

Intellectual Property Department

Terms of Use for Electronic Filing and Communication Services (excluding fax and e-mails through internet)

These Terms of Use apply to electronic filing and communication services provided by the Intellectual Property Department (IPD) of the Government of the Hong Kong Special Administrative Region of the People's Republic of China for proceedings under the Trade Marks Ordinance (Cap. 559) ("TMO"), Patents Ordinance (Cap. 514) ("PO") and Registered Designs Ordinance (Cap. 522) ("RDO"). If you do not use or intend to use these services, you do not need to read this document.

2. These Terms of Use are made pursuant to the provisions in rules 109, 110 and 111 of the Trade Marks Rules (Cap. 559A) ("TMR"), sections 93A, 93B and 93C of the Patents (General) Rules (Cap. 514C) ("PGR"), and sections 60A, 60B and 60C of the Registered Designs Rules (Cap. 522A) ("RDR").

3. Unless otherwise stated, the following terms used in these Terms of Use have the following meanings:

- (a) "Designated Information System" or "DIS" refers to an information system designated by the Registrar under rule 109(2) of the TMR, section 93A(2) of the PGR and section 60A(2) of the RDR that contains information and data of the Trade Marks, Patents and Designs Registries.
- (b) "Registrar" refers to the Registrar of Trade Marks, Registrar of Patents or Registrar of Designs (as the case may be);
- (c) "Registry" refers to the Trade Marks Registry, Patents Registry or Designs Registry (as the case may be);
- (d) "Register" refers to the register of trade marks, register of patents or register of designs (as the case may be);
- (e) "submission(s)" include(s) specified forms, documents and communications submitted by customers to the Registrar via the DIS.

Service Provision

4. These Terms of Use are applicable to the DIS services, namely the following services provided via the DIS:

- (a) the filing of submissions by electronic means for matters in relation to

trade marks, patents and designs with the Registrar;

- (b) the receipt of communications from the Registrar through electronic means; and
- (c) any other service to be provided in future and stated to be subject to these Terms of Use.

5. Please note that in respect of inter partes proceedings, service of documents between parties is not allowed to be performed via the DIS. Requirements for service of documents under rule 112 of the TMR, section 93D of the PGR and section 61 of the RDR should be observed.

Features of Designated Information System

System security

6. A strong industry standard security policy underlies the design and maintenance of all parts of the DIS. Protection of information is effected through:-

- (a) secured transmission through Internet by Hypertext Transfer Protocol Secure (HTTPS) and Transport Layer Security (TLS) with at least 128-bit encryption
- (b) for certain submissions filed by Registered Users with Full e-Service Accounts, digital signature supported by an e-certificate issued by a recognized certification authority (“CA”) under the Electronic Transactions Ordinance (Cap. 553) (“ETO”)
- (c) storage with physical protection from fire, flooding and electricity surge; stringent operation procedure, proper access control and audit trail
- (d) safeguards against unauthorised access: IPD network and databases are protected with firewalls and intrusion prevention system
- (e) incorporation of backup, recovery and disaster recovery mechanisms to guard against loss of data due to system failure
- (f) compliance with the HKSAR Government Security Regulations, Baseline IT Security Policy and IT Security Guidelines

Types of users

7. There are two types of users:
 - (a) Registered User
 - (b) One-Time Filer
8. There are two types of accounts for Registered Users:
 - (a) Full e-Service Account
 - (b) Basic e-Service Account
9. For Full e-Service Account, use of a valid e-certificate is required. A Registered User having this type of account is also eligible for using B2B (system to system) E-Filing Service for electronic filing.
10. The types of submissions that could be filed electronically by One-Time Filers, Registered Users with Basic e-Service Account and Registered Users with Full e-Service Account respectively are different and are specified in Annex A.

Application for Full e-Service Account and Basic e-Service Account

11. A customer wishing to become a Registered User needs to apply for a Full e-Service Account or a Basic e-Service Account and the allocation of a Customer ID, User(s) ID and relevant passwords. Corporations and individuals acting in person as well as agents may apply. At least one user is required to be named in relation to each Full e-Service Account or Basic e-Service Account. Any customer who wishes to apply for access to the DIS services is advised to refer to the application procedures set out in the User Guide published on <https://efiling.ipd.gov.hk>.

