



# Form TM4

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## User Guide



INTELLECTUAL PROPERTY  
OFFICE OF SINGAPORE

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## Application Type

### Trade Mark

A trade mark is a sign used to distinguish the goods or services dealt with or provided in the course of trade by an undertaking from goods or services dealt with or provided by any other undertaking.

### Collective Mark

A collective mark is a sign used to distinguish the goods or services offered by members of an association from goods or services which are provided by persons who are not members of the association.

For more details, please refer to the chapter on “Collective Marks” in our [Trade Marks Work Manual](#).

### Certification Mark

A certification mark is a sign used to distinguish goods or services certified by the mark owner from other goods or services which are not so certified. The certification may be an indication of the origin, material, mode of manufacture of the goods or performance of services, quality, accuracy or other characteristics.

For more details, please refer to the chapter on “Certification Marks” in our [Trade Marks Work Manual](#).

## Particulars of Applicant

### Type of Applicant

If you are an individual who trades (or intend to trade) goods/services in your own name (example: Lee Wan Foon), you are required to indicate your nationality and country of residency in the form.

For other entity types (e.g., sole proprietorship, partnership, company):

If you are a company, please give the corporate name.

#### *Examples*

(i) ABC Ltd; (ii) XYZ Pte Ltd; (iii) DEF Ltd also doing business as XYZ Corporation

If you are a sole proprietorship or partnership, please provide the name of the sole proprietorship/partnership, as well as the name(s) of the sole proprietor or partners, as the case may be.

*Examples*

**Applicant Name:** ABC Enterprise

**Sole Proprietor or Partners' Names:** Lim Choon Hock (*in the case of a sole proprietorship*)

**Applicant Name:** XYZ Enterprise

**Sole Proprietor or Partners' Names:** Hassan Bin Abdullah and Tan Hock Chye (*in the case of a partnership*)

If you are a ministry/department/organ of state filing on behalf of the Singapore Government, please reflect the Applicant's name as "Government of Singapore" (or "Minister of Finance" if that is intended). Add the name of the agency that is handling that application in the Representative or C/O Name field under Part 5 "Contact Details" of the application form.

*Example*

**Applicant Name:** Government of Singapore

**Representative or C/O Name:** Ministry of Manpower

For a statutory board, the application should be filed in the name of that statutory board if the enabling statute provides (as it generally does) for that statutory board to have the legal capacity to own property in its own name.

*Example*

**Applicant Name:** The Defence Science and Technology Agency (DSTA)

### Address

Please state your business address here. If you do not have a business address in Singapore, you may state a foreign address here but you would need to provide a Singapore address for service in Part 5 of the application form.

### Country of Incorporation/Residency and Nationality

If you are a corporate body (e.g., company, LLP), please state your country of incorporation. If you are an individual, please state your country of residency and nationality.

### State of Incorporation (for USA Corporations)

If you are a company incorporated in the USA, please indicate the state in which the company is incorporated.

## Goods and Services Tax (GST) - Issuance of Tax invoice

With effect from 1 April 2017, IPOS' goods and services are considered taxable supplies under the GST Act. Hence, the fee to register for a trade mark application will be subjected to GST. Applicants/Requestors who are residents in Singapore or are incorporated in Singapore will be charged the prevailing standard rate for GST (i.e., 7%) whereas applicants/requestors who reside or are incorporated outside Singapore will not be charged GST. If there is more than one applicant/requestor, the standard rate will be charged as long as there is one applicant/requestor who resides in Singapore or is incorporated in Singapore.

For electronic filing, IP<sup>2</sup>SG users will be required to fill up the additional field "Tax Invoice Details" in Part 3A of Form TM4. IPOS will issue tax invoices to the entity/individual as indicated in Part 3A of electronic forms (in the case for electronic submissions via IP<sup>2</sup>SG) or Page 9 of Form TM4 for over-the-counter submissions.

The fees paid by the agents on behalf of their client to IPOS are considered as disbursement which is not subjected to GST. Therefore, IPOS' tax invoice has to be issued to the applicants and not to the agents/representatives. Accordingly, GST-registered applicant(s) can then claim tax input from IRAS, subject to meeting the requirements under the GST Act.

