CONTENTS

(By Chapters)

-	in TMEP Third Edition, Rev. 2	
Forewor	d	i
Contents		iii
Introduc	tion	Intro-1
Chapter	100 General Information	
	200 Application Filing Date	
	300 Filing and Receipt of Documents	
	400 Processing Documents and Fees	400-1
	500 Change of Ownership	
	600 Attorney or Representative	
	700 Procedure for Examining Applications	
	800 Application Requirements	
	900 Use in Commerce.	
	1000 Applications under International Agreements	1000-1
	1100 Intent-to-Use and Related Documents	1100-1
	1200 Substantive Examination of Applications	1200-1
	1300 Examination of Different Types of Marks	
	1400 Classification and Identification of Goods and Services	
	1500 Post-Examination Procedures	
	1600 Registration and Post-Registration Procedures	1600-1
	1700 Matters Submitted to Director	
	1800 Public Inquiries About Applications and Registrations	1800-1
Appendi	x A Examining Attorneys' Appeal Briefs	
	x B List of Members of International Trademark Agreements	
	x C Notes of Other Statutes	
11	Decisions	

TRADEMARK MANUAL OF EXAMINING PROCEDURE

(TMEP)

CONTENTS

(By Sections)

Chapter 100 - General Information

Trademark Statute and Rules
United States Patent and Trademark Office World Wide
Web Page
Trademark Forms
Trademark Searching
General Information Booklet Concerning Trademarks
The <i>Official Gazette</i>
Trademark Manuals
Status Inquiries
Internet Information
Recorded Status Messages
Personal Telephone Assistance
Due Diligence: Duty to Monitor Status
Access to Files
Access by Public to Pending Unpublished Application Files
Access by Public to Files of Pending But Published
Applications, Registrations, Abandoned Applications, and
Terminated Inter Partes Proceedings
Making Copies of Material in Files
Decisions Available to the Public
Requests for Copies of Trademark Documents
Patent and Trademark Depository Libraries
Chapter 200 - Application Filing Date
What Constitutes Filing Date
Effective Filing Date Controls for Purposes of Determining
Priority for Publication or Issue
Constructive Use Priority
Requirements for Receiving a Filing Date
Clear Drawing of the Mark
Listing of Recognizable Goods or Services

202.03 Filing Fee for At Least One Class of Goods or Services

202.03(a)	Fee Payment Refused or Charged Back By Financial Institution
202.03(a)(i)	Processing Fee for Payment Refused or Charged Back By Financial Institution
203	Review for Compliance With Minimum Requirements
204	Defective or Informal Application Papers
204.01	Filing Date Cancelled if Application Papers are Defective
204.02	Resubmission of Defective Papers
204.03	Examining Attorney's Handling of Application Papers That
	Are Erroneously Accorded a Filing Date
205	Filing Date Is Not Normally Changed
206	Effective Filing Date
206.01	Amendment of §1(b) Application from Principal Register to
	Supplemental Register upon Filing of Allegation of Use
206.02	Application Claiming Priority under §44(d)
206.03	Applications Filed Before November 16, 1989, That Are
	Amended to the Supplemental Register on or After
	November 16, 1989

Chapter 300 - Filing and Receipt of Documents

301	Trademark Electronic Application System
302	Correspondence with the United States Patent and
	Trademark Office - In General
302.01	Original Documents Generally Not Required
302.02	Multiple Copies of Papers Should Not Be Filed
302.03	Identifying the Nature of Papers Filed
302.03(a)	Correspondence Pertaining to Trademark Applications
302.03(b)	Correspondence Pertaining to Trademark Registrations
303	Receipt of Documents by the Office
303.01	Date of Receipt
303.02	Acknowledgment of Receipt
303.02(a)	Electronic Mail Confirmation of Receipt of TEAS Document
303.02(b)	"Office Date" Label Showing Receipt
303.02(c)	Postcard Receipt
303.02(c)(i)	Postage on Return Receipt Postcards
304	Electronic Mail
304.01	Communications Acceptable Via Electronic Mail
304.02	Communications Not Acceptable Via Electronic Mail
304.03	Authorization of Electronic Mail Communications
304.04	Filing Date of Electronic Mail
304.05	Certificate of Transmission by Electronic Mail
304.06	Office Procedures for Processing Incoming Electronic Mail
304.07	Outgoing Electronic Mail
304.08	Signature of Electronic Mail
304.09	E-Mail Addresses for Correspondence With the Office

Should Not Be Sent to the Office305Mailing Documents to the Office305.01Mailing Addresses305.02Certificate of Mailing Procedure305.02(a)When Certificate of Mailing Procedure May Be Used305.02(b)Mailing Requirements305.02(c)Location and Form of Certificate305.02(c)Location and Form of Certificate305.02(c)Effect of Certificate of Mailing305.02(d)Wording of Certificate of Mailing305.02(e)Effect of Certificate of Mailing305.02(f)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(h)Certificate of Mailing Requirements Strictly Enforced on Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(d)Correspondence Transmission Requirements Strictly Enforced on Petition307Hand Delivery308	304.10	Paper "Confirmation" Copies of E-Mail Communications
305.01Mailing Addresses305.02Certificate of Mailing Procedure305.02(a)When Certificate of Mailing Procedure May Be Used305.02(b)Mailing Requirements305.02(c)Location and Form of Certificate305.02(d)Wording of Certificate of Mailing305.02(e)Effect of Certificate of Mailing305.02(f)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(g)Certificate of Mailing Requirements Strictly Enforced on Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission306.06.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(c)Effect of Transmission Requirements Strictly Enforced on Petition306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday 309309Unscheduled Closings of the United States Patent and Trademark O	205	
305.02Certificate of Mailing Procedure305.02(a)When Certificate of Mailing Procedure May Be Used305.02(b)Mailing Requirements305.02(c)Location and Form of Certificate305.02(c)Effect of Certificate of Mailing305.02(c)Effect of Certificate of Mailing305.02(c)Effect of Certificate of Mailing305.02(c)Effect of Certificate of Mailing305.02(c)Effect of Certificate of Mailing305.02(g)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05(a)Location and Form of Certificate of Transmission306.05(a)Location and Form of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery30		8
305.02(a)When Certificate of Mailing Procedure May Be Used305.02(b)Mailing Requirements305.02(c)Location and Form of Certificate305.02(d)Wording of Certificate of Mailing305.02(e)Effect of Certificate of Mailing305.02(f)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(h)Certificate of Mailing Requirements Strictly Enforced on Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission306.05(a)Location and Form of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(c)Effect of Transmission Requirements Strictly Enforced on Petition306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday 309309Unscheduled Closings of the United States Patent and Trademark Office310Comput		•
305.02(b)Mailing Requirements305.02(c)Location and Form of Certificate305.02(d)Wording of Certificate of Mailing305.02(e)Effect of Certificate of Mailing305.02(f)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(g)Correspondence Mailed Pursuant by the U.S. Postal Service305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(h)Certificate of Mailing Requirements Strictly Enforced on Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or		
305.02(c)Location and Form of Certificate305.02(d)Wording of Certificate of Mailing305.02(e)Effect of Certificate of Mailing305.02(f)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(g)Certificate of Mailing Requirements Strictly Enforced on Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmistion306.05(d)Correspondence Transmission306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or		÷ ,
 305.02(d) Wording of Certificate of Mailing 305.02(e) Effect of Certificate of Mailing 305.02(f) Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office 305.02(g) Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service 305.02(h) Certificate of Mailing Requirements Strictly Enforced on Petition 306.03 "Express Mail" 306 Facsimile Transmission (Fax) 306.01 Documents That May Be Filed by Facsimile Transmission 306.02 Fax Machines Designated to Accept Relevant Trademark Documents 306.03 Effect of Filing by Fax 306.04 Procedure for Filing by Fax 306.05 Certificate of Transmission 306.05(a) Location and Form of Certificate of Transmission 306.05(b) Wording of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmistion Requirements Strictly Enforced on Petition 306.05 Certificate of Transmission Requirements Strictly Enforced on Petition 306.05 Certificate of Transmission 306.05(c) Effect of Cartificate of Transmission 306.05(d) Correspondence Transmistion Requirements Strictly Enforced on Petition 306.05 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 		
 305.02(e) Effect of Certificate of Mailing 305.02(f) Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office 305.02(g) Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service 305.02(h) Certificate of Mailing Requirements Strictly Enforced on Petition 305.03 "Express Mail" 306 Facsimile Transmission (Fax) 306.01 Documents That May Be Filed by Facsimile Transmission 306.02 Fax Machines Designated to Accept Relevant Trademark Documents 306.03 Effect of Filing by Fax 306.04 Procedure for Filing by Fax 306.05 Certificate of Transmission 306.05 Location and Form of Certificate of Transmission 306.05(a) Location and Form of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 		
305.02(f)Correspondence Mailed Pursuant to 37 C.F.R. §1.8 But Not Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(h)Certificate of Mailing Requirements Strictly Enforced on Petition306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmission306.05(d)Correspondence Transmission306.06Gertificate of Transmission306.07Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	× ,	e e
Received by Office305.02(g)Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service305.02(h)Certificate of Mailing Requirements Strictly Enforced on Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission306.06(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmission306.05(d)Correspondence Transmission306.06Certificate of Transmission306.07Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Trademark Office310Computing Period for Response to Office Action or		e
 305.02(g) Correspondence Deposited as First Class Mail Pursuant to 37 C.F.R. §1.8 and Returned by the U.S. Postal Service 305.02(h) Certificate of Mailing Requirements Strictly Enforced on Petition 305.03 "Express Mail" 306 Facsimile Transmission (Fax) 306.01 Documents That May Be Filed by Facsimile Transmission 306.02 Fax Machines Designated to Accept Relevant Trademark Documents 306.03 Effect of Filing by Fax 306.04 Procedure for Filing by Fax 306.05 Certificate of Transmission Procedure 306.05(a) Location and Form of Certificate of Transmission 306.05(b) Wording of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 	305.02(1)	1
 37 C.F.R. §1.8 and Returned by the U.S. Postal Service 305.02(h) Certificate of Mailing Requirements Strictly Enforced on Petition 305.03 "Express Mail" 306 Facsimile Transmission (Fax) 306.01 Documents That May Be Filed by Facsimile Transmission 306.02 Fax Machines Designated to Accept Relevant Trademark Documents 306.03 Effect of Filing by Fax 306.04 Procedure for Filing by Fax 306.05 Certificate of Transmission Procedure 306.05(a) Location and Form of Certificate of Transmission 306.05(b) Wording of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 	305.02(g)	
 305.02(h) Certificate of Mailing Requirements Strictly Enforced on Petition 305.03 "Express Mail" 306 Facsimile Transmission (Fax) 306.01 Documents That May Be Filed by Facsimile Transmission 306.02 Fax Machines Designated to Accept Relevant Trademark Documents 306.03 Effect of Filing by Fax 306.04 Procedure for Filing by Fax 306.05 Certificate of Transmission Procedure 306.05(a) Location and Form of Certificate of Transmission 306.05(b) Wording of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 		
Petition305.03"Express Mail"306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.06,05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday J09309Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	305.02(h)	
306Facsimile Transmission (Fax)306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmission306.05(d)Correspondence Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or		
306.01Documents That May Be Filed by Facsimile Transmission306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	305.03	"Express Mail"
306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	306	Facsimile Transmission (Fax)
306.02Fax Machines Designated to Accept Relevant Trademark Documents306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	306.01	Documents That May Be Filed by Facsimile Transmission
306.03Effect of Filing by Fax306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	306.02	
306.04Procedure for Filing by Fax306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or		Documents
306.05Certificate of Transmission Procedure306.05(a)Location and Form of Certificate of Transmission306.05(b)Wording of Certificate of Transmission306.05(c)Effect of Certificate of Transmission306.05(d)Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	306.03	Effect of Filing by Fax
 306.05(a) 306.05(b) 306.05(c) 306.05(c) 306.05(d) Correspondence Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 	306.04	Procedure for Filing by Fax
 306.05(b) Wording of Certificate of Transmission 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 	306.05	Certificate of Transmission Procedure
 306.05(c) Effect of Certificate of Transmission 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 	306.05(a)	Location and Form of Certificate of Transmission
 306.05(d) Correspondence Transmitted by Fax Pursuant to 37 C.F.R. §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 	306.05(b)	Wording of Certificate of Transmission
 §1.8 But Not Received by Office 306.06 Certificate of Transmission Requirements Strictly Enforced on Petition 307 Hand Delivery 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 	306.05(c)	Effect of Certificate of Transmission
306.06Certificate of Transmission Requirements Strictly Enforced on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	306.05(d)	Correspondence Transmitted by Fax Pursuant to 37 C.F.R.
on Petition307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday309Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or		§1.8 But Not Received by Office
307Hand Delivery308Period Ending on Saturday, Sunday or Federal Holiday309Unscheduled Closings of the United States Patent and Trademark Office310Computing Period for Response to Office Action or	306.06	Certificate of Transmission Requirements Strictly Enforced
 308 Period Ending on Saturday, Sunday or Federal Holiday 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 		on Petition
 309 Unscheduled Closings of the United States Patent and Trademark Office 310 Computing Period for Response to Office Action or 	307	Hand Delivery
Trademark Office310Computing Period for Response to Office Action or	308	Period Ending on Saturday, Sunday or Federal Holiday
310 Computing Period for Response to Office Action or	309	
1 8 1		Trademark Office
Notice	310	
		Notice

