Federal trademark searching: advanced techniques

Mariessa Terrell
Attorney Advisor, Trademarks Customer Outreach

Jason Lott
Managing Attorney, Trademarks Customer Outreach
Discussion topics

- New trademark search system
- Basic mode
- Expert mode
- Advanced techniques
- Practice tips and short cuts
- USPTO resources
USPTO restrictions

• 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 topic

New trademark search system
New trademark search system

• Why it’s happening
    • It relies on a backend system that will no longer be supported.
    • It relies on a programming language that will no longer be supported.
  – TESS must retire on November 30, 2023.
New trademark search system

• Benefits


    • It allows users to conduct all of the same types of searches that TESS did.
    • It provides a modern, more stable search experience.
    • It provides a platform for more powerful searches.
    • It supports new features and capabilities that will allow us to adapt to your needs and feedback.
Discussion topic

Federal trademark searching: basic mode
Basic mode

You want to register:

RABBIT

as a brand name for

racquet ball rackets
Basic mode

• Dropdown searches
  – Search by all
    • Not recommended for clearance searching
  – Wordmark
Basic mode

• Access the USPTO database.

[Image: Screenshot of the USPTO database search page.]
Basic mode

- Select “Wordmark” and enter search term.

[Image of search interface with search term set to “rabbit”]
Basic mode

• Look for conflicting trademarks.

www.uspto.gov/trademarks/search
Basic mode

• Learn more about the potential conflict.

www.uspto.gov/trademarks/search
Basic mode

• Dropdown searches
  – Search by all
  – Wordmark
  – Goods and services
  – Owner name
  – Serial number
  – Mark description
Discussion topic

Federal trademark searching: expert mode
Expert mode

• Dropdown searches
  – Search by all
  – Wordmark
  – Goods and services
  – Owner name
  – Serial number
  – Mark description

  – Design code
  – Design description
Expert mode

You want to register:

RABBIT

as a brand name for

racquet ball rackets
Expert mode

• Select “Expert” mode.
Expert mode

- Select “Design code.”

www.uspto.gov/trademarks/search
Expert mode

• Select “Design code manual.”
Expert mode

• Select “Keyword search.”
Expert mode

• Enter search term and submit query.

https://tess2.uspto.gov/tmdb/dscm/index.htm
Expert mode

- Copy down six-digit design code.

---

**Goto Alphabetical Index - R**
- Rabbits 03.09.01

**Goto Alphabetical Index - T**
- Television antennas, roof and rabbit ears 16.01.01

**Division 03.09** Rodents, kangaroos, and other small mammals, not including cats and dogs of CATEGORY 03: ANIMALS

| 03.09.01 | Rabbits, hares |
| 03.09.02 | Small mammals other than rabbits, mice, and those with spines or armor. Includes squirrels, beavers, gophers, opossums, weasels, and so on. |
| 03.09.06 | Rats, mice, moles, gerbils, guinea pigs and the like |
| 03.09.07 | Mammals with exteriors of armor, spines, or quills, such as armadillos and porcupines |
| 03.09.09 | Kangaroos and wallabies |
| 03.09.24 | Stylized rodents and other small mammals other than cats and dogs associated with these types, as well as the stylized code if appropriate. See General Guideline 13.A: Cross-code with basic code(s) for |

https://tess2.uspto.gov/tmdb/dscm/index.htm
Expert mode

• Enter six-digit design code.

www.uspto.gov/trademarks/search
Expert mode

• Look for conflicting marks.

