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TYPES OF TRADEMARKS FOR INDUSTRIAL GOODS AND REQUIREMENTS FOR THEIR REPRESENTATION

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Abstract. This article examines the types of trademarks used for industrial goods and the requirements associated with their representation in registration applications. It considers word, figurative, combined, and three-dimensional marks, focusing on their role in distinguishing goods and communicating brand identity. Particular attention is paid to the distinction between the visual presentation of a mark and the substantive conditions governing its eligibility for protection. The discussion addresses clarity and consistency of representation, identification of the relevant goods, distinctiveness, and potential conflicts with earlier rights. It also considers the relationship between trademark design, product packaging, and industrial design protection. The article aims to provide a conceptual framework for preparing trademark applications while recognizing that specific requirements depend on the jurisdiction and the type of mark concerned.

Keywords: trademarks, industrial goods, word marks, figurative marks, combined marks, three-dimensional marks, trademark representation, distinctiveness, trademark registration, industrial designs.

Introduction

Trademarks help enterprises distinguish their goods from those offered by competitors and communicate a recognizable commercial identity. For manufacturers of industrial goods, the choice of a trademark is closely connected with product identification, packaging, marketing, and the development of business relationships. The World Intellectual Property Organization (WIPO) defines a trademark by its capacity to distinguish the goods or services of one enterprise from those of others. This distinguishing function provides the starting point for examining both trademark types and the requirements governing their protection.

In this article, the term “trademarks for industrial goods” refers to marks used in connection with manufactured products, rather than a separate legal category of intellectual property. Such marks may take different forms, including words, letters, numerals, figurative elements, combinations of these elements, and three-dimensional signs. WIPO identifies product shapes and packaging among possible three-dimensional marks, while recognizing other forms whose acceptance depends on the applicable legal system. The choice of form therefore involves both a branding decision and an assessment of registration requirements.

The representation of a trademark in an application is particularly important because it identifies the sign for which protection is requested. A representation should communicate the mark clearly and consistently within the requirements of the relevant registration procedure. For example, WIPO’s Madrid System requires a quality reproduction of the trademark that matches the representation in the

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underlying national or regional application or registration. This illustrates the practical connection between design preparation and formal application requirements.

Formal presentation must nevertheless be distinguished from substantive eligibility. A clear and professionally prepared image does not, by itself, establish that a sign qualifies for protection. Distinctiveness remains a central requirement, and examination may also address statutory exclusions and conflicts with earlier trademarks, depending on the jurisdiction. Consequently, the preparation of a mark requires consideration of its distinguishing capacity as well as its visual or other form of representation.

The identification of goods is another essential element of application preparation. Trademark protection is connected with specified goods or services, and the Nice Classification organizes them into classes for registration purposes. WIPO's guidance emphasizes selecting the relevant goods and services when defining the intended coverage of an application. For industrial enterprises producing several categories of goods, accurate descriptions and appropriate classification should therefore accompany the preparation of the trademark representation.

Product shapes and packaging also raise questions about the relationship between trademark and industrial design protection. These mechanisms have different purposes: trademarks distinguish commercial origin, whereas industrial design rights concern the ornamental or aesthetic aspects of products. A company assessing the protection of packaging should therefore identify which features serve a distinguishing function and which concern product appearance. Treating these questions separately supports a more precise understanding of the available protection mechanisms.

The purpose of this article is to examine the principal types of trademarks used for industrial goods and the requirements associated with their representation in registration applications. The analysis focuses on word, figurative, combined, and three-dimensional marks, while distinguishing formal preparation from substantive eligibility. It also considers the identification of goods and the relationship between trademarks and industrial designs. The article aims to provide an analytical framework for preparing trademark applications, recognizing that detailed requirements must be assessed under the applicable jurisdiction and registration procedure.

Literature review

The literature on trademarks addresses their distinguishing function, classification, registration, and strategic use by enterprises. For the present study, these perspectives provide a basis for examining the relationship between the form of a trademark, its representation in an application, and its eligibility for protection.

WIPO's Introduction to Intellectual Property: Theory and Practice (2025) places trademarks within the broader intellectual property system and includes discussion of industrial designs, unfair competition, and enforcement. This comprehensive approach is relevant to industrial goods because product branding and product appearance may involve different protection mechanisms. The book provides a framework for considering these mechanisms together while maintaining their distinct purposes.

Bently, Sherman, Gangjee, and Johnson's Intellectual Property Law (2022) offers a detailed legal treatment of trademarks alongside copyright, patents, designs, and related remedies. Its contribution to this article lies in providing a comparative perspective on the legal assessment of signs and their relationship with other intellectual property objects. However, its treatment of a particular legal system should not be assumed to establish registration requirements in every jurisdiction.