Chapter 400 - Processing Documents and Fees

401	Processing New Applications
401.01	Serial Numbers and Series Codes
401.02	Data Entry
401.03	Creation and Distribution of Application Files
401.03(a)	Arrangement of Papers

401.03(b)	Application File Label
401.03(c)	Distribution to Law Offices
401.04	Processing Applications Accompanied by a Petition
402	Filing Receipts
403	Correspondence Returned as Undeliverable
404	Papers Not Returnable
405	Fees
405.01	Credit Cards
405.01(a)	Charges Refused or Charged Back By Financial Institution
405.02	Checks
405.02(a)	Personal Checks and Checks Returned Unpaid
405.03	Deposit Accounts
405.04	Refunds
405.05	Electronic Funds Transfer

Chapter 500 - Change of Ownership

501	Assignment of Marks
501.01	Assignability of Marks in Applications and Registrations
501.01(a)	Assignment of Intent-to-Use Applications
501.02	Assignments Must Be in Writing
501.03	Effect of Failure to Record Assignment
501.04	Foreign Assignee May Designate Domestic Representative
501.05	Assignee Stands in Place of Applicant or Registrant
501.06	Partial Assignments
502	Establishing Ownership of Applications or Registrations
502.01	Pending Applications - Issuance of Registration Certificate in
	Name of Assignee or in Applicant's New Name
502.01(a)	Examining Attorney's Action Regarding Assignment
502.02	Issuance of New Certificate to Assignee of Registrant
503	Recording in Assignment Services Division
503.01	Effect of Recording a Document
503.02	Documents That the Office Will Record
503.03	Requirements for Recording
503.03(a)	Formal Requirements for Documents
503.03(b)	Supporting Documents
503.03(c)	English Language Requirement
503.03(d)	Fee for Recording
503.03(e)	Cover Sheet
503.04	Address for Submitting Documents for Recording
503.05	Recording Procedure and Recordation Date
503.06	Correction of Errors in Cover Sheet or Recorded
	Document
503.06(a)	Typographical Errors in Cover Sheet
503.06(a)(i)	Typographical Errors in Cover Sheet That Do Not Affect
	Title to Application or Registration

503.06(a)(ii)	Typographical Errors in Cover Sheet That Do Affect Title to Application or Registration
502.06(h)	Typographical Errors in Recorded Assignment Document
503.06(b)	
503.06(c)	Assignment or Change of Name Improperly Filed and
	Recorded By Another Person Against Owner's Application or Registration
502 06(d)	Owner Must Notify Trademark Operation of Correction
503.06(d)	Recorded Documents Not Removed From Assignment
503.06(e)	Records
502.06(f)	
503.06(f)	Petitions to Correct or "Expunge" Assignment Records
503.07	"Indexing" Against Recorded Document Not Permitted
503.08	Accessibility of Assignment Records
503.08(a)	Abstracts of Title
	Chapter 600 - Attorney or Representative
601	Applicant May Be Represented by Attorney at Law
601.01	Office Cannot Aid in Selection of Attorney
602	Persons Who May Practice Before Office in Trademark
	Matters
602.01	Powers of Attorney
602.01(a)	Power of Attorney Relating to More Than One Application
	or Registration
602.01(b)	Associate Powers of Attorney
602.01(c)	Powers of Attorney Filed After Registration
602.02	Standards of Conduct
602.02(a)	Signature and Certificate for Correspondence filed in the
	United States Patent and Trademark Office
602.03	Papers Filed by Unauthorized Persons
602.04	Revocation or Withdrawal of Authorization
602.04(a)	Permissive Withdrawal of Attorney of Record
603	Correspondence, With Whom Held
603.01	Establishing the Correspondence Address
603.02	Changing the Correspondence Address
603.02(a)	Changing the Correspondence Address Before Registration
603.02(b)	Changing the Correspondence Address in Multiple
	Applications
603.02(c)	Changing the Correspondence Address After Registration
603.03	Applicant Has Duty to Maintain Current and Accurate
	Correspondence Address
603.04	Processing Correspondence Signed by Someone Other Than
	the Applicant or the Applicant's Designated Attorney
603.05	Correspondence with Parties Not Domiciled in the United
	States
604	Designation of Domestic Representative by Parties Not
	Domiciled in the United States

701	Statutory Authority for Examination
702	Order of Work
702.01	Order of Examination
702.02	"Special" Applications
702.03	Related Applications
702.03(a)	Companion Applications
702.03(a)(i)	Companion Applications for the Same or Similar Marks
702.03(a)(ii)	Companion Applications for Different Marks
702.03(a)(iii)	Companion Registrations
702.03(a)(iv)	Classification and Identification in Companion Applications That Have Registered or Been Published for Opposition
702.03(b)	Conflicting Applications
703	Office Does Not Issue Duplicate Registrations
704	Initial Examination
704.01	Initial Examination Should be Complete
704.02	Examining Attorney's Search
704.03	Supervisory Examining Attorney May Indicate Action for
	Non-Signatory Examining Attorney
705	The Examining Attorney's Letter or Action
705.01	Language in Examining Attorney's Letter
705.02	Examining Attorneys Should Not Volunteer Statements
705.03	Citation of Reference Marks
705.04	Reference to Matter in Printed Publications
705.05	Citation of Decisions and Office Publications
705.06	Reviewing, Initialing and Signing of Letters
705.07	Mailing and Processing Letters
705.08	Six-Month Response Clause
706	New Matter Raised by Examining Attorney After First
	Action
707	Examiner's Amendment
707.01	Approval of Examiner's Amendment by Applicant or Applicant's Attorney
707.02	Examiner's Amendment Without Prior Authorization by
	Applicant or Applicant's Attorney
707.03	Form of the Examiner's Amendment
708	Priority Action
708.01	Priority Action Defined
708.02	Discussion of Issues and Agreements
708.03	Form of the Priority Action
708.04	Refusal of Registration in Priority Action
708.05	Combined Examiner's Amendment/Priority Action
709	Interviews
709.01	How Interviews are Conducted

Chapter 700 - Procedure for Examining Applications

709.02	Parsons Who May Poprosont Applicant in an Interview
709.02	Persons Who May Represent Applicant in an Interview
	Making Substance of Interview of Record
709.04	Telephone Communications
709.05	Informal Submissions
709.06	Interviews Prior to Filing Application
710	Evidence
710.01	Evidence Supporting Refusal or Requirement
710.01(a)	Evidence From Research Database
710.01(b)	Internet Evidence
710.01(c)	Record Must Be Complete Prior to Appeal
710.02	Evidence Indicating No Refusal or Requirement Necessary
710.03	Evidence of Third-Party Registrations
711	Deadline for Response to Office Action
711.01	Time May Run from Previous Action
711.02	Supplemental Office Action Resetting Response Period
712	Signature of Response to Office Action
712.01	Persons Who Can Sign Response
712.01(a)	Guidelines on Who Should Sign Response to Office Action
712.01(a)(i)	Signature By Joint Applicants
712.01(a)(ii)	Signature By Partnership
712.01(a)(iii)	Signature By Joint Venture
712.01(a)(iv)	Signature By Corporation
712.01(a)(v)	Signature By Foreign Companies and Corporations
712.01(a)(vi)	Signature By Unincorporated Association
712.01(a)(vii)	Signature By Limited Liability Company
712.02	Unsigned Response
713	Examination of Amendments and Responses to Office
/ 10	Actions
713.01	Previous Action by Different Examining Attorney
713.02	Noting All Outstanding Requirements
713.02	Response to Applicant's Arguments
714	Final Action
714.01	Not Permissible on First Action
714.02	Not Permissible on Suspension
714.03	When Final Action is Appropriate
714.04	Form of the Final Action
714.05	Delineating New Issues Requiring Issuance of Nonfinal
/14.03	Action
714.05(a)	Unacceptable Amendment Proposed By Applicant
714.05(a)(i)	Amendment to Supplemental Register or Submission of
	Claim of Acquired Distinctiveness
714.05(a)(ii)	Amendment of Identification of Goods and Services
714.05(b)	Section 2(d) Refusal Based on Prior-Filed Application That
	Has Matured Into Registration
714.05(c)	
	Advisory Statement Cannot Serve as Foundation for Final
	Advisory Statement Cannot Serve as Foundation for Final Refusal or Requirement

