

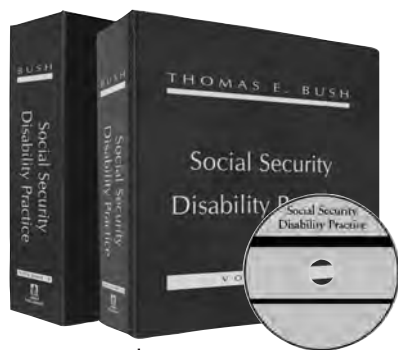
# U.S. Trademark Registration

*The Attorney's Role from  
Clearance to Renewals*

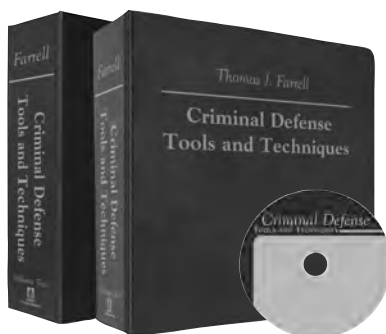


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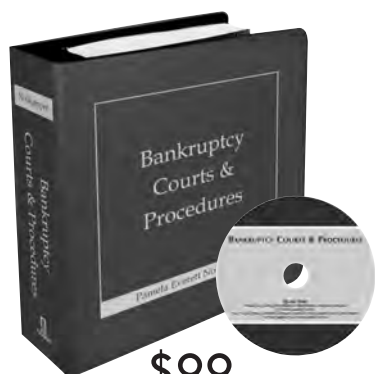
## PRACTICE-SPECIFIC LEGAL BOOKS



**\$149**



**\$129**



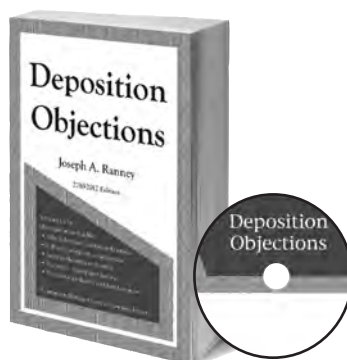
**\$99**



**\$99**



**\$99**



**\$69**



**\$99**



**\$99**

## CUSTOM WEBSITES

- Starting at \$3,000 (one-time fee)
- Custom content pages unique to your site
- Custom site design
- Preliminary link building
- Web hosting and domain name

## BASIC WEBSITES

- \$95/month with a 6-month minimum purchase
- 13-page website
- 3 custom client pages: Home, About Me, Misc.
- 12-article library

## SITE REFRESH

- Starting at \$1,000 to redesign/update your existing website
- Rewrite content or provide new custom content unique to your site
- New site architecture/graphic design
- Keyword focused text

## DELUXE WEBSITES BY CATEGORY

- |                    |                   |
|--------------------|-------------------|
| • Bankruptcy       | • Employment      |
| • Criminal Defense | • Personal Injury |
| • Divorce          | • Social Security |
| • Drunk Driving    | • Disability      |

### \$295/month with a 3-month minimum purchase

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| • Customized site design          | • Educational videos               |
| • Web hosting and domain name     | • Claim/Case submission form       |
| • Preliminary link building       | • E-booklet                        |
| • Optimization before site launch | • Technical support* (2hrs/month)  |
| • Massive article library         | *\$125/hour of additional support* |

## ADDITIONAL MARKETING

### CONTENT DEVELOPMENT

- \$45/blog post
- \$65/article written

### SEO PACKAGES

- \$200-500/month, more for more competitive areas

### NEWSLETTERS

- 4-page newsletter
- Can be e-mailed or printed and mailed (printing and shipping are extra)
- \$200 per issue/month; 3-month minimum purchase

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## **U.S. Trademark Registration: The Attorney's Role from Clearance to Renewals**

### **Agenda**

**1:15 p.m. – 1:25 p.m.**

#### **Introduction**

- a. Brief Refresher about what a trademark is, what it protects and who can own.
- b. Client consultation:
  - i. What is the proposed mark?
  - ii. What will it be used for?
  - iii. How and when will it be used?

**1:25 p.m. – 1:35 p.m.**

#### **Trademark Clearance**

- a. Utility and necessity of a trademark search
- b. Ethical and legal issues if not recommend
- c. Types of Searches: Direct, Federal, State, Common Law, Domain Name
- d. Trademark Search Attorney Review
- e. Trademark Search Client Report
  - i. If clear, proceed to registration process
  - ii. If in conflict or non-registerable, consult client on options moving forward

**1:35 p.m. – 2:05 p.m.**

#### **Trademark Registration Application Process (30 minutes)**

- a. Introduction to the USPTO (United States Patent and Trademark Office)
- b. Electronic on-line filing
- c. Owner information
- d. The Trademark: Description Of and Information About the Trademark
- e. Goods and Services: Classes and Filings Basis (In Use, Intent to Use, Foreign Application)
- f. Correspondent: Representative v. Owner
- g. Submission and Payment (Difference between the \$275 and \$325 government fee)

**2:05 p.m. – 2:35 p.m.**

#### **Trademark Prosecution (30 minutes)**

- a. Once application is submitted, the registration timeline
- b. Responsibilities as Attorney of Record
- c. Office Action:
  - i. Clerical and Non-Substantive Office Actions
  - ii. Substantive Refusals: Likelihood of Confusion, Genericness, Descriptiveness (Merely, Geographical, Surname), Other basis for substantive refusal
- d. Publication Period

**2:35 p.m. – 2:50 p.m. BREAK (15 minutes)**

**2:50 p.m. – 3:10 p.m. Oppositions and Cancellations (20 minutes)**

- a. Notice of Opposition:
  - i. When it can be filed: 30 Day Publication Period
  - ii. Who can file it: Interested 3rd parties with standing
  - iii. On what basis can it be filed: likelihood of confusion, genericness, descriptiveness, false suggestion of connection, abandonment, fraud
- b. Petition for Cancellation:
  - i. When it can be filed: up until five years after registration unless on the basis of abandonment or fraud
  - ii. Otherwise essentially the same as an Opposition proceeding

**3:10 p.m. – 3:30 p.m. Trademark Maintenance (35 minutes)**

- a. Renewals
  - i. 5-6 year
  - ii. 10th year
- b. Policing:
  - i. Must ensure mark is not infringed, diluted or made generic by public use
  - ii. USPTO does not police trademarks, up to the owner to enforce their rights
  - iii. If you cannot get a party to stop, may need to litigate:
    - 1. Opposition: only an administrative trial deciding the ownership and validity of trademarks, no injunction, no damages
    - 2. Federal trademark litigation:
      - a. Declaratory relief
      - b. Injunctive relief
      - c. Damages for Infringement, Unfair Competition, Dilution (Fame of trademark then becomes an issue)

**3:30 p.m. – 4:30 p.m. Ethics in Trademark Registration Process (30 minutes)**

- a. Potential Ethical Issues:
  - i. Recommendation of search
  - ii. Competent review and advise to client of search report
  - iii. Competent filing and maintenance of trademark application
  - iv. Deadlines for renewals and potential loss of registrations

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## **U.S. Trademark Registration:**

### **The Attorneys Role from Clearance to Renewals**

The development and maintenance of a company's intellectual property, especially its corporate trademark, are keys to its success. It helps to establish a business identity, while also ensuring product or service identification in the marketplace. Knowledge of trademark law is essential to both protect your business clients' rights and to protect your clients from making costly mistakes.

While it is common practice to refer trademark applications to law firms specializing in the field, non-intellectual property practitioners and corporate counsel with a general knowledge of trademark law and the procedures of the U.S. Patent and Trademark Office (USPTO) can confidently accomplish the trademark registration process. After all, the only prerequisite to practicing before the USPTO is state bar admission.

This program covers all aspects of trademark registration, from identifying trademarks that qualify for protection, to the preparation and prosecution of a trademark application, to the maintenance of the resulting registration. In addition, we will discuss some additional topics relevant to the continued representation of trademark registration clients, when we talk about how to renew a registration, how to appeal the examining attorney's determination of non-registrability and petition the USPTO Commissioner, initiate or defend a client in Opposition and Cancellation Proceedings, and how to ensure ethical representation of clients who have hired you to search, file, maintain and police their trademarks for them.

## **I. Introduction: Trademark Basics Necessary to Counsel Trademark Clients in the Selection, Searching, Filing, Registration and Maintenance of Their Trademark**

### **A. What is a Trademark?**

1. A trademark is a word, phrase, symbol or design, or combination of words, phrases, symbols or designs, which identifies and distinguishes the source of the goods or services of one party from those of others.
2. A service mark is the same as a trademark except that it identifies and distinguishes the source of a service rather than a product. Normally, a mark for goods appears on the product or on its packaging, while a service mark appears in advertising for the services.
3. Governing Law:
  - a. Federal Law: Federal Trademark Act of 1946 (Lanham Act) – 15 U.S.C. § 1051 et set.
  - b. State Trademarks: Varies Per State Statutes
  - c. Common Law

### **B. What are the Differences Between a Trademark and Other Forms of Intellectual Property Rights?**

1. A **trademark** is a word, phrase, symbol, and/or design that identifies and distinguishes the source of the goods of one party from those of others. A **service mark** is a word, phrase, symbol, and/or design that identifies and distinguishes the source of a service rather than goods. The term “trademark” is often used to refer to both trademarks and service marks.
2. A **patent** is a limited duration property right relating to an invention, granted by the United States Patent and Trademark Office in exchange for public disclosure of the invention.
3. A **copyright** protects works of authorship, such as writings, music, and works of art that have been tangibly expressed.
4. There may be instances where a client needs you to protect their art, business, or venture through a combination of IP rights.



- a. A client can protect the idea and functionality of an invention with a patent and the product's name with a trademark.
- b. A client can protect a song or drawing as a copyright, but may also protect a song or drawing if used in a commercial context such as a logo or jingle.
- c. Certain products or product packaging can be protected in some instances as trade dress and in other instances as a design patent.

## **C. Strength of Trademarks**

1. Clients often debate in the selection process as to what strength of mark to reflect in their trademark selection when proceeding to use and register a trademark.
2. On one hand, a strong mark, a mark that is arbitrary or fanciful, is not at risk of being found to be descriptive of your products or services and is a mark that has a greater potential to be viewed as strongly and solely associated with your goods or services.
3. On the other hand, a suggestive and descriptive mark resonates in the mind of consumers due to the fact that the suggestive or descriptive wording present in the trademark reflects a connection with some aspect of the product or services with which the mark will be used, however, a suggestive or descriptive mark may be vulnerable to others using a significant portion of your trademark if that element is one that describes a quality, feature, characteristic or a good or service itself.
4. A generic mark is never advisable to select or use in commerce, as it is not protectable on the Principal or Supplemental Register, and there will be no grounds to object or stop a third party from using a client's mark. Regardless of the trademark's initial strength, even a fanciful mark that is very strong can, over time, become generic if the owner fails to police use of its mark properly and take appropriate action. Without proper policing over time, the original owner of a mark could lose any trademark rights it has in their mark.

5. Examples:

- |                           |                       |
|---------------------------|-----------------------|
| a. Generic:               | ASPIRIN, ESCALATOR    |
| b. Descriptive:           | IBM, STEAK & ALE      |
| c. Suggestive:            | COPPERTONE, TROPICANA |
| d. Arbitrary or Fanciful: | XEROX, KODAK, APPLE   |

**D. Notice of Trademark Rights in the United States**

1. A trademark owner indicates ownership of a trademark or service mark when it is not registered with the U.S. government by using a TM symbol for a trademark and a SM for a service mark.
2. The owner of a trademark or service mark that is registered with the United States Patent and Trademark Office may and should use the ® symbol.

**E. Client consultation:**

1. What is the proposed mark?
2. What will it be used for?
3. Where will it be used?
4. How and when will it be used?
5. Is there a basis for the trademark application to be refused?
6. How likely is the refusal to hold up if challenged?

## **II. Trademark Clearance**

**A. Utility and necessity of a trademark search**

1. On a whole, it is invariably the duty of an attorney to recommend the most comprehensive search available for domestic, and in some cases foreign, trademarks.
2. While the USPTO only considers pending federal applications and live federal registrations during a USPTO trademark government review by an Examining Attorney for likelihood of confusion refusals, the comprehensive search is necessary to advise a client about a conflict that may result from first use of a

confusingly similar trademark who used a confusingly similar mark elsewhere or simply had not yet filed a state or federal trademark application.

3. Conducting a complete search of your mark before filing an application is very important because the results may identify potential problems, such as a likelihood of confusion with a prior registered mark or a mark in a pending application. A search could save you the expense of applying for a mark in which you will likely not receive a registration because another party may already have stronger rights in that mark. Also, the search results may show, when compared to other trademarks, whether your mark or a part of your mark appears as generic or descriptive wording in other registrations, and thus is weak and/or difficult to protect.

