United States Patent and Trademark Office

Trademark Electronic Application System

PTO Form PTO Form 1963 (Rev 5/2006)
OMB No. 0651-0055 (Exp. 06/30/2012)

Combined Declaration of Use and/or Excusable Nonuse/ Application for Renewal of Registration of a Mark under Section 8 & 9

(15 U.S.C. § § 1058 & 1059)

TEAS - Version 4.8 : 01/22/2011

You must file a Section 8 declaration, specimen, and fee on date that falls on or between the ninth (9th) and tenth (10th) anniversaries of the registration, and each successive ten-year period thereafter (or, for an extra fee of $100.00 per class, you may file within the six-month grace period). Also, you must file a renewal application within the same period (or, for an extra fee of $100.00 per class, you may file within the six-month grace period following the registration expiration date). FAILURE TO FILE THIS DOCUMENT WILL RESULT IN CANCELLATION/EXPIRATION OF THE REGISTRATION. **Note**: Because the time for filing a ten-year Section 8 declaration coincides with the time for filing a Section 9 renewal application, you may use this combined §§ 8 & 9 form.

NOTE: You must complete any field preceded by the symbol "*".

WARNING: This form has a session time limit of 60 minutes. Your "session" began as soon as you accessed this initial Form Wizard page. If you exceed the 60-minute time limit, the form will not validate and you must begin the entire process again; you can, however, extend the time limit. You should always try to have all information required to complete the form prior to starting any session.

* **Enter a Registration Number**: [ ] *(required only if completing the form for the first time)*

WARNING: Be sure you are entering a registration number and NOT a serial number.

OR

Access previously-saved data using the "Browse/Choose File" button below to access the file from your local drive. NOTE: For specific instructions, please click here. FAILURE TO FOLLOW THESE INSTRUCTIONS WILL RESULT IN THE DISPLAY OF YOUR DATA IN AN XML FORMAT THAT CANNOT BE EDITED. NOTE: Do NOT attempt to use the button below to upload an image file (for example, a specimen). You must use the button that will be presented for that purpose *within the proper section of the actual form.*

Browse...

Continue Clear

Privacy Policy

The information collected on this form allows the applicant to demonstrate that it has commenced use of the mark in commerce. With respect to applications filed on the basis of an intent to use the mark, responses to the request for information are required to obtain the benefit of a registration on the Principal or Supplemental register. 15 U.S.C. § § 1058 and 1059 and 37 CFR Part 2, 2.166, 2.168, 2.182, 2.183 and 2.185. All information collected will be made public. Gathering and providing the information will require an estimated 12 minutes. Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the USPTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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Each field name links to the relevant section of the "HELP" instructions that will appear at the bottom of the screen. Fields containing the symbol "*" **must** be completed; all other relevant fields should be completed if the information is known. If there are multiple signatories, click on the Form Wizard.

i

Important: ONCE THIS FORM IS SUBMITTED ELECTRONICALLY, THE OFFICE WILL IMMEDIATELY PROVIDE THE SENDER WITH AN ELECTRONIC ACKNOWLEDGMENT OF RECEIPT. Please contact TEAS@uspto.gov if you do not receive this acknowledgment within 24 hours of transmission (or by the next business day).

Contact Points:
For **general** trademark information, please e-mail TrademarkAssistanceCenter@uspto.gov, or telephone 1-800-786-9199. If you need help in resolving **technical** glitches, please e-mail TEAS@uspto.gov. Please include your telephone number in your e-mail, so we can talk to you directly, if necessary. For **status** information, use http://tarr.uspto.gov.

NOTE: Do NOT attempt to check status until at least 72 hours after submission of a filing, to allow sufficient time for our databases to be updated.

