

## TM Specimen Protests Email Pilot Program

We've created a streamlined protest procedure for reporting improper specimens. You may submit information relating to applications in which the submitted specimen is potentially not in actual use, but has instead been created for the purpose of submission to the USPTO as a specimen, via email to [TMSpecimenProtest@uspto.gov](mailto:TMSpecimenProtest@uspto.gov).

### Criteria for email submission

Your email must include either:

- 1.) objective evidence of third party use of the identical image without the mark in question, such as the URL and screenshot from an active website or a digital copy of a photograph from a print advertisement and the publication in which it was featured,
- or
- 2.) the prior registration numbers and/or serial numbers of applications in which identical images of objects, mock ups of websites, etc., all bearing different marks have been submitted to the USPTO.

The subject line of the email should include the Serial Number of the application being protested. If you are reporting a duplicate specimen, the subject line must read "Duplicative Specimens -- " followed by the Serial Number of one of the protested cases. All other serial numbers must be listed in the body of the email. It is not necessary to attach copies of the specimens from such cases to the email.

Email submissions will receive an automatic reply that indicates the email has been received and that no other response will be sent to the party submitting the email. Anyone wishing to know the outcome of the matter must follow the status of the application on TSDR.

### Deadlines and Pilot Termination

Emails must be received no later than the 30th day after publication for opposition. Submit emails prior to publication whenever possible.

Based on the volume of email protests received, we reserve the right to alter this pilot program based on operational need, including termination of the program at any time.