Search for existing trade marks

This information is intended as a guide only. For legal advice we recommend that you contact a patent attorney or lawyer who is familiar with intellectual property law.

Searching for trade marks

IPONZ maintains two tools for searching the New Zealand trade marks register.

Trade Mark Check allows you to easily check for marks like yours on the register. With the smart searching and image recognition features you can upload a logo or image to search against trade marks on the register.

Trade Mark Case Search allows for targeted searching of intellectual property cases by case number, owner, date, and more.

Using Trade Mark Check

Trade Mark Check has been designed with tooltips and help information to guide users through the searching process. There are two search options:

Word or slogan check

This option lets you enter a word or slogan that is between 3 and 50 characters in length. Trade Mark Check will then search for any trade marks on the register that resemble the word or slogan you have entered.

Logo or image check

This option lets you upload an image from your computer or mobile device. The artificial intelligence built into Trade Mark Check will then suggest image features to help search against logo or image trade marks on the register.

With Trade Mark Check you can also limit your search to specific goods and services classes.

Using the Trade Mark Case Search

The Trade Mark Case Search is used to:

- Perform general searches for trade marks that are on the register (including abandoned, cancelled, or expired trade marks), based on targeted search queries.
- Logged in users can also search for specific cases for which they wish to maintain.

Search results

If the search finds:

- only one case, the screen for that case relevant to the context of the search will be displayed,
- more than one case, a list of search results will be displayed beneath the search query. Select the underlined case number to display the details of a case.

Searching with Trade Mark Case Search

Searching by case number

If you know the case number of the case you're looking for, enter this in the Trade Mark number field. You can search national trade marks and international registration numbers (IRNs) in a single search.

Separate multiple case numbers using commas - 123456,123457,123458

Searching by case title

If you know the title of the case you're looking for, or if you're looking for cases with similar titles, use the Title field.
The **Title** field takes a range of search operators and wildcards (see below) and is not case-sensitive.

The search engine treats all punctuation characters as a single space unless the " " quotation mark operators are used. It also automatically converts characters with accents (eg É) to their equivalent character without an accent.

### Search operators

<table>
<thead>
<tr>
<th>Search Operator</th>
<th>Function</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AND</strong></td>
<td>Using AND between search terms will return only cases that contain both terms. The search engine evaluates AND before OR.</td>
<td>GOOD AND SHOT will return GOOD SHOT but not GOOD SLEEP</td>
</tr>
<tr>
<td><strong>OR (or spaces)</strong></td>
<td>Using OR between terms will return cases that contain either term. The search engine treats spaces as OR operators.</td>
<td>HAT OR CITY will return HAT WORLD and CITY BUS</td>
</tr>
<tr>
<td><strong>NOT</strong></td>
<td>Using NOT will exclude any cases that contain the specified term. The search engine evaluates NOT before AND.</td>
<td>PLANET NOT EGG will return BIG PLANET but not EGG PLANET</td>
</tr>
<tr>
<td><strong>() parentheses</strong></td>
<td>Parentheses allow you to structure complex searches. The search engine evaluates parentheses before all other operators.</td>
<td>(GOOD AND SHOT) AND (HAT OR CITY) will return GOOD SHOT CITY and GOOD SHOT HAT</td>
</tr>
<tr>
<td>&quot; &quot; quotation marks</td>
<td>Quotation marks allow you to specify exact matches. You may use wildcards within &quot; &quot; quotation marks. The search engine treats all punctuation characters as a single-space unless you use the &quot; &quot; quotation mark operators.</td>
<td>&quot;EGG PLANET&quot; will return EGG PLANET and BIG EGG PLANET but not PLANET EGG</td>
</tr>
<tr>
<td>&quot;HAT?CITY&quot; will return HAT CITY but not CITY HAT or HATCITY</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Wildcards

<table>
<thead>
<tr>
<th>Wildcard</th>
<th>Function</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>?</td>
<td>Represents a single character only.</td>
<td>SUP?R will return SUPER, SUPOR and SUP1R but not SUPR</td>
</tr>
<tr>
<td>*</td>
<td>Represents any number of characters (including none).</td>
<td><em>MARKET</em> will return MARKET, SUPERMARKET and MARKET FISH <em>M</em>RK<em>T</em> will return MARKET, SUPERMARKET, MARKET FISH, MEERKAT, and MOTHERKIT <em>M</em>RK<em>T</em> will return MARKET, MARKET FISH, MEERKAT, and MOTHERKIT, but not SUPERMARKET</td>
</tr>
</tbody>
</table>