## **B. Ethical and legal issues if not recommended**

1. Could face ethical issues if the search is not offered and recommended; however it should be noted there is not requirement for a search. As such, attorneys will want to articulate the benefits a search provides a trademark applicant during the federal registration process, the assessment of the strength of the mark, and when a client is considering use of a trademark prior to the application being submitted or a registration being granted. This last consideration is extremely important from both a business and legal standpoint as trademarks rights do not vest until a mark is used and many clients will not want to invest significant capital into a venture that they are not assured they are free to use a specific trademark in connection with.

## **C. Types of Searches: Direct, Federal, State, Common Law, Domain Name**

1. Direct: A Simple TEAS search on the USPTO, only identical words or translations will appear (good place to start when in the selection process, prior to investing significant resource to a client's trademark activities.)
2. Federal: Cornerstone of the Comprehensive search, informs clients as both its registerability with the USPTO and how an element of or the entire mark has been viewed in past applications and registrations.

3. State: Search of the each State Directory is recommended and part of most comprehensive searches
  - a. Reflects current and past rights for state trademark registrants.
  - b. If a party has earlier state rights this could be the basis for a lawsuit or a concurrent use proceeding before the TTAB.
4. Common Law: Is essential to advising a client if a third party may have prior rights in a confusingly similar trademark that reflects trademark rights that while not protected by state or federal protection from registration, could be the basis for a lawsuit or administrative hearing before the Trademark Trial and Appeal Board. A common law search covers those trademarks that are present in periodicals, business directories, and those marks present in website content.

#### **D. Trademark Search Attorney Review**

1. In addition to recommending a search, an attorney must be clarify with Applicant what exact role the attorney is responsible for in its review. Some clients will want and expect an assessment as to the search results, so clarity as to the attorneys role is important in initial conversations prior to a client deciding on what mark to adopt and decided on prior to significant use of a mark in commerce.

#### **E. Trademark Search Client Report**

1. If clear, proceed to registration process
2. If in conflict or non-registerable, consult client on options moving forward such as adding or deleting certain problematic wording or design elements.

### **III. Trademark Registration Application Process**

#### **A. Introduction to the USPTO (United States Patent and Trademark Office)**

1. What does it do?
  - a. The USPTO reviews trademark applications and determines whether the applied-for mark meets the requirements for federal registrations.

- b. USPTO employees will answer general questions about the application process at no charge.
- c. For Legal advice, the USPTO recommends Applicants or potential Applicants review their rules, website, and if in need of advice or help, to contact an experienced IP attorney.

## 2. The USPTO Does Not?

- a. Enforce your rights in a trademark
- b. Bring legal action against a potential infringer.
- c. Conduct trademark searches for the public;
- d. Comment on the validity of registered marks;
- e. Assist you with policing your mark against infringers;
- f. Assist you with recordation of your mark with U.S. Customs and Border Protection;
- g. Answer questions prior to filing on whether a particular mark or type of mark is eligible for trademark registration; or
- h. Offer legal advice or opinions about common law trademark rights, state registrations, or
- i. The likelihood or merits of a trademark infringement claim.

## B. Electronic on-line filing with the USPTO

- 1. Based on the length of time even an electronically filed trademark application can take for the USPTO to review, and the certainty that the application was received through the electronic receipt of filing, it is strongly advised to file all new trademark applications online.
- 2. You must decide which version of the form to file, namely, either a TEAS Plus application or a "regular" TEAS application. The TEAS Plus form has a lower filing fee of \$275 per class of goods and/or services, but has **stricter** requirements, than the "regular" TEAS form. The form of application an Applicant will use is determined based on whether the applied for goods and/or services are at the time of filing recognized in their generic descriptive wording by the USPTO.

## **C. Owner information**

1. The application must be filed in the name of the owner of the mark. The owner of the mark is the person or entity that controls the nature and quality of the goods/services identified by the mark. The owner is not necessarily the name of the person filling out the form. The owner may be an individual, corporation, partnership, LLC, or other type of legal entity and may be foreign or domestic.

## **D. The Trademark: Description Of and Information About the Trademark**

1. Standard Character Mark:
  - a. A standard character drawing is commonly submitted when the mark you wish to register consists solely of words, letters, or numbers. A standard character mark protects the wording itself, without limiting the mark to a specific font, style, size, or color and therefore gives you broader protection than a special form drawing.
  - b. A standard character drawing must have the following characteristics:
    1. No design element Goods and Services: Classes and Filings Basis (In Use, Intent to Use, Foreign Application)
    2. No stylization of lettering and/or numbers
    3. Any letters or words in Latin characters
    4. Any numbers in Roman or Arabic Numerals
    5. Only common punctuation or diacritical marks.
2. Special Form Mark: If your mark includes a design or logo, alone or with wording, or if the particular style of lettering or particular color(s) is important, you must select the “special form” drawing format. If you are seeking registration of a word(s) combined with a design element, the drawing must depict both the word(s) and the design element combined as one image.
  - a. When you file electronically, you must upload an image of your mark into the TEAS application form.
  - b. The mark image must be in .jpg or .pdf format and should have minimal white space surrounding the design of the mark.



- c. Mark images should not include the trademark, service mark or registration symbols (TM, SM, ®).
- d. Unless a color image is being submitted for a mark wherein color is claimed as a feature of the mark, the mark image should be black and white.

**E. Goods and Services Description:**

- 1. Goods are products, such as bicycles or candles.
- 2. Services are activities performed for the benefit of someone else, such as bicycle rental services or catering.
- 3. For reference and a determination of which Goods and Services are recognized by the USPTO, what class said Goods and Services are assigned to, and by what generic terminology is used by the USPTO to describe an Applicant's Goods and Services, a trademark attorney will want to use the USPTO's *Acceptable Identification of Goods and Services Manual*.
- 4. The USPTO assigns each good or service to a Class of International Goods and Services directory that is recognized by countries in foreign countries and by international agencies and associations such as WIPO, INTA or ICANN.

**F. Filing Basis:**

An Applicant may file an Application on the basis of its current use in U.S. interstate commerce, an Applicant's *bona fide intent to use* a trademark in U.S. interstate commerce, or on the basis of a foreign application of registration.

**1. In Use Mark:**

- a. For applications filed under the use-in-commerce basis, you must be using the mark in the sale or transport of goods or the rendering of services in "interstate" commerce between more than one state or U.S. territory, or in commerce between the U.S. and another country.
- b. Provide the date of first use of the mark anywhere (locally, regionally, internationally) and the date of first use in U.S. interstate commerce

c. Submit a specimen showing how the mark appears in use in interstate commerce:

1. Goods: This is usually found in the form of a hang tag, label, product packaging, or other designations directly connected to or visible on the goods themselves
2. Services: This is usually found in the form of promotional materials associated with the offering and providing of services and will typically indicate what the services being offered are and how to contact the Applicant in order to request their services.

2. Intent to Use Filing Basis:

- a. If you have not yet used the mark but plan to do so in the future, you may file based on a good faith and bona fide intent to use the mark in U.S. commerce. An intent to use the mark is more than an idea and less than market ready. For example, having a business plan, creating sample products, or performing other initial business activities may reflect a bona fide intent to use the mark.

3. Foreign Filing Basis:

- a. Based on international agreements/treaties, an owner may file an on a foreign application/registration issued by another country (a “Section 44” application). Also, a foreign owner may file an international application in its home country and request an extension of protection to the U.S. (a “Section 66(a)” application).

**G. Application Filing Fee:**

1. \$275: When filed electronically, and the goods and/or services that the Applicant’s Mark are used in connection with are recognized and found in the USPTO’s ID Manual for Goods and Services;
2. \$325: When filed electronically but the goods and services are either new or not currently designated or assigned to an International Class in the USPTO’s Goods and Services ID Manual;

3. §375: When an application is filed on paper and sent in physical paper form.

## **IV. Trademark Prosecution**

**A. Attorney's Role After the Application is Submitted:** A trademark attorney must monitor the status of the application once filed.

1. Check application's status every 3 to 4 months. The assigned examining attorney will review your application approximately 3 months after the filing date.
2. The overall registration process may take up to a year, or even longer, depending on several factors; for example, the basis of filing of the application and the completeness of the application at the time of filing.

**B. Office Action:**

1. Approximately 3 months from the date your application is filed, the application is assigned to an examining attorney to determine whether federal law permits registration.
2. The examining attorney will examine the written application, the drawing, and any specimen, to ensure that they satisfy all of the federal legal requirements. Federal registration of trademarks is governed by the Trademark Act of 1946, 15 U.S.C. §1051 et seq., and the Trademark Rules of Practice, 37 C.F.R. Part 2.
3. The examining attorney may issue a letter (Office action) explaining any reasons for refusing registration or other requirements.
4. If you receive an Office action, you must submit a response within 6 months of the issue date of the Office action. Your filing fee will not be refunded if the application is refused registration.
5. Substantive Refusals: Likelihood of Confusion, Genericness, Descriptiveness (Merely, Geographical, Surname), Other basis for substantive refusal
6. Clerical Refusals: Errors or omissions in the Owner Information, the Description of the Trademark or the Description of Goods and/or Services, the Specimen, or the Correspondent Information

**C. Publication Period:** If no refusals or additional requirements are identified or if all identified issues have been resolved, the examining attorney will approve the mark for publication in the Official Gazette (OG), a weekly online publication.

1. The USPTO will send you a Notice of Publication stating the publication date.
2. If you have authorized e-mail communication, the USPTO will e-mail you a “Notification of ‘Notice of Publication’” approximately 3 weeks before the future publication date in the OG.
3. On the actual publication date, you will receive a second e-mail, namely, “Official Gazette Publication Confirmation” with a link to the OG. If you have not authorized e-mail communication with the USPTO, the USPTO will mail you approximately 3 weeks before publication a paper “Notice of Publication” stating the publication date.

## **V. Oppositions and Cancellations**

### **A. Notice of Opposition:**

1. When it can be filed: 30 Day Publication Period
2. Who can file it: Interested 3<sup>rd</sup> parties with standing
3. On what basis can it be filed: likelihood of confusion, genericness, descriptiveness, false suggestion of connection, abandonment, fraud

### **B. Petition for Cancellation:**

1. When it can be filed: up until five years after registration unless on the basis of abandonment or fraud
2. Otherwise essentially the same as an Opposition proceeding

## **VI. Trademark Maintenance**

### **A. Responsibilities of Trademark Attorney After Registration:**

1. To maintain your trademark registration, you must file your first maintenance (the 5-6 yr. renewal) document between the 5th and 6th year after the registration date and other maintenance documents thereafter. Then, a renewal will be due on the first during the tenth year following the registration date, and every ten years thereafter.
2. The USPTO does not currently send reminder notices when the documents are due, so a Trademark Attorney must rely on its own internal docketing system to monitor and meet any and all post registration deadlines.
3. If the documents are not timely filed, your registration will be cancelled and cannot be revived or reinstated (there is a two month revival grace period whereby the Applicant can revive the DEAD trademark), making the filing of a brand new application to begin the overall process again necessary.
4. Forms for filing the maintenance documents are at <http://www.uspto.gov/teas>.

### **B. Policing:** Throughout the life of the registration, you must police and enforce your rights. While the USPTO will prevent another pending application for a similar mark used on related goods or in connection with related services from proceeding to registration based on a finding of likelihood of confusion, the USPTO will not engage in any separate policing or enforcement activities.

1. Must ensure mark is not infringed, diluted or made generic by public use
2. If you cannot get a party to stop, may need to send cease and desist letter and if infringement continues, it may be necessary to oppose a third parties application, cancel a third parties registration or initiate a litigation proceeding against the infringing third party.
  - a. Opposition and Cancellation: Only an administrative trial deciding the ownership and validity of trademarks, no injunction, no damages
  - b. Federal trademark litigation:
    1. Declaratory relief
    2. Injunctive relief

3. Damages for Infringement, Unfair Competition, Dilution  
(Fame of trademark then becomes an issue)

## **VII. Ethics in Trademark Registration Process**

### **A. Potential Ethical Issues:**

1. Recommendation of search: If a trademark attorney does not recommend and explain the utility and repercussions of not conducting a trademark search report, it may be found to not have fulfilled its obligation of due diligence.
2. Competent review and advice to client based on the trademark search report: If a trademark attorney does not review the trademark search report properly for conflicts or cite other reasons the trademark may not be registerable, the attorney could be found not to fulfill its duty to perform due diligence.
3. Competent filing and maintenance of trademark application: As the USPTO does not assume responsibility for the notification or filing of renewals, the trademark attorney is responsible for assuring all such deadlines are met and responded to in an adequate manner.



## Other Ethical Considerations

### 1. COMMUNICATIONS WITH CLIENTS AND OTHER PARTIES

Remember that professional rules require a lawyer to act with reasonable diligence and promptness in representing a client.

