



## Practice note - use of highlighter pens in correspondence

In an amendment to the general practice, IPONZ no longer accepts the use of highlighters (and similar relatively opaque ink markers) on paper correspondence of any category, including patent, design, trade mark and general correspondence.

Applicants may continue to highlight specific areas of representations associated with a design application only (e.g. for the purposes of claiming/disclaiming) by using blue or yellow highlighter, as design representations are scanned in colour. Additionally, the filing of colour representations of trade marks will also continue to be acceptable.

The reason for the change in practice is, in keeping with common business trend of moving to an electronic correspondence environment, IPONZ routinely scans all incoming non-electronic correspondence for storage electronically. Markings or indications made in highlighter ink or ink colours such as red, do not reproduce faithfully when scanned as a black and white image (or monochrome) and as such frequently do not appear in the electronic copy of the scanned correspondence. Only indications which can be captured clearly as a black and white (or monochrome) scanned image will be accepted.