### Example title searches

<table>
<thead>
<tr>
<th>Example case</th>
<th>Example searches</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLASTERCOTE</td>
<td>plast<em>c OR plast</em>k OR plast?t<em>c</em> OR plast?t?q*</td>
</tr>
<tr>
<td></td>
<td>(plast* pla?st*) AND (&quot;coat* &quot;koat* &quot;cot* &quot;kot&quot;)</td>
</tr>
<tr>
<td></td>
<td>&quot;learning media&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;learning media&quot;</td>
</tr>
<tr>
<td>MILLENIUM</td>
<td>m?l?n<em>m</em> OR m?l?n<em>m</em></td>
</tr>
<tr>
<td></td>
<td><em>mil?n</em>m* OR <em>mil?n</em>m* OR <em>myl?n</em>m* OR <em>myll?n</em>m*</td>
</tr>
<tr>
<td>JUICY ORANGE</td>
<td>(<em>juic</em> OR [<em>j</em>?c*] AND &quot;orang&quot;</td>
</tr>
<tr>
<td></td>
<td>Juic*</td>
</tr>
<tr>
<td></td>
<td>&quot;rang&quot; NOT (&quot;strang* &quot;ranger&quot;)</td>
</tr>
<tr>
<td>ECO KIWI</td>
<td>(&quot;eco* &quot;ecko* &quot;ecco* &quot;echo* &quot;ekko&quot;) AND (&quot;kiwi* &quot;k*w&quot;)</td>
</tr>
<tr>
<td></td>
<td>&quot;ECO&quot; OR &quot;KIWI&quot;</td>
</tr>
<tr>
<td></td>
<td>Eco* NOT &quot;ecologic&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;ECO**&quot; OR &quot;KIWI&quot;</td>
</tr>
<tr>
<td>A</td>
<td>&quot;A&quot; (for Titles consisting only of &quot;A&quot;)</td>
</tr>
<tr>
<td></td>
<td>A (for Titles including a single letter &quot;A&quot;)</td>
</tr>
<tr>
<td></td>
<td>&quot;A&quot; NOT &quot;A?&quot;</td>
</tr>
<tr>
<td>BAY CAFE</td>
<td>&quot;bay&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;cafe&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;bay&quot; AND &quot;caf*&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Bay* AND (&quot;caf* &quot;rest*&quot;bist&quot;)</td>
</tr>
<tr>
<td></td>
<td>&quot;bay&quot; OR &quot;café&quot; OR &quot;cafe&quot;</td>
</tr>
</tbody>
</table>
Searching for images using the Vienna Classification system

If you are searching for an image you can use the Vienna Classification field.

The Vienna Classification system is a numbering system developed by the World Intellectual Property Organization (WIPO) to describe images or stylised features that make up trade marks.

Every trade mark on the New Zealand register that contains a stylised element has been assigned a relevant “Vienna Descriptor”.

The classification constitutes a hierarchical system that proceeds from the general to the particular. For example:

- 8 Foodstuffs
- 8.1 Bakers’ Products, Pastry, Confectionery, Chocolate
- 8.1.19 Chocolate, confectionary (including chewing gum)
- 8.1.22 Squares of chocolate, pralines, fondants or other unwrapped sweets

A summary of the WIPO Vienna categories is provided below. A full list of terms classified according to the WIPO Vienna Classification system can be found on the World Intellectual Property Organisation (WIPO) website.

We’ve supplemented the Vienna Descriptors by adding descriptors that are specific to New Zealand, for example native flora and fauna. New Zealand’s Vienna descriptors may be used in conjunction with other descriptors that are not specific to New Zealand. For instance, if you wanted to search for a silver fern design, you may search under New Zealand descriptor 53.2.2, but also under 5.3.7 (ferns), 5.3.13 (stylised leaves) and 5.3.14 (stylised leaf).

See New Zealand Vienna Descriptors.

Searching using Vienna descriptors

Searches using Vienna descriptors can be conducted using the AND, OR and AND NOT operators. Unlike title searches to exclude results you must use AND NOT. You can also search using Vienna descriptors by the subcategory.

