

**FOI Release**  
***Information released under the Freedom of Information Act***

**Title:** Non-traditional trade marks

**Date of release:** 11 October 2017

**Information request:**

Statistics or data on applications and registrations of non-traditional trade marks (NTMs) in the United Kingdom. I would like to examine on how many applications are made per year and whether there is any increase in the applications of NTMs which include: scents (olfactory trade marks), sound (aural) trade marks, shapes (3D trade marks), colour trade marks, flavours (gustatory) trade marks, texture (tactile) trade marks and motion trade marks.

**Information released:**

In answer to your query I have attached a spreadsheet of non-traditional trade marks. However I would warn you to treat this data with caution because we know it is incomplete, though we cannot tell how far short it may be from providing you with a complete picture. It is probably not reliable enough for detailed analysis, though it should give you a flavour for the range of non-traditional marks filed at our office.

The difficulties in identifying all such marks stem from the inconsistency in the ways they were classified over the years since the current Trade Marks Act introduced the possibility of accepting them. We have also changed our computer system in recent years and in doing so reduced the number of mark types on the system which meant some types were combined. We also experienced other problems such as capturing movement marks accurately because we were limited to a maximum of six marks in a series to represent each mark. Finally, marks which had lapsed for over a certain period of time were not transferred to the new system so the database is not complete with respect to refused or expired marks.

Having said that I hope that the attached list of marks will prove useful, if only as a representative sample of all the non-traditional marks we have processed. If you expand the first column to display the mark numbers in full you can view any mark you select using our public search database available at: <https://trademarks.ipo.gov.uk/ipo-tmcase> .