

Seven-step federal trademark search strategy

- 1. Describe the products or services being sold with the mark.**
- 2. Identify specific terms for your product or service using the online *ID Manual*.** Begin with this alphabetical listing of acceptable terms for the identification of goods and services. The *ID Manual* is searchable on the USPTO website at <http://tess2.uspto.gov/netathtml/tidm.html>. Locate terms that describe your good or service. For example, "flying discs" is the acceptable term for a flying saucer-type toy.
- 3. Determine international class.** The entry for your product or service in the online *ID Manual* will also list the appropriate international class for that product or service. While providing the class for your goods or services is not a requirement for an application (an exception is a TEASPlus application), knowing your international class can aid in focusing your search.
- 4. Determine related goods or services and their classes.** Identify terms for related goods and/or services that are used, advertised, or sold with your product. For instance, peanut butter is sold and used with jellies and jams in the *ID Manual*. Also scan the *International Classification of Goods and Services* for classes that are related to your product or service. (<http://www.uspto.gov/trademarks/notices/international.jsp>)
- 5. Develop a basic search strategy.** Brainstorm several alternatives to your mark in case your first choice is taken. Are there reasons why the USPTO might reject your mark? (See common refusals at http://tess2.uspto.gov/webaka/html/Likelihood/Likelihood_of_Confusion.html). If your mark includes a phrase, what are the most important keywords? Don't forget to use truncation devices (*) or wildcards (?) to look for marks with word stems similar to yours.
- 6. Broaden your search strategy.** Consider searching with alternative spellings and homonyms to your mark. Use words that have the same or similar meanings to your mark. Also, try words that have similar sounds or appearances or even phonetic equivalents. If necessary, the strategy can be narrowed later by limiting your search results with the goods/services you found in Step 2 or the international class you found in Step 3.
- 7. Conduct the search.** Search on *TESS*—the USPTO's web-based Trademark Electronic Search System—at your local Patent and Trademark Resource Center (www.uspto.gov/ptrc) or at home if you have internet access.

NOTE: Search logos and designs if needed. Use the *Design Search Code Manual* (<http://tess2.uspto.gov/tmdb/dscm/index.htm>) to determine the correct design search code(s) for your mark's graphic design components (if it has any). Use these design codes in a search on *TESS* to see if there are other marks with a similar design element for similar products/services as yours.