

## How to apply for a trade mark

You can apply for a trade mark by completing the online application form and paying the prescribed fee.

Once submitted, your application to register a trade mark will be examined to ensure it [complies](#) with all requirements of the [Trade Marks Act 2002](#).

## Preparation

You need to prepare a clear description of the trade mark. If your trade mark has a special shape, colour or font (for example, a business logo), then ensure you have a suitable image to accompany your application. You can attach an image of the trade mark saved as a JPG, GIF or a TIF file (ensure you can locate the file on your computer for insertion).

You will also need:

- To become a registered user of our website. Registering as a user is free and it only takes a few minutes to complete. If you already have a User ID and password with other Ministry of Economic Development websites you will be able to use this to access our site. [Register as a user](#) or see [How do I manage my login?](#) for more information.
- A list of the goods and/or services you market, or intend to market, under the desired trade mark.
- The applicant's name and address information. If you are the applicant for the trade mark, then supply your details. If you are applying for a business or someone else, or if several applicants are applying, then have these details ready.
- An address for service in New Zealand – every application must have a service address in New Zealand. This can be a business or residential address, post office box or document exchange box in New Zealand.

## The cost

An application to register a trade mark in one class costs [NZ\\$100.00 exclusive GST](#). Since the fee is non-refundable, it is important to complete your research first, particularly these two steps:

1. Review the [How to check for existing trade marks](#) section to ensure your desired trade mark is not already registered or is not 'confusingly similar' to an existing trade mark. Note: you can [request IPONZ to conduct a search](#) for you at a cost of NZ\$20.00 exclusive GST per class.
2. Review some [reasons for trade mark rejection](#) to reduce the chance of your application being rejected. Note: you can [request preliminary advice](#) from IPONZ on the suitability of the trade mark at a cost of NZ\$20.00 exclusive GST per class before you submit your application.

## Choosing your goods and services

The list of the goods and/or services that you supply with your application is called a **specification** of goods and services. This determines the range of the protection that you may be given by registration of the mark. It is important to carefully consider the goods and services that you want covered by your mark as you will not be able to broaden the range once the application is filed.

Goods and services are divided into 45 classes under the Nice international system of classification. In addition to listing all of the goods and/or services for which you want to use the mark, state the class or classes. This is referred to as the **classification** of your goods or services.

[Save time by researching the appropriate classification for your trade mark registration here.](#)

Note that each class application costs [NZ\\$100.00 exclusive GST](#). If necessary get advice from an intellectual property expert on the value of registering your trade mark in more than one class.

For more information see our guide about [classifying goods and/or services](#).

## Online application

### Getting Started

**FIRST** let us know who would like to file the application:

1. If you are a registered user LOGIN, or
  2. Supply your contact details to become a registered user (click REGISTER), or
- (Tip: record your LOGIN details in a safe place as these will save you time on subsequent visits.)

Now select APPLICATIONS, then APPLY FOR A TRADE MARK.

1. First time filers: if you have not previously associated your online account with an Intellectual Property Office party a page will be displayed so that you can do this first. Then an Application Questionnaire will display.
2. Previous filers: a list of past applications will display. Click NEW to see the Application Questionnaire.

The Application Questionnaire asks for the information we need to set up an application form tailored to the specific needs of your application. Ensure you fill in all required Fields (marked with an asterisk). If you need help, click on the Tip Box next to a Field. For further assistance use the HELP button on the top toolbar, or [contact us](#) during business hours to speak to a client services advisor.

## Navigating the form

- If you want to reduce the number of series marks, applicants, or convention priority claims from the number that you originally specified in the **Application Questionnaire** form, first delete any data entered into the excess fields originally provided in the Application Form, then return to the Application Questionnaire and reduce the number specified.
- Use the **Previous** and **Next** buttons at the top of the screen to move between screens. Note: You may need to fix any errors or omissions (signaled in red at the top of the FORM) before you can continue.
- Use the **Save** button to save your work for later completion. Saved applications that have not been completed will be kept for a 90 days, after which they will be deleted automatically by the system.

## Field tips

**Reference Number:** Use a different reference for each application. You will be prompted if you enter a previously used Number by mistake.

**First default detail box:** Check the default details throughout the Form and alter any as necessary.

## Applicant information

1. New client: Fill in the applicant(s) details.
2. Existing client: click CHOOSE to locate their details in the database.

## Contact information

All correspondence from us relating to this application will by default be sent to the contact's postal address. To change the default Contact Information, you will need to complete an Application to Alter a Name and/or Address. Please see Trade Mark Forms and Fees or contact us for further assistance.

You can change the contact details to an applicant listed in the application by selecting 'NO' from the **User Name and Address Below:** drop-down list. Then, choose the applicant from the **Or Applicant** drop-down list. The contact information will be updated once submitted.

## Trade Mark Details

**TYPE:** Enter the type of mark application you are making.

**FILE:** If you are filing an image, colour, sound, shape or animation mark click BROWSE to find and upload the file containing your mark.

**TYPE:** Select the entry from the drop-down list that best describes the trade mark, e.g. Text Only, Image, Colour, etc. The table below will help you determine if a file or written description of your mark is required.

## Additional fields:

**ADDITIONAL APPLICATION INFORMATION:** You can supply additional details about your mark, for example, 'The letter e in the mark has an etude above it'.