714.06	Applicant's Recourse When Final Action is Dremature
714.00	Applicant's Recourse When Final Action is Premature Action After Issuance of Final Action
715.01	
715.02	Proper Response to Final Action Action After Final Action
715.03	Request for Reconsideration After Final Action
715.03(a)	Examining Attorney's Action After Request for
715.02(h)	Reconsideration
715.03(b)	Examining Attorney Must Issue New Action If New Issue
715.02(-)	Presented in Request for Reconsideration
715.03(c)	Time for Appeal Runs from Mailing Date of Final Action if
	No New Issue Is Presented and Requirement(s) or Refusal(s)
715.04	Is Not Withdrawn
715.04	Request for Reconsideration Filed In Conjunction With
71(Notice of Appeal
716 716.01	Suspension of Action by Office
	Form of Suspension Notice
716.02	Circumstances Under Which Action May Be Suspended
716.02(a)	Applicant's Petition to Cancel Cited Registration
716.02(b)	Submission of Copy of Foreign Registration in §44(d)
71(02(.))	Application
716.02(c)	Conflicting Marks in Pending Applications
716.02(d)	Inter Partes or Court Proceeding
716.02(e)	Suspension Pending Cancellation or Expiration of Cited
71(02	Registration
716.03	Applicant's Request to Remove Application from Suspension
716.04	Suspended Docket Checked by Examining Attorney
716.05	Inquiry by Examining Attorney Regarding Suspended
716.06	Application
716.06	Suspension After Final Action
717	Remailing of Office Action Returned Office Action
717.01	
717.02	Non-Receipt of Office Action
718	Abandonment
718.01	Express Abandonment by Applicant or Applicant's Attorney
718.02	Failure by Applicant to Take Required Action During
710.02	Statutory Period
718.03	Incomplete Response
718.03(a)	Holding of Abandonment for Failure to Respond Completely
718.03(b)	Granting Additional Time to Perfect Response
718.03(c) 718.04	Reconsideration of Holding of Abandonment
	Failure to File Statement of Use
718.05	Failure to Perfect Appeal
718.06	Notice by Office of Abandonment for Failure to Receive a
718.07	Response Ordering Abandoned Application Files
	Ordering Abandoned Application Files
718.08	Revival of Abandoned Application - New Search Required

Fraud Upon the Office

719

Chapter 800 - Application Requirements

801	Types of Applications
801.01	Single or Combined Application
801.01(a)	Single (Single-Class) Application
801.01(b)	Combined (Multiple-Class) Application
801.02	Principal Register or Supplemental Register
801.02(a)	Act of 1946, Principal Register
801.02(b)	Act of 1946, Supplemental Register
802	Application Form
803	Applicant
803.01	Who May Apply
803.02	Name of Applicant
803.02(a)	Individual
803.02(b)	Partnership, Joint Venture or Other "Firm"
803.02(c)	Corporation and Association
803.03	Legal Entity of Applicant
803.03(a)	Individual or Sole Proprietorship
803.03(b)	Partnership, Joint Venture or Other "Firm"
803.03(c)	Corporation and Association
803.03(d)	Joint Applicants
803.03(e)	Trusts, Conservatorships and Estates
803.03(f)	Governmental Bodies and Universities
803.03(g)	Banking Institutions
803.03(h)	Limited Liability Companies
803.03(i)	Common Terms Designating Entity of Foreign Applicants
803.04	Citizenship of Applicant
803.05	Address of Applicant
803.06	Applicant May Not Be Changed
804	Verification and Signature
804.01	Form and Wording of Verification
804.01(a)	Verification, with Oath
804.01(a)(i)	Verification Made in Foreign Country
804.01(b)	Declaration in Lieu of Oath
804.02	Averments Required in Verification of Application for
	Registration
804.03	Time Between Execution and Filing of Papers
804.04	Persons Authorized to Sign Verification or Declaration
804.05	Signature of Electronically Transmitted Applications
805	Identification and Classification of Goods and Services
806	Filing Basis
806.01	Requirements for Establishing a Basis
806.01(a)	Use in Commerce - §1(a)
806.01(b)	Intent to Use - §1(b)

906.01(a)	Foreign Driverity 844(d)
806.01(c)	Foreign Priority - §44(d)
806.01(d) 806.02	Foreign Registration - §44(e)
	Multiple Bases Presedure for Asserting Mars Than One Basis
806.02(a)	Procedure for Asserting More Than One Basis
806.02(b)	Applicant May File Under Both §1(a) and §1(b) in a Single
90(0)(-)	Application
806.02(c)	Examination of Specimens of Use in a Multi-Basis
90(0)(1)	Application
806.02(d)	Abandonment of Multi-Basis Applications
806.02(e)	Allegation of Bona Fide Intention to Use Mark in Commerce
906 02(f)	Even if Application is Based on Both §44 and §1
806.02(f)	Section 44(d) Combined With Other Bases Amendments to Add or Substitute a Basis
806.03	
806.03(a)	When Basis Can be Changed
806.03(b)	Applicant May Add or Substitute a §44(d) Basis Only Within Six Month Priority Pariod
806.03(c)	Six-Month Priority Period Amendment From §1(a) to §1(b) Permitted
806.03(d)	Amendment From §1(a) to §1(b) Permitted
806.03(e)	Allegation of Use Required to Amend From §1(b) to §1(a)
806.03(f)	• • • • • • • • • • • • • • • • • • • •
800.03(1)	Use in Commerce as of Application Filing Date Required to Add or Substitute §1(a) as a Basis in §44 Application
906.02(a)	
806.03(g)	Effect of Substitution of Basis on Application Filing Date
806.03(h) 806.04	Verification of Amendment Required
	Deleting a Basis Deletion of \$1(b) Basis After Publication or Issuence of the
806.04(a)	Deletion of §1(b) Basis After Publication or Issuance of the Notice of Allowance
806.04(b)	Retention of §44(d) Priority Filing Date Without Perfecting
000.0 4 (0)	§44(e) Basis
806.05	Review of Basis Prior to Publication or Issue
807	Drawing
807.01	Recommended Format
807.01(a)	Separate Drawing Page Preferred
807.01(b)	Type of Paper and Size of Drawing
807.01(c)	Heading
807.01(d)	Single Page Drawing Preferred
807.02	Transmission of Drawings
807.03	Drawing Must Show Only One Mark
807.04	Drawing Must Be Limited to Mark
807.05	Drawing No Longer Considered Separate Element
807.06	Typed Drawings
807.06(a)	Characters, Symbols, and Punctuation Marks That May Be
	Used in Typed Drawings
807.06(b)	Typed Drawings that Include Diacritical Marks Permitted
807.06(c)	Distinguishing Typed From Special Form Drawings
807.07	Special Form Drawings
807.07(a)	Characteristics of Special Form Drawings
	Γ

807.07(b)	When Special Form Drawing is Required
807.07(c)	Special Form and Typing Cannot Be Combined
807.08	Compound Word Marks and Telescoped Marks
807.09	Color in the Mark
807.09(a)	Black and White Drawing Required
807.09(b)	Use of Color Lining No Longer Required
807.09(c)	Description of Color Required
807.09(d)	Color a Feature of the Mark
807.09(e)	Markings That Do Not Indicate Color
807.10	Broken Lines to Show Placement
807.11	"Drawing" of Sound, Scent, or Non-Visual Mark
807.12	Three Dimensional Marks
807.13	Marks With Motion
807.14	Mark on Drawing Must Agree with Mark on Specimens or
007.11	Foreign Registration
807.14(a)	Material Alteration of the Mark
807.14(a)(i)	Material Alteration Determined by Comparing Proposed
007.11 ((u)(1)	Amendment to Original Drawing or Description
807.14(b)	Mutilation or Incomplete Representation of Mark
807.15	Removal or Deletion of Matter from Drawing
807.16	Substitute Drawings
807.17	Amendment of Drawings by the Office
807.18	Procedures for Processing Unacceptable Amendments to
	Drawings
807.19	Use of Old Drawing in New Application
808	Description of Mark
808.01	Guidelines for Requiring Description
808.01(a)	Letters and Numerals
808.01(b)	Designs or Figurative Elements
808.01(c)	Meaning of Term in Mark
808.02	Description Must Be Accurate and Concise
808.03	Printing Description of Mark
809	Translation and Transliteration of Non-English Wording
	in Mark
809.01	Equivalency in Translation
809.02	Printing of Translations and Transliterations
810	Filing Fee
810.01	Collection of Fees for Multiple Classes
810.02	Refunds
811	Designation of Domestic Representative
812	Identification of Prior Registrations of Applicant
812.01	Proving Ownership of Prior Registrations
813	Consent to Register by Living Individual Depicted in
014	Mark
814	Requesting Additional Information
815	Supplemental Register, Application Filed on

Marks Eligible for Principal Register Not Registrable on
Supplemental Register
Elements Required
Examining Attorney Signs File for Issue
Filing on Supplemental Register is Not an Admission That
the Mark Has Not Acquired Distinctiveness
Basis for Refusal of Registration of Matter That is Incapable
Supplemental Register, Amending Application to
How to Amend
Effective Filing Date
Amendment to Different Register
Amendment After Refusal
Amendment After Decision on Appeal
Preparation of Case for Publication or Registration
Application Checklist

Chapter 900 - Use in Commerce

901	Use in Commerce
901.01	Definitions
901.02	Bona Fide Use in the Ordinary Course of Trade
901.03	Commerce That May Be Lawfully Regulated By Congress
901.04	Inquiry Regarding Use in Commerce
901.05	Use Only by Related Company
902	Allegations of Use for §1(b) Applications
903	Dates of Use
903.01	Date of First Use Anywhere
903.02	Date of First Use in Commerce
903.03	Type of Commerce
903.04	Relation between the Two Dates of Use
903.05	Amending Dates of Use
903.06	First Use by Predecessor or Related Company
903.07	Indefinite Dates of Use
903.07(a)	Apparent Discrepancies Between Dates of Use and Date of
	Execution
903.08	Dates of Use in Another Form
903.09	More than One Item of Goods or Services
904	Specimens
904.01	Number of Specimens
904.01(a)	More than One Item Specified in a Class
904.01(b)	In Combined or Multiple-Class Applications
904.02	Physical Form of Specimens
904.02(a)	Specimens for Marks Comprising Color
904.02(b)	Marks Used on Publications
904.03	Bulky Specimens
904.04	Material Appropriate as Specimens for Trademarks

904.04(a)	Labels and Tags
904.04(b)	Stampings
904.04(c)	Commercial Packaging
904.04(d)	Specimens for Trademarks Identifying Computer Programs,
	Movies or Video Tapes
904.05	Material Not Appropriate as Specimens for Trademarks
904.06	Displays as Specimens for Trademarks
904.06(a)	Catalogs as Specimens for Trademarks
904.07	Package Inserts as Specimens for Trademarks
904.08	Facsimiles as Specimens
904.09	Affidavit Supporting Substitute Specimens
904.10	Translation of Matter on Specimens
904.11	Requirements for Substitute Specimens and Statutory
	Refusals
905	Method of Use
906	Federal Registration Notice
906.01	Foreign Countries That Use Registration Symbol ®
906.02	Improper Use of Registration Symbol
906.03	Informing Applicant of Apparent Improper Use
906.04	Fraud
907	Compliance with Other Statutes

Chapter 1000 - Applications Under International Agreements

1001	Section 44 Applications - General
1002	Eligible Applicants Under §44
1002.01	Eligible Applicants Under §44(e)
1002.02	Eligible Applicants Under §44(d)
1002.03	Establishing Entitlement Under a Treaty
1002.04	Establishing Country of Origin
1002.05	United States Applicants
1003	Section 44(d) - Priority Filing Date Based on a Foreign
	Application
1003.01	The "First-Filed" Requirement
1003.02	Priority Claim Must Be Filed Within Six Months of Foreign
	Filing
1003.03	Basis for Registration Required
1003.04	Suspension Awaiting a Foreign Registration
1003.05	Section 44(d) and Priority for Publication
1003.06	Applicants May File Under Both §44(d) and §44(e)
1003.07	Application May be Based on More Than One Foreign
	Application
1003.08	Abandonment of the Foreign Application
1004	Applications Based on Foreign Registrations under §44(e)
1004.01	Copy of Foreign Registration Required
1004.01(a)	Status of the Foreign Registration

