UNITED STATES
PATENT AND TRADEMARK OFFICE

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Advanced trademark searching in the Trademark Electronic Search System (TESS)

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Legal disclaimer

- The USPTO does not provide legal advice.
  - This program is for informational purposes only.
  - It only covers the mechanics of searching the federal register.
  - It does not cover full clearance searching.
  - It does not cover everything you need to know about federal and common law trademark rights.

Discussion topics

- TESS basics
- Searching in TESS
- Common search strategy
- Other helpful searches

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Discussion topic

TESS basics

TESS basics

https://www.uspto.gov/SearchTrademarks

TESS basics

- Purpose
  - Allows you to search the database of federally applied-for and registered trademarks.
    - Use the database as part of a likelihood of confusion clearance search.
    - Use the database to search for other information.

TESS basics

- Flexibility
  - Allows you to determine how you search.
    - Create your own search strategy.
      - Truncation
      - Pattern matching
      - Search logic
      - Design codes

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TESS basics

- Flexibility
  - Allows you to determine how you search.
    - Decide what part of the database to search.
      - Field tags

Discussion topic

Searching in TESS

Field tags

- Purpose
  - Allows you to determine where to search in the database.
    - Choose among various "buckets" of information.

Common field tags

Field tag	What it searches	What it returns
[comb]	Multiple data sets of trademarks	Trademarks with words in them
[on]	Owner names	Matching owner names
[ld]	Active/inactive status	Live or dead applications and registrations
[rg]	Current register	Applications and registrations on the Principal or Supplemental Registers

https://tmsearch.uspto.gov/webaka/html/help.htm#SearFiel

Less common field tags

Field tag	What it searches	What it returns
[cc]	Coordinated classes of goods and services	Trademarks in related classes of goods and services
[ic]	International class of goods and services	Trademarks in one specific class of goods or services
[gs]	Goods and services	Applications and registrations with a specific identification of goods or services
[de]	Description of the trademark	Applications and registrations with specific wording in the description of the trademark
[dc]	Design code	Trademarks with designs in them

https://tmsearch.uspto.gov/webaka/html/help.htm#SearFiel

Discussion topic

Searching in TESS: Word mark searching

Truncation

- Purpose
  - Allows you to execute a broad search.
    - Choose among various truncation operators.
      - Search for one instance of an undefined character.
      - Search for zero to infinite instances of an undefined character.
  - **Pro tip:** Use it to search for compound words.

Truncation

Truncation	What it returns	Which field tag	Where to use
*	Unlimited characters	[comb]	Left or right external truncation
$	Unlimited characters	Any	Internal and external truncation
?	One character	Any	Internal and external truncation

https://tmsearch.uspto.gov/webaka/html/help.htm#TrunOper

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Truncation example

- Trademark:
  - FLEX
- Dead-on search won't return:
  - ibuproflex, flexxiz, or neuroreflexivity
- External truncation:
  - *flex*[comb]

Pattern matching

- Purpose
  - Allows you to execute a narrower search.
    - Choose among various pattern matching operators.
      - Customize which characters to search.
      - Customize number of characters to search.
  - **Pro tip:** Use it to search for misspelled words and alternate spellings.

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Common pattern matches

Substitution	What it returns
{v}	Any one vowel – A,E,I,O,U,Y
{v0:2}	Zero, one, or two vowels next to each other
{"e"1:2}	One or two instances of "e"
{"eiy"}	One instance of "e," "i," or "y"
{"eiy"1:3}	One, two, or three instances of "e," "i," or "y" next to each other

https://tmsearch.uspto.gov/webaka/html/help.htm#PattMatc

Pattern matching example

- Trademark:
  - FLEX

- Dead-on search won't return:
  - phlex, flecks, fleqs, fflexx, or phlehccz

- External truncation and pattern matching:
  - *{"fh"}le{"h"0:1}{"ckqx"}*[comb]

Search logic

- Purpose
  - Allows you to broaden and narrow a search.
    - Choose among various search logic operators.
      - Search using traditional Boolean operators.
      - Customize operators to search in proximity.
  - **Pro tip:** Use the SAME operator to search for related goods or services.

Common Boolean operators

Operator	What it returns
AND	Trademarks with both terms
OR	Trademarks with either term
NOT	Trademarks with the first term but not the second
ADJ	Trademarks with both terms and in that order

https://tmsearch.uspto.gov/webaka/html/help.htm#LogiOper

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Logical operator examples

- All trademarks with "cat" and "dog":
  - ("cat" and "dog")[comb]
- All trademarks with "cat" or "dog":
  - ("cat" or "dog")[comb]
- All trademarks with "cat," but not "dog":
  - ("cat" not "dog")[comb]

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Logical operator examples

- All trademarks with "cat" and "dog" within three instances of each other in any order:
    - ("cat" adj3 "dog")[COMB]
- Both types of goods or services appearing in the same international class:
    - (sh{v}rt$ same shoes$ same "ic 025")[GS]

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Searching in TESS: Design mark searching

Design codes

- Purpose
  - Allows you to execute a search for trademarks that include designs.
    - Use the Design Search Code Manual to search for relevant design codes.
    - Use those codes when searching in TESS.
  - **Pro tip:** Use the ? truncation operator to broaden your search within a category.