Other issues to be mindful of:

Conflict of Interests: ABA Model Rules of Professional Conduct (MRPC) Rules 1.7, 1.8

A conflict of interest applies if either of the following applies:

- (1) the representation of the client will be directly adverse to another current client; or
- (2) there is a significant risk that the lawyer's ability to consider, recommend, or carry out an appropriate course of action for that client will be materially limited by the lawyer's responsibilities to another client, former client, third person, or by the lawyer's own personal interest.

To properly analyze, identify, and resolve a conflict of interest:

- (1) clearly identify the client or clients;
- (2) determine whether a conflict of interest exists;
- (3) decide whether the representation is barred by either criteria of the Rule; and
- (4) evaluate whether one of the exceptions permit the representation despite the conflict.

Identifying Conflicts of Interest: Directly Adverse Representation

The concurrent representation of current clients whose interests are directly adverse is always a conflict of interest. This arises when:

- one client asserts a claim against another client. Note: this is a non-waivable conflict.
- effective representation of a client who is a party in a lawsuit requires a lawyer to cross-examine another client represented in a different matter.

► **Example:** Company A and Company B are both current clients. Company A is involved in litigation against Company C. Company B is a material witness to the events giving rise to the lawsuit. To establish your case against Company C, you must take the deposition of Company B. Or, Company C introduces the testimony of Company B at trial, and you must cross-examine Company B. You cannot do either, even if your representation of Company B is wholly unrelated to the lawsuit between Companies A

and C.

## Identifying Conflicts of Interest – Material Limitation Conflicts

A conflict of interest also exists if there is a significant risk that a lawyer's ability to consider, recommend, or carry out an appropriate course of action for the client will be materially limited as a result of the lawyer's representation of other clients. However, the "mere possibility of subsequent harm," by itself, does not require consent and written disclosure.

To determine whether a "material limitation conflict" exists, determine:

- (a) whether an actual difference in interest between the client and lawyer (or between two clients) exists or is likely to arise; and
- (b) if it does, whether this difference in interest will materially interfere with the lawyer's independent professional judgment in considering alternatives or foreclose courses of action that reasonably should be pursued on behalf of any affected client.

## Exceptions

In a conflict situation, a lawyer may undertake the representation of a client if:

- (1) the lawyer will be able to provide competent, diligent and loyal representation to each client affected,
- (2) each affected client gives informed consent, confirmed in writing, and,
- (3) the representation is not (a) prohibited by law or (b) involves the assertion of a claim against another client in the same proceeding.

## Duties to Former Clients: MRPC Rule 1.9

Generally, absent informed written consent by a client, a lawyer who has formerly represented a client in a matter is prohibited under professional rules from thereafter representing another person in the same or substantially related matter in which that person's interest are materially adverse to the interest of the former client.

The rules also reflect existing law in that it imputes conflicts of a lawyer's former firm to the lawyer at his or her new firm if:

- (1) the interest of the former client is materially adverse to that of the prospective client, and

(2) the lawyer acquired confidential information during the representation of the former client.

► **Example:** You represented Company A to respond to a pre-litigation claim alleged by Company B. Your representation of Company A is terminated. One year later, Company B asks you to represent them in their lawsuit against Company A, arising from the same claims for which you previously represented Company A. Although Company A is not your current client, you are not permitted to represent Company B in the lawsuit against Company A in this situation. This is a non-waivable conflict.

► **Example:** You represented Company A relative to workers' compensation claims. Your representation of Company A is terminated. Two years later, Company B asks you to represent them in their lawsuit against Company A arising from a worker's compensation claim. In this situation, even if the workers' comp claim subject of the lawsuit is not a claim you were previously involved in, absent a waiver, you are likely not permitted to represent Company B against Company A, as you acquired confidential information relative to Company B's employment practices during your previous representation.

### Imputation of Conflicts: *MRPC Rule 1.10*

While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so, unless the prohibition is based on a personal interest of the prohibited lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.

In other words, a client of one attorney in the firm is the client of all the attorneys in the firm.

The imputation of a conflict upon a firm is generally released once a conflicted attorney leaves the firm, unless:

(1) the matter is substantially related to that in which the formerly associated lawyer represented the client; and

- (2) one or more of the lawyers remaining in the firm possesses confidential information material to the matter.

However, provided certain precautions are in place (i.e., a “Chinese Wall”), a firm is permitted to undertake representation of a client and maintain compliance with the Rules despite the existence of a disqualifying conflict in a newly associated attorney.

## Confidentiality of Information: MRPC Rule 1.6

A lawyer is generally prohibited from revealing information “relating to the representation of a client . . . unless the client gives *informed consent*, the disclosure is impliedly authorized in order to carry out the representation” or the disclosure is permitted by one of the various exceptions.

“Informed consent” is the agreement, in writing, by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonable available alternatives to the proposed course of conduct.

Exceptions exist to the general prohibition on disclosure of confidential information. A lawyer “may reveal information relating to the representation of a client, including information protected by the attorney-client privilege under applicable law, to the extent the lawyer reasonably believes any of the following is necessary:”

- to reveal the intention of the client or other person to commit a crime and the information necessary to prevent the crime.
- to mitigate substantial injury to the financial interest or property of another that has resulted from the client’s commission of an illegal or fraudulent act, in furtherance of which the client has used the lawyer’s services. Illegal denotes criminal conduct or a violation of an applicable statute or administrative regulation. Fraudulent denotes conduct that has an intent to deceive and is either of the following:
  - (1) an actual or implied misrepresentation of material fact that is made either with knowledge of its falsity or with such utter disregard and recklessness about its falsity that knowledge may be inferred; or,
  - (2) a knowing concealment of a material fact where there is a duty to disclose the material fact.

- to secure legal advice about the lawyer's compliance with these rules;
- to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client;
- to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved;
- to respond to allegations in any proceedings, including any disciplinary matter concerning the lawyer's representation of the client;
- to comply with other law or a court order.

An attorney may also be *required* to disclose confidential information in some instances. For example, an attorney may be required to disclose criminal or fraudulent conduct of the client relating to an adjudicative proceeding. A lawyer may also be prohibited from making knowingly false statements to third parties and requires lawyers to disclose material facts when disclosure is necessary to avoid assisting in an illegal or fraudulent act by a client.

#### Communications: MRPC Rule 1.4

An attorney's failure to regularly and adequately communicate with his or her client is a major source of client malcontent.

"Reasonable communication between the lawyer and client is necessary for the client to participate effectively in the representation." Note: the term "reasonably" denotes the conduct of a reasonably prudent competent lawyer.

The *minimum* required communications between lawyer and client and significantly established. Specifically, a rule may require a lawyer to:

- promptly inform the client of decisions or circumstances which would require the client's informed consent;
- reasonably consult with the client about the means by which the client's objectives are to be accomplished;
- keep the client *reasonably* informed about the status of the matter;
- respond to the client's *reasonable* request for information as soon as practicable;

- consult with the client about any relevant limitations on the lawyers' conduct when the lawyer knows that the client expects assistance not permitted by the appropriate rules or other law;
- explain matters to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

► **Practice Tip:** The vast majority of disciplinary cases concern two primary areas: (1) inadequate communication with clients, and (2) unreasonable fees. As it pertains to inadequate communications, it is good practice to adopt a procedure to advise clients of all: settlement proposals (regardless of merit); hearings and judicial conferences; all communications (written, verbal or electronic) with others regarding the matter; and periodical updates (regardless of change) so as to comply with this requirement.

## Fees and Expenses: MRPC Rule 1.5

Most professional rules expressly mandates that an attorney prepare an engagement letter confirming, in writing, the nature and scope of the representation. The engagement letter should be provided to the client within a reasonable time. The detail and specificity of the letter depends on the nature of the client-lawyer relationship, the work to be performed, and the basis and rate of the fee.

An attorney must not make an agreement for, charge, or collect an illegal or clearly excessive fee. A fee is clearly excessive if, after reviewing all the facts, a lawyer of ordinary prudence would be left with a definite and firm conviction that the fee is in excess of a reasonable fee. The following non-exclusive factors will be considered in determining the reasonableness of a fee:

- time and labor required
- novelty and difficulty of the questions involved
- the skill requisite to perform the legal service properly
- likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer
- fee customarily charged in the locality for similar legal services
- amount involved and the results obtained



- nature and length of the professional relationship with the client
- experience, reputation, and ability of the lawyers performing the services
- whether the fee is fixed or contingent.

Additionally, a lawyer should detail in writing, before or within a reasonable time after commencing the representation, the basis or rate of the fees and expenses to be charged to the client.

► **Practice Tip:** It is important to set forth the scope of your representation prior to undertaking any efforts on behalf of a client. While engagement letters are not always mandatory under the Rules, it is hard to imagine a scenario where such an agreement would not be advisable. Lawyers should always clearly set out what actions he/she plans to undertake for the client so as to protect the lawyer from a client's unreasonable expectations.

## Contingency Fee Agreements: MRPC Rule 1.5(c)

Most rules require that all contingent fee agreements be reduced to a writing signed by the client and the lawyer. A contingent fee agreement must state:

- the method by which the fee is to be determined, including the percentage or percentages that shall accrue to the lawyer in the event of settlement, trial, or appeal;
- litigation and other expenses to be deducted from the recovery; and
- whether such expenses are to be deducted before or after the contingent fee is calculated.

## Closing Statements & the Contingency Fee Agreement

Most rules require a lawyer to prepare a closing statement for the client prior to or at the time of receipt of compensation under the contingent fee agreement. The statement must:

- specify the manner in which the compensation was determined under the agreement;
- specify any costs and expenses deducted by the lawyer from the judgment or settlement involved;

- specify the actual division of the lawyer's fees with a lawyer not in the same firm (if applicable); and
- be signed by the attorney and the client.

A lawyer is prohibited from entering contingent fee agreement in criminal matters or any domestic relations cases if the fee is contingent on securing a divorce or on the amount of spousal or child support (or property settlement in the absence of divorce).

A fee denominated as "earned upon receipt," or "nonrefundable" is prohibited, unless the client is simultaneously advised in writing that if the lawyer does not complete the representation, the client may be entitled to a refund of all or part of the fee.

## 2. **PROFESSIONAL MISCONDUCT**

Misconduct: MRPC Rule 8.4

Most rules outline the framework by which a lawyer's conduct will be reviewed for disciplinary purposes. An attorney engages in misconduct by:

- violating or attempting to violate the rules.
- *knowingly* assisting or inducing another to do so, or violating the rules through the acts of another.
- committing an illegal act that reflects adversely on the lawyer's honesty or trustworthiness.
- engaging in conduct involving dishonesty, *fraud*, deceit or misrepresentation.
- engaging in conduct that is prejudicial to the administration of justice. Note: *Fraud* is defined as either (1) an actual or implied misrepresentation of a material fact that is made either with knowledge of its falsity or with such utter disregard and recklessness about its falsity that knowledge may be inferred, or (2) a knowing concealment of a material fact where there is a duty to disclose the material fact.
- stating or implying an ability to improperly influence government officials or agencies.
- knowingly assist a judge or judicial officer in conduct that is in violation of the Rules, applicable rules of judicial conduct, or other law.

- engaging, in a professional capacity, in conduct involving discrimination prohibited by law because of race, color, religion, age, gender, sexual orientation, national origin, marital status, or disability.
- engaging in any other conduct that adversely reflects on the lawyer's fitness to practice law.

## Reporting Professional Misconduct: MRPC Rule 8.3

In some states, the professional rules do not require a lawyer to report all unprivileged knowledge of another lawyer's misconduct. They require a lawyer to report misconduct only when the lawyer possesses unprivileged knowledge that raises a question as to any lawyer's honesty, trustworthiness, or fitness in other respects. The rules also require a lawyer to self-report his or her own misconduct.

## Candor Toward the Tribunal: MRPC Rule 3.3

A lawyer who represents a client in an adjudicative proceeding and who knows that a person, including the client, intends to engage, is engaging, or has engaged in criminal or fraudulent conduct relating to the proceeding shall take reasonable measures to remedy the situation, including, if necessary, disclosure to the tribunal.

This obligation continues "until the issue to which the duty relates is determined by the highest tribunal that may consider the issue, or the time has expired for such determination, and appl[ies] even if compliance requires disclosure of information otherwise protected by [Confidentiality]." In other words, be cooperative and truthful.