www.uspto.gov/trademarks/search
Expert mode

• Dropdown searches
• Filtering by class
  – Coordinated class

www.uspto.gov/trademarks/search
Expert mode

• Dropdown searches
• Filtering by class
  – Coordinated class
  – International class

www.uspto.gov/trademarks/search
Expert mode

• Dropdown searches
• Filtering by class
  – Coordinated class
  – International class
    • Consider 035, 042, a, b, and 200

www.uspto.gov/trademarks/search
Expert mode

- Dropdown searches
- Filtering by class
- Advanced techniques
Discussion topic

Federal trademark searching: advanced techniques
Advanced techniques

• Overview
  – Craft searches without the dropdown menus.
  – Incorporate into your search:
    • Pattern matching
    • Truncation
    • Logical operators
  – Execute “free form”-style searches.
Advanced techniques

• You want to register a wordmark: RABBIT as a brand name for t-shirts
Advanced techniques

• Common search strategy
  – Execute dead-on search.
  – Execute alternate spelling search.
  – Execute truncation and wildcard search.
  – Execute combined term search.
  – Filter search results as needed.
Advanced techniques

• Search preparation
  – Brainstorm trademarks similar to yours.
  – Brainstorm alternate spellings of your mark.
  – Brainstorm alternate meanings of your mark.
  – Brainstorm goods and services related to yours.
  – Look up which USPTO database search fields you want to search.
Discussion topic

Advanced techniques: search fields and field tags
Search fields and field tags

• What are search fields?
  – Database categories available for searching
    • Example:
      – Goods and services

• What are field tags?
  – Abbreviations used to indicate a desired field
    • Example:
      – GS:
Search fields and field tags

• How do field tags work?
  – Place at the front of the search statement.
  – Use capital letters followed by a colon.
  – Type search term in lowercase letters.
    • DS:shoes
    • RG:supplemental
Search fields and field tags

• Combined mark field or CM:
  – Combines multiple trademark categories into a single searchable field.
    • Word mark field
    • Pseudo mark field
    • Translation field
    • Transliteration field
Search fields and field tags

• Design code field or DC:
  – Searches the six-digit code assigned to the mark.
  – Search with or without the internal periods.

<table>
<thead>
<tr>
<th>Search for foxes using design codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>DC:030111</td>
</tr>
<tr>
<td>DC:03.01.11</td>
</tr>
<tr>
<td>DC:(030111 foxes)</td>
</tr>
<tr>
<td>DC:0301*</td>
</tr>
</tbody>
</table>

www.uspto.gov/trademarks/search/design-search-codes
# Search fields and field tags

<table>
<thead>
<tr>
<th>Search field</th>
<th>Field tag</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined mark</td>
<td>CM:</td>
</tr>
<tr>
<td>Design code</td>
<td>DC:</td>
</tr>
<tr>
<td>Live/dead</td>
<td>LD:</td>
</tr>
<tr>
<td>Coordinated class</td>
<td>CC:</td>
</tr>
<tr>
<td>International class</td>
<td>IC:</td>
</tr>
<tr>
<td>Goods/services</td>
<td>GS:</td>
</tr>
<tr>
<td>Disclaimer</td>
<td>DS:</td>
</tr>
<tr>
<td>Serial number</td>
<td>SN:</td>
</tr>
<tr>
<td>Registration number</td>
<td>RN:</td>
</tr>
<tr>
<td>Owner name and address</td>
<td>OW:</td>
</tr>
<tr>
<td>Attorney of record</td>
<td>AT:</td>
</tr>
</tbody>
</table>
Advanced techniques

• Common search strategy
  – Execute dead-on search.
    • rabbit

• Example
  – CM:rabbit
Discussion topic

Advanced techniques: Pattern matching
Pattern matching

• Signal the system for advanced searches.
  – Surround search term with forward slashes.
  – Type search term in lowercase letters.
    • CM:/trademark/
Pattern matching

• Pattern matching searching
  – Allows you to efficiently execute searches that include alternate spellings.
    • CAT → cat or kat or qat or ccat or ckat or cqat, etc.
Pattern matching

• Signal the system to pattern match.
  – Surround letters with square brackets.
  – Use quantifiers to search for multiple instances of a character.