Proof of identity

12. The identity of all Registered Users will be verified by the User(s) ID and passwords or via iAM Smart.
13. When performing certain functions of the DIS, the identity of Registered Users with Full e-Service Accounts will also be verified by e-certificates which should be valid and up-to-date. The DIS will obtain a Certificate Revocation List from CAs recognized under the ETO to confirm that the e-certificates of users remain valid.

Electronic mail box

14. The electronic mail box provides a means of communication between a Registered User and the Registrar.

15. Each Full e-Service Account or Basic e-Service Account, regardless of the number of users registered under the account, will be allotted one electronic mail box. All electronic mail boxes are hosted at the DIS. Only authorised users of an account have the right to access the electronic mail box allotted to the account.

16. The electronic mail box allotted to a Full e-Service Account or Basic e-Service Account shall be the designated electronic mail box for the purpose of rule 111(3) of the TMR, section 93C(3) of the PGR and section 60C(3) of the RDR.

17. No electronic mail box will be allotted to One-Time Filers. After an electronic submission is made by a One-Time Filer, all subsequent communications from the Registrar will be issued to the One-Time Filer in paper form.

Electronic Submissions to the Registrar

18. Submissions in relation to trade marks, patents and registered designs required or authorised by legislation to be filed with the Registrar can be submitted by electronic means to the Registrar at the following URL address: <https://efiling.ipd.gov.hk>, or by B2B (system to system) E-Filing Service at the following FTP address: fs.ipd.gov.hk.

19. This service will be made available for the submissions set out in Annex A. Annex B sets out the documents that are not acceptable to be submitted by electronic means. These Terms of Use should therefore be read with reference to Annex A and Annex B (subject to revisions from time to time).

Format and Standard of Electronic Record

20. The contents of submissions and communications between customers and the Registrar should be in the manner and format set out in Part 1 of Annex C (subject to revisions from time to time). The manner and format in which data is stored and displayed are as set out in Part 2 of Annex C.

Signatures

21. Every electronic submission should contain an electronic signature, or a digital signature generated using a valid e-certificate, to ensure the integrity, authenticity and non-repudiation of the submission.

22. Where there is a signature requirement on a specified form, that signature requirement should be met by an electronic signature or a digital signature generated using a valid e-certificate.

23. An affidavit, statutory declaration or notarial instrument sent by

electronic submission must be authenticated by the signature of the signer(s) in the form of a scanned electronic signature that complies with the following conditions–

- (a) the signer manually signs the original paper document; and
- (b) a true and complete electronic image of the original paper document containing the signature of the signer is created in the form of an electronic record.

Validation process

24. DIS will perform a validation process to ensure the following:

- (a) all mandatory fields have been completed;
- (b) the submission is free from virus; and
- (c) for certain submissions by a Registered User with a Full e-Service Account, the submission contains a valid digital signature signed by a valid e-certificate.

25. If any of the aforesaid is not in order, the submission will be refused by DIS.

Pay & Submit

26. For Registered Users, payment in relation to electronic filing may be made through online credit card payment services, Faster Payment System (“FPS”) or a designated deposit account. However, for a Registered User using B2B (system to system) E-Filing Service, payment can only be made through a designated deposit account. For One-Time Filers, payment can be made through online credit card payment services or FPS. When the payment is completed, a payment receipt will be generated for the customer’s record.

Receipt by Registrar

27. The filing of any submission with the Registrar shall be deemed to be effected on the date and at the time when such submission is received and time-stamped by DIS. If a submission is split into batches, the date on which the final batch of the submission actually received by the Registrar is deemed to be the date of filing of the submission as a whole. The time-stamp of DIS will be conclusive evidence of the date and time of receipt of any submission by the Registrar.