## U.S. Trademark Registration: The Attorney's Role from Clearance to Renewals

Course Manual & Supplemental Materials prepared by:

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## Patents for Humanity

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## USPTO NEWS

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Office To Implement New  
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U.S. Patent and Trademark  
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Mandated by America  
Invents Act

USPTO Hosting Two Public  
Information Events on  
America Invents Act

USPTO Selects Central  
Denver Location for  
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## Trademarks Home

## What is a trademark or service mark?

A trademark is a brand name. A trademark or service mark includes any word, name, symbol, device, or any combination, used or intended to be used to identify and distinguish the goods/services of one seller or provider from those of others, and to indicate the source of the goods/services. Although federal registration of a mark is not mandatory, it has several advantages, including notice to the public of the registrant's claim of ownership of the mark, legal presumption of ownership nationwide, and exclusive right to use the mark on or in connection with the goods/services listed in the registration.

**WARNING: NON-USPTO SOLICITATIONS MAY RESEMBLE**

**OFFICIAL USPTO COMMUNICATIONS:** Be aware that private companies **not** associated with the USPTO often use trademark application and registration information from the USPTO's databases to mail or e-mail trademark-related solicitations.

## First-Time Filers, Start Here

## TRADEMARK BASICS

View [How-To Videos](#), [FAQs](#), the [Basic Facts Booklet](#), [processing timelines](#) and the [ID Manual](#).

## Tools



search trademarks

Search pending and registered marks using the [Trademark Electronic Search System \(TESS\)](#).



file forms online

File applications and other documents online using the [Trademark Electronic Application System \(TEAS\)](#).



check status &amp; view documents

Check the status of an application and view and download application and registration records using [Trademark Status and Document Retrieval \(TSDR\)](#) (combining TARR and TDR).



assignments

Transfer (assign) ownership of a mark to another entity or change the owner name and search the [assignments database](#).



trademark trial &amp; appeal board

Visit the [Trademark Trial and Appeal Board \(TTAB\)](#) online.



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Visit the [Trademark Dashboard](#) for Trademark Operation performance measurements.



## Select A Search Option

### ▶ **Basic Word Mark Search (New User)**

This option cannot be used to search design marks.

### ▶ **Word and/or Design Mark Search (Structured)**

This option is used to search word and/or design marks. **NOTE:** You must first use the **Design Search Code Manual** to look up the relevant Design Codes.

### ▶ **Word and/or Design Mark Search (Free Form)**

This option allows you to construct word and/or design searches using Boolean logic and multiple search fields. **NOTE:** You must first use the **Design Search Code Manual** to look up the relevant Design Codes.

## Additional Search Options

### ▶ **Browse Dictionary (Browse Dictionary)**

This option browses all fields in the database unless you limit to a particular field. Results are returned in a dictionary-style (alphabetic) format.

### ▶ **Search OG Publication Date or Registration Date (Search OG)**

This option searches the Official Gazette for marks published or registered on a particular date.

## Record 1 out of 1

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Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85339602
Filing Date	June 7, 2011
Current Basis	1A
Original Filing Basis	1A
Date Amended to Current Register	September 23, 2011
Registration Number	4140479
Registration Date	May 8, 2012
Owner	(REGISTRANT) LAWREVIEW CLE, LLC LIMITED LIABILITY COMPANY FLORIDA Unit A 2568 Commerce Parkway North Port FLORIDA 34289
Attorney of Record	LEE KIM
Type of Mark	TRADEMARK
Register	SUPPLEMENTAL
Live/Dead Indicator	LIVE



The United States Patent and Trademark Office  
an agency of the Department of Commerce

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## Trademark Process

**NOTE:** Helpful Trademark electronic resources, such as "how-to" videos and Trademark FAQs, are available on the "[Trademark Basics](http://www.uspto.gov/trademarks/basics/index.jsp)" page (<http://www.uspto.gov/trademarks/basics/index.jsp>), and should be reviewed before starting the filing process.

### Initial Steps

**STEP 1:** Determine whether you need [trademark, patent, or copyright](http://www.uspto.gov/trademarks/basics/definitions.jsp) ([/trademarks/basics/definitions.jsp](http://www.uspto.gov/trademarks/basics/definitions.jsp)) protection.

**STEP 2:** Determine whether you should [hire a trademark attorney](http://www.uspto.gov/trademarks/basics/private_attorney.jsp) ([/trademarks/basics/private\\_attorney.jsp](http://www.uspto.gov/trademarks/basics/private_attorney.jsp)).

**STEP 3:** Identify your [mark format](http://www.uspto.gov/trademarks/basics/mark.jsp) ([/trademarks/basics/mark.jsp](http://www.uspto.gov/trademarks/basics/mark.jsp)): a standard character mark, a stylized/design mark, or a sound mark.

**STEP 4:** Identify clearly the precise [goods and/or services](http://tess2.uspto.gov/netahhtml/tidm.html) (<http://tess2.uspto.gov/netahhtml/tidm.html>) to which the mark will apply.

**STEP 5:** [/trademarks/basics/searching.jsp](http://www.uspto.gov/trademarks/basics/searching.jsp) Search the USPTO database ([/trademarks/basics/searching.jsp](http://www.uspto.gov/trademarks/basics/searching.jsp)) to determine whether anyone is already claiming trademark rights in a particular mark through a federal registration.

**STEP 6:** Identify the proper ["basis" for filing](http://www.uspto.gov/trademarks/basics/Basis.jsp) ([/trademarks/basics/Basis.jsp](http://www.uspto.gov/trademarks/basics/Basis.jsp)) a trademark application.

**STEP 7:** [File the application online](http://www.uspto.gov/trademarks/basics/online_filing.jsp) ([/trademarks/basics/online\\_filing.jsp](http://www.uspto.gov/trademarks/basics/online_filing.jsp)) through the [Trademark Electronic Application System](http://www.uspto.gov/trademarks/teas/index.jsp) (<http://www.uspto.gov/trademarks/teas/index.jsp>). View [trademark fee information](http://www.uspto.gov/trademarks/tm_fee_info.jsp) ([http://www.uspto.gov/trademarks/tm\\_fee\\_info.jsp](http://www.uspto.gov/trademarks/tm_fee_info.jsp)).

REMINDERS: (1) The application fee is a processing fee that is not refunded, even if ultimately no registration certificate issues; that, is, not all applications result in registrations; and (2) All information you submit to the USPTO at any point in the application and/or registration process will become [public record](http://www.uspto.gov/trademarks/teas/public_data.jsp) ([/trademarks/teas/public\\_data.jsp](http://www.uspto.gov/trademarks/teas/public_data.jsp)), including your name, phone number, e-mail address, and street address.

### STEP 8: USPTO Reviews Application

After the USPTO determines that you have met the minimum filing requirements, an application serial number is assigned and the application is forwarded to an examining attorney. This may take a number of months. The examining attorney reviews the application to determine whether it complies with all applicable rules and statutes, and includes all required fees. Filing fees will not be refunded, even if the application is later refused registration on legal grounds. A complete review includes a search for conflicting marks, and an examination of the written application, the drawing, and any specimen.

### STEP 9: USPTO Issues Letter (Office Action)

If the examining attorney decides that a mark should not be registered, the examining attorney will issue a letter ([Office action](http://www.uspto.gov/trademarks/process/update/oa.jsp) ([/trademarks/process/update/oa.jsp](http://www.uspto.gov/trademarks/process/update/oa.jsp))) explaining any substantive reasons for refusal, and any technical or procedural deficiencies in the application. If only minor corrections are required, the examining attorney may contact the applicant by telephone or e-mail (if the applicant has authorized communication by e-mail). If the examining attorney sends an Office action, the applicant's response to the Office action must be received in the Office within six (6) months of the mailing date of the Office action, or the application will be declared [abandoned](http://www.uspto.gov/trademarks/basics/abandon.jsp) ([/trademarks/basics/abandon.jsp](http://www.uspto.gov/trademarks/basics/abandon.jsp)).

### STEP 10: Applicant Timely Responds to Letter

If the applicant's response does not overcome all objections, the examining attorney will issue a final refusal. To attempt to overcome a final refusal, the applicant may, for an additional fee, appeal to the Trademark Trial and Appeal Board (TTAB), an administrative tribunal within the USPTO.

### STEP 11: USPTO Publishes Mark

If the examining attorney raises no objections to registration, or if the applicant overcomes all objections, the examining attorney will approve the mark for publication in the *Official Gazette*, a weekly publication of the USPTO. The USPTO will send a notice of publication to the applicant stating the date of publication. After the mark is published in the *Official Gazette*, any party who believes it may be damaged by registration of the mark has thirty (30) days from the publication date to file either an opposition to registration or a request to extend the time to oppose. An opposition is similar to a proceeding in a federal court, but is held before the TTAB. If no opposition is filed or if the opposition is unsuccessful, the application enters the next stage of the registration process.

### STEP 12: Registration Certificate Issues for Applications Based on Use, Foreign Registrations, and International Registrations

A certificate of registration will issue for applications based on use, on a foreign registration under Section 44 of the Trademark Act, or an extension of protection of an international registration to the United States under Section 66(a). If the mark is published based upon the actual use of the mark in commerce, or on a foreign registration, and no party files an opposition or request to extend the time to oppose, the USPTO will normally register the mark and issue a registration



certificate about eleven (11) weeks after the date the mark was published. After the mark registers, the owner of the mark must file specific [maintenance documents \(http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp\)](http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp) to keep the registration live.

### STEP 13: Notice of Allowance Issues for Marks Based on an Intent-to-Use the Mark

If the mark is published based upon the applicant's bona fide intention to use the mark in commerce and no party files either an opposition or request to extend the time to oppose, the USPTO will issue a notice of allowance about eight (8) weeks after the date the mark was published. The applicant then has six (6) months from the date of the notice of allowance to either: (1) Use the mark in commerce and submit a statement of use (SOU); or (2) Request a six-month extension of time to file a statement of use (extension request).

A notice of allowance is a written notification from the USPTO that a specific mark has survived the opposition period following publication in the *Official Gazette*, and has consequently been allowed; it does not mean that the mark has registered yet. Receiving a notice of allowance is another step on the way to registration. Notices of allowance are only issued for applications that have been filed based on an intent-to-use a mark in commerce under Trademark Act Section 1(b).

### STEP 14: Applicant Files Timely Statement of Use or Extension Request

The Applicant has six (6) months from the mailing date of the notice of allowance in which to either file a statement of use or file an extension request. Please review the [additional information \(/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp\)](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp) for the statement of use and extension request processes.

If the applicant is not using the mark in commerce on all of the goods/services listed in the notice of allowance, the applicant must file an extension request and the required fee(s) to avoid abandonment. Because extension requests are granted in 6 month increments, applicant must continue to file extension requests every 6 months. A total of 5 extension requests may be filed. The first extension request must be filed within 6 months of the issuance date of the notice of allowance and subsequent requests before the expiration of a previously granted extension.

If the applicant is using the mark in commerce on all of the goods/services listed in the notice of allowance, the applicant must submit an statement of use and the required fee(s) within 6 months from the date the notice of allowance issued to avoid [abandonment \(/trademarks/basics/abandon.jsp\)](http://www.uspto.gov/trademarks/basics/abandon.jsp). Applicant cannot withdraw the statement of use; however, the applicant may file one extension request with the statement of use to provide more time to overcome deficiencies in the statement of use. No further extension requests may be filed.

[>> File Statement of Use << \(http://www.uspto.gov/teas/eTEASpageB2.htm\) | >> File Extension Request << \(http://www.uspto.gov/teas/eTEASpageB2.htm\)](http://www.uspto.gov/teas/eTEASpageB2.htm)

### STEP 15: Applicant Does Not File Timely Statement of Use or Extension Request

If the applicant does not file a statement of use or extension request within six (6) months from the date the notice of allowance issued, the application is [abandoned \(/trademarks/basics/abandon.jsp\)](http://www.uspto.gov/trademarks/basics/abandon.jsp) (no longer pending/under consideration for approval). To continue the application process, the applicant must file a petition to revive the application within two (2) months of the abandonment date.

### STEP 16: USPTO Reviews Statement of Use

If the minimum filing requirements are met, the statement of use is forwarded to the examining attorney. The examining attorney conducts a review of the statement of use to determine whether federal law permits registration. The applicant cannot withdraw the statement of use and the filing fee(s) will not be refunded, even if the application is later refused registration on legal grounds. If no refusals or additional requirements are identified, the examining attorney approves the statement of use.

If refusals or requirements must still be satisfied, the examining attorney assigned to the application issues a letter (Office action) stating the refusals/requirements. This is the same process that occurs prior to publication of the mark if the examining attorney determines that legal requirements must be met. The process and timeframes remain the same, except that if issues are ultimately resolved and the statement of use is approved, the USPTO issues a registration within approximately 2 months. If all issues are not resolved, the application will [abandon \(/trademarks/basics/abandon.jsp\)](http://www.uspto.gov/trademarks/basics/abandon.jsp).

### STEP 17: Registration Certificate Issues

Within approximately 2 months after the SOU is approved, the USPTO issues a registration. To keep the registration "live," the registrant must file specific [maintenance documents \(http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp\)](http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp). Failure to make these required filings will result in cancellation and/or expiration of the registration.