1004.01(b)	Translation of the Foreign Registration
1004.02	Application May be Based on More Than One Foreign
	Registration
1005	Ownership of the Foreign Application or Registration
1006	Assignment of §44 Applications
1007	Standards for Registration Under Section 44
1008	Bona Fide Intention to Use the Mark in Commerce
1009	Allegation of Use and Specimen of Use Not Required
	Prior to Registration
1010	Proof of Acquired Distinctiveness in §44 Applications
1011	Drawings
1011.01	Substantially Exact Representation of Mark in Foreign
	Registration
1011.02	One Mark Per Application
1011.03	Amendment of Drawing
1012	Identification of Goods and Services
1013	Designation of Domestic Representative by Applicants
	Not Domiciled in the United States
1014	Section 44 Applications for the Supplemental Register
1015	Section 44 Registration Independent of Underlying
	Foreign Registration

Chapter 1100 — Intent-to-Use Applications and Related Documents

1101	Bona Fide Intention To Use the Mark In Commerce
1102	Initial Examination of Intent-to-Use Applications
1102.01	Substantive Refusals
1102.02	Drawings
1102.03	Intent-to-Use Applications and the Supplemental Register
1102.04	Claims of Acquired Distinctiveness under §2(f)
1103	Allegations of Use
1104	Amendment to Allege Use Under §1(c) of the Act
1104.01	Minimum Requirements for Filing an Amendment to Allege
	Use
1104.01(a)	Review by Legal Instruments Examiner for Compliance with
	Minimum Filing Requirements
1104.01(b)	Processing an Amendment to Allege Use That Does Not
	Meet Minimum Filing Requirements
1104.01(c)	Processing Defective Amendment to Allege Use Filed With
	Other Amendments
1104.02	Form of Amendment to Allege Use
1104.03	Time for Filing Amendment to Allege Use
1104.03(a)	Use on All Goods Required Before Filing
1104.03(b)	The "Blackout Period"
1104.03(c)	Processing Amendments to Allege Use Filed During the
	Blackout Period

1104.04	Processing Timely Amendments to Allege Use Located After
1104.05	Publication
1104.05	Amendments to Allege Use Filed in Conjunction With Application
1104.06	Processing Amendments to Allege Use Received Before
110.000	Application is Assigned to an Examining Attorney
1104.07	Amendments to Allege Use and Ex Parte Appeals
1104.08	Necessary Elements in a Complete Amendment to Allege
	Use
1104.09	Examination of Amendment to Allege Use by Examining
	Attorney
1104.09(a)	Ownership
1104.09(b)	Verification and Date of Execution
1104.09(c)	Identification of Goods or Services
1104.09(d)	Use in Commerce and Dates of Use
1104.09(e)	Specimen
1104.09(f)	Drawing
1104.09(g)	Fees
1104.09(h)	Issuance of Actions by Examining Attorney Related to the
1104 10	Amendment to Allege Use
1104.10	Amendment and Withdrawal of Amendment to Allege Use
1104.11	Approval of Amendment to Allege Use After Examination
1105	Publication of Intent-to-Use Applications for Opposition Notice of Allowance
1106 1106.01	Issuance of the Notice of Allowance
1106.01	
1100.02	Action by Examining Attorney After Issuance of the Notice of Allowance
1106.03	Cancellation of Notice of Allowance
1106.04	Correction of Errors in Notice of Allowance
1107	Amendment After Issuance of the Notice of Allowance
	and Before Filing of the Statement of Use
1107.01	Examination of Amendment Filed After the Notice of
	Allowance Issues But Before a Statement of Use is Filed
1108	Requests for Extensions of Time to File the Statement of
	Use
1108.01	Time for Filing Requests for Extensions of Time to File the
	Statement of Use
1108.02	Requirements for Request For An Extension of Time to File
	a Statement of Use
1108.02(a)	Ownership
1108.02(b)	Verification
1108.02(c)	Filing Fee
1108.02(d)	Identification of Goods or Services
1108.02(e)	Bona Fide Intention to Use the Mark in Commerce
1108.02(f)	Good Cause Required for Extensions Beyond the First Six-
	Month Extension

1108.03	Only One Extension Request May Be Filed With or After a
	Statement of Use
1108.03(a)	Processing Extension Request Filed After Statement of Use
	Has Been Referred to Examining Attorney
1108.04	Recourse After Denial of Extension Request
1108.05	Petitions From Denial of Request For An Extension of Time
	to File Statement of Use
1109	Statement of Use Under §1(d) of the Trademark Act
1109.01	Minimum Filing Requirements for a Statement of Use
1109.02	Review for Compliance with Minimum Filing Requirements
1109.02(a)	Petition to Review Refusal Based on Noncompliance with
	Minimum Filing Requirements of 37 C.F.R. §2.88(e)
1109.03	Use on All Goods or Services Required Before Filing
1109.04	Time for Filing Statement of Use
1109.05	Form of Statement of Use
1109.05(a)	Papers Prepared for Filing as an Amendment to Allege Use
	May Be Filed as a Statement of Use
1109.06	Necessary Elements in a Complete Statement of Use
1109.07	Examination of the Statement of Use — In General
1109.08	The "Clear-Error" Standard in Examination of the Statement
1100.00	ofUse
1109.09	Use in Commerce
1109.09(a)	Dates of Use
1109.09(b)	Specimens
1109.10	Ownership
1109.11	Verification and Execution
1109.11(a)	Authority of Signatory
1109.11(b)	Verification of Essential Elements
1109.11(c)	Date of Execution
1109.11(d)	Signature of Electronically Transmitted Statement of Use
1109.12	Drawing
1109.13	Identification of Goods and Services in Statement of Use
1109.14	Classification
1109.15	Filing Fees
1109.15(a)	Processing Deficient Fees
1109.16	Correcting Defects in Statement of Use
1109.16(a)	Statutory Requirements That Must Be Met Within Statutory
1100.16(b)	Filing Period
1109.16(b)	Issuance of Examining Attorney's Office Action Holding
	that a Statement of Use Does Not Meet the Minimum Filing
1100.16(a)	Requirements Requesting an Extension of Time to File a Statement of Use
1109.16(c)	for the Purpose of Compliance with Minimum Filing
	Requirements
	Keyunenis

1109.16(d)	Response to Office Action Required Within Six Months of Mailing Date Regardless of Expiration Date of Period for
	Filing the Statement of Use
1109.16(e)	Applicant's Recourse After Refusal of Registration
1109.17	Withdrawal of the Statement of Use Prohibited
1109.18	Approval of the Statement of Use
1110	Request to Divide an Application
1110.01	Time for Filing Request to Divide
1110.02	Fee for Filing Request to Divide
1110.03	Processing Request to Divide
1110.04	Dividing an Application When Statement of Use is Due
1110.05	Dividing an Application When Response to Office Action is
	Due
1110.06	Dividing an Application Subject to a Proceeding at
	Trademark Trial and Appeal Board
1110.07	Dividing a §44 Application
1110.08	Division of Registration Not Permitted

Chapter 1200 - Substantive Examination of Applications

1201	Ownership of Mark
1201.01	Claim of Ownership May Be Based on Use By Related
	Companies
1201.02	Identifying the Applicant in the Application
1201.02(a)	Identifying the Applicant Properly
1201.02(b)	Application Void if Wrong Party Identified as the Applicant
1201.02(c)	Correcting Errors in How the Applicant Is Identified
1201.02(d)	Operating Divisions
1201.02(e)	Changes in Ownership After Application Is Filed
1201.03	Use by Related Companies
1201.03(a)	Use Solely by Related Company Must be Disclosed
1201.03(b)	No Explanation of Applicant's Control Over Use of Mark by
	Related Companies Required
1201.03(c)	Wholly Owned Related Companies
1201.03(d)	Common Stockholders, Directors or Officers
1201.03(e)	Sister Corporations
1201.03(f)	License and Franchise Situations
1201.04	Inquiry Regarding Parties Named on Specimens or
	Elsewhere in Record
1201.05	Acceptable Claim of Ownership Based on Applicant's Own
	Use
1201.06	Special Situations Pertaining to Ownership
1201.06(a)	Applicant Is Merely Distributor or Importer
1201.06(b)	Goods Manufactured in a Country Other than Where
	Applicant Is Located
1201.07	Related Companies and Likelihood of Confusion

1201.07(a)	"Single Source" "Unity of Control"
1201.07(b)	Appropriate Action with Respect to Assertion of Unity of
	Control
1201.07(b)(i)	When Either Applicant or Registrant Owns All of the Other
	Entity
1201.07(b)(ii)	When Either Applicant or Registrant Owns Substantially All
	of the Other Entity
1201.07(b)(iii)	When the Record Does Not Support a Presumption of Unity
1201.07(0)(11)	of Control
1201.07(b)(iv)	When the Record Contradicts an Assertion of Unity of
1201.07(0)(1V)	Control
1000	
1202	Use of Subject Matter as Trademark
1202.01	Refusal of Matter Used Solely as a Trade Name
1202.02	Registration of Trade Dress
1202.02(a)	Functionality
1202.02(a)(i)	Statutory Basis for Functionality Refusal
1202.02(a)(ii)	Purpose of Functionality Doctrine
1202.02(a)(iii)	Definitions
1202.02(a)(iii)(A)	Functionality
1202.02(a)(iii)(B)	"De Jure" and "De Facto" Functionality
1202.02(a)(iii)(C)	Aesthetic Functionality
1202.02(a)(iv)	Burden of Proof in Functionality Determinations
1202.02(a)(v) 1202.02(a)(v)	Evidence and Considerations Regarding Functionality
1202.02(u)(V)	Determinations
1202.02(a)(v)(A)	Advertising, Promotional or Explanatory Material in
1202.02(a)(v)(A)	Functionality Determinations
120202(a)(x)(D)	
1202.02(a)(v)(B)	Availability of Alternative Designs in Functionality
1202 02()()()	Determinations
1202.02(a)(v)(C)	Ease or Economy of Manufacture in Functionality
	Determinations
1202.02(b)	Distinctiveness of Trade Dress
1202.02(b)(i)	Distinctiveness and Product Design Trade Dress
1202.02(b)(ii)	Distinctiveness and Product Packaging Trade Dress for
	Goods or Services
1202.02(c)	Distinctiveness and Functionality are Separate Issues
1202.02(d)	Drawing and Description of Mark in Trade Dress
	Applications
1202.02(e)	Trade Dress in Intent-to-Use Applications
1202.03	Refusal on Basis of Ornamentation
1202.03(a)	Commercial Impression
1202.03(b)	Practices of the Trade
1202.03(c)	"Secondary Source"
1202.03(d)	Evidence of Distinctiveness
1202.03(e)	Ornamentation with Respect to Intent-to-Use Applications
1202.03(f)	Ornamentation: Case References
1202.03(f)(i)	Slogans or Words Used on the Goods