28. For Registered Users, details relating to submissions will be captured and contained in the “Submission Log” which will remain on DIS for a period of 365 days.

Service Availability

29. Unless otherwise notified, electronic filing and communication services are accepted at any time of the day, except system maintenance time specified at <https://efiling.ipd.gov.hk>.

30. IPD shall endeavour to ensure the availability of the DIS services. The prime service hours are from 08:00 to 19:00 daily. If DIS is not available for receiving electronic submissions, the Registrar will as soon as practicable, publish a notification on <https://efiling.ipd.gov.hk> to that effect. Full details of maintenance schedule will be published at <https://efiling.ipd.gov.hk> as early as practicable. Regarding the business hours, business days and computation of time in respect of any business, reference should be made to Notice of Business Hours and Business Days of the Trade Marks Registry, Patents Registry and Designs Registry which can be viewed at <https://www.ipd.gov.hk/en/hk-ip-journal-notices/index.html>.

Court orders etc.

31. Electronic submission is not available for any order, declaration, direction or certificate made or issued by the court under the TMO, the PO or the RDO where a sealed copy thereof is required to be filed, unless an electronic seal of the court is applied to such document issued by the court. The aforesaid documents without an electronic seal of the court shall continue to be filed, in paper form, by delivery or by post.

Transmission from the Registrar to Registered User

32. The Registrar will, as far as practicable, communicate with a Registered User by electronic means with reference to the submissions set out in Annex A, unless the Registered User specifically requests otherwise.

33. Electronic communications from the Registrar to a Registered User shall be deemed to be properly sent if they are sent in the form of an electronic record to the Registered User's designated electronic mail box. An electronic record is deemed received by a Registered User when it is accepted and recorded by the Registered User's designated electronic mail box.

34. Registered Users are responsible for checking and attending to any communication standing in his electronic mail box. Registered Users are reminded that time limits begin to run from the time of deemed receipt, i.e. the time of acceptance and receipt by his electronic mail box. For this reason, Registered Users are strongly advised to log on daily to check their mail.

35. If it appears to the Registrar that the outgoing transmission has not in fact been accepted and recorded by the Registered User's designated electronic mail

box, the Registrar may at his discretion re-send the communication in paper.

General

Time

36. The time of despatch and receipt of electronic records, from and at the Registry, is the time recorded by the DIS which is based on Hong Kong Standard Time (Coordinated Universal Time + 8 hours).

Original documents

37. No confirmation in paper is required for electronically filed or sent submissions. However, the Registrar may, at his discretion, request the original or a certified copy of any documents submitted electronically.

Inspection of documents

38. Inspection of documents in accordance with rule 69 of the TMR, section 88 of the PGR and section 55 of the RDR is available either online at the URL address <https://esearch.ipd.gov.hk> or at the respective Registries.

Use of personal data

39. Personal data provided in the forms and any supporting documents will be used by the Registrar for the “Purposes of Collection” set out in the Personal Information Collection Statement at <https://www.ipd.gov.hk/en/privacy-policy-statement/personal-information-collection-statement/index.html>. Information regarding access to and alteration of personal data in accordance with the TMO, the PO, the RDO and their subsidiary legislation can be obtained by making a request to the Registrar.

Authenticity of records kept by DIS

40. Where the Registrar keeps a record of a submission in an electronic form, the Registrar’s record of that submission shall be presumed to accurately represent the information contained in the submission as originally delivered or generated, unless the contrary is shown.

Certification

41. On occasion, the Registrar receives requests for certification of information or documents kept in the electronic register.

42. This service will, until further notice, continue to be provided by downloading the information or document from electronic to a physical medium

and certification of such information manually by the Registry. Persons who wish to obtain such certification should file the specified forms and pay the appropriate fee.

Audit trail

43. Any addition, deletion or alteration of data kept in the DIS are traceable by means of an audit trail to ensure data integrity.

Amendments and modifications

44. IPD reserves the right to modify, in full or in part, the DIS services or to discontinue or suspend any part of such services. Notice of these matters will be posted on the following website: <https://efiling.ipd.gov.hk>.

