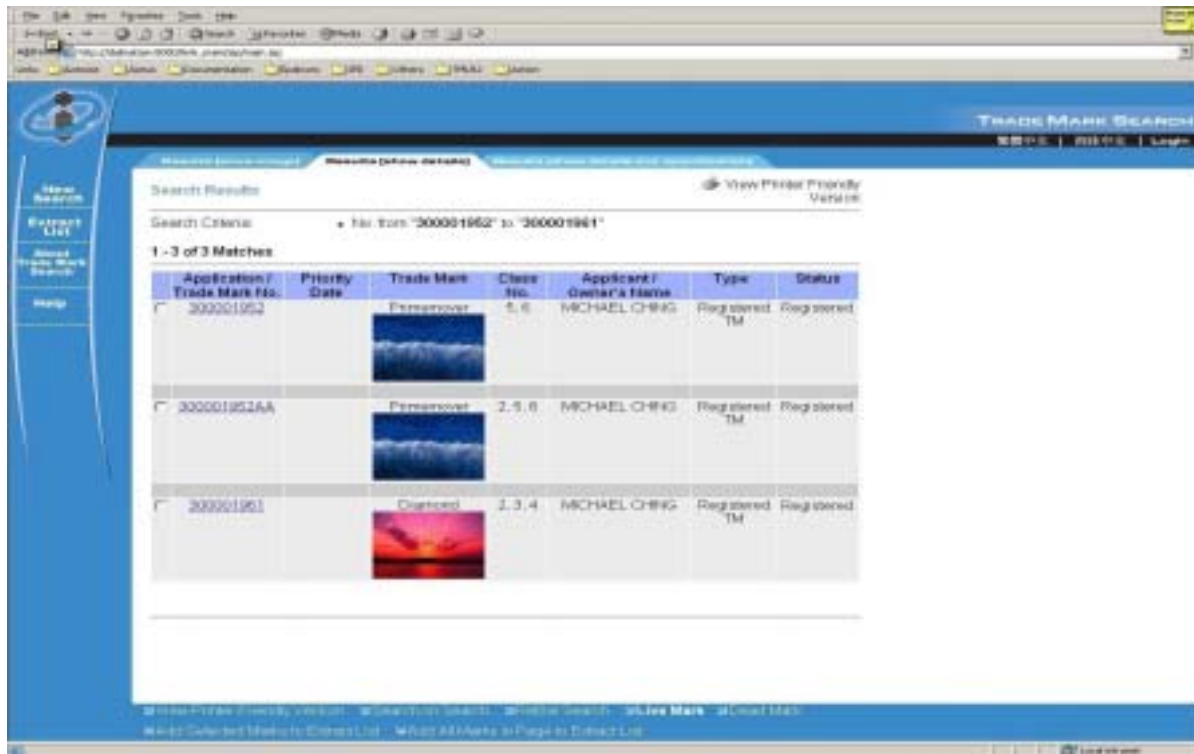
| <u>ONLINE SEARCH STATUS</u> | <u>LIVE</u> | <u>DEAD</u> |
|--|--|--|
| 接獲申請 Application Received | Live | |
| 待決 Pending | Live | |
| 放棄申請 Application Abandoned | Live (for less than or equal to one year after date of abandonment) | Dead (for more than one year after date of abandonment) |
| 視作從未提出申請 Application Deemed Never To Have Been Made | Live (for less than or equal to one year after date of treating the application as deemed never to have been made) | Dead (for more than one year after date of treating the application as deemed never to have been made) |
| 已審查 Examined | Live | |
| 提出反對 Opposed | Live | |
| 已刊登憲報 Advertised | Live | |
| 已公布 Published | Live | |
| 撤回申請 Application Withdrawn | Live (for less than or equal to one year after date of withdrawn) | Dead (for more than one year after date of withdrawn) |
| 已分開 (for dead records only) Divided (for dead records only) | Live (if there is at least one of the “new” application created after the division is “live”) | Dead (if ALL the “new” applications created after the division are “dead”) |

| <u>ONLINE SEARCH STATUS</u> | <u>LIVE</u> | <u>DEAD</u> |
|---|---|--|
| 已合併 (for dead records only) Merged (for dead records only) | Live (if the “new” application created after the merger is “live”) | Dead (if the “new” application created after the merger is “dead”) |
| 已局部轉讓 (for dead records only) Partially Assigned (for dead records only) | Live (if there is at least one of the “new” application created after the partial assignment is “live”) | Dead (if ALL the “new” applications created after the partial assignment are “dead”) |

For Registered TM:

| <u>ONLINE SEARCH STATUS</u> | <u>LIVE</u> | <u>DEAD</u> |
|---|--|---|
| 已註冊 Registered | Live | |
| 註冊刪除 Removed | Live (for less than or equal to one year after date of removal) | Dead (for more than one year after date of removal) |
| 註冊取消 Cancelled | Live (for less than or equal to one year after date of cancellation) | Dead (for more than one year after date of cancellation) |
| 已放棄 (for full surrender only) Surrendered (for full surrender only) | Live (for less than or equal to one year after date of surrender) | Dead (for more than one year after date of surrender) |
| 註冊無效 Invalid | Live (for less than or equal to one year after date of declaration of invalid) | Dead (for more than one year after date of declaration of invalid) |
| 註冊撤銷 Revoked | Live (for less than or equal to one year after date of revocation) | Dead (for more than one year after date of revocation) |
| 已合併 (for dead records only) Merged (for dead records only) | Live (if the “new” registration created after the merger is “live”) | Dead (if the “new” registration created after the merger is “dead”) |
| 已局部轉讓 (for dead records only) Partially Assigned (for dead records only) | Live (if there is at least one of the “new” registration created after the partial assignment is “live”) | Dead (if ALL the “new” registrations created after the partial assignment are “dead”) |

Screen dump



Two new buttons will be added at the bottom of the result list for users to switch between "Live Mark" and "Dead Mark ". The label will be bolded to indicate which type of mark is displaying. (Above screen layout is an example of showing "Live Mark".)

Your views and comments on the proposed classification of live and dead records are welcome. Please email businesscentre@ipd.gov.hk.