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Palfrey's Intellectual Property Strategy (2011) examines intellectual property as an organizational asset. His context-dependent approach supports connecting trademark decisions with an enterprise's products, markets, and commercial objectives. Applied to industrial goods, this perspective suggests that selecting a mark involves more than choosing an attractive graphic: the enterprise must consider how the sign will identify its goods and support its intended business activities.

Uzbek scholarship is represented by Yakubova, Yuldashov, Bahramova, and Turakulova's Intellektual mulk huquqi (2025). The university catalogue identifies intellectual property protection and pre-litigation dispute resolution among its subjects. The textbook is relevant as a national educational source, although specific conclusions about trademark application documents require separate examination of the applicable legislation and procedural rules.

WIPO's practical guidance complements these books by identifying words, letters, numerals, drawings, symbols, combinations, and three-dimensional signs among possible trademark forms. Its guidance on protection emphasizes distinctiveness, while its Madrid System materials address representation quality and the identification of goods and services. These sources demonstrate that trademark type, formal representation, and substantive eligibility are connected but separate questions. The requirements described for an international procedure must also be distinguished from those of individual national systems.

The reviewed literature therefore supports an analytical approach with three dimensions: identifying the form and distinguishing function of the sign, preparing an appropriate representation and goods description, and assessing eligibility under the relevant legal framework. The present article develops this synthesis to examine word, figurative, combined, and three-dimensional marks used for industrial goods. Its focus is the coordination of design choices with application preparation, rather than the assumption that visual quality alone determines registrability.

Research methodology

This study employs a qualitative, desk-based approach combining a focused literature review with comparative analysis of trademark forms and application requirements. The source material comprises the books and WIPO guidance discussed in the literature review. Scholarly publications provide conceptual and legal perspectives, while official guidance supplies information on trademark types, distinctiveness, representation, and the identification of goods.

The analysis covers word, figurative, combined, and three-dimensional marks used for industrial goods. These forms are compared according to their distinguishing features, the information required to represent them, and their relationship with product appearance. Formal application requirements are examined separately from substantive eligibility, particularly distinctiveness and potential conflicts with earlier rights. Requirements specific to the Madrid System are distinguished from general principles and jurisdiction-dependent rules.

The findings are synthesized into recommendations for coordinating trademark selection with application preparation. The study does not include surveys, interviews, judicial case analysis, or statistical assessment of registration outcomes. Its conclusions therefore provide a conceptual framework rather than evidence of registration success or a definitive statement of requirements applicable in every jurisdiction.

Analysis and results

The qualitative analysis identifies three connected dimensions in preparing trademarks for industrial goods: selecting the form of the sign, representing it clearly in the application, and assessing

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its eligibility for protection. These dimensions require separate consideration. A visually appealing mark may lack distinctiveness, while a distinctive sign may still require revisions to its application documents. WIPO's guidance supports this distinction by addressing trademark forms, protection requirements, and procedural matters separately.

The first finding concerns word marks. Words, letters, numerals, and their combinations can function as trademarks when they distinguish the relevant goods. Their practical attraction lies in communicating a name that can be used across packaging, advertising, and commercial documents. However, the analysis suggests that selecting a word should involve assessing its relationship with the goods rather than relying only on memorability. A term's capacity to identify commercial origin remains central to the protection assessment.

The second finding relates to figurative marks. Drawings and symbols provide a visual means of identifying goods. Application preparation should establish the precise image for which protection is requested. WIPO's Madrid System guidance requires a quality representation matching the underlying national or regional mark. For the present study, this supports treating the approved image as a defined application asset whose reproduction should remain consistent throughout the filing process. Detailed image specifications must nevertheless be checked under the relevant procedure.

Combined marks bring verbal and figurative elements together. WIPO recognizes combinations, including logos and labels, among possible trademark forms. The analytical implication is that preparation must address the complete arrangement submitted for registration: wording, imagery, and their relationship within the composition. Whether separate applications for individual elements would be appropriate requires a further assessment of the enterprise's intended use and the applicable legal framework.

Three-dimensional marks introduce an additional issue because the sign may consist of a product shape or packaging. Such features can serve as trademarks, but their status depends on their distinguishing capacity and applicable registration rules. Product appearance may also be relevant to industrial design protection, which concerns ornamental or aesthetic features. The analysis therefore indicates that a distinctive shape and an aesthetic product design should be assessed according to their respective functions rather than treated as equivalent protection objects.