Users' obligations

45. Users of the DIS services must comply with the Terms of Use as set out in this document. In the event of any violation of these obligations IPD reserves the right to revoke the user's access rights without prior notice.

46. IPD will undertake due diligence to assure the privacy and confidentiality of users' information. On the other hand, customers should take all necessary measures to ensure the security of the information held under their control including procuring users to keep their passwords confidential and changing them regularly for security purpose.

Revocation of access rights

47. If DIS does not record any use of the DIS services by a Registered User for a continuous period of 3,650 days, IPD reserves the right to automatically deactivate the user authorisation for such services without prior notice.

Legal responsibility

48. Whilst every effort is expended to maintain system stability and prevent technical malfunction, the Registrar and IPD assume no responsibility or liability for any direct, indirect, incidental or consequential loss/damage sustained by users arising from any delay/failure/error/omission/loss in transmission of data and information, or any disruption to/suspension of/failure in the operation of the DIS, whether due to problem/failure in network or system, cyber-attack, computer virus or any other cause.

49. It is the users' responsibility to ensure that electronic records are received by the Registrar within the specified time limit. Users should avoid any last-minute submission and take into account the possibility of technical problems and/or

system maintenance. If, for any reason, electronic submission fails, users are advised to resort to the conventional means of physical submission with the Registrar.

50. Great care is taken to ensure that all data and information contained in DIS are correct and up-to-date. However, given the time required to process the data involved, there will inevitably be a time lag before the relevant record is updated. Nor is it possible to rule out all errors and omissions in the information or data contained in DIS. In view of the above, IPD and the Registrar do not warrant the accuracy, adequacy, completeness or timeliness of the information or data contained in DIS.

Changes to these Terms of Use

51. IPD reserves the right to revise these Terms of Use at any time. IPD will inform users of any revision as soon as practicable through publication in the official journal and on <https://efiling.ipd.gov.hk>.

Trade Marks, Patents and Designs Registries
Last revision date: 16 March, 2026

Annex A – List of submissions acceptable for electronic filing/communications

		One-Time Filer	Basic e- Service Account	Full e- Service Account
<i>Trade Mark forms / documents</i>				
<u>Name</u>	<u>Description</u>			
T1	Request for preliminary advice	✓	✓	✓
T2	Application for registration of a trade mark (including certification mark, collective mark and defensive mark)	✓	✓	✓
T3	Request to divide application for registration		✓	✓
T4	Request to merge applications for registration / Request to merge separate registrations		✓	✓
T5	Request to change name, address, address for service and/or agent's details		✓	✓
T5A	Request to amend application		✓	✓
T5B	Request to amend representation of trade mark / Request to delete trade mark in series		✓	✓
T6	Notice of opposition/objection / Application for revocation, declaration of invalidity, variation of a trade mark registration or rectification of an error or omission in the register / Application for intervention in proceedings for revocation, declaration of invalidity, variation or rectification	✓	✓	✓
T7	Counter-statement	✓	✓	✓
T8	Request for renewal of a trade mark registration / Request for restoration and renewal of a trade mark registration	✓	✓	✓
T9	Surrender of registered trade mark			✓

		One-Time Filer	Basic e- Service Account	Full e- Service Account
T10	Application or notice to register registrable transaction (other than a licence) / Request to amend or remove registered particulars of security interest			✓
T11	Application or notice to register a licence / Request to amend or remove registered particulars of a licence			✓
T12	Notice of attendance at hearing / Request for statement of reasons	✓	✓	✓
T13	Request for extension of time	✓	✓	✓
T14	Request for copy / certified copy	✓	✓	✓
TC	Trade Marks Correspondence <i>(not applicable to (i) a court order, declaration or certificate of which a sealed copy is required to be filed with the Registrar, unless an electronic seal of the court is applied to the document, and (ii) any trade mark form intended for official filing)</i>		✓	✓