### STEP 18: Monitoring Status

Throughout the entire process, you should monitor the progress of your application through the [Trademark Status and Document Retrieval \(TSDR\) \(http://tsdr.uspto.gov\)](http://tsdr.uspto.gov) system. It is important to check the status of your application every 3-4 months after the initial filing of the application, because otherwise you may miss a filing deadline. Please review the additional information on [checking status \(/trademarks/basics/status.jsp\)](http://www.uspto.gov/trademarks/basics/status.jsp) to ensure you understand this important step in the overall registration process.

### STEP 19: Protecting Your Rights

You are responsible for enforcing your rights if you receive a registration, because the USPTO does not "police" the use of marks. While the USPTO attempts to ensure that no other party receives a federal registration for an identical or similar mark for or as applied to related goods/services, the owner of a registration is responsible for bringing any legal action to stop a

party from using an infringing mark.

### Trademark Processing Timelines

Click icon below to access USPTO webpage featuring trademark processing timelines, to understand what to expect in the overall process and when.



[http://www.uspto.gov/trademarks/process/tm\\_timeline.jsp](http://www.uspto.gov/trademarks/process/tm_timeline.jsp)

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## Nice Agreement Tenth Edition - General Remarks, Class Headings and Explanatory Notes

International trademark classification, and the headings of the international trademark classes, are established by the Committee of Experts of the Nice Union and set forth in the *International Classification of Goods and Services for the Purposes of the Registration of Marks* (10th ed. 2011), published by the World Intellectual Property Organization ("WIPO"). The general remarks, class numbers, class headings, and explanatory notes for each international trademark class are as follows.

The *International Classification* is available at <http://www.wipo.int/classifications/en/index.html> (<http://www.wipo.int/classifications/en/index.html>). However, because the international list was developed to *classify* goods and services and not to identify specific goods and services, most entries will not be sufficiently definite to use in an *identification* of goods and/or services.

[Noteworthy Changes to the Nice Classification System under the Nice Agreement, Tenth Edition \(/trademarks/notices/NiceClassificationChanges.doc\)](#).

### General Remarks

The indications of goods or services appearing in the class headings are general indications relating to the fields to which, in principle, the goods or services belong. The Alphabetical List should therefore be consulted in order to ascertain the exact classification of each individual product or service.

#### GOODS

If a product cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the following remarks set forth the criteria to be applied:

- (a) A finished product is in principle classified according to its function or purpose. If the function or purpose of a finished product is not mentioned in any class heading, the finished product is classified by analogy with other comparable finished products, indicated in the Alphabetical List. If none is found, other subsidiary criteria, such as that of the material of which the product is made or its mode of operation, are applied.
- (b) A finished product which is a multipurpose composite object (e.g., clocks incorporating radios) may be classified in all classes that correspond to any of its functions or intended purposes. If those functions or purposes are not mentioned in any class heading, other criteria, indicated under (a), above, are to be applied.
- (c) Raw materials, unworked or semi-worked, are in principle classified according to the material of which they consist.
- (d) Goods intended to form part of another product are in principle classified in the same class as that product only in cases where the same type of goods cannot normally be used for another purpose. In all other cases, the criterion indicated under (a), above, applies.
- (e) When a product, whether finished or not, is classified according to the material of which it is made, and it is made of different materials, the product is in principle classified according to the material which predominates.
- (f) Cases adapted to the product they are intended to contain are in principle classified in the same class as the product.

#### SERVICES

If a service cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the following remarks set forth the criteria to be applied:

- (a) Services are in principle classified according to the branches of activities specified in the headings of the service classes and in their Explanatory Notes or, if not specified, by analogy with other comparable services indicated in the Alphabetical List.
- (b) Rental services are in principle classified in the same classes as the services provided by means of the rented objects (e.g., Rental of telephones, covered by Class 38). Leasing services are analogous to rental services and therefore should be classified in the same way. However, hire- or lease-purchase financing is classified in Class 36 as a financial service.
- (c) Services that provide advice, information or consultation are in principle classified in the same classes as the services that correspond to the subject matter of the advice, information or consultation, e.g., transportation consultancy (Cl. 39), business management consultancy (Cl. 35), financial consultancy (Cl. 36), beauty consultancy (Cl. 44). The rendering of the advice, information or consultancy by electronic means (e.g., telephone, computer) does not affect the classification of these services.
- (d) Services rendered in the framework of franchising are in principle classified in the same class as the particular services provided by the franchisor (e.g., business advice relating to franchising (Class 35), financing services relating to franchising (Class 36), legal services relating to franchising (Class 45)).

## Class Headings and Explanatory Notes

### CLASS 1

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

#### Explanatory Note

Class 1 includes mainly chemical products used in industry, science and agriculture, including those which go to the making of products belonging to other classes.

*This Class includes, in particular:*

- compost;
- salt for preserving other than for foodstuffs;
- certain additives for the food industry (consult the Alphabetical List of Goods).

*This Class does not include, in particular:*

- raw natural resins (Cl. 2);
  - chemical products for use in medical science (Cl. 5);
  - fungicides, herbicides and preparations for destroying vermin (Cl. 5);
  - adhesives for stationery or household purposes (Cl. 16);
  - salt for preserving foodstuffs (Cl. 30);
  - straw mulch (Cl. 31).
- 

### CLASS 2

Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

#### Explanatory Note

Class 2 includes mainly paints, colorants and preparations used for the protection against corrosion.

*This Class includes, in particular:*

- paints, varnishes and lacquers for industry, handicrafts and arts;
- dyestuffs for clothing;
- colorants for foodstuffs and beverages.

*This Class does not include, in particular:*

- unprocessed artificial resins (Cl. 1);
  - laundry blueing (Cl. 3);
  - cosmetic dyes (Cl. 3);
  - paint boxes (articles for use in school) (Cl. 16);
  - insulating paints and varnishes (Cl. 17).
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### CLASS 3

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.



Explanatory Note

Class 3 includes mainly cleaning preparations and toilet preparations.

*This Class includes, in particular:*

- deodorants for human beings or for animals;
- room fragrancing preparations;
- sanitary preparations being toiletries.

*This Class does not include, in particular:*

- chemical chimney cleaners (Cl. 1);
  - degreasing preparations for use in manufacturing processes (Cl. 1);
  - deodorants other than for human beings or for animals (Cl. 5);
  - sharpening stones and grindstones (hand tools) (Cl. 8).
- 

**CLASS 4**

Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.

Explanatory Note

Class 4 includes mainly industrial oils and greases, fuels and illuminants.

*This Class does not include, in particular:*

- certain special industrial oils and greases (consult the Alphabetical List of Goods).
- 

**CLASS 5**

Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic food and substances adapted for medical or veterinary use, food for babies; dietary supplements for humans and animals; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Explanatory Note

Class 5 includes mainly pharmaceuticals and other preparations for medical or veterinary purposes.

*This Class includes, in particular:*

- sanitary preparations for personal hygiene, other than toiletries;
- deodorants other than for human beings or for animals;
- dietary supplements, intended to supplement a normal diet or to have health benefits;
- meal replacements, dietetic food and beverages, adapted for medical or veterinary use;
- cigarettes without tobacco, for medical purposes.

*This Class does not include, in particular:*

- sanitary preparations being toiletries (Cl. 3);
  - deodorants for human beings or for animals (Cl. 3);
  - supportive bandages (Cl. 10);
  - meal replacements, dietetic food and beverages not for medical or veterinary purposes (Cl. 29, 30, 31, 32 or 33).
- 

**CLASS 6**

Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

#### Explanatory Note

Class 6 includes mainly unwrought and partly wrought common metals as well as simple products made of them.

*This Class does not include, in particular:*

- bauxite (Cl. 1);
- mercury, antimony, alkaline and alkaline-earth metals (Cl. 1);
- metals in foil and powder form for painters, decorators, printers and artists (Cl. 2).

## **CLASS 7**

Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs; automatic vending machines.

#### Explanatory Note

Class 7 includes mainly machines, machine tools, motors and engines.

*This Class includes, in particular:*

- parts of motors and engines (of all kinds);
- electric cleaning machines and apparatus.

*This Class does not include, in particular:*

- certain special machines and machine tools (consult the Alphabetical List of Goods);
- hand tools and implements, hand-operated (Cl. 8);
- motors and engines for land vehicles (Cl. 12).

## **CLASS 8**

Hand tools and implements (hand-operated); cutlery; side arms; razors.

#### Explanatory Note

Class 8 includes mainly hand-operated implements used as tools in the respective professions.

*This Class includes, in particular:*

- cutlery of precious metals;
- electric razors and clippers (hand instruments).

*This Class does not include, in particular:*

- certain special instruments (consult the Alphabetical List of Goods);
- machine tools and implements driven by a motor (Cl. 7);
- surgical cutlery (Cl. 10);
- side arms being firearms (Cl. 13);
- paper knives (Cl. 16);
- fencing weapons (Cl. 28).

**CLASS 9**

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus.

Explanatory Note

*This Class includes, in particular:*

- apparatus and instruments for scientific research in laboratories;
- apparatus and instruments for controlling ships, such as apparatus and instruments for measuring and for transmitting orders;
- protractors;
- punched card office machines;
- all computer programs and software regardless of recording media or means of dissemination, that is, software recorded on magnetic media or downloaded from a remote computer network.

*This Class does not include, in particular:*

- the following electrical apparatus and instruments:
  - (a) electromechanical apparatus for the kitchen (grinders and mixers for foodstuffs, fruit presses, electrical coffee mills, etc.), and certain other apparatus and instruments driven by an electrical motor, all coming under Class 7;
  - (b) apparatus for pumping or dispensing fuels (Cl. 7);
  - (c) electric razors, clippers (hand instruments) and flat irons (Cl. 8);
  - (d) electrical apparatus for space heating or for the heating of liquids, for cooking, ventilating, etc. (Cl. 11);
  - (e) electric toothbrushes and combs (Cl. 21);
- clocks and watches and other chronometric instruments (Cl. 14);
- control clocks (Cl. 14);
- amusement and game apparatus adapted for use with an external display screen or monitor (Cl. 28).

**CLASS 10**

Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

Explanatory Note

Class 10 includes mainly medical apparatus, instruments and articles.

*This Class includes, in particular:*

- special furniture for medical use;
- hygienic rubber articles (consult the Alphabetical List of Goods);
- supportive bandages.

**CLASS 11**

Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

Explanatory Note

*This Class includes, in particular:*

- air conditioning apparatus;
- bedwarmers, hot water bottles, warming pans, electric or non-electric;
- electrically heated cushions (pads) and blankets, not for medical purposes;
- electric kettles;
- electric cooking utensils.

*This Class does not include, in particular:*

- steam producing apparatus (parts of machines) (Cl. 7);
  - electrically heated clothing (Cl. 9).
- 

## CLASS 12

Vehicles; apparatus for locomotion by land, air or water.

### Explanatory Note

*This Class includes, in particular:*

- motors and engines for land vehicles;
- couplings and transmission components for land vehicles;
- air cushion vehicles.

*This Class does not include, in particular:*

- certain parts of vehicles (consult the Alphabetical List of Goods);
  - railway material of metal (Cl. 6);
  - motors, engines, couplings and transmission components other than for land vehicles (Cl. 7);
  - parts of motors and engines (of all kinds) (Cl. 7).
- 

## CLASS 13

Firearms; ammunition and projectiles; explosives; fireworks.

### Explanatory Note

Class 13 includes mainly firearms and pyrotechnical products.

*This Class does not include, in particular:*

- matches (Cl. 34).
- 

## CLASS 14

Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

### Explanatory Note

Class 14 includes mainly precious metals, goods in precious metals not included in other classes and, in general jewellery, clocks and watches.

*This Class includes, in particular:*

- jewellery (i.e., imitation jewellery and jewellery of precious metal and stones);
- cuff links, tie pins.

*This Class does not include, in particular:*

- goods in precious metals classified according to their function or purpose, for example, metals in foil and powder form for painters, decorators, printers and artists (Cl. 2), amalgam of gold for dentists (Cl. 5), cutlery (Cl. 8), electric contacts (Cl. 9), pen nibs of gold (Cl. 16), teapots (Cl. 21), gold and silver embroidery (Cl. 26), cigar boxes (Cl. 34);
  - objects of art not of precious metals (classified according to the material of which they consist).
- 

## CLASS 15

Musical instruments.

### Explanatory Note

*This Class includes, in particular:*

- mechanical pianos and their accessories;
- musical boxes;
- electrical and electronic musical instruments.

*This Class does not include, in particular:*

- apparatus for the recording, transmission, amplification and reproduction of sound (Cl. 9).
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## CLASS 16

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

### Explanatory Note

Class 16 includes mainly paper, goods made from that material and office requisites.