## Representation of the Trade Mark

The trade mark must be represented graphically and capable of distinguishing your goods or services from those of other traders. Graphic representation refers to representation by words, images, lines or characters. If your trade mark cannot be graphically represented, it cannot be registered.

The mark representation submitted should show the exact trade mark for which you wish to seek protection. Protection granted to the mark, if registered, will be as per the representation you have submitted in the application form. You will not be allowed to change the mark representation after the application is filed, except in very limited circumstances.

Please ensure that the mark representation is clear and with a minimum image resolution of 250 x 250 pixels, so that the mark can be clearly reflected in the Trade Marks Journal and on the Certificate of Registration. The mark representation should not contain elements that are not part of the trade mark, such as unnecessary background in a photograph of the trade mark or excessive blank space around the digital drawing of a logo.

If the representation of the trade mark is unclear and not all elements of the mark can be seen, a Notice of Deficiency will be issued for you to remedy the deficiency within two months from the date of notice. The filing date of the application will be based on the earliest date on which the deficiency is remedied. If you do not remedy the deficiency within the stipulated deadline, the application will be deemed never to have been made.

### **Description of Device (if any)**

If your trade mark contains or consists of figurative elements, such as pictures, graphics or images, please tell us what the figurative elements represent. This will help us describe the mark more accurately for the purpose of searching for similar marks.

#### *Examples*

(i) cherry; (ii) window; (iii) lion

### **Series Marks**

Marks which constitute a series are marks that resemble each other in their main features. Any difference between the marks must not substantially affect the identity of the marks.

If you have marks that constitute a series, you may apply to register the series of marks in a single trade mark application. Note that the series of marks should be merged into one picture file for submission.

For more details, please refer to the chapter on “Series of Marks” in our [Trade Marks Work Manual](#).

## Types of Trade Marks

Trade marks can appear in various forms. For a start, they can be classified as conventional and non-conventional trade marks.

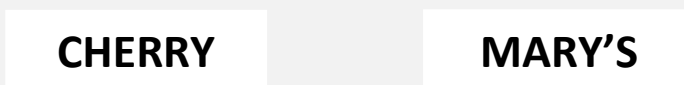
### Conventional Trade Marks

Conventional trade marks may appear in the following forms:

#### 1. Word marks

Word marks consist of words, numbers, letters or any characters that can be typed.

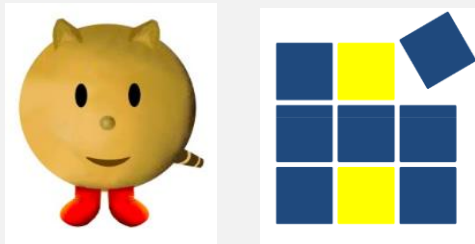
*Examples*



#### 2. Figurative marks

Figurative marks consist of pictures, images or graphics. These figurative elements are also referred to as “devices”.

*Examples*



#### 3. Composite marks

Composite marks contain both figurative elements and letters, words or other characters.

*Example*



### Non-Conventional Trade Marks

If your trade mark is not a conventional trade mark as described above, please indicate the type of non-conventional trade mark in Part 4D of the application form.

Non-conventional trade marks may appear in the following forms:

#### 1. 3-dimensional shape

Trade marks which consist of three-dimensional shapes of the goods or packaging may be represented by line drawings or actual depictions (photographs). Unless all dimensions of the mark can be captured in a single view, multiple images showing different views of the mark should be filed.

*Example (A graphical representation of 3-dimensional shape)*

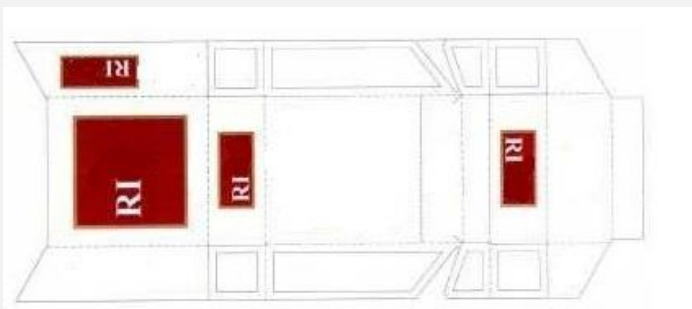


For more details, please refer to the chapter on “Shape Marks” in our [Trade Marks Work Manual](#).