Patent forms / documents

Name Description

OP1	Request for grant of a standard patent (O)			✓
OP1A	Statement of inventorship in respect of a standard patent (O)	✓	✓	✓
OP2	Request for substantive examination of a standard patent (O) application		✓	✓
OP3	Request to review		✓	✓
OP4	Request for substantive examination of a short-term patent	✓	✓	✓
OP5	Addition of priority claim / Restoration of priority right		✓	✓

		One-Time Filer	Basic e- Service Account	Full e- Service Account
OP6	Request for hearing	✓	✓	✓
OP7	Application to amend specification after grant		✓	✓
OP8	Notice of intention to appear at hearing	✓	✓	✓
P1	Reference to the Registrar of Patents for determination before grant		✓	✓
P1A	Application for authorisation by the Registrar of Patents		✓	✓
P2	Filing of notice of intention to oppose, notice of opposition or counter-statement	✓	✓	✓
P4	Request to record a designated patent application for a standard patent (R)			✓
P5	Request for registration of a designated patent and grant of a standard patent (R)	✓	✓	✓
P6	Request for grant of a short-term patent			✓
P6A	Statement of inventorship in respect of a short-term patent	✓	✓	✓
P7	Request for correction of error / Request to publish a corrected translation		✓	✓
P8	Request to amend application before grant		✓	✓
P9	Maintaining application for standard patent (R)	✓	✓	✓
P10	Request for renewal of a patent	✓	✓	✓
P11	Request for certified copies or extracts / Request for information / Request for certificate signed by the Registrar of Patents	✓	✓	✓
P12	Application to restore a withdrawn standard	✓	✓	✓

		One-Time Filer	Basic e- Service Account	Full e- Service Account
	patent (R) application due to non-payment of maintenance fee / Application to restore a lapsed standard patent / Application to restore a lapsed short-term patent			
P13	Notice requesting reinstatement of a patent application / Application for restoration of rights	✓	✓	✓
P14	Mention of inventor in the register		✓	✓
P15	Filing of notice of revocation of a standard patent (R) / Application for revocation of a standard patent (R) / On reference to the Registrar of Patents to revoke a patent	✓	✓	✓
P16	Notice of offer to surrender a patent			✓
P17	Request for the furnishing of a sample of a deposited micro-organism and notice of confirmation by the Registrar of Patents / Indication of applicant's intention that the sample of micro-organism should be made available only to experts		✓	✓
P18	Request for alteration of name, address, address for service or agent's details / Request for correction of address, address for service or agent's details		✓	✓
P19	Application for registration or notice to the Registrar of rights acquired in or under a patent or a patent application			✓
SP1	Request to inspect documents of patent applications or of granted patents		✓	✓
SP2	Request for a copy of document		✓	✓
SP3	Request for extension of time / Paying penalty fee for late filing of translation	✓	✓	✓
PC	Patents Correspondence		✓	✓

One-Time Filer	Basic e- Service Account	Full e- Service Account
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(not applicable to (i) a court order, declaration, direction or certificate of which a sealed copy is required to be filed with the Registrar, unless an electronic seal of the court is applied to the document, and (ii) any patent form intended for official filing)

Design forms / documents

<u>Name</u>	<u>Description</u>
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D1	Application for registration of design(s)			✓
D2	Request for amendment of application/ Correction of error in the register or in filed documents		✓	✓
D3	Request for reinstatement of application	✓	✓	✓
D4	Application for extension of time	✓	✓	✓
D5	Application to register particulars of transactions affecting rights in registered designs / Notice of transactions affecting rights in applications / Application to cancel claim to be mortgagee or licensee			✓
D6	Application to the Registrar to revoke registration		✓	✓
D7	Filing of order, declaration or certificate of the court for revocation of registration or rectification of the register		✓	✓
D8	Notice to surrender registration			✓
D9	Filing of notice of intention to oppose, notice of opposition or counter-statement		✓	✓
D10	Application for certified copies or extracts / Application for copies or extracts / Request for information / Request for inspection of document or register / Request for	✓	✓	✓