## Convention Date Information

If you are claiming an earlier filing date based on an overseas application, enter the details of the overseas application here, including Convention Date, Country and Overseas Application number. The **Additional Application Information** text box below these fields can be used to enter details such as partial or multiple convention claims or any other information required to complete your application.

## Goods and Services Description

Your trade mark application must include a list of all goods and/or services for which you use or intend to use the mark. Please carefully consider the goods and services that you want covered by your mark as you will not be able to broaden the list once the application is filed.

To provide class and specification information for your application, select the **Compose Goods and Services Description** button.

You may need to turn off your browser pop-up blocker in order to use the description tool.

For more information see our guide about [classifying goods and/or services](#)

### Pre-Approved Goods and Services Description

You can search through a database of goods and services terms that are considered correct by IPONZ for the purposes of classification by the Commissioner under the Trade Marks Act 2002 (for applications filed after 1 January 2007). Pursuant to section 31(2) of the Act, IPONZ will accept the terms shown in this database as descriptions in specifications when making your trade mark application.

New Zealand follows an international classification system called the International Classification of Goods and Services (currently the 10th edition of the Nice Classification, introduced on 1 January 2012), which is published by the [World Intellectual Property Organisation \(WIPO\)](#). This classification system comprises 45 classes. Of those 45 classes, classes 1 to 34 pertain to goods, while classes 35 to 45 pertain to services. Each trade mark application fee is calculated on the number of classes being applied for. If you require protection for goods or services in more than one class, the total number of classes will determine the fee for the application.

If you prefer to provide a customised goods and/or services description for your trade mark application, select the **Manual Entry** button.

**Note:** the provision of a customised specification may result in a delay in the immediate acceptance of your application. To reduce the likelihood of receiving a Compliance Report from the Office, we recommend selecting from the list of pre-approved descriptions.

To use the Pre-Approved description:

1. Enter words describing your goods or services in the **Search for goods/services** field.
2. A list of results will display on the left hand side panel.
3. Select a class and good or service description from the results list to include in your application. Your selection will populate the right hand side panel. Fee information will also calculate and display.
4. To remove a term from a good or service description, select the specific term. The term will highlight and a **Remove Term** button will appear for you to select to remove term.
5. To remove a class, select to highlight the class number. A **Remove Class** button will appear for you to select to remove the class.
6. To clear all results and start again, select the **Clear** button on top of the page.
7. To accept your selection of goods and/or services, select the **Accept** button to confirm the information. Please note once you accept the selections the list will automatically populate the application form. In order for you to amend the details you will have to start the **Compose Goods and Services Description** section again.

### Manual Entry Goods and Services Description

To switch to use IPONZ pre-approved terms for your trade mark application, select the **Pre-Approved** button.

To use the Manual Entry form for each class:

1. Enter the class in the Class field by type it directly in the class field or click on the **Choose a Class** button and select from a list of all the classes available.
2. Enter a list of goods and/or services for which the trade mark is intended to be used in the Goods and Services Description field.
3. To add class, select the **Add another Description** button and an additional class field will appear for you to fill in.
4. To remove a class, choose the **Delete** option
5. To clear all results and start again, select the **Clear** button on top of the page.
6. To accept your selection of goods and/or services, select the **Accept** button to confirm the information. Please note once you accept the selections the list will automatically populated the application form. In order for you to amend the details you will have to start again.

Please note there is a maximum of **4,000** characters for each goods and services description per class. Plain text only can be entered.

A standard application fee covers an application in one class. If you apply in more than one class, an application fee will be charged for each class, i.e. the total fee will be calculated by using the following formula:

Total Fee = Application fee x Number of Classes.

Select **OK** to proceed to complete your application.

**(NOTE:** When you submit your application IPONZ will apply standardised formatting to your trade mark specification of goods and services in line with current international best practice. You retain the ability to file specifications in the format you choose, however, IPONZ may reformat specifications so that they comply with the formatting standards of IPONZ. The reformatting of specifications will not change the scope or nature of the specification. See formatting standards.)

## Submitting your application

1. When you have completed the application form click OK.  
(NOTE: If there is an error or omission in the form a message will display in red at the top of the screen).
2. If the specification has been entered in a form that requires reformatting a message will display prompting you to state whether you accept or reject the reformatted version. If you choose Yes then the reformatted specification will be submitted. If you choose No then your original specification will be submitted
3. Check your application thoroughly and make any final changes before submitting it. Use the PRINT button at any time if you would like a copy of your application details emailed to you. (If you wish to review a file you have attached to the Application Form, click on the relevant hyperlink).
4. If you would like to save your application without submitting it press SAVE
5. Select OK when you wish to proceed to payment.
6. Payment: If you have a direct debit facility loaded to your account you can choose the CHARGE ACCOUNT option for payment. Otherwise click PAY BY CARD and fill in the credit card form, making sure to include your email address if you wish to receive a tax invoice. Once your application has been submitted you will receive a Summary Report, sent to the email address supplied in the Application Questionnaire. If you have any problems opening this report or questions about its content, email us at [mail@iponz.govt.nz](mailto:mail@iponz.govt.nz).

**APPLY ONLINE NOW**

If you need more help, please [contact us](#) during business hours.

## What happens next?

Review the [Trade mark process section](#) for more information on the application process.