#### 2. Aspect of packaging

“Aspect of packaging” refers to marks depicting the containers in which the goods are sold or the outer packaging which cover the containers.

*Example*





### 3. Colour(s) as a trade mark

“Colour(s) as a trade mark” refers to marks that consist only of a colour or a combination of colours (i.e., no pictures or words). By claiming for “colour(s) as a trade mark”, you are essentially seeking protection for colour(s) per se, as applied to the goods themselves or as an aspect of packaging which is used as a trade mark.

*Example*

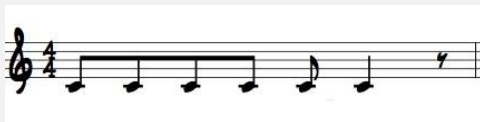


For more details, please refer to the chapter on “Colour Marks” in our [Trade Marks Work Manual](#).

### 4. Sound mark, movement mark, hologram mark or other non-conventional marks

There are other forms of non-conventional marks such as sound, movement and hologram marks. However, they must be capable of being represented graphically to fulfill one of the requirements of being a trade mark.

*Example (A graphical representation of sound mark)*



In an application for registration of a sound mark, we would also require a digital file containing the sound to be submitted to us.

## Description of Claim for Non-Conventional Trade Mark

If the trade mark is non-conventional, please let us have the precise description of the mark in order to ascertain the exact scope of protection.

*Examples*

- (i) “The trade mark consists of a 3-dimensional shape of a cigarette lighter with the word/device appearing thereon, as shown in the representation on the form of application”;
- (ii) “The trade mark consists of the colours purple, red, blue and yellow as applied to the packaging of the goods as shown in the representation on the form of application.”

### Disclaimer/Limitation

You may voluntarily disclaim (i.e., give up) your exclusive rights to any element in your trade mark.

#### *Example*

“Registration of this trade mark shall give no right to the exclusive use of the word “Good”.”

You may also voluntarily limit the protection of your mark.

#### *Example*

“The mark is limited to the colour(s) as shown in the representation on the form of application.”

### English Translation/Transliteration

If your trade mark contains or consists of non-English words and/or non-Roman characters in a language other than English, please provide us with the English translation and/or transliteration as well as translation document(s) supporting the English translation and/or transliteration you have indicated. The translation document can be provided from a certified translator or in the form of extracts of a dictionary or from a translation website. The translation document should preferably show the meaning of each word/character as well as the meaning of the words/characters as a whole.

Please note that it is necessary to provide us with the transliteration of any non-Roman characters even if they do not have any meaning. A failure to include an appropriate indication of the translation and/or transliteration of foreign word(s)/character(s) in the trade mark will subject the application to an objection, and you may be required to insert the translation and/or transliteration by filing Form TM27 with the requisite fee.

### Address for Service in Singapore/Contact Details

The address for service inserted in this part of the form is for mailing purposes. Please note that these details will be published online on the Register after Form TM4 is submitted. On the other hand, contact details (i.e., name of contact person, email address and contact number) will not be published and will only be used by IPOS for contact purposes.

If you choose to authorise an agent to act on your behalf, please give the name of your agent and your agent’s address as the address for service. If you are not represented by an agent, please indicate your postal address as your address for service. Note that the address for service **must** be a **Singapore address**.