1202.03(f)(ii)	Designs Used on the Goods
1202.03(f)(iii)	Trade Dress on the Containers for the Goods
1202.03(g)	Ornamentation Cases and Acquired Distinctiveness
1202.04	Informational Matter
1202.05	Color as a Mark
1202.05(a)	Color Marks Never Inherently Distinctive
1202.05(b)	Functional Color Marks Not Registrable
1202.05(c)	Color as a Separable Element
1202.05(d)	Drawings of Color Marks Required
1202.05(d)(i)	Drawings of Color Marks in Trademark Applications
1202.05(d)(ii)	Drawings of Color Marks in Service Mark Applications
1202.05(d)(iii)	Drawings for Marks Including Both Color and Words or
	Design
1202.05(e)	Written Explanation of a Color Mark
1202.05(f)	Specimens for Color Marks
1202.05(g)	Special Considerations for Service Mark Applications
1202.05(h)	Applications for Color Marks Based on Intent-to-Use
1202.06	Goods in Trade
1202.06(a)	Goods Must Have Utility to Others
1202.06(b)	Registration Must Be Refused if Mark Not Used on Goods in
	Trade
1202.06(c)	"Goods in Trade" in Intent-to-Use Applications
1202.07	Marks That Identify Columns or Sections of Publications
1202.07(a)	Marks That Identify Columns or Sections of Printed
	Publications
1202.07(a)(i)	Syndicated Columns and Sections
1202.07(a)(ii)	Non-Syndicated Columns and Sections
1202.07(a)(iii)	Marks That Identify Columns and Sections of Printed
1000.07(1)	Publications in Intent-to-Use Applications
1202.07(b)	Marks That Identify Columns and Sections of On-Line
1000.00	Publications
1202.08	Title of a Single Creative Work
1202.09	Names of Artists and Authors
1202.09(a)	Names of Performing Artists Used on Sound Recordings
1202.10	Model or Grade Designations
1202.11 1202.12	Background Designs and Shapes
1202.12	Varietal and Cultivar Names (Examination of Applications for Seeds and Plants)
1202.13	Scent or Fragrance
1202.13	Holograms
1202.14	Sound Marks
1202.13	Refusal on Basis of Immoral or Scandalous Matter;
1200	Deceptive Matter; Matter which May Disparage, Falsely
	Suggest a Connection, or Bring into Contempt or
	Disrepute
1203.01	Immoral or Scandalous Matter

1203.02	Deceptive Matter
1203.02(a)	Distinction between Marks Comprising Deceptive Matter
	$(\S2(a))$ and Deceptively Misdescriptive Marks $(\S2(e)(1))$ or
	Geographically Deceptively Misdescriptive Marks (§2(e)(3))
1203.02(b)	Deceptive Matter: Case References
1203.03	Matter which May Disparage, Falsely Suggest a Connection,
	or Bring into Contempt or Disrepute
1203.03(a)	"Persons" Defined
1203.03(b)	"National Symbols" Defined
1203.03(c)	Disparagement, Bringing into Contempt and Bringing into
	Disrepute
1203.03(d)	Disparagement, Bringing into Contempt and Bringing into
	Disrepute: Case References
1203.03(e)	False Suggestion of a Connection
1203.03(f)	False Suggestion of a Connection: Case References
1204	Refusal on Basis of Flag, Coat of Arms or Other Insignia
1205	of United States, State or Municipality, or Foreign Nation
1205	Refusal on Basis of Matter Protected by Statute or Convention
1205.01	
1205.02	Statutory Protection Article 6 <i>ter</i> of the Paris Convention
1205.02 1206	Refusal on Basis of Name, Portrait or Signature of
1200	Particular Living Individual or Deceased U.S. President
	Without Consent
1206.01	Name, Portrait or Signature
1206.02	Particular Living Individual or Deceased U.S. President
1206.03	Consent of Individual or President's Widow Required
1206.03(a)	Consent Must Be Written Consent to Registration
1206.03(b)	Implicit Consent
1207	Refusal on Basis of Likelihood of Confusion, Mistake or
	Deception
1207.01	Likelihood of Confusion
1207.01(a)	Relatedness of the Goods or Services
1207.01(a)(i)	Goods or Services Need Not Be Identical
1207.01(a)(ii)	Goods May Be Related to Services
1207.01(a)(iii)	Reliance on Identification of Goods/Services in Registration
	and Application
1207.01(a)(iv)	No "Per Se" Rule
1207.01(a)(v)	Expansion of Trade Doctrine
1207.01(a)(vi)	Evidence Showing Relatedness of Goods or Services
1207.01(b)	Similarity of the Marks
1207.01(b)(i)	Word Marks
1207.01(b)(ii)	Similarity In Appearance
1207.01(b)(iii)	Comparing Marks That Contain Additional Matter
1207.01(b)(iv)	Similarity in Sound – Phonetic Equivalents
1207.01(b)(v)	Similarity in Meaning

1207.01(1)()	
1207.01(b)(vi)	Doctrine of Foreign Equivalents
1207.01(b)(vii)	Transposition of Terms
1207.01(b)(viii)	Marks Consisting of Multiple Words
1207.01(b)(ix)	Weak or Descriptive Marks
1207.01(b)(x)	Parody Marks
1207.01(c)	Design Marks
1207.01(c)(i)	Legal Equivalents - Comparison of Words and Their
	Equivalent Designs
1207.01(c)(ii)	Composite Marks Consisting of Both Words and Designs
1207.01(c)(iii)	Comparison of Typed Marks and Special Form Marks
1207.01(d)	Miscellaneous Considerations
1207.01(d)(i)	Doubt Resolved in Favor of Registrant
1207.01(d)(ii)	Absence of Actual Confusion
1207.01(d)(iii)	Third-Party Registrations
1207.01(d)(iv)	Collateral Attack on Registration Improper in Ex Parte
	Proceeding
1207.01(d)(v)	Classification of Goods/Services
1207.01(d)(vi)	Prior Decisions of Examining Attorneys
1207.01(d)(vii)	Sophisticated Purchasers
1207.01(d)(viii)	Consent Agreements
1207.01(d)(ix)	Fame of Mark
1207.01(d)(x)	Conflicting Marks Owned by Different Parties
1207.02	Marks That Are Likely to Deceive
1207.03	Marks Previously Used in United States but Not Registered
1207.04	Concurrent Use Registration
1207.04(a)	Concurrent Use – In General
1207.04(b)	Filing Basis of Application Seeking Concurrent Use
1207.04(c)	Basis for Concurrent Use Registration
1207.04(d)	Determining Eligibility for Concurrent Use
1207.04(d)(i)	Requirements for All Concurrent Use Applications
1207.04(e)	Applications Subject to Concurrent Use Proceeding Before
	the Trademark Trial and Appeal Board
1207.04(e)(i)	Preparing the File for Publication
1207.04(f)	Application for Concurrent Use Registration Pursuant to
	Court Decree
1207.04(f)(i)	Preparing the File for Publication
1208	Conflicting Marks in Pending Applications
1208.01	Priority for Publication or Issue Based on Effective Filing
	Date
1208.01(a)	What Constitutes Conflict Between Pending Applications
1208.01(b)	What Constitutes Effective Filing Date
1208.01(c)	Change in Effective Filing Date During Examination
1208.01(d)	Examination of Conflicting Marks After Reinstatement or
1000.00	Revival
1208.02	Conflicting Applications Examination Procedure

1208.02(a)	Examination of Application with Earliest Effective Filing
1208.02(<i>a</i>)	Date
1208.02(b)	Action on Later-Filed Application: Giving Notice of the
1200.02(0)	Earlier Application or Applications
1208.02(c)	Suspension of Later-Filed Application
1208.02(d)	Action on Later-Filed Application upon Disposition of the
1200.02(u)	Earlier Application or Applications
1208.02(e)	Applicant's Argument on Issues of Conflict
1208.02(f)	Conflicting Mark Mistakenly Published or Approved for
(-)	Issuance on the Supplemental Register
1208.03	Procedure Relating to Possibility of Interference
1208.03(a)	Procedures on Request for Interference
1208.03(b)	Decision on Request for Interference
1208.03(c)	Procedure When Interference Is to be Declared
1209	Refusal on Basis of Descriptiveness
1209.01	Distinctiveness/Descriptiveness Continuum
1209.01(a)	Fanciful, Arbitrary and Suggestive Marks
1209.01(b)	Merely Descriptive Marks
1209.01(c)	Generic Terms
1209.01(c)(i)	Test
1209.01(c)(ii)	Terminology
1209.01(c)(iii)	Generic Matter: Case References
1209.02	Procedure for Descriptiveness and/or Genericness Refusal
1209.03	Considerations Relevant to Determination of Descriptiveness
1209.03(a)	Third-Party Registrations
1209.03(b)	No Dictionary Listing
1209.03(c)	First or Only User
1209.03(d)	Combined Terms
1209.03(e)	More Than One Meaning
1209.03(f)	Picture or Illustration
1209.03(g)	Foreign Equivalents/Dead or Obscure Languages
1209.03(h)	Incongruity
1209.03(i)	Intended Users
1209.03(j)	Phonetic Equivalent
1209.03(k)	Laudatory Terms
1209.03(1)	Telephone Numbers
1209.03(m)	Domain Names
1209.03(n)	"America" or "American"
1209.03(o)	"National" or "International"
1209.03(p)	Function or Purpose
1209.03(q)	Source or Provider of Goods or Services
1209.03(r)	Retail Store and Distributorship Services
1209.03(s)	Slogans
1209.04	Deceptively Misdescriptive Marks
1210	Refusal on Basis of Geographic Significance
1210.01	Elements

1010 01()	
1210.01(a)	Geographically Descriptive Marks - Test
1210.01(b)	Geographically Deceptively Misdescriptive Marks - Test
1210.01(c)	Geographically Deceptive Marks - Test
1210.02	Primarily Geographic Significance
1210.02(a)	Geographic Locations
1210.02(b)	Primary Significance
1210.02(c)	"America" or "American" and Similar Terms in Marks
1210.02(d)	Non-Geographic Characteristics of Goods or Services
	Conveyed by Geographic Terms
1210.03	Geographic Origin of the Goods or Services
1210.03	Goods/Place or Services/Place Association
1210.04(a)	Place Does Not Have to be Well Known for the Goods or
1210.04(d)	Services
1210.04(b)	
1210.04(0)	Geographically Descriptive Marks - Association Presumed
	Unless Applicant Raises Genuine Issue as to Whether
	Primary Significance of Term is Geographic or Place is
1010.01()	Obscure or Remote
1210.04(c)	Establishing Goods/Place or Services/Place Association
1210.04(d)	Obscure or Remote Geographic Marks
1210.04(e)	Arbitrary Use of Geographic Terms
1210.05	Geographically Deceptive Marks
1210.05(a)	Deceptive Geographical Marks - in General
1210.05(b)	Wines and Spirits
1210.06	Supplemental Register and Section 2(f)
1210.06(a)	Registrability of Geographic Terms on the Supplemental
	Register
1210.06(b)	Registrability of Geographic Terms Under Section 2(f)
1210.07	Geographic Terms Combined With Additional Matter
1210.07(a)	Geographic Terms Combined With Descriptive Matter
1210.07(b)	Marks That Include Primarily Geographically Descriptive
1210107(0)	Terms Combined With Additional Matter
1210.07(c)	Marks That Include Primarily Geographically Deceptively
1210.07(0)	Misdescriptive Terms Combined With Additional Matter
1210.07(d)	Marks That Include Geographically Deceptive Terms
1210.07(u)	Combined With Additional Matter
1210.07(e)	Arbitrary, Fanciful or Suggestive Composite Marks
1210.07(0)	Disclaimer of Geographic Terms in Composite Marks
1210.08	
	Geographic Certification Marks Refusal on Basis of Surname
1211	
1211.01	"Primarily Merely a Surname"
1211.01(a)	Non-Surname Significance
1211.01(a)(i)	Ordinary Language Meaning
1211.01(a)(ii)	Phonetic Equivalent of Term With Ordinary Language
1011 01 () /	Meaning
1211.01(a)(iii)	Geographical Significance
1211.01(a)(iv)	Historical Place or Person

