

## CHANGES: INDEX TO CHANGES IN TMEP JANUARY 2017

Attention is directed to the following changes in the January 2017 TMEP.

| SECTION         | CHANGE  |
|-----------------|---|
| TMEP            | Incorporated changes in accordance with final rules issued at 81 FR 69950, 81 FR 72694, 81 FR 76867, 81 FR 78042, and 81 FR 89382, and relevant precedential decisions reported prior to January 1, 2017. |
| 103             | Revised to indicate that documents in TTAB proceedings must be filed electronically.  |
| 202.03(a)       | Updated rule citations.   |
| 202.03(a)(i)    | Updated rule citation.  |
| 204.03          | Clarified procedure when applicant responds, but does not include the required fee.   |
| 301             | Revised to indicate that documents in TTAB proceedings must be filed electronically   |
| 303             | Updated text of Rule 2.195.   |
| 306             | Updated text extract of Rule 2.195.   |
| 306.01          | Clarified examples of correspondence that may not be filed by fax. Updated rule citation.   |
| 405.02(a)       | Updated rule citation.  |
| 405.03          | Updated text of Rule 2.208.   |
| 405.06          | Updated rule citation.  |
| 503.04          | Updated address of Assignment Recordation Branch and rule citation.   |
| 801.01(a)       | Updated TMEP cross reference.   |
| 807.09          | Deleted paragraph regarding audio files.  |
| 816.04          | Updated case citation.  |
| 818             | Updated TMEP cross reference.   |
| 819             | Updated TEAS Plus processing fee.   |
| 819.01(c)       | Deleted statements regarding waiving requirement for information pursuant to changes in TEAS Plus application.  |
| 820             | Updated TEAS RF processing fee  |
| 901.03          | Added case citation.  |
| 904.03(d)       | Deleted reference to TEAS filings. Added TMEP cross reference.  |
| 904.03(f)       | Updated to clarify that electronic files can be attached to all TEAS forms.   |
| 904.03(l)       | Updated to clarify that electronic files can be attached to all TEAS forms. Added TMEP cross reference.   |
| 907             | Added case citation. Miscellaneous stylistic edits.   |
| 1104.01(b)      | Updated rule citation.  |
| 1104.10(b)(vii) | Updated rule citation.  |
| 1108.02(c)      | Updated rule citation.  |
| 1109.15(a)      | Updated rule citations.   |
| 1202.03(f)(i)   | Added case citation.  |
| 1202.04         | Added case citation and revised case citation.  |
| 1207.01(d)(iii) | Added case citation.  |
| 1208.01(b)      | Revised procedure for determining priority for publication or issuance when conflicting applications have the same date of filing and execution.  |
| 1209.03(d)      | Updated case citation.  |
| 1210.02(b)      | Updated case citation.  |

| <b>SECTION</b>  | <b>CHANGE</b>  |
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| 1210.02(b)(i)   | Updated case citation.   |
| 1210.06         | Updated case citation.   |
| 1210.06(b)      | Updated case citation.   |
| 1211.01         | Added case citation. Deleted case citation. Miscellaneous stylistic edits.   |
| 1211.01(a)      | Added case citation.   |
| 1211.01(a)(v)   | Added case citation. Miscellaneous stylistic edit.   |
| 1211.01(a)(vi)  | Added case citation.   |
| 1211.01(b)(vi)  | Updated case citation.   |
| 1211.02(b)(i)   | Updated case citation.   |
| 1211.02(b)(iv)  | Added case citations.  |
| 1211.02(b)(v)   | Updated case citation.   |
| 1211.02(b)(vi)  | Added case citation.   |
| 1212.02(c)      | Miscellaneous stylistic edits. Updated case citation.  |
| 1301.02(f)      | Added case citation.   |
| 1301.04(e)      | Added case citation and clarification regarding ability of mark to serve as source indicator for services and not just for software.           |
| 1301.04(f)      | Added case citation.   |
| 1301.04(f)(ii)  | Added case citation.   |
| 1301.04(h)(iii) | Added case citation.   |
| 1401.02(a)      | Updated to include revisions to class headings and explanatory notes pursuant to the 11 <sup>th</sup> edition of the Nice Classification.      |
| 1401.05(a)      | Corrected class number in example. Miscellaneous stylistic edits. Added explanation and examples regarding hobby craft kits.                   |
| 1401.05(b)      | Added example.   |
| 1401.05(c)      | Miscellaneous stylistic edit.  |
| 1401.05(e)      | Updated to include reference to Nice 11 <sup>th</sup> edition. Revised TMEP cross reference.   |
| 1401.07         | Miscellaneous stylistic edits.   |
| 1401.09         | Moved and renumbered previous section 1401.12.   |
| 1401.10         | Moved and renumbered previous section 1401.13.   |
| 1401.11         | Renumbered previous section 1401.09.   |
| 1401.11(a)      | Renumbered previous section 1401.09(a).  |
| 1401.12         | Renumbered previous section 1401.10. Updated TMEP cross references.  |
| 1401.12(a)      | Renumbered previous section 1401.10(a). Added TMEP cross reference.  |
| 1401.12(b)      | Renumbered previous section 1401.10(b).  |
| 1401.12(c)      | Renumbered previous section 1401.10(c).  |
| 1401.13         | Renumbered previous section 1401.11.   |
| 1401.13(a)      | Renumbered previous section 1401.11(a). Miscellaneous stylistic edits.   |
| 1401.13(b)      | Renumbered previous section 1401.11(b).  |
| 1401.13(c)      | Renumbered previous section 1401.11(c).  |
| 1401.13(d)      | Renumbered previous section 1401.11(d). Miscellaneous stylistic edits. Updated to include information regarding Nice 11 <sup>th</sup> edition. |
| 1401.13(e)      | Renumbered previous section 1401.11(e).  |