Instructions

To file this form, please complete the following steps:

1. Fill out all fields for which information is known. Fields with a * symbol are mandatory for filing purposes and must be completed.
2. Validate the form, using the "button" at the end of the form. If there are errors, go back to step 1.
3. Use the Pay/Submit button at the bottom of the Validation Screen. This will allow you to choose from 3 different payment methods: credit card, automated deposit account, or electronic funds transfer. After accessing the proper screen for payment, and making the appropriate entries, you will receive a confirmation screen if your transmission is successful. Or, use the "Download Portable Data" Button to save your work for submission at a later time.
4. You will receive an e-mail acknowledgement of your submission.

Registration Number:	
Mark:	
Registration Date	
Currently Authorized Correspondence E-mail Address	N/A

NOTE: Please consider authorizing the USPTO to communicate with you by e-mail, to allow for instant notification when an Office action or official notice issues. You can go to the TEAS Change of Correspondence Address form to enter an e-mail address and provide the authorization. For any technical issues with this process, please contact TEAS@uspto.gov.

1. Is an attorney filing this form?

NOTE: The USPTO considers powers of attorney to end upon either (1) the date of registration; or (2) the final acceptance or denial of a required post-registration filing. Therefore, if you answer YES to this question and file this form, the USPTO will presume that you are the registrant's attorney. This filing will automatically update the "Attorney of Record" and the "Correspondence Address" data fields in the USPTO's TARR database. After submission of this form, it is not necessary to file a separate Appointment of Attorney form or Change of Correspondence Address form. Once the USPTO recognizes an attorney with respect to the submission of a required post-registration filing, such as an affidavit under Section 8, an application for renewal under Section 9, etc., the USPTO will recognize only that attorney for all submissions related to that filing, such as responses to Office actions, petitions, etc., unless and until the registrant revokes and appoints a new power of attorney or the filing is completely resolved (e.g., by acceptance, renewal, or abandonment).

○ Yes ◉ No

2. Do you want to appoint a Domestic Representative?

○ Yes ◉ No

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Owner Information	
☐ Check this box to modify the owner name that appears below if the name does not identify the current owner of the registration. Note: If this change relates to a change in the correspondence address or e-mail, please use the Change of Correspondence Address Form.	
*Name	**WARNING:** If the entity or person whose name appears immediately above is **not** the current owner of the registration, you **must** ensure that the current owner data is correct ***on this form*** prior to transmission. Furthermore, the document cannot be accepted and USPTO records will not be updated unless you file a change of name document/assignment and recordation form. ***If the correct name does not appear in the box above, before filing you must:*** (1) submit a change of name document/assignment and recordation form if you have not previously done so; (2) check the box above (top) that appears to the left of the words "Check this box to modify the owner name;" (3) delete the name that appears immediately above; and (4) type in the name of the ***current*** owner of the registration. **Note:** If an individual, use the following format: Last Name, First Name Middle Initial or Name, if applicable.
☐ **DBA (doing business as)** ☐ **AKA (also known as)** ☐ **TA (trading as)** ☐ **Formerly**	

Entity Type ◉ Individual ○ Corporation ○ Limited Liability Company ○ Partnership ○ Limited Partnership ○ Joint Venture ○ Sole Proprietorship ○ Trust ○ Estate ○ Other	**Country of Citizenship**: Note: You may correct an error or omission in the original listing. However, if the State/ Country of Incorporation has actually changed, you should file an assignment document form PTO-1594.
Internal Address	
* **Street Address**	**NOTE:** You must limit your entry here, and for all remaining fields within this overall section (except City, see *below*), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, *e.g.*, St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
* **City**	**NOTE:** You must limit your entry here to no more than 22 characters.
* **State** **(Required for U.S. applicants)**	**NOTE:** You must include as part of the "city" entry any information related to geographical regions (*e.g.*, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (*e.g.*, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.
* **Country or U.S. Territory**	
* **Zip/Postal Code** **(Required for U.S. applicants only)**	
Phone Number	
Fax Number	

Internet E-mail Address	While the application may list an e-mail address for the owner, owner's attorney, and/or owner's domestic representative, **only** one e-mail address may be used for correspondence, in accordance with Office policy. The owner must keep this address current in the Office's records. ☐ Check here to authorize the USPTO to communicate with the owner via e-mail. **NOTE**: By checking this box, the owner acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The owner should periodically check the status of its application through the Trademark Applications and Registrations Retrieval (TARR) database, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the owner's security or anti-spam software, or any problems within the owner's e-mail system. All sent actions can be viewed on-line, from Trademark Document Retrieval.