*This Class includes, in particular:*

- paper knives;
- duplicators;
- plastic sheets, sacks and bags for wrapping and packaging.

*This Class does not include, in particular:*

- certain goods made of paper and cardboard (consult the Alphabetical List of Goods);
  - colours (Cl. 2);
  - hand tools for artists (for example, spatulas, sculptors' chisels) (Cl. 8).
- 

## CLASS 17

Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

### Explanatory Note

Class 17 includes mainly electrical, thermal and acoustic insulating materials and plastics, being for use in manufacture in the form of sheets, blocks and rods.

*This Class includes, in particular:*

- rubber material for recapping tyres;
- padding and stuffing materials of rubber or plastics;

– floating anti-pollution barriers.

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## CLASS 18

Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags;

umbrellas and parasols; walking sticks; whips, harness and saddlery.

### Explanatory Note

Class 18 includes mainly leather, leather imitations, travel goods not included in other classes and saddlery.

*This Class does not include, in particular:*

– clothing, footwear, headgear (consult the Alphabetical List of Goods).

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## CLASS 19

Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.

### Explanatory Note

Class 19 includes mainly non-metallic building materials.

*This Class includes, in particular:*

– semi-worked woods (for example, beams, planks, panels);

– veneers;

– building glass (for example, floor slabs, glass tiles);

– glass granules for marking out roads;

– letter boxes of masonry.

*This Class does not include, in particular:*

– cement preservatives and cement-waterproofing preparations (Cl. 1);

– fireproofing preparations (Cl. 1).

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## CLASS 20

Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

### Explanatory Note

Class 20 includes mainly furniture and its parts and plastic goods, not included in other classes.

*This Class includes, in particular:*

– metal furniture and furniture for camping;

– bedding (for example, mattresses, spring mattresses, pillows);

– looking glasses and furnishing or toilet mirrors;

– registration number plates not of metal;

– letter boxes not of metal or masonry.

*This Class does not include, in particular:*

– certain special types of mirrors, classified according to their function or purpose (consult the Alphabetical List of Goods);

- special furniture for laboratories (Cl. 9);
  - special furniture for medical use (Cl. 10);
  - bedding linen (Cl. 24);
  - eiderdowns (Cl. 24).
- 

## CLASS 21

Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

### Explanatory Note

Class 21 includes mainly small, hand-operated utensils and apparatus for household and kitchen use as well as toilet utensils, glassware and articles in porcelain.

*This Class includes, in particular:*

- utensils and containers for household and kitchen use, for example, kitchen utensils, pails, pans of iron, of aluminium, of plastics or of other materials, small handoperated apparatus for mincing, grinding, pressing, etc.;
- electric combs;
- electric toothbrushes;
- dish stands and decanter stands.

*This Class does not include, in particular:*

- certain goods made of glass, porcelain and earthenware (consult the Alphabetical List of Goods);
  - cleaning preparations, soaps, etc. (Cl. 3);
  - small apparatus for mincing, grinding, pressing, etc., driven by electricity (Cl. 7);
  - razors and shaving apparatus, clippers (hand instruments), metal implements and utensils for manicure and pedicure (Cl. 8);
  - cooking utensils, electric (Cl. 11);
  - toilet mirrors (Cl. 20).
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## CLASS 22

Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

### Explanatory Note

Class 22 includes mainly rope and sail manufacture products, padding and stuffing materials and raw fibrous textile materials.

*This Class includes, in particular:*

- cords and twines in natural or artificial textile fibres, paper or plastics.

*This Class does not include, in particular:*

- certain nets, sacks and bags (consult the Alphabetical List of Goods);
  - strings for musical instruments (Cl. 15).
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## CLASS 23

Yarns and threads, for textile use.

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## CLASS 24



Textiles and textile goods, not included in other classes; bed covers; table covers.

Explanatory Note

Class 24 includes mainly textiles (piece goods) and textile covers for household use.

*This Class includes, in particular:*

– bedding linen of paper.

*This Class does not include, in particular:*

– certain special textiles (consult the Alphabetical List of Goods);

– electrically heated blankets, for medical purposes (Cl. 10) and not for medical purposes (Cl. 11);

– table linen of paper (Cl. 16);

– horse blankets (Cl. 18).

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## CLASS 25

Clothing, footwear, headgear.

Explanatory Note

*This Class does not include, in particular:*

– certain clothing and footwear for special use (consult the Alphabetical List of Goods).

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## CLASS 26

Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

Explanatory Note

Class 26 includes mainly dressmakers' articles.

*This Class includes, in particular:*

– slide fasteners.

*This Class does not include, in particular:*

– certain special types of hooks (consult the Alphabetical List of Goods);

– certain special types of needles (consult the Alphabetical List of Goods);

– yarns and threads for textile use (Cl. 23).

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## CLASS 27

Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).

Explanatory Note

Class 27 includes mainly products intended to be added as furnishings to previously constructed floors and walls.

*This Class does not include, in particular:*

– wooden flooring (Cl. 19).

**CLASS 28**

Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

Explanatory Note

*This Class includes, in particular:*

- amusement and game apparatus adapted for use with an external display screen or monitor;
- fishing tackle;
- equipment for various sports and games.

*This Class does not include, in particular:*

- Christmas tree candles (Cl. 4);
  - diving equipment (Cl. 9);
  - electrical lamps (garlands) for Christmas trees (Cl. 11);
  - fishing nets (Cl. 22);
  - clothing for gymnastics and sports (Cl. 25);
  - confectionery and chocolate decorations for Christmas trees (Cl. 30).
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**CLASS 29**

Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs; milk and milk products; edible oils and fats.

Explanatory Note

Class 29 includes mainly foodstuffs of animal origin as well as vegetables and other horticultural comestible products which are prepared for consumption or conservation.

*This Class includes, in particular:*

- milk beverages (milk predominating).

*This Class does not include, in particular:*

- certain foodstuffs of plant origin (consult the Alphabetical List of Goods);
  - baby food (Cl. 5);
  - dietetic food and substances adapted for medical use (Cl. 5);
  - dietary supplements (Cl. 5);
  - salad dressings (Cl. 30);
  - fertilised eggs for hatching (Cl. 31);
  - foodstuffs for animals (Cl. 31);
  - live animals (Cl. 31).
- 

**CLASS 30**

Coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and confectionery; ices; sugar, honey, treacle; yeast, baking-powder; salt; mustard; vinegar, sauces (condiments); spices; ice.

Explanatory Note

Class 30 includes mainly foodstuffs of plant origin prepared for consumption or conservation as well as auxiliaries intended for the improvement of the flavour of food.

*This Class includes, in particular:*

- beverages with coffee, cocoa, chocolate or tea base;
- cereals prepared for human consumption (for example, oat flakes and those made of other cereals).

*This Class does not include, in particular:*

- certain foodstuffs of plant origin (consult the Alphabetical List of Goods);
  - salt for preserving other than for foodstuffs (Cl. 1);
  - medicinal teas and dietetic food and substances adapted for medical use (Cl. 5);
  - baby food (Cl. 5);
  - dietary supplements (Cl. 5);
  - raw cereals (Cl. 31);
  - foodstuffs for animals (Cl. 31).
- 

## CLASS 31

Grains and agricultural, horticultural and forestry products not included in other classes; live animals; fresh fruits and vegetables; seeds; natural plants and flowers; foodstuffs for animals; malt.

### Explanatory Note

Class 31 includes mainly land products not having been subjected to any form of preparation for consumption, live animals and plants as well as foodstuffs for animals.

*This Class includes, in particular:*

- raw woods;
- raw cereals;
- fertilised eggs for hatching;
- mollusca and crustacea (live).

*This Class does not include, in particular:*

- cultures of micro-organisms and leeches for medical purposes (Cl. 5);
  - dietary supplements for animals (Cl. 5);
  - semi-worked woods (Cl. 19);
  - artificial fishing bait (Cl. 28);
  - rice (Cl. 30);
  - tobacco (Cl. 34).
- 

## CLASS 32

Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages.

### Explanatory Note

Class 32 includes mainly non-alcoholic beverages, as well as beer.

*This Class includes, in particular:*

- de-alcoholised beverages.

*This Class does not include, in particular:*

- beverages for medical purposes (Cl. 5);
- milk beverages (milk predominating) (Cl. 29);

– beverages with coffee, cocoa or chocolate base (Cl. 30).

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## CLASS 33

Alcoholic beverages (except beers).

### Explanatory Note

*This Class does not include, in particular:*

- medicinal beverages (Cl. 5);
  - de-alcoholised beverages (Cl. 32).
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## CLASS 34

Tobacco; smokers' articles; matches.

### Explanatory Note

*This Class includes, in particular:*

- tobacco substitutes (not for medical purposes).

*This Class does not include, in particular:*

- cigarettes without tobacco, for medical purposes (Cl. 5).
- 

## CLASS 35

Advertising; business management; business administration; office functions.

### Explanatory Note

Class 35 includes mainly services rendered by persons or organizations principally with the object of:

- (1) help in the working or management of a commercial undertaking, or
- (2) help in the management of the business affairs or commercial functions of an industrial or commercial enterprise, as well as services rendered by advertising establishments primarily undertaking

communications to the public, declarations or announcements by all means of diffusion and concerning all kinds of goods or services.

*This Class includes, in particular:*

- the bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods; such services may be provided by retail stores, wholesale outlets, through mail order catalogues or by means of electronic media, for example, through web sites or television shopping programmes;
- services consisting of the registration, transcription, composition, compilation or systematization of written communications and registrations, and also the compilation of mathematical or statistical data;
- services of advertising agencies and services such as the distribution of prospectuses, directly or through the post, or the distribution of samples. This Class may refer to advertising in connection with other services, such as those concerning bank loans or advertising by radio.

*This Class does not include, in particular:*

- services such as evaluations and reports of engineers which do not directly refer to the working or management of affairs in a commercial or industrial enterprise (consult the Alphabetical List of Services).
- 

## CLASS 36

Insurance; financial affairs; monetary affairs; real estate affairs.

Explanatory Note

Class 36 includes mainly services rendered in financial and monetary affairs and services rendered in relation to insurance contracts of all kinds.

*This Class includes, in particular:*

- services relating to financial or monetary affairs comprise the following:
  - (a) services of all the banking establishments, or institutions connected with them such as exchange brokers or clearing services;
  - (b) services of credit institutions other than banks such as co-operative credit associations, individual financial companies, lenders, etc.;
  - (c) services of “investment trusts,” of holding companies;
  - (d) services of brokers dealing in shares and property;
  - (e) services connected with monetary affairs vouched for by trustees;
  - (f) services rendered in connection with the issue of travellers’ cheques and letters of credit;
- hire- or lease-purchase financing;
- services of realty administrators of buildings, i.e., services of letting or valuation, or financing;
- services dealing with insurance such as services rendered by agents or brokers engaged in insurance, services rendered to insured, and insurance underwriting services.

## CLASS 37

Building construction; repair; installation services.

Explanatory Note

Class 37 includes mainly services rendered by contractors or subcontractors in the construction or making of permanent buildings, as well as services rendered by persons or organizations engaged in the restoration of objects to their original condition or in their preservation without altering their physical or chemical properties.

*This Class includes, in particular:*

- services relating to the construction of buildings, roads, bridges, dams or transmission lines and services of undertakings specializing in the field of construction such as those of painters, plumbers, heating installers or roofers;
- services auxiliary to construction services like inspections of construction plans;
- services of shipbuilding;
- services consisting of hiring of tools or building materials;
- repair services, i.e., services which undertake to put any object into good condition after wear, damage, deterioration or partial destruction (restoration of an existing building or another object that has become imperfect and is to be restored to its original condition);
- various repair services such as those in the fields of electricity, furniture, instruments, tools, etc.;
- services of maintenance for preserving an object in its original condition without changing any of its properties (for the difference between this Class and Class 40 see the Explanatory Note of Class 40).

*This Class does not include, in particular:*

- services consisting of storage of goods such as clothes or vehicles (Cl. 39);
- services connected with dyeing of cloth or clothes (Cl. 40).

## CLASS 38

Telecommunications.

Explanatory Note

Class 38 includes mainly services allowing at least one person to communicate with another by a sensory means. Such services include those which:

- (1) allow one person to talk to another,
- (2) transmit messages from one person to another, and
- (3) place a person in oral or visual communication with another (radio and television).

*This Class includes, in particular:*

- services which consist essentially of the diffusion of radio or television programmes.

*This Class does not include, in particular:*

- radio advertising services (Cl. 35);
- telephone marketing (telemarketing) services (Cl. 35).

**CLASS 39**

Transport; packaging and storage of goods; travel arrangement.

Explanatory Note

Class 39 includes mainly services rendered in transporting people or goods from one place to another (by rail, road, water, air or pipeline) and services necessarily connected with such transport, as well as services relating to the storing of goods in a warehouse or other building for their preservation or guarding.