<table>
<thead>
<tr>
<th>Common vowel searches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search a or e or i or o or u or y</td>
</tr>
<tr>
<td>Search 0-1 vowels</td>
</tr>
<tr>
<td>Search 1-2 vowels</td>
</tr>
</tbody>
</table>
# Pattern matching

## Common phonetic equivalent combinations

<table>
<thead>
<tr>
<th>Sound</th>
<th>Example</th>
<th>Pattern match term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hard K</td>
<td>Cat; kite; fox</td>
<td>[ckqx] or [ckqx]{1,2}</td>
</tr>
<tr>
<td>Soft S</td>
<td>Soup; scene; zen</td>
<td>[scz] or [scz]{1,2}</td>
</tr>
<tr>
<td>F/PH</td>
<td>Fun; phonics</td>
<td>[fph] or [fph]{1,2}</td>
</tr>
<tr>
<td>J/G</td>
<td>Genius, jeans</td>
<td>d{0,1}[gj]</td>
</tr>
<tr>
<td>TION</td>
<td>Action, fashion</td>
<td>[scth]{0,3}[aeiou]{1,2}n</td>
</tr>
<tr>
<td>Long I/E</td>
<td>Sigh, lye</td>
<td>[iey]{1,2}</td>
</tr>
</tbody>
</table>
Advanced techniques

• Common search strategy
  – Conduct an alternative spelling search.
    • rabit or raabbit or rabet or rabbet, etc.

• Example
  – CM:/ra{1,2}b{1,2}[aeiouy]t/
Discussion topic

Advanced techniques: truncation and wildcards
Truncation and wildcards

• Wildcards
  – Allow you to efficiently broaden your search.
    • External truncation.
      – CAT → kittycat or catamaran
    • Internal truncation.
      – CAT → capture or crater
# Truncation and wildcards

<table>
<thead>
<tr>
<th>Wildcard</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>.</td>
<td>Match any character (excluding space) exactly one instance</td>
</tr>
<tr>
<td><code>{0,n}</code></td>
<td>Match any character (excluding space) 0 to n instances</td>
</tr>
<tr>
<td>*</td>
<td>Repeat the preceding character 0+ times</td>
</tr>
<tr>
<td>.*</td>
<td>Match any character (excluding space) 0 or more instances (internal)</td>
</tr>
<tr>
<td>.*</td>
<td>Match any character (excluding space) 0 or more instances (external truncation)</td>
</tr>
</tbody>
</table>
Advanced techniques

• Common search strategy
  – Conduct pattern matching with truncation.
    • rrrabbit or rabbitt or fastrabet or rabbetfood, etc.

• Examples
  – CM:/.*ra{1,2}b{1,2}[aeiouy]t.*/
Discussion topic

Advanced techniques: basic operators and groupings
Basic operators and groupings

• Operators
  – Connect two or more search statements.
  – Must be in UPPERCASE letters.
    • AND
    • OR
    • AND NOT
Basic operators and groupings

• Groupings
  – A space is treated as OR.
    • Except when the space is between forward slashes.
      – CM:/.*hip hop.*/ will not find any marks.
      – CM:(/.*hip.*/ /.*hop.*) will find HIP marks or HOP marks.
  – Search statements inside of parentheses are performed first.
# Basic operators and groupings

<table>
<thead>
<tr>
<th>Operators</th>
<th>Explanation</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>AND</td>
<td>Includes only results that meet additional search statements</td>
<td>CM:/<em>.d[oa]g.</em>/ AND DS:food</td>
</tr>
<tr>
<td>OR</td>
<td>Includes results that meet one of multiple search statements</td>
<td>IC:009 OR IC:016</td>
</tr>
<tr>
<td>space</td>
<td>CM:/<em>.hip.</em>/ /.<em>hop.</em>/</td>
<td></td>
</tr>
<tr>
<td>AND NOT</td>
<td>Excludes results of identified search statements</td>
<td>GS:/toy.<em>/ AND NOT GS:/pet.</em>/</td>
</tr>
<tr>
<td>( )</td>
<td>Groups together search statements to be modified by field or operator</td>
<td>IC:(009 a b 200)</td>
</tr>
<tr>
<td></td>
<td>(1 AND 2) OR 4</td>
<td></td>
</tr>
</tbody>
</table>
Advanced techniques

• Common search strategy
  – Conduct combined term search.
    • Registered “rabbit” trademarks.