If you are submitting Form TM4 via your IP<sup>2</sup>SG account, all correspondence from the Registry related to this application will be sent to your IP<sup>2</sup>SG account and you will no longer receive

any paper correspondence. The local address you have indicated in your account will also be auto-populated in this part of the form:

- IP<sup>2</sup>SG account holders are advised to regularly login to your IP<sup>2</sup>SG account and check its inbox for new correspondence from us. This will help you avoid missing out correspondence with deadlines.
- Once your IP<sup>2</sup>SG account receives a correspondence from us, you should also receive an alert to the email address you have indicated when you registered for this IP<sup>2</sup>SG account. The email alert may be classified as a junk/spam mail, depending on the email provider you have subscribed to. Please note that the email alert is only sent for notification purposes and does not constitute an official correspondence by IPOS.
- If you are filing the Form TM4 as an agent representing an Applicant, please check the agent checkbox (see below) so that we will know that matters relating to this application are being represented by you.

**PART 5**

**Contact Details\***

- Where an agent with UEN is appointed, the fields for "UEN", "Agent name" and "Address for service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for service in Singapore" should be completed instead.
- The email address and telephone number provided are for contact purposes in case of query.
- The official correspondence will be sent to the address for service in Singapore as indicated in this box.
- This information provided below is effective for all matters relating to this application.
- Subsequently, if you wish to appoint a different agent or change your address for service in respect of this application, please file the respective Forms CM1 or CM2.

**Representation Type**  Agent

**Agent UEN/ Company Code** E160002061

**Agent Name** Intellectual Property Office of Singapore

**Representative or C/O Name** (If applicable)

**Address For Service in Singapore**

**Postal Code** 189554

Enter Postal Code to auto retrieve Block/House No. and Street Name or Post Office Name

**Block/ House No.** 51

**Level - Unit No.** # 01 - 01 (If applicable) Please enter the Level - Unit No.

**Building Name** MANULIFE CENTRE (If applicable)

Buttons: Cancel, Save, Duplicate, Next

## Specification of Goods/Services

Please specify the types of goods and/or services on which you wish to seek trade mark protection under Part 6 "Specification of Good/Services" of the application form. The fee chargeable for the trade mark application will be based on the number of classes indicated in this part of the form.

Singapore uses the International Classification of Goods and Services (ICGS) as prescribed by the Nice Agreement to classify goods and services for trade mark registrations. Classes 1 to 34 are for goods and classes 35 to 45 are for services. You are required to state the exact class number as well as an appropriate description of the goods and/or services according to the Nice Classification.

Please note that you will not be allowed to expand the scope of the goods/services after you have submitted the application. If you subsequently wish to add goods/services for the same mark applied for, please file a new application for the additional goods/services.

### Search as You Type

If you are filing the application online via IP<sup>2</sup>SG, you may search for and choose descriptions of goods/services from our pre-approved database in Part 6 of the form.

**PART 6**

**Specification of Goods/Services\***  
 Enjoy \$101 discount for each class which is fully based on pre-approved descriptions from our classification database!

Remove Add

In the “Search as You Type” textbox, key in your search term(s). A drop-down list of closely matched pre-approved items will appear for your selection. For example, if you search for “apples”, the following results will be displayed:

**Add Goods & Services**

**Search as you type**

apples

- Fresh apples (31)
- Stewed apples (29)
- Processed apples (29)
- Unprocessed apples (31)
- Candy-coated apples (30)
- Toffee coated apples (30)

By selecting “Fresh apples” from the list of suggestions, this description will appear above the textbox in green.

**Add Goods & Services**

**Search as you type**

Fresh apples (31) x

Type your list of goods/services in the textbox above. Please ensure that individual descriptions of goods/services are separated by a semi-colon (;).

Add to List

Items entered in the textbox above are highlighted in either **green** or **red**.  
 Items highlighted in **green**: These items are found in our classification database in their respective indicated class(es).  
 Items highlighted in **red**: These items are not found in our classification database in the respective class(es) you have chosen to indicate.

You may enter a class filter by typing “@” followed by a number between 1 to 45 to see results from a specific class. e.g. “@9@28 computer games” will show results containing “computer” and “games” in either Class 9 or 28.

Click the “Add to List” button to add the description to the specification.

**PART 6**

Specification of Goods/Services*	<input type="checkbox"/>	S/No.	Class No.	Goods/Services
	<input type="checkbox"/>	1	31	Fresh apples.