1211.01(a)(v)	Rare Surnames
1211.01(a)(v) 1211.01(a)(vi)	"Look And Feel" of a Surname
1211.01(b)	Surname Combined with Additional Matter
1211.01(b)(i)	Double Surnames
1211.01(b)(ii)	Stylization or Design Element
1211.01(b)(iii)	Surname Combined with Initials
1211.01(b)(iv)	Surname Combined with Title
1211.01(b)(v) 1211.01(b)(v)	Surname in Plural or Possessive Form
1211.01(b)(v)	Surname Combined with Wording
1211.01(b)(vii)	Surname Combined With Domain Name
1211.01(0)(VII)	Evidence Relating to Surname Refusal
1211.02 1211.02(a)	Evidentiary Burden - Generally
1211.02(a) 1211.02(b)	Evidentiary Considerations
1211.02(b)(i)	Telephone Directory Listings
	LEXIS/NEXIS® Research Database Evidence
1211.02(b)(ii)	
1211.02(b)(iii)	Surname of Person Associated with Applicant
1211.02(b)(iv)	Specimens Confirming Surname Significance of Term
1211.02(b)(v)	Negative Dictionary Evidence
1211.02(b)(vi)	Evidence of Fame of a Mark
1212	Acquired Distinctiveness or Secondary Meaning
1212.01	General Evidentiary Matters
1212.02	General Procedural Matters
1212.02(a)	Situations in which a Claim of Distinctiveness under
1010 00(1)	Appropriate
1212.02(b)	Section 2(f) Claim Is, for Procedural Purposes, a Concession
1212.02()	that Matter Is Not Inherently Distinctive
1212.02(c)	Claiming §2(f) Distinctiveness in the Alternative
1212.02(d)	Unnecessary §2(f) Claims
1212.02(e)	Disclaimers in Applications Claiming Distinctiveness under §2(f)
1212.02(f)	Section 2(f) Claim in Part (as to a Portion of the Mark)
1212.02(g)	Examining Attorney's Role in Suggesting §2(f) or
(8)	Appropriate Kind/Amount of Evidence
1212.02(h)	Non-Final and Final Refusals
1212.02(i)	Section 2(f) Claim with Respect to Incapable Matter
1212.03	Evidence of Distinctiveness Under §2(f)
1212.04	Prior Registrations as Proof of Distinctiveness
1212.04(a)	Sufficiency of Claim Vis-à-Vis Nature of the Mark
1212.04(b)	"Same Mark"
1212.04(c)	Relatedness of Goods or Services
1212.04(d)	Registration Must Be in Full Force and Effect and on
121210 ((4))	Principal Register or under Act of 1905
1212.04(e)	Form of §2(f) Claim Based on Ownership of Prior
•	Registrations
1212.05	Five Years of Use as Proof of Distinctiveness
1212.05(a)	Sufficiency of Claim vis-à-vis Nature of the Mark
1212.00 (u)	

1010 05(1)	
1212.05(b)	"Substantially Exclusive and Continuous"
1212.05(c)	Use "as a Mark"
1212.05(d)	Form of the Proof of Five Years' Use
1212.06	Establishing Distinctiveness by Actual Evidence
1212.06(a)	Long Use of the Mark
1212.06(b)	Advertising Expenditures
1212.06(c)	Affidavits or Declarations Asserting Recognition of Mark as
	Source Indicator
1212.06(d)	Survey Evidence, Market Research and Consumer Reaction
	Studies
1212.06(e)	Miscellaneous Considerations Regarding Evidence
	Submitted to Establish Distinctiveness
1212.06(e)(i)	First or Only User
1212.06(e)(ii)	State Trademark Registrations
1212.06(e)(iii)	Design Patent
1212.06(e)(iv)	Acquiescence to Demands of Competitors
1212.07	Form of Application Asserting Distinctiveness
1212.08	Section 44 Applications and Distinctiveness
1212.09	Intent-to-Use Applications and Distinctiveness
1212.09(a)	Section 2(f) Claim Requires Prior Use
1212.09(b)	Claim of §2(f) "in Part" in §1(b) Application
1212.10	Printing "§2(f)" Notations
1213	Disclaimer of Elements in Marks
1213.01	History of Disclaimer Practice
1213.01(a)	Discretion in Requiring Disclaimer
1213.01(b)	Refusal to Register Because of Failure to Disclaim
1213.01(c) 1213.01(c)	Voluntary Disclaimer of Registrable or Unregistrable Matter
1213.01(0)	"Composite" Marks
1213.02	Disclaimer of Unregistrable Components of Marks
1213.03(a)	"Unregistrable Components" in General
1213.03(b)	Generic Matter and Matter Which Does Not Function as a
1215.05(0)	Mark
1213.03(c)	Pictorial Representations of Descriptive Matter
1213.03(d)	Entity Designations
1213.05(d) 1213.04	Trade Names
1213.04	"Unitary" Marks
1213.05(a)	Compound Word Marks
1213.05(a)(i)	Telescoped Words
	Compound Words Formed with Hyphen or Other
1213.05(a)(ii)	Punctuation
1212.05(h)	
1213.05(b)	Slogans "Double Entendre"
1213.05(c)	
1213.05(d) 1213.05(c)	Incongruity Sound Patterns
1213.05(e) 1213.05(f)	
1213.05(f)	Display of Mark Entire Mark May Not Be Displaimed
1213.06	Entire Mark May Not Be Disclaimed

1213.07	Removal Rather than Disclaimer
1213.08	Form of Disclaimers
1213.08(a)	Wording of Disclaimer
1213.08(a)(i)	Standardized Printing Format for Disclaimer
1213.08(a)(ii)	Unacceptable Wording for Disclaimer
1213.08(b)	Disclaimer of Unregistrable Matter in Its Entirety
1213.08(c)	Disclaimer of Misspelled Words
1213.08(d)	Disclaimer of Non-English Words
1213.09	Mark of Another May Not Be Registered with Disclaimer
1213.10	Disclaimer in Relation to Likelihood of Confusion
1213.11	Acquiring Rights in Disclaimed Matter
1213.11	"Phantom" Elements in Marks
1214.01	Single Application May Seek Registration of Only One Mark
1214.02	Agreement of Mark on Drawing With Mark on Specimens or
1211.02	Foreign Registration
1214.03	"Phantom Marks" in Intent-to-Use Applications
1215	Marks Composed, in Whole or in Part, of Domain Names
1215.01	Background
1215.02	Use as a Mark
1215.02(a)	Use Applications
1215.02(b)	Advertising One's Own Products or Services on the Internet
1210.02(0)	is not a Service
1215.02(c)	Agreement of Mark on Drawing with Mark on Specimens of
(-)	Use
1215.02(d)	Marks Comprised Solely of TLDs for Domain Name
(")	Registry Services
1215.02(e)	Intent-to-Use Applications
1215.03	Surnames
1215.04	Descriptiveness
1215.05	Generic Refusals
1215.06	Marks Containing Geographical Matter
1215.07	Disclaimers
1215.08	Material Alteration
1215.08(a)	Adding or Deleting TLDs in Domain Name Marks
1215.08(b)	Adding or Deleting TLDs in Other Marks
1215.09	Likelihood of Confusion
1215.10	Marks Containing the Phonetic Equivalent of a Top-Level
	Domain
1216	Effect of Applicant's Prior Registrations
1216.01	Decisions Involving Prior Registrations Not Controlling
1216.02	Effect of "Incontestability" in Ex Parte Examination
1217	Res Judicata

Chapter 1300 - Examination of Different Types of Marks

ervice Marks
2

1301.01	What Is a Service
1301.01(a)	Criteria for Determining What Constitutes a Service
1301.01(a)(i)	Performance of a Real Activity
1301.01(a)(ii)	For the Benefit of Others
1301.01(a)(iii)	Sufficiently Distinct from Activities Involved in Sale of Goods or Performance of Other Services
1201 01(b)	Whether Particular Activities Constitute "Services"
1301.01(b)	Contests and Promotional Activities
1301.01(b)(i)	
1301.01(b)(ii)	Warranty or Guarantee of Repair
1301.01(b)(iii)	Publishing One's Own Periodical
1301.01(b)(iv)	Soliciting Investors
1301.01(b)(v)	Informational Services Ancillary to the Sale of Goods
1301.02	What Is a Service Mark
1301.02(a)	Matter That Does Not Function as a Service Mark
1301.02(b)	Names of Characters or Personal Names as Service Marks
1301.02(c)	Three-Dimensional Service Marks
1301.02(d)	Titles of Radio and Television Programs
1301.02(e)	Process, System or Method
1301.03	Use of Service Mark in Commerce
1301.03(a)	Use of Service Mark in Advertising to Identify Services
1301.03(b)	Rendering of Service in Commerce Regulable by Congress
1301.04	Specimens of Use for Service Marks
1301.04(a)	Specimens Must Show Use as a Service Mark
1301.04(b)	Association Between Mark and Services
1301.04(c)	Letterhead
1301.04(d)	Specimens for Entertainment Services
1301.05	Identification and Classification of Services
1302	Collective Marks Generally
1302.01	History of Collective Marks
1303	Collective Trademarks and Collective Service Marks
1303.01	Use of Collective Trademark and Collective Service Mark Is
	by Members
1303.02	Examination of Collective Trademark and Collective Service
	Mark Applications
1303.02(a)	Classification of Goods and Services in Collective
	Trademark and Collective Service Mark Applications
1303.02(b)	Specimens of Use for Collective Trademark and Collective
	Service Mark Applications
1303.02(c)	Special Elements of Collective Trademark and Collective
	Service Mark Applications
1303.02(c)(i)	Manner of Control
1303.02(c)(ii)	Use by Members Indicated in Dates-of-Use Clause
1304	Collective Membership Marks
1304.01	History of Membership Marks
1304.02	Purpose of Membership Mark
1304.03	Use of Membership Mark Is By Members

