



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*.**

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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](#).

**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](mailto: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](mailto:TrademarkAssistanceCenter@uspto.gov), or telephone 1-800-786-9199. If you need help in resolving **technical** glitches, please e-mail [TEAS@uspto.gov](mailto: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

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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.

<b>Registration Number:</b>	
<b>Mark:</b>	
<b>Registration Date</b>	
<b>Currently Authorized Correspondence E-mail Address</b>	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](mailto: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](#).

**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](#).

**\*Name**

***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

<p><b><u>Entity Type</u></b></p> <p><input checked="" type="radio"/> <b><u>Individual</u></b></p> <p><input type="radio"/> <b><u>Corporation</u></b></p> <p><input type="radio"/> <b><u>Limited Liability Company</u></b></p> <p><input type="radio"/> <b><u>Partnership</u></b></p> <p><input type="radio"/> <b><u>Limited Partnership</u></b></p> <p><input type="radio"/> <b><u>Joint Venture</u></b></p> <p><input type="radio"/> <b><u>Sole Proprietorship</u></b></p> <p><input type="radio"/> <b><u>Trust</u></b></p> <p><input type="radio"/> <b><u>Estate</u></b></p> <p><input type="radio"/> <b><u>Other</u></b></p>	<table border="1" data-bbox="841 409 1560 640"> <tr> <td data-bbox="841 409 1063 640"> <p><b>Country of Citizenship</b></p> </td> <td data-bbox="1063 409 1560 640"> <div data-bbox="1073 415 1544 472" style="border: 1px solid black; height: 27px; width: 290px;"></div> <p>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 <a href="#">assignment document form PTO-1594</a>.</p> </td> </tr> </table>	<p><b>Country of Citizenship</b></p>	<div data-bbox="1073 415 1544 472" style="border: 1px solid black; height: 27px; width: 290px;"></div> <p>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 <a href="#">assignment document form PTO-1594</a>.</p>
<p><b>Country of Citizenship</b></p>	<div data-bbox="1073 415 1544 472" style="border: 1px solid black; height: 27px; width: 290px;"></div> <p>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 <a href="#">assignment document form PTO-1594</a>.</p>		
<p><b>Internal Address</b></p>	<div data-bbox="841 953 1555 1010" style="border: 1px solid black; height: 27px; width: 440px;"></div>		
<p><b>* Street Address</b></p>	<div data-bbox="841 1037 1555 1094" style="border: 1px solid black; height: 27px; width: 440px;"></div> <p><b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see <i>below</i>), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, <i>e.g.</i>, St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.</p>		
<p><b>* City</b></p>	<div data-bbox="841 1289 1555 1346" style="border: 1px solid black; height: 27px; width: 440px;"></div> <p><b>NOTE:</b> You must limit your entry here to no more than 22 characters.</p>		
<p><b>* State</b> (Required for U.S. applicants)</p>	<div data-bbox="841 1428 1133 1484" style="border: 1px solid black; height: 27px; width: 180px;"></div> <p><b>NOTE:</b> You must include as part of the "city" entry any information related to geographical regions (<i>e.g.</i>, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (<i>e.g.</i>, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.</p>		
<p><b>* Country or U.S. Territory</b></p>	<div data-bbox="841 1673 1312 1730" style="border: 1px solid black; height: 27px; width: 290px;"></div>		
<p><b>* Zip/Postal Code</b> (Required for U.S. applicants only)</p>	<div data-bbox="841 1757 1555 1814" style="border: 1px solid black; height: 27px; width: 440px;"></div>		
<p><b>Phone Number</b></p>	<div data-bbox="841 1848 1555 1904" style="border: 1px solid black; height: 27px; width: 440px;"></div>		
<p><b>Fax Number</b></p>	<div data-bbox="841 1932 1555 1988" style="border: 1px solid black; height: 27px; width: 440px;"></div>		

**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](#).

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**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**

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

**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:

<input type="text"/>	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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TEAS - Version 4.8 : 01/22/2011

Correspondence Information	
<b>Current Correspondence Information</b>	
<b>* <a href="#">Correspondent Name</a></b>	<input style="width: 95%; height: 20px;" type="text"/>
<b><a href="#">Firm Name</a></b>	<input style="width: 95%; height: 20px;" type="text"/>
<b><a href="#">Docket/Reference Number</a></b>	<input style="width: 95%; height: 20px;" type="text"/>
<b><a href="#">Internal Address</a></b>	<input style="width: 95%; height: 20px;" type="text"/>
<b>* <a href="#">Street Address</a></b>	<input style="width: 95%; height: 20px;" type="text"/> <p><b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see <i>below</i>), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, <i>e.g.</i>, St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.</p>

<p><b>* <u>City</u></b></p>	<input data-bbox="529 86 1325 149" type="text"/> <p><b>NOTE:</b> You must limit your entry here to no more than 22 characters.</p>
<p><b>* <u>State</u></b>  <b>(Required for U.S. applicants only)</b></p>	<input data-bbox="529 218 854 281" type="text"/> <p><b>NOTE:</b> 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.</p>
<p><b>* <u>Country or U.S. Territories</u></b></p>	<input data-bbox="529 480 1049 543" type="text"/>
<p><b>* <u>Zip/Postal Code</u></b>  <b>(Required for U.S. applicants only)</b></p>	<input data-bbox="529 606 1325 669" type="text"/>
<p><b><u>Phone Number</u></b></p>	<input data-bbox="529 726 1325 789" type="text"/>
<p><b><u>Fax Number</u></b></p>	<input data-bbox="529 821 1325 884" type="text"/>
<p><b><u>Internet E-mail Address</u></b></p>	<input data-bbox="529 915 1325 978" type="text"/>  <p><input type="checkbox"/> Check here to <a href="#">authorize</a> the USPTO to communicate with the registrant or its representative via e-mail.  <b>NOTE:</b> While you may list an e-mail address for the registrant, registrant's attorney, and/or registrant's domestic representative, <b>only</b> one e-mail address may be used for correspondence, in accordance with <a href="#">Office policy</a>. 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 <a href="#">Trademark Applications and Registrations Retrieval (TARR)</a> 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.</p>

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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.

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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 &amp; 1059)

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### 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.*

<p><b>* <a href="#">Signature</a></b></p>	<input data-bbox="342 75 985 128" type="text"/> 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.	<p><b>* <a href="#">Date Signed</a></b></p>	<input data-bbox="1192 128 1409 180" type="text"/> (MM/DD/YYYY)
<p><b>* <a href="#">Signatory's Name</a></b></p>	<input data-bbox="342 285 985 338" type="text"/>		
<p><b>* <a href="#">Signatory's Position</a></b></p>	<input data-bbox="342 359 985 411" type="text"/> 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).		

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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)

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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.

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