| <b>SECTION</b>   | <b>CHANGE</b>   |
|------------------|---|
| 1401.14          | New section: General Summary of Major Changes in Practice Based on the 11th Edition of the Nice Agreement                                 |
| 1401.14(a)       | New section: Cosmetic and Toiletry Preparations   |
| 1401.14(b)       | New section: Household or Kitchen Serving Utensils and Small Hand-operated Kitchen Apparatus for Mincing, Grinding, Pressing, or Crushing |
| 1401.14(c)       | New section: Dietetic Food and Beverages Adapted for Medical or Veterinary Use  |
| 1401.14(d)       | New section: Nut and Plant Milks; Milk Substitutes  |
| 1401.14(e)       | New section: Security Services in Class 42 and Class 45   |
| 1402.01          | Clarified example.  |
| 1402.01(a)       | Miscellaneous stylistic edits.  |
| 1402.01(e)       | Clarified resources available to examining attorneys.   |
| 1402.03(a)       | Revised examples.   |
| 1402.03(d)       | Revised examples.   |
| 1402.03(e)       | Revised example.  |
| 1402.05(a)       | Reworded for clarity.   |
| 1402.05(b)       | Clarified procedure and added examples.   |
| 1402.06(a)       | Revised examples.   |
| 1402.06(b)       | Miscellaneous stylistic edit.   |
| 1402.07(a)       | Clarified procedure for §66(a) applications.  |
| 1402.07(b)       | Miscellaneous stylistic edit.   |
| 1402.07(c)       | Revised example.  |
| 1402.09          | Minor stylistic edit.   |
| 1402.11          | Minor stylistic edits. Updated TMEP cross reference.  |
| 1402.11(a)(ii)   | Minor stylistic edit.   |
| 1402.11(a)(iii)  | Minor stylistic edit.   |
| 1402.11(a)(iv)   | Revised example.  |
| 1402.11(a)(v)    | Clarified examples.   |
| 1402.11(a)(vi)   | Clarified example. Minor stylistic edit.  |
| 1402.11(a)(vii)  | Revised examples.   |
| 1402.11(a)(viii) | Rewording for clarity. Revised example.   |
| 1402.11(a)(ix)   | Revised examples.   |
| 1402.11(a)(xi)   | Revised example.  |
| 1402.11(a)(xii)  | Minor stylistic edit.   |
| 1402.11(b)       | Updated TMEP cross reference. Minor stylistic edit.   |
| 1402.11(b)       | Updated TMEP cross reference.   |
| 1402.11(d)       | Clarified procedures for non-monetary charitable services.  |
| 1402.11(e)       | Minor stylistic edits. Updated TMEP cross reference.  |
| 1402.11(i)       | Updated TMEP cross reference.   |
| 1402.14          | Updated TMEP cross reference.   |
| 1403.02(c)       | Minor stylistic edit.   |
| 1501             | Updated to incorporate revisions to 37 C.F.R. §2.126.   |
| 1501.02(b)       | Updated to incorporate revisions to 37 C.F.R. §2.142.   |
| 1503.01          | Updated TBMP cross reference. Updated to incorporate revisions to 37 C.F.R. §2.101.   |

| <b>SECTION</b> | <b>CHANGE</b>   |
|----------------|---|
| 1503.04        | Updated TBMP cross reference. Updated to incorporate revisions to 37 C.F.R. §2.102. |
| 1503.05        | Updated to incorporate revisions to 37 C.F.R. §§2.101, 2.102, 2.104, and 2.107.     |
| 1504.05        | Updated to incorporate revision to 37 C.F.R. §2.142.                                |
| 1604.06(c)     | Updated rule citation.  |
| 1604.18(d)     | Updated to incorporate revision to 37 C.F.R. §2.145.                                |
| 1604.19        | Updated to incorporate revisions to 37 C.F.R. §2.6.                                 |
| 1605.05        | Updated to incorporate revisions to 37 C.F.R. §2.6.                                 |
| 1606.05(c)     | Updated rule citation.  |
| 1606.14(d)     | Updated to incorporate revision to 37 C.F.R. §2.145.                                |
| 1607           | Added rule citation. Updated to incorporate revision to 37 C.F.R. §2.111.           |
| 1613.06(c)     | Updated rule citation.  |
| 1613.18(d)     | Updated to incorporate revision to 37 C.F.R. §2.145.                                |
| 1613.19        | Updated to incorporate revision to 37 C.F.R. §7.6.                                  |
| 1705.09        | Updated to incorporate revision to 37 C.F.R. §2.145.                                |
| 1904.04        | Updated to incorporate revisions to 37 C.F.R. §§2.101 and 2.102.                    |
| Appendix A     | Minor stylistic edits. Added rule citation.   |