Go Back | Continue

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Miscellaneous Information

To attach your image, please note that:
*JPG/PDF image file(s) showing specimen(s) must be on your local drive.
*The image size cannot exceed 5 megabytes per attachment.

Click here to Attach/Remove Miscellaneous 0 image(s) attached

Miscellaneous Statement: Enter information for which no other section of the form is appropriate.

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Goods and/or Services Information

WARNING: Registration Subject to Cancellation for Fraudulent Statements
You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a trademark registration. The lack of use on all goods and/or services for which you claim use in a post-registration filing with the USPTO could jeopardize the validity of the registration and result in its cancellation.

Enter information for the Class

* International Class:

Current listing of goods/services:

◉ The mark is in use in commerce on or in connection with **all** goods or services listed in the existing registration for this class; or, the owner is claiming excusable nonuse for this entire class.

○ This filing does **not** cover this specific class. This entire class is to be permanently **deleted** from the registration.

○ **Deleted Goods or Services:** This filing does **NOT** cover the following goods or services for this specific class listed in the registration, and these goods or services are to be permanently **deleted** from the registration: **WARNING:** Any item listed below will be permanently deleted from the registration and at that point may NOT be reinserted.

LEAVE THIS SPACE BLANK IF THE MARK IS IN USE IN COMMERCE ON OR IN CONNECTION WITH **ALL** THE GOODS OR SERVICES IN THE EXISTING REGISTRATION FOR THIS SPECIFIC CLASS, OR IF THE OWNER IS CLAIMING EXCUSABLE NONUSE FOR **ALL** THE GOODS OR SERVICES FOR THIS SPECIFIC CLASS. LIST THE GOODS OR SERVICES TO BE DELETED.

Remaining Goods or Services: The mark is in use in commerce on or in connection with the following goods or services listed in the existing registration for this specific class; or if the owner is claiming excusable nonuse, list those specific goods or services to which the claim applies, *following the specific instructions here:*

ENTER HOW THE **COMPLETE** "FINAL" LISTING SHOULD READ THAT WILL IDENTIFY THE GOODS/SERVICES IN USE IN COMMERCE OR FOR WHICH THE OWNER IS CLAIMING EXCUSABLE NONUSE (FOLLOW INSTRUCTIONS IDENTIFIED ABOVE) FOR THIS SPECIFIC REGISTRATION (I.E., REMOVE THOSE GOODS OR SERVICES IDENTIFIED IN THE PRECEDING BOX). DO NOT ATTEMPT TO ADD OR MODIFY ANY OTHER WORDING, SINCE SUCH CHANGES ARE NOT ALLOWED.

Use Information

NOTE: If deleting an entire class, you can by-pass any fields listed therein as being "mandatory."

***Specimen Image File**

NOTE: For an **instructional video** on what is an appropriate specimen for a good or service, click here. (To view video, you must have Windows Media Player installed. For information about downloading Windows Media Player, click here.)

To attach your image, please note that:

*JPG/PDF image file(s) showing specimen(s) must be on your local drive.

*The image size cannot exceed 5 megabytes per attachment.

Click here to Attach Specimen(s) 0 image(s) attached

*Describe what the specimen submitted consists of:

Excusable Nonuse Explanation:

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NOTE: You must "**Browse/Choose File**" AND "**Attach**" each file, as described in Steps 1 and 2 below. If you do NOT click on the "**Attach**" button after selecting the correct file via the "**Browse/Choose File**" button, the file will not be attached to the form.
WARNING: The file **MUST** be in the JPG/PDF format and the size cannot exceed 5 megabytes per attachment.