• Example
  – CM:/.*ra{1,2}b{1,2}[aeiouy]t.*/ AND RG:*
Discussion topic

Advanced techniques: knowledge checks
Knowledge check

Which field code returns the most comprehensive number of trademarks in the new search system?

- WM:
- WP:
- CM:
- [BI, TI]
Knowledge check

Which search string returns more ZEBRA trademark results?

- CM: /[sz]ebr.*/
- CM: /zebr.*/ OR /sebr.*/
- No difference
Knowledge check

Which search string returns more PLEAD trademark results?

• CM:/pl[aeiy]{1,3}d/

• CM:/pl[aeiy]{1,3}d.*/

• CM:/.*pl[aeiy]{1,3}d.*/
Knowledge check

Which search string returns more HAMMOCK trademark results?

• CM:/.*h[aeiouy]{1,2}m{1,2}[aeiouy][ckqx].*/

• CM:/.*h[aeiouy]{1,2}mm[aeiouy][ckqx].*/

• CM:/.*h[aeiouy]{1,2}m{2}[aeiouy][ckqx].*/
Knowledge check

Which search string returns more DOG trademark results?

• CM:/.*dog.*/

• CM:/.*d[aou]{1,2}[hw]{0,1}g.*/

• CM:/.*dog.*/ OR CM:/.*dawg.*/ OR CM:/.*dahg.*/
Knowledge check

Which search string returns CAN’T trademark results?

• CM:/.*[ckq]a{1,2}n{1,2} t.*/

• CM:/.*[ckq]a{1,2}n{1,2}.t.*/

• No difference
Discussion topic

Practice tips and short cuts
Practice tips and short cuts

• Review
  – Tips for simple search strings
    • Field tags precede search term.
    • Field tags must be in all caps.
    • Field tags must be followed by a colon.
    • Search terms must be in lowercase.
Practice tips and short cuts

• Review
  – Tips for advanced search strings
    • Search terms go between two forward slashes.
    • Pattern match by placing letters inside brackets.
    • Request a single character by inserting a period.
    • Request infinite characters by inserting a period and asterisk ("dot star").

CM:/*.trad.m[aeiouy]rk.*/
# Practice tips and short cuts

<table>
<thead>
<tr>
<th>Wildcard</th>
<th>Explanation</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Repeats the preceding character 0+ times</td>
<td>/cat*/ matches ca, cat, catt, cattt, but not cats</td>
</tr>
<tr>
<td>?</td>
<td>Repeats the preceding character 0-1 times</td>
<td>/fis?t/ matches fit and fist</td>
</tr>
<tr>
<td>+</td>
<td>Repeats the preceding character 1+ times</td>
<td>/com+/ matches com, comm, and commm</td>
</tr>
<tr>
<td>( )</td>
<td>Forms a group treated as a single character</td>
<td>/abc(def)/ matches abc and abcdef, but not abcd</td>
</tr>
</tbody>
</table>
# Practice tips and short cuts

<table>
<thead>
<tr>
<th>Operator</th>
<th>Explanation</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot; &quot;</td>
<td>Matches an exact term</td>
<td>ON:“nike inc” returns all marks owned by Nike Inc.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does not return owners with just <em>nike</em> in the name</td>
</tr>
<tr>
<td>[ TO ]</td>
<td>Designates a range</td>
<td>RD:[2020-01-01 TO 2020-12-31] returns all marks with a registration date in 2020</td>
</tr>
<tr>
<td>~</td>
<td>Returns words in a certain proximity</td>
<td>CM:&quot;zebra star&quot;~3 returns <em>zebra star, star zebra, and zebra on a star</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does not return <em>zebra on a rocket to the stars</em></td>
</tr>
</tbody>
</table>
# Practice tips and short cuts