Example image

Example Vienna descriptors

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Search</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search for each descriptor individually</td>
<td>3.7.11 3.7.21 3.7.24 24.17.1 53.1.20</td>
</tr>
<tr>
<td>Search for combinations of individual descriptors</td>
<td>(3.7.11 AND 3.7.24) OR (3.7.24 AND 24.17.1)</td>
</tr>
<tr>
<td>Search for all descriptors in a sub-category</td>
<td>53.1</td>
</tr>
<tr>
<td>Search for combinations of sub-categories</td>
<td>3.7 AND 53.1</td>
</tr>
<tr>
<td>Search for some descriptors but exclude others</td>
<td>3.7.21 AND 3.7.24 AND NOT 3.7.1</td>
</tr>
</tbody>
</table>

Searching using the Nice goods and/or services classification

If you are searching by goods and/or services, use the Goods and Services Class(es) field in the Classification/Status section.

About the Nice classification

New Zealand uses the international classification system known as the Nice Classification system to separate goods and services into different classes. A full list of terms classified according to the Nice Classification system can be found online on the WIPO website.

Nice classes

You can find common classifications and classifications accepted under the Nice Classification system in IPONZ’s Trade Mark Classification Search database.

A list of class headings for the different schedules can be found on the WIPO website.

It's also important to remember that though a similar or identical mark may be filed in a different class, the goods or services may still be similar. Therefore, you may wish to consider searching for similar classes as well. See Practice guideline 6.2: Conflicting class table.

Nice classification schedules

Every trade mark is assigned a classification schedule depending on when the application was made. The following schedules have been used in New Zealand:
Schedule | Period
--- | ---
4 | Cases filed between 11 December 1941 and 6 January 2002
8 | Cases filed on or after 7 January 2002
9 | Cases filed on or after 1 January 2007
10 | Cases filed on or after 1 January 2012
11 | Cases filed on or after 1 January 2017

Any trade mark applied for prior to 11 December 1941 will have been converted to one of the versions of the Nice classification.

**Searching using the Nice classification**

If you wish to search for trade mark cases including classes containing goods or services that have been re-classified over time, you may wish to limit your search by **Goods and Services Class(es) and Nice Classification Schedule**. For example, to find trade mark cases including class 42 under Nice Schedule 8, which may contain legal services and related services.

If you do not enter a schedule this field defaults to searching across all schedules.

**Searching by owner/agent details**

If you want to search for cases including a particular person or agent, you can use the **Applicant/Owner Name**, **Case Contact Name**, **Agent/Local Representative Name**, or **International Representative Name** fields in the **Client Search** section. You can use search operators and wildcards in these fields as you would for the **Title** field.

Alternatively, you can search for cases including particular client IDs by using the **Select** option to the right of the **Applicant/Owner ID**, **Case Contact ID**, **Agent/Local Representative ID**, or **International Representative ID** fields.

You can also search by **Client Reference**.

**Searching by other criteria**

You can search by important case dates and convention priority details in the **Date Search** section. For example, you may wish to search by **Submission Date** (to find new International Registrations), or by **Convention Priority Date** range, to find applications received after another application’s **Filing Date** but having priority.

You can also search by **Case Status**, application details like **Mark Type**, **Mark Nature and Series**, and by whether or not a case is a **Māori Trade Mark** or subject to a proceeding.

You can limit your search to **Live Status** cases to find only marks that may be cited as having priority against a new application.

Note that cases with the statuses **Abandoned – continued processing available** and **Refused – continued processing available** are included in the **Live Statuses** search. While these marks are not on the live register, they are of interest as they may be cited as having priority over later filed marks if a request for Continued Processing is accepted.

**Searching for marks containing foreign characters**

Marks containing foreign characters, eg Chinese or Japanese characters, may have a combination of **Title** and/or Vienna Descriptor coding. Therefore, you may need to perform two searches to find relevant foreign character marks on the register - one including foreign characters in the **Title** field, and one including the appropriate **Vienna Classification Code**.

For example: A mark may have the **Title** 太平洋 and/or the **Image**

If these were two separate marks, it may be necessary to perform one search for the **Title** 太平洋, and another for the Vienna code 28.3 in order to find both marks.

**Viewing search results and requesting search reports**

When you have defined your search criteria, select **Search** and your search results will display.

Request a report of your search results in PDF or XLS by clicking **Get Result List** and entering your email address.

**Customising the search screen**

You can customise the appearance of the search screen. For example, to display only some search criteria and/or to customise the display of search results to show up to 200 results per page.