### Advanced Search

You can also use the “Advanced Search” option to conduct a more extensive search. This feature would be useful if you wish to select more than one item from the search results.

**Add Goods & Services**

**Search as you type**

Type your list of goods/services in the textbox above. Please ensure that individual descriptions of goods/services are separated by a semi-colon (;).

Items entered in the textbox above are highlighted in either **green** or **red**.

Items highlighted in **green**: These items are found in our classification database in their respective indicated class(es).

Items highlighted in **red**: These items are not found in our classification database in the respective class(es) you have chosen to indicate.

**Advanced Search**

The facilities above are designed to help you select descriptions of goods/services from our classification database. Utilising these pre-approved descriptions will allow you to enjoy a more expeditious trade mark registration process. You could also enjoy a \$101 discount for each class which is fully based on pre-approved descriptions from our classification database.

### Descriptions appearing in red

If you choose to include your own descriptions of goods/services, the description will appear as red. Please note that while descriptions in red are not matched to any items from our classification database in the respective class(es) you have chosen to indicate, they however may still be acceptable in the respective class(es). For these descriptions, the Registrar will conduct further checks to determine their acceptability but this will slow down the application process and may result in further payment of fees to correct the list of goods/services

### Unacceptable Descriptions of Goods/Services

The following are examples of unacceptable descriptions of goods/services:

#### 1. Specification descriptions with no identified goods/services

To avoid having an application where no goods/services could be identified, certain descriptions such as “goods” and “services” would be automatically removed if you try to add such descriptions when filing the application on IP<sup>2</sup>SG.

However, if the unacceptable specification is detected only after the application form is filed, a Notice of Deficiency will be issued for you to remedy the deficiency within 2 months from the date of notice. The filing date of the application will be based on the earliest date on which the deficiency is remedied.

If you do not remedy the deficiency within the stipulated deadline, the application will be deemed never to have been made.

## **2. Vague, inappropriate or wrongly classified descriptions of goods/services**

The description of goods/services has to clearly identify the nature of the goods/services and be correctly classified in the appropriate class (according to the Nice Classification). The application will face an objection if any description(s) of goods/services is found to be vague, inappropriate or wrongly classified.

## **3. Overly broad descriptions of goods/services**

Please also note that descriptions such as “all goods in the class”, “all services in the class”, “all other goods” or “all other services” are not acceptable as they are deemed objectionable under Rule 19(4) of the Trade Marks Rules.

You should not apply for a large variety of goods/services spanning across many classes unless you can show that:

- (i) You are actually using the mark on all the goods or services applied for; or
- (ii) You have a fixed intention to do so within 5 years from the trade mark application.

If there are unacceptable descriptions of goods/services, the application will face an objection and you will have to amend the descriptions of goods/services by filing Form TM27 with the requisite fee, which is chargeable on a per-class basis.

For more details relating to the acceptability of specification of goods/services, please refer to the chapter on “Classification of Goods and Services” in our [Trade Marks Work Manual](#).

## **Priority Claim**

If you have applied to register for the same trade mark in a Convention country (i.e., a party to the Paris Convention, or a member of the World Trade Organisation) within the past six months, you are eligible to a claim of priority in your Singapore trade mark application if the following conditions are met:

- (i) The Singapore application must be made by the Applicant of the priority application or its successor in title;
- (ii) The Singapore application must be for the same trade mark as that of the priority application;

- (iii) The Singapore application must have at least one corresponding goods or service covered by the priority application; and
- (iv) The Singapore application must be filed within six months from the date the priority application is filed in the Convention country.

If you are claiming for multiple priority claims in respect of different goods and/or services in the Singapore trade mark application, please indicate the respective goods and/or services for which the priority claims apply.

For more details, please refer to the chapter on “Priority Claims” in our [Trade Marks Work Manual](#).

### **Declaration**

The application form must be signed by:

- (i) The individual or sole proprietor himself, where the Applicant is an individual or a sole proprietorship
- (ii) A partner of the partnership firm, where the Applicant is a partnership
- (iii) An authorised person in the organisation, where the Applicant is a corporation or government body
- (iv) The Applicant’s authorised agent