Table 1 summarizes the main distinctions identified in the documentary analysis.

Trademark type	**Principal identifying feature**	**Focus of application preparation**	**Main assessment issue**
Word mark	Words, letters, numerals, or combinations	Identify the exact verbal sign and the requested presentation	Capacity to distinguish the specified goods
Figurative mark	Drawing, symbol, or graphic image	Provide a clear and consistent representation	Distinctiveness and applicable registration exclusions
Combined mark	Verbal and figurative elements together	Define the complete composition submitted	Assessment of the sign as represented
Three-dimensional	Product shape, packaging, or another three-	Represent the claimed form according to procedural	Distinguishing function and jurisdiction-specific

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mark	dimensional sign	rules	restrictions

Source: Author's synthesis of WIPO guidance reviewed in this article. The table presents analytical comparisons rather than registration outcomes.

The next finding concerns the identification of goods. Trademark applications connect a sign with specified products, and the Nice Classification organizes goods and services for registration purposes. WIPO's guidance emphasizes selecting relevant descriptions and classes. Accordingly, the application should reflect the products for which protection is sought rather than rely on a broad description such as "industrial goods." The classification task complements the representation of the sign and requires its own review.

The analysis also distinguishes formal compliance from substantive examination. Representation quality and complete application information concern procedural preparation. Distinctiveness and possible conflicts with earlier marks concern eligibility. WIPO notes that examination practices differ between offices, including whether earlier trademark conflicts are examined. Consequently, compliance with image requirements cannot be interpreted as evidence that an application will be accepted.

From an organizational perspective, trademark preparation should connect legal assessment with branding decisions. Palfrey's approach to intellectual property strategy supports adapting decisions to the enterprise's objectives and circumstances. In this study, that perspective leads to a proposed sequence: identify the intended goods and markets, select the sign, assess its distinguishing capacity, prepare the required representation, and review the application under the relevant procedure. This sequence is an analytical recommendation, not an empirically tested registration model.

The principal result is that trademark preparation requires coordination among the sign's form, its distinguishing function, the goods description, and procedural requirements. Word, figurative, combined, and three-dimensional marks present different representation questions, while all require assessment within the applicable legal framework. Because the study does not examine application files, disputes, or registration statistics, it cannot determine which type is most successful or quantify the effect of preparation quality. Its contribution is a comparative framework for making trademark selection and application preparation more systematic.

Conclusion and recommendations

The study concludes that preparing trademarks for industrial goods requires coordinating the form of the sign, its distinguishing function, its representation in the application, and the identification of relevant goods. Word, figurative, combined, and three-dimensional marks offer different ways of communicating commercial identity, but their suitability depends on the enterprise's objectives and the applicable registration framework. The reviewed sources do not establish that any one type is universally preferable.

The analysis also demonstrates the importance of separating formal preparation from substantive eligibility. A clear representation and correctly prepared documents support examination but do not guarantee registration. Distinctiveness, applicable exclusions, and potential conflicts with earlier rights require separate assessment. Similarly, product appearance should be evaluated carefully to distinguish its role as a trademark from its relevance to industrial design protection.

Based on these findings, the following recommendations are proposed.

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First, enterprises should select trademark forms according to their products, intended markets, and planned use. The choice between a word, figurative, combined, or three-dimensional mark should reflect how the sign will identify the goods across packaging, advertising, and commercial communication.

Second, distinctiveness should be assessed before finalizing the design. This assessment should consider the sign's relationship with the relevant goods and whether consumers are likely to perceive it as identifying commercial origin.

Third, applicants should establish a final, consistent representation of the mark and check it against the requirements of the intended registration procedure. For combined marks, particular attention should be given to the arrangement of verbal and figurative elements. For three-dimensional marks, the claimed form should be represented as required by the relevant office.

Fourth, goods descriptions and classification should be reviewed independently of the trademark image. Applications should identify the products for which protection is sought using suitable terminology and the appropriate classification, rather than relying on general expressions such as "industrial goods."

Fifth, searches for potentially conflicting earlier marks should inform application preparation. Their results should be considered alongside the applicable legal standards, recognizing that examination practices and the relevance of particular rights differ between jurisdictions.

Sixth, enterprises should assess trademark and industrial design protection separately where product shapes or packaging are involved. This would help align each protection strategy with the distinguishing or aesthetic function of the relevant features.

Finally, future research should examine actual application files, examination decisions, and disputes to evaluate how representation quality and trademark type influence registration outcomes. The present recommendations provide a conceptual framework for systematic preparation; their practical effectiveness remains subject to empirical investigation.

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