This Class includes, in particular:

- services rendered by companies exploiting stations, bridges, rail-road ferries, etc., used by the transporter;
- services connected with the hiring of transport vehicles;
- services connected with maritime tugs, unloading, the functioning of ports and docks and the salvaging of wrecked ships and their cargoes;
- services connected with the functioning of airports;
- services connected with the packaging and parcelling of goods before dispatch;
- services consisting of information about journeys or the transport of goods by brokers and tourist agencies, information relating to tariffs, timetables and methods of transport;
- services relating to the inspection of vehicles or goods before transport.

This Class does not include, in particular:

- services relating to advertising transport undertakings such as the distribution of prospectuses or advertising on the radio (Cl. 35);
- services relating to the issuing of travellers' cheques or letters of credit by brokers or travel agents (Cl. 36);
- services relating to insurances (commercial, fire or life) during the transport of persons or goods (Cl. 36);
- services rendered by the maintenance and repair of vehicles, nor the maintenance or repair of objects connected with the transport of persons or goods (Cl. 37);
- services relating to reservation of rooms in a hotel by travel agents or brokers (Cl. 43).

**CLASS 40**

Treatment of materials.

Explanatory Note

Class 40 includes mainly services not included in other classes, rendered by the mechanical or chemical processing or transformation of objects or inorganic or organic substances. For the purposes of classification, the mark is considered a service mark only in cases where processing or transformation is effected for the account of another person. A mark is considered a trade mark in all cases where the substance or object is marketed by the person who processed or transformed it.

*This Class includes, in particular:*

- services relating to transformation of an object or substance and any process involving a change in its essential properties (for example, dyeing a garment);

consequently, a maintenance service, although usually in Class 37, is included in Class 40 if it entails such a change (for example, the chroming of motor vehicle bumpers);

- services of material treatment which may be present during the production of any substance or object other than a building;

for example, services which involve cutting, shaping, polishing by abrasion or metal coating.

*This Class does not include, in particular:*

– repair services (Cl. 37).

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## CLASS 41

Education; providing of training; entertainment; sporting and cultural activities.

### Explanatory Note

Class 41 covers mainly services rendered by persons or institutions in the development of the mental faculties of persons or animals, as well as services intended to entertain or to engage the attention.

*This Class includes, in particular:*

- services consisting of all forms of education of persons or training of animals;
  - services having the basic aim of the entertainment, amusement or recreation of people;
  - presentation of works of visual art or literature to the public for cultural or educational purposes.
- 

## CLASS 42

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.

### Explanatory Note

Class 42 includes mainly services provided by persons, individually or collectively, in relation to the theoretical and practical aspects of complex fields of activities; such services are provided by members of professions such as chemists, physicists, engineers, computer programmers, etc.

*This Class includes, in particular:*

- the services of engineers who undertake evaluations, estimates, research and reports in the scientific and technological fields;
- scientific research services for medical purposes.

*This Class does not include, in particular:*

- business research and evaluations (Cl. 35);
  - word processing and computer file management services (Cl. 35);
  - financial and fiscal evaluations (Cl. 36);
  - mining and oil extraction (Cl. 37);
  - computer (hardware) installation and repair services (Cl. 37);
  - services provided by the members of professions such as medical doctors, veterinary surgeons, psychoanalysts (Cl. 44);
  - medical treatment services (Cl. 44);
  - garden design (Cl. 44);
  - legal services (Cl. 45).
- 

## CLASS 43

Services for providing food and drink; temporary accommodation.

### Explanatory Note

Class 43 includes mainly services provided by persons or establishments whose aim is to prepare food and drink for consumption and services provided to obtain bed and board in hotels, boarding houses or other establishments providing temporary accommodation.



*This Class includes, in particular:*

- reservation services for travellers' accommodation, particularly through travel agencies or brokers;
- boarding for animals.

*This Class does not include, in particular:*

- rental services for real estate such as houses, flats, etc., for permanent use (Cl. 36);
  - arranging travel by tourist agencies (Cl. 39);
  - preservation services for food and drink (Cl. 40);
  - discotheque services (Cl. 41);
  - boarding schools (Cl. 41);
  - rest and convalescent homes (Cl. 44).
- 

## CLASS 44

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

### *Explanatory Note*

Class 44 includes mainly medical care, hygienic and beauty care given by persons or establishments to human beings and animals; it also includes services relating to the fields of agriculture, horticulture and forestry.

*This Class includes, in particular:*

- medical analysis services relating to the treatment of persons (such as x-ray examinations and taking of blood samples);
- artificial insemination services;
- pharmacy advice;
- animal breeding;
- services relating to the growing of plants such as gardening;
- services relating to floral art such as floral compositions as well as garden design.

*This Class does not include, in particular:*

- vermin exterminating (other than for agriculture, horticulture and forestry) (Cl. 37);
  - installation and repair services for irrigation systems (Cl. 37);
  - ambulance transport (Cl. 39);
  - animal slaughtering services and taxidermy (Cl. 40);
  - timber felling and processing (Cl. 40);
  - animal training services (Cl. 41);
  - health clubs for physical exercise (Cl. 41);
  - scientific research services for medical purposes (Cl. 42);
  - boarding for animals (Cl. 43);
  - retirement homes (Cl. 43).
- 

## CLASS 45

Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals.

### *Explanatory Note*

*This Class includes, in particular:*

- services rendered by lawyers to individuals, groups of individuals, organizations and enterprises;
- investigation and surveillance services relating to the safety of persons and entities;
- services provided to individuals in relation with social events, such as social escort services, matrimonial agencies, funeral services.

*This Class does not include, in particular:*

- professional services giving direct aid in the operations or functions of a commercial undertaking (Cl. 35);
- services relating to financial or monetary affairs and services dealing with insurance (Cl. 36);
- escorting of travellers (Cl. 39);
- security transport (Cl. 39);
- services consisting of all forms of education of persons (Cl. 41);
- performances of singers or dancers (Cl. 41);
- computer services for the protection of software (Cl. 42);
- services provided by others to give medical, hygienic or beauty care for human beings or animals (Cl. 44);
- certain rental services (consult the Alphabetical List of Services and General Remark (b) relating to the classification of services).

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The United States Patent and Trademark Office  
an agency of the Department of Commerce

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## Online Filing: Trademark Electronic Application System (TEAS)

### WARNINGS

**OVERALL PROCESS:** The trademark registration process is a legal proceeding that may be complex and require you to satisfy many requirements within strict time deadlines (based on [Eastern Standard Time](#)); therefore, you should consider [hiring an attorney](#) before starting the process.

**ALL DATA PUBLIC:** All information you submit to the USPTO at any point in the application and/or registration process will become public record, including your name, phone number, e-mail address, and street address. By filing this application, you acknowledge that **YOU HAVE NO RIGHT TO CONFIDENTIALITY** in the information disclosed. The public will be able to view this information in the USPTO's on-line databases and through Internet search engines and other on-line databases. This information will remain public even if the application is later abandoned or any resulting registration is surrendered, cancelled, or expired. To maintain confidentiality of banking or credit card information, only enter payment information in the secure portion of the site after validating your form. For any information that may be subject to copyright protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its on-line database and in copies of the application or registration record.

For more information, please consult the [FAQs Personal Information in Trademark Records](#).

**SYSTEM AVAILABILITY:** Check [Current Server Status and Planned Outages](#) before beginning the filing process.

**UPLOAD SCHEDULE:** Most filings made through TEAS are uploaded into the USPTO's Trademark Status and Document Retrieval (TSDR) system within 4-5 calendar days. If that amount of time has passed and your filing is still not appearing, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**Scroll over category headings to view list of all forms within a specific category or click top heading of "FORMS," below, to access index. Click category heading to access page to select specific form.**

### FORMS

#### 1. INITIAL APPLICATION FORM

To apply for a trademark/servicemark, or other type of mark

**BEFORE FILING (GENERAL INFORMATION):** First-time filers should go to ["Trademark Basics"](#) before opening the application form, to review important information such as how-to videos, processing timelines, and FAQs.

**BEFORE FILING (SPECIFIC CONSIDERATIONS FOR ELECTRONIC SUBMISSIONS AND COMMUNICATIONS):** Review information focusing on [electronic matters](#).

#### 2. RESPONSE FORMS

To respond to: a Law Office examining attorney letter (an "Office action") (a non-final or final action, including a suspension inquiry/letter of suspension or a request to submit a "substitute form" where the wrong form type was initially filed); an Intent-to-Use Unit (ITU) Office action; a Post-Registration Division Office action; a Petitions Office letter

#### 3. INTENT-TO-USE (ITU) FORMS

To file a Statement of Use (SOU) and convert an ITU application to actual use after a notice of allowance (NOA) issues; or to file an extension request after a NOA issues; or to file an Amendment to Allege Use (AAU) and convert an ITU application to actual use before a NOA issues; or to respond to an Intent-to-Use Unit Office action

#### 4. POST-APPROVAL/PUBLICATION/POST-NOTICE OF ALLOWANCE (NOA) AMENDMENT FORMS

To request amendment (1) after an application has been approved for publication or actually published; (2) after an extension of time to oppose has been filed; or (3) after a notice of allowance (NOA) has issued; or to delete a Section 1(b) basis after a NOA issues

NOTE: For additional information on actions that may be taken after a Notice of Allowance has issued (e.g., filing a request to divide), see [http://www.uspto.gov/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp).

#### 5. CORRESPONDENCE AND ATTORNEY/DOMESTIC REPRESENTATIVE FORMS

To file: a change of correspondence address, a change of owner's address, or a change of domestic representative's address; a withdrawal of attorney or domestic representative; a revocation/appointment of attorney/domestic representative; a request to replace attorney of record with another already-appointed attorney

#### 6. PETITION FORMS

To file: a petition to revive an abandoned application; a petition to amend the basis of an application after publication; a petition to the Director under Trademark Rules 2.146 and 2.148; a letter of protest and similar matters; a response to a Petitions Office letter

#### 7. MISCELLANEOUS FORMS

To file: a voluntary amendment not in response to USPTO Office action/Letter; a request that the application examination

process be terminated (an "express abandonment"); a request to divide an application *NOT* filed with an allegation of use (to file WITH an allegation of use, see the overall category "INTENT-TO USE (ITU) FORMS," *above*)

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**8. [REGISTRATION MAINTENANCE/RENEWAL/CORRECTION FORMS](#)**

To make required maintenance filings between the 5th and 6th year after the registration date (Section 8) and between the 9th and 10th year after the registration date (Section 8 & 9); to claim that a mark is now incontestable (Section 15); to request amendment or correction of a registration certificate (Section 7); to surrender a registration; to request to divide a registration; to file a Section 12(c) affidavit; to submit the required maintenance filings under Section 71 for a registered extension of protection (Madrid Protocol); to respond to a Post-Registration Division Office action

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**9. [ASSIGNMENT FORMS](#)**

To file: assignments; change of name; other conveyances of title

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**10. [TRADEMARK TRIAL AND APPEAL BOARD FORMS](#)**

To file all submissions to the Trademark Trial and Appeal Board; e.g., oppositions, cancellations, notices of appeal after final actions

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**11. [MADRID PROTOCOL FORMS](#)**

To file: an application for International Registration; a subsequent designation; a response to notice of irregularity; a request for replacement or transformation

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**Other Resources**

[TEAS Technical Information](#): background technical help

[TEAS Tutorial](#): step-by-step approach for a new application

[Electronic Filing Tips](#): best practices for filing electronically

[TEAS FAQs](#): most commonly asked questions/answers

[TEAS Enhancements](#): highlights of **TEAS 4.9** release **[Updated 3Nov2011]**

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United States Patent and Trademark Office

Trademark Electronic Application System - TEAS



## Trademark/Service mark Application, Principal Register

## Selection of Application Type

Which type of form do you wish to use? Choose one of the two versions and then click on the **CONTINUE** button at the *bottom of the page*.

**WARNING:** If attaching an image file, it must be in the JPG/PDF format (except for a mark image, which may only be JPG). **NO OTHER IMAGE FILE TYPES ARE ACCEPTED.**

☒ **TEAS Plus Form**

This form has a lower filing fee of \$275 per class of goods and/or services, but has **stricter** requirements, than the TEAS form. Select this option **ONLY** if you agree to:

- file a "complete" application. Almost all fields in this form are mandatory;
- select the listing of goods and/or services for this application directly from the USPTO's [Acceptable Identification of Goods and Services Manual](#). While certain listings permit "[customization](#)," total "free-text" entries for identifications cannot be made; **NOTE:** You should confirm that your identification(s) appear in the Manual by using the link, *above*, **BEFORE** entering the TEAS Plus form. If the term(s) does not appear, you may request that an identification be added by e-mailing [TMIDSUGGEST@uspto.gov](mailto:TMIDSUGGEST@uspto.gov); however, you could not file immediately. For more information on this process, click [here](#).
- pay the fees for **all** classes at the time of filing;
- file certain later communications regarding the application, such as a Response to an Office action, through TEAS; and
- receive all communications concerning the application by e-mail during the pendency of the application.