Click on the "Browse/Choose File" button to select a file you wish to upload:

Browse... Attach

Return to Application

Status:

File Uploaded:

To attach an image, please complete the following steps:

1. Click on "**Browse/Choose File**" button to select the scanned file (JPG/PDF format only) from your local drive.
2. Click on "**Attach**" button to attach the selected file.
3. To attach additional file(s), return to step 1.
4. To remove unwanted file(s), simply clicking "**Remove**" button right below the file (s).
5. Click on "**Return to Application**" and return back to the form, but ONLY once you see the file(s) loaded above.

WARNING: A submission must be complete within the "4 corners" of the actual

transmitted document. Information only accessible through a link, but not part of the submission itself, will **NOT** be considered to be made of record. E.g., if you wish a catalogue to be considered as evidence, you must present the actual pages of the catalogue, and not merely reference that the catalogue is available for viewing at a particular url. The url will **NOT** be independently accessed as part of the examination process, and any materials presented only "by reference" will not constitute part of the actual file.

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Correspondence Information	
Current Correspondence Information	
* **Correspondent Name**	
Firm Name	
Docket/Reference Number	
Internal Address	
* **Street Address**	**NOTE:** You must limit your entry here, and for all remaining fields within this overall section (except City, see *below*), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, *e.g.*, St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.

* City	**NOTE:** You must limit your entry here to no more than 22 characters.
* State (Required for U.S. applicants only)	**NOTE:** You must include as part of the "city" entry any information related to geographical regions (*e.g.*, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (*e.g.*, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.
* Country or U.S. Territories	
* Zip/Postal Code (Required for U.S. applicants only)	
Phone Number	
Fax Number	
Internet E-mail Address	☐ Check here to authorize the USPTO to communicate with the registrant or its representative via e-mail. **NOTE**: While you may list an e-mail address for the registrant, registrant's attorney, and/or registrant's domestic representative, **only** one e-mail address may be used for correspondence, in accordance with Office policy. You must keep this address current in the Office's records. NOTE: By checking this box, you acknowledge sole responsibility for receipt of USPTO documents sent via e-mail. You should periodically check the status of your filing through the Trademark Applications and Registrations Retrieval (TARR) database, to see if the Post Registration Division has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to e-mail security or anti-spam software, or any other problems with your e-mail system.

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Fee Information	
Combined §§ 8 & 9 Declaration/Application Filing Fee: $500	
Number of Classes	**1**
Note: The filing fee is computed based on the Number of Classes in which the goods and/or services associated with the mark are classified.	
Combined §§ 8 & 9 Declaration/Application Filing Fee (Number of Classes x $500 (per class)	**$** 500
Grace Period Fee: $200 (if filing during the six-month grace period, enter the Combined §§ 8 & 9 Declaration/ Application Grace Period Fee)	
Grace Period Fee (Number of Classes x $200 (per class)	**$** 200
Total fee paid (Note: The total fees paid is the sum of the Combined §§ 8 & 9 Declaration/Application filing fee due and the grace period fee due, if applicable.)	
Amount **Combined §§ 8 & 9 Declaration/Application Filing fee + Grace Period fee**	**$** 700

NOTE: Three payment options (credit card, automated deposit account, and Electronic Funds Transfer) will appear after clicking on the PAY/SUBMIT button, which is available on the bottom of the Validation Page after completing and validating this form.

Go Back | Continue

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Signature Information

Click to choose ONE signature method:

◉ Sign directly ○ E-mail Text Form to second party for signature ○ Handwritten pen-and-ink signature

Electronic Signature

The form will not be "signed" in the sense of a traditional paper document. To verify the contents of the above, the signatory must enter any alpha/numeric character(s) or combination thereof **of his or her choosing**, preceded and followed by the forward slash (/) symbol. The USPTO does **not** determine or pre-approve what the entry should be, but simply presumes that this specific entry has been adopted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "signatures" could include /john doe/; /jd/; or /123-4567/.