Design Search Code Manual

United States Patent and Trademark Office

TRADEMARKS

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help

Trademarks > USPTO Design Search Code Manual

USPTO Design Search Code Manual

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KEYWORD SEARCH

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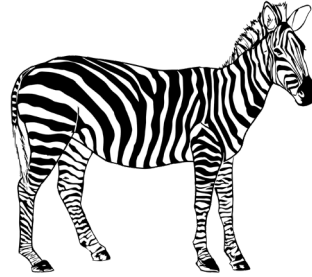
ALPHABETICAL INDEX

TABLE OF CATEGORIES

01   Celestial bodies, natural phenomena, geographical maps
This category includes objects that appear in the sky, including clouds, stars, moons, sun, planets and constellation. Additionally, designs associated with weather conditions such as rainbows, lightning, and snowflakes are found here. Maps of countries and continents are also in 01.

02   Human beings
This category includes representations of men, women and children regardless of the activity they are engaged in or how they are dressed. Stylized humans, those in caricature form, stick figures and parts of the human body are also in this category.

03   Animals
This category includes most animals, except mythological animals. Animals found here include mammals, birds, kiwi, kiwi bird, fish, reptiles and insects. Prehistoric animals, stylized animals and animals with human attributes are also coded in category 03.

https://www.uspto.gov/TrademarkDesigns

Design search code example

- Trademark:

- Sample searches:
  - 030503[dc] – Zebras
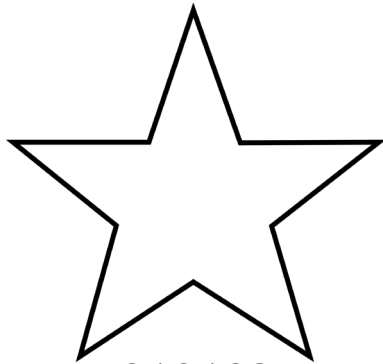 - 0305??[dc] - Horses, donkeys, zebras
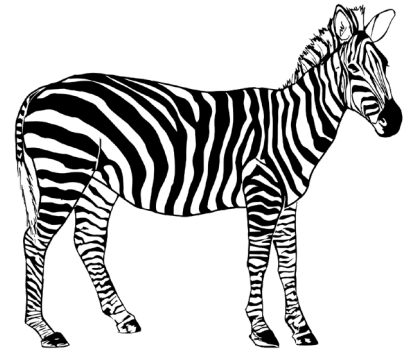 - 03????[dc] - Animals

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Design mark example

Design mark example

010103

ORGANIC

030503

Discussion topic

Common search strategy

Common search strategy

1. Search for owner in [on] field.

2. Execute "dead-on" search in [comb] field.

3. Execute additional searches in [comb] field using truncation and pattern matching.

   – **Pro tip:** "Not out" your previous search to avoid looking at already viewed results.

Common search strategy

4. Execute additional searches looking for alternative versions of the trademark.

   – Words/designs alone and together

   – Words that have similar meanings

   – Acronyms and what they stand for

   – **Pro tip:** Search for pictorial equivalents using the [dc] field tag.

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Common search strategy

- Narrow if needed:
  - By coordinated class with [cc] field tag.
  - By international class with [ic] field tag.
    - **Pro tip:** Use the ("xxx" a b 200)[ic] formula.
  - By goods and services with [gs] field tag.
    - **Pro tip:** Only narrow this way if absolutely necessary.

Sample search

- Owner:
  - John Smith

- Trademark:
  - ZEBRA in standard characters

- Goods and services:
  - T-shirts
  - Online retail store services featuring t-shirts

Sample search live demo

Sample search recap

1. "smith, john"[on]
2. "zebra"[comb] not dead[ld]
3. *zebra*[comb] not dead[ld] not s2
4. *{"sz"}{"eiy"1:3}b{v0:1}r*[comb] not dead[ld] not s3
5. s4 and "025"[cc]

Sample search recap

6. s4 and ("025" "035" "042" a b 200)[ic]
7. 030503[dc] not dead[ld] not s3
8. 0305??[dc] not s7
9. s8 and "025"[cc]
10. s8 and ("025" "035" "042" a b 200)[ic]

Discussion topic

Other helpful searches

Other helpful searches

- Use TESS to search for:
  - Descriptiveness
  - Ownership information
  - Registered or unregistered trademark
  - Hard-to-search trademarks
  - Non-traditional trademarks
  - Similar alphabetical trademarks

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Descriptiveness

- Relevant field tags:
  - **[ds]** – Disclaimer
    - "flexible"[ds]
  - **[rg]** – Register
    - "supplemental"[rg]
    - "principal-2"[rg]

Ownership information

- Relevant field tags:
  - **[on]** – Owner name
    - "apple"[on]
  - **[ow]** – Owner name and address
    - "one apple park way"[ow]

Registered or unregistered

- Relevant field tag:
  - **[on]** – Owner status
    - "registrant"[on]
    - "applicant"[on]

Hard-to-search trademarks

- Relevant field tag:
  - **[de]** – Description
    - "sitar"[de]
    - "configuration"[de]
    - "trade dress"[de]
  - **[fm]** – Full mark
    - "m"[fm]

Non-traditional trademarks

- Relevant field tag:
  - **[de]** – Description
    - "scent"[de]
    - "flavor"[de]
  - **[md]** – Mark drawing
    - "6"[md]
    - "6"[md] and "scent"[de]

Similar alphabetical trademarks

- Browse dictionary feature:
  - Allows you to search an alphabetically-arranged index of terms in the database.
    - Can quickly browse for trademarks that have a particular root word.
    - Can narrow by field tag.
      - "zebra"[comb]
      - "apple"[on]

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Questions?