<table>
<thead>
<tr>
<th>Operator</th>
<th>Explanation</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Acts as the OR operator</td>
<td>/abc</td>
</tr>
<tr>
<td></td>
<td>Matches a character or string on the left side or the right side of the bar</td>
<td></td>
</tr>
<tr>
<td>[^ ]</td>
<td>Acts as the AND NOT operator by negating the characters or string in the brackets</td>
<td>/[^abc]/ matches characters except $a$, $b$, or $c$</td>
</tr>
<tr>
<td></td>
<td>Matches any character that’s not listed inside the brackets</td>
<td>/[^a-c]/ matches characters except $a$, $b$, or $c$</td>
</tr>
</tbody>
</table>
# Practice tips and short cuts

<table>
<thead>
<tr>
<th>Operator</th>
<th>Explanation</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>\</td>
<td>Allows you to search a reserved character such as: . ? + *</td>
<td>/disney+/ matches <em>disney</em>+</td>
</tr>
<tr>
<td></td>
<td></td>
<td>\ / # &amp; &amp; &lt; &gt; ~ - : ;</td>
</tr>
<tr>
<td></td>
<td>Matches any character to the right of the backslash</td>
<td>/disney+/ matches <em>disney</em>+</td>
</tr>
<tr>
<td>[ ]</td>
<td>Allows you to search a reserved character such as: . ? + *</td>
<td>/disney[+]/ matches <em>disney</em>+</td>
</tr>
<tr>
<td></td>
<td></td>
<td>\ / # &amp; &amp; &lt; &gt; ~ - : ;</td>
</tr>
<tr>
<td></td>
<td>Matches any character inside the brackets</td>
<td>/disney[+]/ matches <em>disney</em>+</td>
</tr>
</tbody>
</table>
# Practice tips and short cuts

<table>
<thead>
<tr>
<th>Search query</th>
<th>Search string</th>
</tr>
</thead>
<tbody>
<tr>
<td>Find all marks owned by Acme filed in 2023</td>
<td>OW:acme AND FD:[20230101 TO *]</td>
</tr>
<tr>
<td>Find all marks owned by Acme registered in 2023</td>
<td>OW:acme AND RD:[20230101 TO *]</td>
</tr>
<tr>
<td>Find all pending applications</td>
<td>SN:* AND NOT RN:*</td>
</tr>
<tr>
<td>Find all marks published for opposition, but not registered</td>
<td>(SN:* AND PO:true) AND NOT RN:*</td>
</tr>
<tr>
<td>Find all registrations</td>
<td>RN:*</td>
</tr>
<tr>
<td>Find a record by application serial number</td>
<td>SN:XXXXXXXX</td>
</tr>
<tr>
<td>Find a record by registration number</td>
<td>RN:XXXXXXX</td>
</tr>
<tr>
<td>Find a specific attorney, Jane Smith</td>
<td>AT:&quot;Jane Smith&quot;</td>
</tr>
</tbody>
</table>
Discussion topic

USPTO resources
USPTO resources

www.uspto.gov/trademarks/search
USPTO resources

www.uspto.gov/trademarks/search
USPTO resources

www.uspto.gov/trademarks/search
USPTO resources

- Trademark Assistance Center
  - Phone: 1-800-786-9199
  - TrademarkAssistanceCenter@uspto.gov

- USPTO virtual assistant
  - www.uspto.gov/trademarks/basics
USPTO resources

• USPTO trademark alerts
  – www.uspto.gov/subscribe

• USPTO YouTube channel
  – www.youtube.com/user/USPTOvideo