1204.04	
1304.04	Who May Apply to Register Membership Mark
1304.05	Who May Own Membership Mark
1304.06	Nature of the Collective Group
1304.07	Character of the Mark
1304.08	Refusal to Register Membership Mark
1304.08(a)	Matter That Does Not Function as a Membership Mark
1304.08(b)	Likelihood of Confusion
1304.08(c)	Degree or Title Designations Contrasted to Membership
	Marks
1304.09	Examination of Collective Membership Mark Applications
1304.09(a)	Classification in Membership Mark Applications
1304.09(b)	Identifications in Membership Mark Applications
1304.09(c)	Specimens of Use for Membership Marks
1304.09(d)	Special Elements of Applications for Collective Membership
1501.09(0)	Marks
1304.09(d)(i)	Exercise of Control
1304.09(d)(ii)	Manner of Control
1304.09(d)(iii)	Use by Members Indicated in Dates-of-Use Clause
1305	Trademarks and Service Marks Used by Collective
1505	Organizations
1306	Certification Marks
1306.01	Definition of Certification Mark
1306.01(a)	Use Is by Person Other than Owner
1306.01(b)	Purpose Is to Certify, Not to Indicate Source
1306.02	Certification Marks That Are Indications of Regional Origin
1306.02(a)	Indicating the Region
1306.02(b)	Authority to Control a Geographical Term
1306.02(c)	The Government as Applicant for a Geographical
1206.02	Certification Mark
1306.03	Certification Marks Certifying that Labor Was Performed by
10000	Specific Group or Individual
1306.04	Ownership of Certification Marks
1306.05	Characteristics of Certification Marks
1306.05(a)	Same Mark Not Registrable as Certification Mark and as
	Any Other Type of Mark
1306.05(b)	Cancellation of Applicant's Prior Registration Required by
	Change from Certification Mark Use to Trademark or
	Service Mark Use, or Vice Versa
1306.06	Examination of Certification Mark Applications
1306.06(a)	Refusal to Register Certification Mark
1306.06(b)	The Mark on the Drawing
1306.06(c)	Specimens of Use for Certification Marks
1306.06(d)	Relation Between Certification Mark and Trademark or
	Service Mark on Specimens
1306.06(e)	Classification of Goods and Services in Certification Mark
	Applications

1306.06(f)	Identification of Goods and Services in Certification Mark Applications
1306.06(g)	Special Elements of Certification Mark Applications
1306.06(g)(i)	Statement of What the Mark Certifies
1306.06(g)(ii)	Standards
1306.06(g)(iii)	Exercise of Control
1306.06(g)(iv)	Use by Others Indicated in Dates-of-Use Clause
1306.06(g)(v)	Statement That Mark is Not Used by Applicant
1306.06(g)(vi)	Amendment to Different Type of Mark
1306.07	Relationship of §14 (Cancellation) to Examination of
	Certification Mark Applications
1306.08	Registration of Certification Mark on Basis of Foreign
	Registration
1306.09	Uncertainty Regarding Type of Mark
1306.09(a)	Distinction Between Certification Mark and Collective Mark
1306.09(b)	Distinguishing Certification Mark Use from Related-
	Company Use of Trademark or Service Mark
1306.09(c)	Patent Licenses
1307	Registration as Correct Type of Mark

Chapter 1400 — Classification and Identification of Goods and Services

1401	Classification
1401.01	Statutory Authority
1401.02	International Trademark Classification Adopted
1401.02(a)	Headings of International Trademark Classes
1401.02(b)	Short Titles for International Trademark Classes
1401.02(c)	International Alphabetical List
1401.03	Designation of Class
1401.03(a)	Designation of Class by Applicant Normally Accepted
1401.03(b)	Designation of Class by Office When Class Number Is Not
	Designated or Is Inaccurate
1401.03(c)	Failure to Classify May Delay Action
1401.04	Classification Determines Number of Fees
1401.04(a)	Prior U.S. Classification System
1401.04(b)	Limiting Goods and Services to the Number of Classes for
	Which Filing Fees Are Paid
1401.05	Criteria on Which International Classification Is Based
1401.06	Specimens as Related to Classification
1401.06(a)	Specimen Discloses Special Characteristics
1401.07	Classification and Plurality of Uses
1401.08	Classification and the Identification of Goods and Services,
	In General
1401.09	Changes in Practice Based on the Restructuring of
	International Class 42 in the 8th Edition of the Nice
	Agreement

1401.09(a)	Elimination of "Miscellaneous Class Designation"
1401.09(b)	Implementation of the Changes
1401.09(0)	Identification of Goods and Services
1402.01	Specifying the Goods and/or Services - in General
1402.01(a)	General Guidelines for Acceptable Identifications of Goods
1402.01(a)	or Services
1402.01(b)	The Identification of Goods and Services in a §44
1402.01(0)	Application
1402.01(c)	Location of "Identification of Goods and Services"
1402.01(d)	Responsibilities of Examining Attorney as to Identification
1402.01(d)	Entitlement to Filing Date With Respect to Specification of
1402.02	Goods and Services
1402.03	Specificity of Terms Used in Identifying Goods and Services
1402.03(a)	Inclusive Terminology
1402.03(b)	House Marks
1402.03(c)	Marks for a "Full Line of"
1402.03(d)	Identifying Computer Programs with Specificity
1402.03(e)	Identifying Publications with Specificity
1402.04	Acceptable Identification of Goods and Services Manual
1402.05	Accuracy of Identification
1402.05(a)	Goods That Are Components or Ingredients
1402.05(b)	Material Composition
1402.06	Amendments Permitted to Clarify or Limit Identification
1402.06(a)	Limiting the Identification of Goods and Services
1402.06(b)	Clarifying the Identification of Goods and Services
1402.07	Scope of Identification of Goods and Services for Purposes
	of Amendment
1402.07(a)	The "Ordinary-Meaning" Test
1402.07(b)	Ambiguous Identifications
1402.07(c)	Unambiguous Identifications
1402.07(d)	Permissible Scope of Identification Not Affected by
	Proposed Amendment That Is Unacceptable
1402.07(e)	Permissible Scope of Identification Affected by Proposed
4 4 9 9 9 9	Amendment That Is Accepted
1402.08	Moving Goods and Services Between Companion
1 402 00	Applications
1402.09	Use of Marks Inappropriate in Identifications
1402.10	Identification of Goods and Services in Documents Filed in
1402.11	Connection with §1(b) Applications Identification of Services
	Computer Services
1402.11(a) 1402.11(b)	Information Services
1402.11(c)	Association Services and "Promoting the Interest of" Services
1402.11(d)	Charitable Services, Other than Monetary
1402.11(d) 1402.11(e)	Consulting Services
1 (02.11(0)	

1402.12	Parentheses and Brackets Should Not be Used in
	Identifications of Goods and Services
1403	Combined or Multiple-Class Application
1403.01	Requirements for Combined or Multiple-Class Application
1403.02	Amendment of Combined or Multiple-Class Application
1403.02(a)	Deletion of Classes
1403.02(b)	Correction of Classification
1403.02(c)	Addition of Classes
1403.03	Dividing of Combined or Multiple-Class Application
1403.04	Combined or Multiple-Class Marks in Official Gazette
1403.05	Action After Filing, Multiple Classes
1403.05(a)	Fees for Action After Filing, Multiple Classes
1403.05(b)	Surrender or Amendment in Multiple-Class Registrations

Chapter 1500 - Post-Examination Procedures

1501	Appeal to Trademark Trial and Appeal Board
1501.01	Appealable Matter
1501.02	Examining Attorney's Appeal Brief
1501.02(a)	Reply Briefs in Ex Parte Appeals
1501.03	Withdrawal of Refusal or Requirement After Appeal
1501.04	Fee for Appeal
1501.05	Amendment During Appeal
1501.06	Amendment After Decision on Appeal
1501.07	Examining Attorney's Request for Reconsideration
1502	Publication in Trademark Official Gazette
1502.01	Notification of Errors in Trademark Official Gazette
1503	Opposition
1503.01	Filing a Notice of Opposition
1503.02	Joining Persons in an Opposition
1503.03	Time for Opposing
1503.04	Extension of Time to Oppose
1503.05	Opposition Fee
1504	Jurisdiction Over Application
1504.01	Jurisdiction of Examining Attorney
1504.02	Jurisdiction of Trademark Trial and Appeal Board
1504.03	Action By Examining Attorney After Publication
1504.04	Restoration of Jurisdiction to Examining Attorney by
	Director
1504.04(a)	Request for Jurisdiction
1504.05	Remand to Examining Attorney by Trademark Trial and
	Appeal Board
1504.05(a)	Request for Remand
1505	Amendments Filed by Applicants After Publication
1505.01	Approval of Amendments After Publication
1505.01(a)	Amendments to the Identification of Goods or Services

1505.01(b)	Amendments to Classification
1505.01(c)	Amendments to Drawings
1505.01(d)	Amendments to the Dates of Use
1505.01(e)	Amendments Adding or Deleting Disclaimers
1505.01(f)	Amendment of the Basis
1505.02	Procedures for Processing Amendments Filed by the
	Applicant After Publication
1505.02(a)	Form and Timing of Amendments
1505.02(b)	Processing Amendments in Cases Where No Opposition Has
	Been Filed and No Request for an Extension of Time to File
	an Opposition Has Been Granted
1505.02(c)	Processing Amendments in Cases Where an Extension of
	Time for Filing an Opposition Has Been Granted
1505.02(d)	Processing Amendments in Cases Where an Opposition Has
	Been Filed
1506	Concurrent Use Registration Proceeding
1507	Interference

Chapter 1600 - Registration and Post Registration Procedures

1601	Types of Registrations
1601.01	Registrations Now Being Issued
1601.01(a)	Certificate of Registration
1601.01(b)	Duplicate Certificate of Registration
1601.02	Repeal of Prior Acts
1601.03	Additional Registration under Act of 1946
1601.04	1881 and 1905 Act Registrations
1601.05	1920 Act Registrations
1601.06	Registrations Issued Under Prior Classification Systems
1601.07	Form of Copies of Registrations
1602	Duration and Maintenance of Registrations
1602.01	Act of 1946
1602.02	Acts of 1881 and 1905
1602.03	Act of 1920
1602.04	Trademark Law Treaty Implementation Act Changes
1603	Bringing Prior Act Registrations Under 1946 Act, §12(c)
1603.01	Notification and Printing of Mark in Official Gazette
1603.02	Cancellation and Incontestability
1603.03	Affidavits of Use in Commerce Required
1604	Affidavit of Continued Use or Excusable Nonuse of Mark
	in Commerce under §8
1604.01	Registrations to Which §8 Affidavit Pertains
1604.02	Notice of When Affidavit Is Due
1604.03	Form for Filing Affidavit
1604.04	Time for Filing Affidavit
1604.04(a)	Premature Filing of Affidavit

