

UNITED STATES  
PATENT AND TRADEMARK OFFICE



# Federal trademark filing: Overview

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# Filing overview

- Reminders:
  - The slides will be emailed after the presentation.
  - Captioning is available.
  - Post your questions to the Q&A box.

# Discussion topics

- Filing basics
- Trademark Center pre-filing checklist
- Trademark Center filing demonstration
- How to find help

Discussion topic

# Filing basics



# Filing basics

- Trademark Center
  - Mobile-friendly design
  - Guided user interface
  - Drafts that automatically save every 60 seconds
  - Application costs that update as you go
  - Prompts to complete commonly omitted information



Discussion topic

# **Trademark Center pre-filing checklist**

# Trademark Center pre-filing checklist

## Pre-filing checklist for your trademark application

Use this checklist to understand the decisions you must make before filing your application.

- 1. Determine your mark drawing format.**

Decide which version of your trademark you want to register.

**Standard character format**

  - Protects words, letters, and slogans used as marks, without limiting the mark to a specific typeface, size, or color.
  - Provides protection for the wording itself, not what it looks like.
  - For example: **T.MARKEY**
  - **Pro tip:** This provides more flexible protection than special form format registration.

**Special form format**

  - Protects stylized and design marks.
  - Provides protection for the look of the mark, plus any wording.
  - For example:  

  - **Pro tip:** Registering the mark without color provides more flexible protection than registering it with color.
  - **Pro tip:** Save a JPG image of your mark to your computer before filing.

For more information about drawing formats, see [www.uspto.gov/trademarks/trademark-examples](http://www.uspto.gov/trademarks/trademark-examples)
- 2. Determine your filing basis.**

Verify the legal reason to register your mark.

**Section 1(a) – Use-in-commerce**

  - You're using the mark with customers in another state, U.S. territory, or foreign country.
  - **Pro tip:** Save a PDF or JPG image of your specimen to your computer before filing. A specimen is evidence of how you're actually using the mark with your goods and services.

**Section 1(b) – Intent-to-use**

  - You're not yet using the mark in interstate commerce, but have a good faith intent to do so in the future.

For more information, see [www.uspto.gov/trademarks/basics/application-filing-basis](http://www.uspto.gov/trademarks/basics/application-filing-basis).
- 3. Determine your goods and services.**

Prepare a list of goods and services that you use (or have a bona fide intent to use) with your mark.

  - Use the USPTO's ID Manual to find acceptable identifications of goods and services: [www.uspto.gov/TrademarkID](http://www.uspto.gov/TrademarkID)
  - Inaccurate and unacceptable identifications will result in a refusal to register your mark.

**See the reverse side to estimate your filing fee and learn how to file.**

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# Trademark Center pre-filing checklist

(cont'd)

- Choose your mark drawing format.
  - Standard character drawing
  - Special form drawing

**COCA-COLA**

*Coca-Cola*





# Trademark Center pre-filing checklist

(cont'd 2)

- Know your filing basis.
  - Required for each listed good or service in your application
  - Most common bases
    - Use in commerce
    - Intent to use





# Trademark Center pre-filing checklist

(cont'd 3)

- Identify your goods and services.
  - Generally understood terminology
  - Specific terminology
  - Cannot expand “scope” after filing
  - Trademark ID Manual
    - [www.uspto.gov/TrademarkID](http://www.uspto.gov/TrademarkID)



# Trademark Center pre-filing checklist

(cont'd 4)

- Estimate your filing fee.
  - You can also track it live as you complete the application.
- Create a MyUSPTO account.
  - You only need to create an account and verify your identity one time.
- File your application in Trademark Center.

Discussion topic

# **Trademark Center filing demonstration**

# Trademark Center demonstration

The screenshot shows the MyUSPTO website interface. At the top, there is a dark navigation bar with the 'uspto' logo on the left and links for 'Patents', 'Trademarks', 'Fees and payment', 'Help', 'MyUSPTO', and 'Sign in' on the right. Below this is a light gray header with 'MyUSPTO' text and a home icon on the left, and 'What's new' and 'MyUSPTO help' on the right. The main content area features the 'MyUSPTO' logo in large blue text, followed by a paragraph: 'MyUSPTO is a single place for you to actively manage your intellectual property portfolio. Track patent applications and grants, check trademark registrations and statuses, and access our services in your personalized USPTO gateway.' Below this, there are two options: 'I have an account' with a blue button labeled 'Log in with your USPTO.gov account', and 'I need an account' with a white button labeled 'Create a USPTO.gov account'.

# Trademark Center demonstration

(cont'd)

The screenshot shows the USPTO Trademark Center website. At the top, there is a navigation bar with the USPTO logo and links for Patents, Trademarks, Fees and payment, Contact Us, MyUSPTO, and Sign in. Below this is a secondary navigation bar with Home, Start application, Drafts and docket, and Help. The main content area features three large blue boxes, each with a white icon and a title. The first box has a magnifying glass icon and is titled 'Search the trademark database'. The second box has a document icon and is titled 'Apply to register a trademark'. The third box has a stack of papers icon and is titled 'View your docket'. Each box contains a brief description of the service.

An official website of the United States government [Here's how you know](#) ▾

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**Trademark Center**

Home Start application Drafts and docket Help ▾

**Search the trademark database**  
Search our database as part of a clearance search before applying to register your trademark

**Apply to register a trademark**  
Complete and submit an application to federally register your trademark

**View your docket**  
View and manage your Trademark Center applications in one place

Discussion topic

# How to find help



# USPTO resources

- Website
  - [www.uspto.gov](http://www.uspto.gov)
- Trademark videos
  - [www.uspto.gov/TMvideos](http://www.uspto.gov/TMvideos)
- Trademark basics registration toolkit
  - [www.uspto.gov/TrademarkBasicsToolkit](http://www.uspto.gov/TrademarkBasicsToolkit)





# USPTO resources (cont'd)

- Trademark Assistance Center
  - Main support center for all trademark customers
    - Phone: 1-800-786-9199 (press 1)
    - Email: [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

# USPTO resources (cont'd 2)

- The USPTO does not:
  - Provide legal advice.
  - Enforce legal rights.
  - Recommend specific private attorneys.



# Legal resources

- Remember:
  - The best resource is an experienced trademark attorney.
  - Most trademark filing companies can only provide limited services.

# Caution: scam alert

- Beware of scams.
  - [www.uspto.gov/TMFraud](http://www.uspto.gov/TMFraud)
- Beware of non-attorney filing firms.
  - [www.uspto.gov/trademarks/protect/filing-firms](http://www.uspto.gov/trademarks/protect/filing-firms)
- Beware of misleading notices and offers.
  - [www.uspto.gov/TrademarkSolicitations](http://www.uspto.gov/TrademarkSolicitations)



**Questions?**



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