		One-Time Filer	Basic e- Service Account	Full e- Service Account
	certificate signed by the Registrar of Designs			
D11	Application for renewal of a design registration	✓	✓	✓
D12	Request for alteration of name, address, address for service or agent's details / Request for correction of address, address for service or agent's details		✓	✓
DC	Designs Correspondence <i>(not applicable to (i) a court order, declaration or certificate of which a sealed copy is required to be filed with the Registrar, unless an electronic seal of the court is applied to the document, and (ii) any design form intended for official filing)</i>		✓	✓

General form

<u>Name</u>	<u>Description</u>		
GE	General Form for uploading Form D6, D7, D9 (except Notice of intention to oppose), P1, P1A, P14, P17, SP1 or SP2		✓

Annex B – Documents that are not acceptable for electronic filing/communications

Trade Marks Registry	• a court order, declaration or certificate of which a sealed copy is required to be filed with the Registrar, unless an electronic seal of the court is applied to the document
Patents Registry	• a court order, declaration, direction or certificate of which a sealed copy is required to be filed with the Registrar, unless an electronic seal of the court is applied to the document
Designs Registry	• a court order, declaration or certificate of which a sealed copy is required to be filed with the Registrar, unless an electronic seal of the court is applied to the document

Annex C- Manner and format of electronic records

Part 1 – Manner and format for electronic submissions

1. Electronic records in English shall be encoded in ISO 10646-1:2003 with Amendment 1 version (Unicode 4.1).
2. Electronic records in traditional Chinese shall be encoded in ISO 10646-1:2003 with Amendment 1 version (Unicode 4.1) or later version of the ISO 10646 character coding standard, and Hong Kong Supplementary Chinese Character Set – 2004 (HKSCS-2004) or later version in ISO 10646.
3.
 - (a) Where electronic records are sent by the Registrar/IPD to customers through DIS and electronic mail, *they should* conform to the Simple Mail Transfer Protocol (SMTP) and the Secure Multipurpose Internet Mail Extension (S/MIME) standard.
 - (b) Where XML files are required to be submitted, they should conform to IPD's published schema.
4. Graphics in electronic records shall follow the BMP, GIF, JPEG, JPG, PNG, or TIF graphic file format in all trade mark image files. Only image file(s) with RGB color model or gray scale image(s) are acceptable. The length of each side of the images should be between 100 pixels and 2,000 pixels. To avoid unclear image, it is recommended that the whole image size should be equal to or greater than 200,000 pixels, e.g. 100 pixels x 2,000 pixels, 400 x 500 pixels. Moreover, to avoid distortion of image, it is recommended that the same dpi to be used for the width and height of the image.

PDF should be scanned using 200 dpi. If 200 dpi is not clear enough, increase the resolution to 300 dpi or above. Regarding the PDF version, the PDF file generated must be within version 1.2 to 1.7.

5. A digital signature (where applicable) shall be attached to the XML file and conform to IPD's published schema.
6. Electronic records given or presented shall not contain any computer instructions, including but not limited to:
 - (a) computer viruses; and
 - (b) macro, scripts and fields that depend on the execution environment and the execution of which will cause changes to the electronic record itself or the information system displaying the electronic record.
7. The maximum file size for each attachment is 100MB. For attachment exceeding the maximum file size, please split into separate attachments for submission, or the user may do the submission by other means such as USB

mass storage device(s) or portable hard disk(s) with USB interface.

8. The length of a file name should be limited to 50 Chinese characters or 100 English characters (including punctuation and space).

Part 2 – Manner and format for storage and display of data

9. The audio file(s) attached in trade mark application or trade mark correspondence shall follow the following file format standards:
 - (a) MP3 (.mp3)
 - (b) WAV (.wav)
 - (c) MIDI (.mid)
 - (d) Windows Media Audio (.wma)

10. The video file(s) attached in trade mark application or trade mark correspondence shall follow the following file format standards:
 - (a) MPEG-4 (.mp4)
 - (b) MPEG-1/ MPEG-2 (.mpeg)
 - (c) MPEG-2 (.mpg)
 - (d) Windows Media Video (.wmv)

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