DECLARATION

Section 8: Declaration of Use and/or Excusable Nonuse in Commerce

Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Section 9: Application for Renewal

The registrant requests that the registration be renewed for the goods and/or services identified above.

* Signature	NOTE: Only one signature is required, regardless of the number of applicants. The person signing for each section may be different, depending on who has the required knowledge to sign.	* Date Signed	(MM/DD/YYYY)
* Signatory's Name			
* Signatory's Position	NOTE: Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner;" if an attorney, enter "Attorney of record, **[specify at least one state]** bar member;" if an authorized signatory of a business entity enter, e.g., "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company).		

Go Back Validate

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On Thu Apr 07 17:57:36 EDT 2011 **You completed all mandatory fields (but we have not yet determined whether the information is correct). Please continue below either to print Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9, download and save it, or actually electronically pay the filing fee and submit the validated Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9 to the USPTO for filing.**

STEP 1: Review the application data in various formats, by clicking on the phrases under Application Data. Use the print function within your browser to print these pages for your own records.
Note: It is important that you review this information for accuracy and completeness now. Corrections after submission may not be permissible, thereby possibly affecting your legal rights.

Application Data			
Input	Specimen(s)	XML File	Text Form

■ **STEP 2:** If any of the information is incorrect, click on the Go Back to Modify button below to make changes; then re-validate using the Validate Form button at the bottom of the Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9. If there are no errors and you are ready to file electronically, first use your print function within your browser to print each of these pages for your own records. Then, click on the Pay/Submit button below. This will bring up a screen for you to enter the appropriate payment information. After successful entry of the payment information, you will be able to complete the submission to the USPTO.

■ **STEP 3:** If there are no errors and you are ready to file this response electronically, confirm the email address for acknowledgment. Once you submit a response electronically, we will send an electronic acknowledgment of receipt to the email address entered below. If no email address appears, you must enter one. If we should send the acknowledgment to a different email address, or to an additional address(es), please enter the proper address or additional address(es). **For multiple addresses/receipts, please separate email addresses by either a semicolon or a comma.**

NOTE: This e-mail address is only for the purpose of receiving the acknowledgment that the transmission reached the USPTO, and is not related to the e-mail that will be used for correspondence purposes (although it could be the same address). The official e-mail address that the USPTO will use for any communication is whatever appears in the record for that purpose. If necessary, use the Change of Correspondence address form to update an e-mail address, as it will NOT be changed based on the specific entry below.

* **E-mail for acknowledgment**	
To ensure we can deliver your e-mail confirmation successfully, please re-enter your **e-mail address(es)** here:	
* **E-mail for acknowledgment**	

■ **STEP 4:** Read and check the following:

Important Notice:

Once you submit a Combined Declaration of Use and/or Excusable Nonuse/ Application for Renewal of Registration of a Mark under Sections 8 & 9, either electronically or through the mail, we will not refund your fee, because it is a processing fee for our substantive review.

☐ If you have read and understand the above notice, please check the box before you click on the **Pay/Submit** button.

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United States Patent and Trademark Office

System Outage- Sunday, April 10, 2011- Midnight-8am EDT.

Due to network maintenance being performed, the services provided on the Office of Finance Online Shopping Page will be unavailable on Sunday, April 10, 2011 between midnight and 8:00am EDT. We apologize for any inconvenience this may cause.

Security enhancement to EFT account maintenance and payment processing

Beginning December 19, 2010, the USPTO is implementing multi-factor authentication for EFT payments and EFT account maintenance. Whenever a customer makes a payment using their EFT account or attempts to view or modify their EFT account information, an e-mail will be sent to the address associated with the account. In order to authenticate your identity, click on the link found in this e-mail within the specified time frame and follow the instructions to complete the transaction. Please ensure your e-mail service is set up to accept e-mails from 'RAMSupport@uspto.gov' and 'donotreply@uspto.gov' to receive EFT authentication e-mails from the USPTO. (Note: Deposit account and credit card payment methods are not affected.)

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