**Show or hide sections on search screen**

Fields on the search screen are divided into conceptually similar groups with distinct headings, eg date fields are grouped under the **Date Search** heading.
Show or hide columns in search results

You can show or hide columns in your search results by clicking the **Show/Hide columns** dropdown menu.

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Saving your display preferences

You can save your display preferences if you are logged in. To save your display preferences click **Save Display Settings**.

You can save different display preferences for searching different IP case types. For example, you might have the date search section hidden on the trade marks search screen and visible on the patents search screen.

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Searching for protected marks

The use of certain signs is restricted under a variety of laws and statues including the [New Zealand Trade Marks Act 2002](http://www.legislation.govt.nz/act/public/2002/0049/latest/DLM164240.html) Protected Marks. The registration of these types of trade marks (and signs that are confusingly similar) is restricted.

Examples of protected marks include:

- Official emblems and hallmarks of states and intergovernmental organisations
- New Zealand flag and ensigns
- Flags or emblems of other countries
- Geographical names registered in respect of certain goods
- International non-proprietary pharmaceutical names
- Common name of any (chemical) element or compound
- Generic names for pesticides and agricultural chemicals
- Plant varieties

In order to search protected marks you must search the relevant databases:

| Official emblems and hallmarks of states and intergovernmental organisations (article 6ter) | [WIPO (article 6ter)](http://www.wipo.int/article6ter/en) |
| International non-proprietary pharmaceutical names | [WHO - International non-proprietary names (INN)](http://www.who.int/medicines/services/inn) |
| Common name of any (chemical) element or compound | [UPOV - PLUTO database](http://www.upov.int/pluto/en/) |
| New Zealand Flag and ensigns | |
| Flags or emblems of other countries | |
| Flags or emblems of other countries | |
| Geographical names | |

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Vienna descriptor overview

Descriptor categories set by the World Intellectual Property Organisation (WIPO)

See also [WIPO Vienna Descriptors](http://www.wipo.int/classifications/nivilo/vienna/index.htm?lang=EN)

- Category 1: Celestial Bodies, Natural Phenomena, Geographical Maps
- Category 2: Human Beings
- Category 3: Animals
- Category 4: Supernatural, Fabulous, Fantastic or Unidentifiable Beings
- Category 5: Plants
Additional descriptors set by IPONZ

Category 53: New Zealand-specific elements:

53.1 Maori
  53.1.1 Moko (tattooing) (see also 2.1.1, 2.1.25, 2.3.1 and 2.3.25)
  53.1.2 Kowhaiwhai (curvilinear design) (See also 25.7.1)
  53.1.3 Tukutuku (rectilinear design) (See also 25.7.3 and 25.7.23)
  53.1.4 Whakairo (carving) (See also 2.1.1, 2.1.22, 2.3.1 and 2.3.22)
  53.1.5 Tiki/Hei Tiki (see also 4.5.5)
  53.1.20 Other Maori.

53.2 Flora
  53.2.1 Fern (does not include silver fern, see 53.2.2) (see also 5.1)
  53.2.2 Silver Fern (see also 5.3.7, 5.3.13 and 5.3.14)
  53.2.3 Flax (see also 5.1)
  53.2.4 Kauri (see also 5.1)
  53.2.5 Kowhai (see also 5.1 and 5.5)
  53.2.6 Pohutukawa (see also 5.1 and 5.5)
  53.2.7 Nikau (see also 5.1)
  53.2.8 Ti Tree (Cabbage tree) (see also 5.1.30)
  53.2.20 Other flora.

53.3 Fauna
  53.3.1 Tuatara (see also 3.11.23)
  53.3.2 Weta (see also 3.13.23)
  53.3.10 Fantail/Piwakawaka (see also 3.11.23)
  53.3.11 Huia (see also 3.7.21)
  53.3.13 Moa (see also 3.7.21)
  53.3.14 Tui (see also 3.7.21)
  53.3.30 Other fauna (see also 3.7.21)
  See 3.7.18 for Kiwi.

53.4 Other New Zealand
  53.4.1 NZ map (any combination of the islands) (see also 1.17.6)
  53.4.2 NZ flag (see also 24.7.1)
  53.4.3 Aoraki (Mt Cook) (see also 6.1.2 and 6.1.4)
  53.4.4 Taranaki (Mt Egmont) (see also 6.1.2 and 6.1.4)
• 53.4.20 Other New Zealand items.