

3.1.2 Punctuation, spelling tautology and formatting

Where the specification is unclear due to poor punctuation, examiners should ask the applicant to correct this⁶. The examiner may suggest appropriate alternative punctuation.

Examiners will correct any obvious spelling errors, including adding spaces where required, but should ask the applicant where the spelling error is not obvious.

Where a long specification contains a lot of tautology, examiners ~~should request the removal of the~~ may remove the duplicate items.

~~Examiners will replace the commonly used phrase “in class x” with “in this class”.~~

However, where the wording of the specification is unclear, then the examiner will request more information from the applicant, or alternatively, suggest appropriate alternative wording or punctuation.

In addition to the points noted above, IPONZ applies standardised formatting to trade mark specifications of goods and services in line with current international best practice.

- Specifications should take the form of a single sentence commencing with a capital letter and ending in a full stop;
- The body of the specification should be in lower case, except for acronyms and proper nouns;
- Goods and services in the specification should be separated by semicolons or commas instead of listed on separate lines;
- Double spaces are removed
- ~~• The word “and” should be used in place of ampersands “&”;~~
- ~~• The phrase “and/or” should be used in place of forward slash “/” and backslash “\” characters to denote optional items.~~

To help applicants comply with the standardised format, the IPONZ website incorporates an automatic reformatting function in the online trade mark application form.

Applicants retain the ability to file specifications in the format they choose, however, the examination team 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.