1604.04(b)	Registrations in Twenty-Year Terms
1604.05	Requirements for Affidavit or Declaration of Continued Use
1001100	or Excusable Nonuse
1604.06	Fees
1604.06(a)	Filing Fee for Affidavit or Declaration
1604.06(b)	Grace Period Surcharge and Deficiency Surcharge
1604.06(c)	Processing Affidavit or Declaration Filed With Insufficient
	Fees
1604.07	Ownership, and Who May File Affidavit
1604.07(a)	Affidavit or Declaration Must be Filed by Owner
1604.07(b)	Establishing Ownership
1604.07(c)	Acceptance Notice Issued in Name of Owner of Record
1604.07(d)	Changes of Legal Entity
1604.07(e)	Changes of Name
1604.07(f)	Correction of Mistake in Setting Forth the Name of the
	Owner
1604.08	Execution of Affidavit or Declaration
1604.08(a)	Persons Who May Sign Affidavit or Declaration
1604.08(b)	Date of Execution of Affidavit or Declaration
1604.08(c)	Signature of Electronically Transmitted Affidavit or
	Declaration
1604.08(d)	Form and Wording of Verification
1604.09	Goods and/or Services Set Forth in Affidavit or Declaration
1604.09(a)	Goods and/or Services Must be Specified or Expressly
1 (0 4 00 (1)	Incorporated by Reference
1604.09(b)	Deletion of Goods and/or Services
1604.09(c)	Failure to List All Goods and/or Services Recited in
1(04,00(4))	Registration
1604.09(d) 1604.10	New Goods and/or Services Cannot be Added Use in Commerce
1604.10	"Excusable Nonuse" of Mark
1604.11	
1604.12 1604.12(a)	Specimen Showing Current Use of Mark in Commerce Specimen for Each Class Required
1604.12(a)	Specimens in Electronically Filed Affidavits
1604.12(c)	Substitute Specimens
1604.13	Differences in the Mark As Used on the Specimen and the
1001.15	Mark as Registered
1604.13(a)	Possible Amendment of Mark in Registration
1604.14	Designation of Domestic Representative by Foreign Owner
1604.15	Office Actions and Notices Regarding Affidavit
1604.16	Response to Office Action
1604.17	Correction of Deficiencies
1604.17(a)	Correcting Deficiencies in Affidavits or Declarations Timely
~ /	Filed Within the Periods Set Forth in §§8(a) and 8(b) of the
	Act

1604.17(b)	Correcting Deficiencies in Affidavits or Declarations Filed
1004.17(0)	During the Grace Period
1604.17(c)	Defects That Cannot be Cured After Expiration of the Grace
1004.17(0)	Period
1604.18	Petition Under 37 C.F.R. §2.146
1604.18 1604.18(a)	Response to Examiner's Refusal Required Before Petition
1604.18(b)	Decision on Petition is Final Action of the Office
1604.18(c)	Request for Reconsideration of Denial of Petition
1604.18(d)	Appeal to Federal Court
1604.19	Affidavit or Declaration of Continued Use or Excusable
1004.19	Nonuse Combined with Renewal Application
1605	11
1605.01	Affidavit of Incontestability Under §15 Registrations to Which §15 Affidavit Pertains
1605.02	-
1605.02	Form for Filing Affidavit of Incontestability
1605.03	Time for Filing Affidavit of Incontestability
1605.04	Requirements for Affidavit or Declaration of Incontestability
	Combining §15 Affidavit With §8 Affidavit
1605.06	Section 14 Limitation is Independent of §15 Affidavit
1606	Renewal of Registration
1606.01	Renewal of Registrations Issued Under Prior Acts
1606.02	Form for Filing Application for Renewal
1606.03	Time for Filing Application for Renewal
1606.03(a)	Premature Filing of Application for Renewal
1606.04	Requirements for Renewal
1606.05	Fees
1606.05(a)	Fee for Filing Application for Renewal
1606.05(b)	Grace Period Surcharge and Deficiency Surcharge
1606.05(c)	Processing Renewal Application Filed With Insufficient Fees
1606.06	Ownership, and Who May File Application for Renewal
1606.07	Execution of Renewal Application
1606.08	Goods and/or Services Set Forth in Application for Renewal
1606.08(a)	Listing of Goods and/or Services Required Only for Partial
1 (0 (00 (1)	Renewal
1606.08(b)	No Goods or Services Listed
1606.08(c)	Some Goods and/or Services Listed
1606.08(d)	Goods and/or Services Not Listed in Registration May Not
1 (0 (00	Be Listed in Renewal Application
1606.09	Affidavit of Use in Commerce or Excusable Nonuse Not
	Required
1606.10	Designation of Domestic Representative by Foreign
	Applicant for Renewal
1606.11	Office Actions and Notices Regarding Application for
	Renewal
1606.12	Response to Office Action
1606.13	Correction of Deficiencies

1606.13(a)	Correcting Deficiencies in Renewal Applications Filed
	Within the Year Before the Expiration Date of the
	Registration
1606.13(b)	Correcting Deficiencies in Renewal Applications Filed
1(0(12())	During the Grace Period
1606.13(c)	Late Filing Cannot be Cured
1606.14	Petition Under 37 C.F.R. §2.146
1606.14(a)	Response to Examiner's Refusal Required Before Petition
1606.14(b)	Decision on Petition is Final Action of the Office
1606.14(c)	Request for Reconsideration of Denial of Petition
1606.14(d)	Appeal to Federal Court
1606.15	Renewal Application Combined with Affidavit or
1(07	Declaration of Continued Use or Excusable Nonuse
1607	Cancellation of Registrations Under §§14 and 37 of the
1608	Trademark Act
	Surrender of Registration for Cancellation
1609	Amendment and Correction of Registrations
1609.01	Amendment of Registration - In General
1609.02	Amendment of Mark
1609.02(a)	Determining What Constitutes Material Alteration of Mark
1609.02(b)	New Drawing Required
1609.02(c)	Supporting Specimen and Declaration Amendment of Identification of Goods or Services
1609.03	
1609.04	Disclaimer of Mark
1609.05	Territorial Restrictions
1609.06 1609.07	Dates of Use
1009.07	Effect of Amendment of Registration on Limitation of
1609.08	Grounds for Cancellation of a Registration Amendment From Supplemental to Principal Register Not
1009.08	Permitted
1609.09	Correction of Mistake in Registration
1609.09 1610	Court Orders Concerning Registrations
1610	Updating Automated Records to Show the Status of
1011	Registrations
1612	Powers of Attorney, Changes of Address, and
1012	Designations of Domestic Representative Filed After
	Registration
	Registration
	Chapter 1700 - Matters Submitted to Director
1701	Statutory Authority of Director
1702	Petitions to the Director Under 37 C.F.R. §2.146 - In
	General
1703	Specific Types of Petitions
1704	Petitionable Matter
1505	

1704Petitionable Matter1705Petition Procedure

1705.01	Standing
1705.02	Petition Fee
1705.03	Evidence and Proof of Facts
1705.04	Timeliness
1705.05	Due Diligence
1705.06	Stay
1705.07	Processing Petition Papers
1705.08	Request for Reconsideration of Denial of Petition
1705.09	Appeal to Federal Court
1706	Standard of Review on Petition
1707	Director's Supervisory Authority Under 37 C.F.R.
	§2.146(a)(3)
1708	Waiver of Rules
1709	Matters Delegated by Director
1710	Petition to Make Special
1710.01	Basis for Granting or Denying Petition
1710.02	Processing Petition Papers
1711	Review of Denial of Filing Dates
1712	Reinstatement of Applications and Registrations
1712.01	Reinstatement of Applications Abandoned Due to Office
	Error
1712.02	Reinstatement of Registrations Cancelled or Expired Due to
	Office Error
1713	Petition to Reverse Holding of Abandonment for Failure
	to Respond Completely
1714	to Respond Completely Petition to Revive Abandoned Application
1714 1714.01	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive
1714	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office
1714 1714.01 1714.01(a)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action
1714 1714.01	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office
1714 1714.01 1714.01(a)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request -
1714 1714.01 1714.01(a) 1714.01(b)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension
1714 1714.01 1714.01(a) 1714.01(b)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(d) 1714.01(e) 1714.01(f)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(d) 1714.01(e)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(d) 1714.01(e) 1714.01(f)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(d) 1714.01(d) 1714.01(f) 1714.01(f)(i) 1714.01(f)(ii) 1714.01(g)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply Request for Reconsideration of Denial of Petition to Revive
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(d) 1714.01(d) 1714.01(f) 1714.01(f)(i) 1714.01(f)(ii) 1714.01(g) 1715	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply Request for Reconsideration of Denial of Petition to Revive Letters of Protest in Pending Applications
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(c) 1714.01(d) 1714.01(f) 1714.01(f)(ii) 1714.01(f)(ii) 1714.01(g) 1715 1715.01	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply Request for Reconsideration of Denial of Petition to Revive Letters of Protest in Pending Applications Appropriate Subjects to be Raised in Letter of Protest
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(c) 1714.01(d) 1714.01(f) 1714.01(f)(i) 1714.01(f)(ii) 1714.01(g) 1715 1715.01 1715.01(a)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply Request for Reconsideration of Denial of Petition to Revive Letters of Protest in Pending Applications Appropriate Subjects to be Raised in Letter of Protest Issues Appropriate as Subject of Letter of Protest
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(c) 1714.01(d) 1714.01(f) 1714.01(f)(i) 1714.01(f)(ii) 1714.01(g) 1715 1715.01 1715.01(a) 1715.01(b)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply Request for Reconsideration of Denial of Petition to Revive Letters of Protest in Pending Applications Appropriate Subjects to be Raised in Letter of Protest Issues Appropriate as Subject of Letter of Protest Issues Inappropriate as Subject of Letter of Protest
1714 1714.01 1714.01(a) 1714.01(b) 1714.01(b)(i) 1714.01(c) 1714.01(c) 1714.01(d) 1714.01(f) 1714.01(f)(i) 1714.01(f)(ii) 1714.01(g) 1715 1715.01 1715.01(a)	to Respond Completely Petition to Revive Abandoned Application Procedural Requirements for Filing Petition to Revive Failure to Timely Respond to Examining Attorney's Office Action Failure to File Statement of Use or Extension Request - Notice of Allowance Received Applicant Must File Statement of Use or Further Extension Requests During Pendency of a Petition Notice of Allowance Not Received Timeliness and Diligence Signed Statement That Delay Was Unintentional Applicability of Unintentional Delay Standard Where the Unintentional Delay Standard Applies Where the Unintentional Delay Standard Does Not Apply Request for Reconsideration of Denial of Petition to Revive Letters of Protest in Pending Applications Appropriate Subjects to be Raised in Letter of Protest Issues Appropriate as Subject of Letter of Protest

1715.03(a)	Timely Filing of Letter of Protest
1715.03(b)	Letter of Protest Does Not Extend Opposition Period
1715.04	Tracking of Letters of Protest by the Protestor
1715.05	Approval of Applications for Publication or Issue After Grant
	of a Letter of Protest
1715.06	Recourse After Denial of Letter of Protest
1715.07	Requests for Copies of Letters of Protest

Chapter 1800 — Public Inquiries About Applications and Registrations

1801	Office Personnel May Not Express Opinion on Validity of
	Registered Trademark
1801.01	Office Personnel Cannot Testify
1802	Congressional Inquiries
1803	Freedom of Information Act Requests
1804	Inquiries from Members of the Press
1805	General Inquiries from the Public
1806	Contacts With Third Parties Regarding Ex Parte Matters
1807	United States Patent and Trademark Office World Wide
	Web Page
Appendix A	Examining Attorneys' Appeal Briefs
Appendix B	List of Members of International Trademark Agreements
Appendix C	Notes of Other Statutes
List of Decision	s Cited
Index	