**NOTE:** If you use TEAS Plus, you must pay an additional fee of \$50 per class if at any time during the examination of the application the USPTO determines that (1) the application did not meet the TEAS Plus requirements as of the filing date; (2) you file a paper form after the initial application when a TEAS form exists for that purpose (*e.g.*, a Response to an Office action); and/or (3) you refuse to receive correspondence from the USPTO by e-mail during the pendency of the application.

☐ **TEAS Form**

Select this option, having a filing fee of \$325 per class of goods and/or services, if you cannot satisfy the TEAS Plus requirements, as outlined above.



## United States Patent and Trademark Office

## Trademark Electronic Application System - TEAS Application



**Navigation History:** **Instruction** > Applicant > Mark > Goods/Services/Filing Basis > Attorney/Dom. Rep./Correspondence > Fee/Signature

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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

**NOTE:** For an instructional video providing an overview of the most important issues you should be aware of when filing a trademark application, [click here](#).

**To file the application electronically, please complete the following steps:**

1. Answer the first question below to create an application form showing only sections relevant to your specific filing.
2. For help at any point, click on any underlined word on any page.
3. After answering the first wizard question, click on the CONTINUE button at bottom of the page.
4. Once in the actual form, complete all fields with a \* symbol, since they are mandatory fields for TEAS filing purposes.
5. Validate the form, using the "Validate" button at the end of the form. If there are errors, return to the form to make the correction. A "Warning" may be corrected or bypassed.
6. Double-check all entries through the links displayed on the Validation page.
7. You may save your work for submission at a later time by clicking on the Download Portable Data button at the bottom of the Validation page.
8. When ready to file, use the Pay/Submit button at the bottom of the Validation page. This will allow you to choose from three (3) different payment methods: credit card, automated deposit account, or electronic funds transfer.
9. After accessing the proper screen for payment, and making the appropriate entries, you will receive a confirmation screen if your transmission is successful. This screen will say SUCCESS! and will provide your assigned serial number.
10. You will receive an e-mail acknowledgement of your submission, which will repeat the assigned serial number and provide a summary of your submission.

**Once you submit this application, we will not cancel the filing or refund your fee. The fee is a processing fee, which we do not refund even if we cannot issue a registration after our substantive review.**

**Important:** ONCE YOU SUBMIT AN APPLICATION ELECTRONICALLY, THE USPTO WILL IMMEDIATELY ISSUE AN ELECTRONIC ACKNOWLEDGMENT OF RECEIPT. Please contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov) if you do not receive this acknowledgment within 24 hours of transmission.

**Contact Points:**

- **General trademark information:** Please review the information posted at [Where Do I Start](#). If you have remaining questions, e-mail [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov), or telephone 1-800-786-9199.
- **Help:** For instructions on how to *use* the electronic forms, or help in resolving *technical* glitches, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). Please include your telephone number in your e-mail, so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.  
**NOTE:** The TEAS Support Team focuses on problems related to the process of completing the electronic forms, **not** on what information would be correct for entry within a form, or other broader trademark issues. Please route those types of inquiries to the Trademark Assistance Center. However, please be aware that neither group can provide any sort of information in the nature of "legal advice." For legal advice, please consider contacting an attorney who specializes in intellectual property.
- **Bug Report:** If you think there is a "bug" within one of the electronic forms, please click [Bug Report](#).
- **Status Information:** For an application with an assigned serial number, check [Trademark Applications and Registrations Retrieval](#) to view current status information, as well as the complete prosecution history. Do **not** attempt to check status until at least 7-10 days after submission of a filing, to allow sufficient time for all USPTO databases to be updated. You can view **all** items listed in the prosecution history section online at [Trademark Document Retrieval](#), including all office actions sent by the USPTO.

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

## 1. Is an [attorney](#) filing this application?

☒ Yes ☐ No

2. [OPTIONAL] To access **previously-saved data**, use the "Browse/Choose File" button below to access the file from your local drive. NOTE: For specific instructions, please click [here](#).

**FAILURE TO FOLLOW THESE NEW INSTRUCTIONS WILL RESULT IN THE DISPLAY OF YOUR DATA IN AN XML FORMAT THAT CANNOT BE EDITED.** NOTE: Do NOT attempt to use the button below to upload an image file (for example, a specimen). You must use the button that will be presented for that purpose *within the proper section of the actual form*.

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[Burden/Privacy Statement](#)

The information collected on this form allows the PTO to determine whether a mark may be registered on the Principal or Supplemental register and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal register. 15 U.S.C. §1051-1054, 1061-1063, 1091, 1094, 1095, and 1126 and 37 C.F.R. Part 2, 2.32, 2.34-2.38, 2.41-2.47, 2.51-2.54, 2.56, 2.59, 2.76, and 2.80-2.89. All information collected will be made public. Gathering, preparing and submitting this information will require an estimated 18 to 25 minutes to

complete (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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Wed Sep 12 05:38:47 EDT 2012





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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

**NOTE:** This identifies who owns the mark, not necessarily who is filing the application. For an instructional video focusing on what is meant by the term "applicant," [click here](#).

#### Applicant Information

**Note:** This identifies who **owns** the mark, **not** necessarily who is **filing** the application.

**Note:** If there is more than one owner of the mark, complete the information for the first owner, and then click on the "Add Owner" button at the bottom of this page. Repeat, as necessary, for the appropriate listing of all owners. **Warning:** It is important to determine whether, in fact, the applicants are [joint applicants](#), or some other entity type listed below.

#### \* [Owner of Mark](#)

[If an individual, use the following format: Last Name, First Name Middle Initial or Name, if applicable]

- ☐ DBA (doing business as) ☐ AKA (also known as)  
☐ TA (trading as) ☐ Formerly

#### \* [Entity Type](#)

- ☐ [Individual](#)  
☐ [Corporation](#)  
☐ [Limited Liability Company](#)  
☐ [Partnership](#)  
☐ [Limited Partnership](#)  
☐ [Joint Venture](#)  
☐ [Sole Proprietorship](#)  
☐ [Trust](#)  
☐ [Estate](#)  
☐ [Other](#)

<== Click the appropriate circle on the left to indicate the applicant's entity type. The form will then display the field(s) for entering information corresponding to that specific entity type. If your entity type is not one of the options displayed directly to the left, you must click on "Other" and then select the appropriate entry from the relevant pull-down box.

#### [Internal Address](#)



#### \* [Street Address](#)

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

#### \* [City](#)

**NOTE:** You must limit your entry here to no more than 22 characters.

Select State

#### \* [State](#)

(Required for U.S. applicants)

**NOTE:** You must include as part of the "city" entry any information related to geographical regions (*e.g.*, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (*e.g.*, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

#### \* [Country or U.S. Territory](#)

Select Country or U.S. Territory

#### \* [Zip/Postal Code](#)

(Required for U.S. applicants only)

#### [Phone Number](#)

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[Internet  
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While the application may list an e-mail address for the applicant, only the e-mail address of applicant's attorney or domestic representative will be used for actual correspondence purpose, in accordance with [Office policy](#).

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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

**NOTE:** This identifies who owns the mark, not necessarily who is filing the application. For an instructional video focusing on what is meant by the term "applicant," [click here](#).

#### Applicant Information

**Note:** This identifies who **owns** the mark, **not** necessarily who is **filing** the application.

**Note:** If there is more than one owner of the mark, complete the information for the first owner, and then click on the "Add Owner" button at the bottom of this page. Repeat, as necessary, for the appropriate listing of all owners. **Warning:** It is important to determine whether, in fact, the applicants are [joint applicants](#), or some other entity type listed below.

#### \* [Owner of Mark](#)

LAWREVIEWCLE, LLC

[If an individual, use the following format: Last Name, First Name Middle Initial or Name, if applicable]

- ☐ DBA (doing business as) ☐ AKA (also known as)  
☐ TA (trading as) ☐ Formerly

#### \* [Entity Type](#)

- ☐ [Individual](#)  
☐ [Corporation](#)  
☒ [Limited Liability Company](#)  
☐ [Partnership](#)  
☐ [Limited Partnership](#)  
☐ [Joint Venture](#)  
☐ [Sole Proprietorship](#)  
☐ [Trust](#)  
☐ [Estate](#)  
☐ [Other](#)

#### \* [State or Country Where Legally Organized](#)

If U.S. Company

Florida

OR

If non-U.S. Company

Select Country

#### [Internal Address](#)

Unit A

#### \* [Street Address](#)

2568 Commerce Parkway

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

#### \* [City](#)

North Port

**NOTE:** You must limit your entry here to no more than 22 characters.

Florida

#### \* [State](#)

(Required for U.S. applicants)

**NOTE:** You must include as part of the "city" entry any information related to geographical regions (*e.g.*, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (*e.g.*, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

#### \* [Country or U.S. Territory](#)

United States

#### \* [Zip/Postal Code](#)

(Required for U.S. applicants only)

34289

#### [Phone Number](#)

(888)-4LAWCLE

#### [Fax Number](#)

BLANK NOT NECESSARY

#### [Internet](#)

#### [E-mail Address](#)

REQUIRED@EMAIL.COM

While the application may list an e-mail address for the applicant, only the e-mail address of applicant's attorney or domestic representative will be used for actual correspondence purpose, in accordance with [Office policy](#).

#### [Website address](#)

www.lawreviewcle.com

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[Burden/Privacy Statement](#)

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Wed Sep 12 05:39:38 EDT 2012



United States Patent and Trademark Office

Trademark Electronic Application System - TEAS Application

[Navigation History](#): [Instruction](#) > [Applicant](#) > **Mark** > Goods/Services/Filing Basis > Attorney/Dom. Rep./Correspondence > Fee/Signature

PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

#### Mark Information

Before the USPTO can register your mark, exactly what the mark is must be clear. You may present your [mark](#) as: (1) [standard characters](#), if not claiming a particular font, style, size, and/or color; or (2) [special form](#), if the mark includes a design or word(s) combined with a design, or is displayed in a particular font, style, size, and/or color; or (3) sound mark. In this section, do **not** upload your specimen of use (sample of actual use, e.g., a label or advertisement. This will be required in a different part of the form, if appropriate for your filing basis.) **WARNING:** You may submit only **one** mark per application, and any application that includes multiple marks may be denied a filing date or refused registration.

When you click on one of the three circles presented below, and follow the specific instructions, the form will automatically create a separate page that displays the mark for which you are applying or provides access to the applicant-supplied file if a sound mark. Please carefully review this page prior to final submission to the USPTO, to ensure that it accurately identifies your mark. You may not be able to [change or correct your mark](#) after filing this application. While minor changes in the mark are *sometimes* permitted, any [material alteration](#) will not be permitted and will result in the USPTO issuing a refusal on that ground.

**WARNING:** AFTER [SEARCHING](#) THE USPTO DATABASE, EVEN IF YOU THINK THE RESULTS ARE "O.K.," DO NOT ASSUME THAT YOUR MARK CAN BE REGISTERED. AFTER YOU FILE AN APPLICATION, THE USPTO WILL PERFORM ITS OWN SEARCH AND OTHER REVIEW, AND MIGHT [REFUSE TO REGISTER](#) YOUR MARK.

**NOTE:** For an instructional video on the importance of conducting a search of existing trademarks before filing your application, [click here](#).

\* Click the appropriate circle to indicate the Mark type: ☒ [Standard Characters](#) ☐ [Special Form \(Stylized and/or Design\)](#) ☐ [Sound](#)

**NOTE:** For an instructional video on the importance of selecting the proper mark type, [click here](#).

Enter the mark here: (**Note:** The entry can be in capital letters, lower case letters, or a combination thereof. Do **not** include the <sup>TM</sup>, <sup>SM</sup>, ®, or © symbols after the mark entry, because they are **not** part of the actual mark. If using Internet Explorer, the entry cannot exceed **2036** characters; otherwise, you must switch to another browser.)

LAWREVIEWCLE

Preview USPTO-Generated Image

**NOTE:** For how the USPTO determines what the display of the entered mark will be, click [here](#).

**NOTE:** For information about mark display in USPTO databases, click [here](#)

The "Additional Statement" section of this form is to enter various statement(s) that may pertain to the mark, for example, a disclaimer or translation. Because you are filing under **TEAS Plus**, you must enter the following, **if applicable within the facts of your application**: (1) claim of prior registration(s); (2) translation; (3) transliteration; (4) consent of individual identified in mark; and (5) concurrent use claim. You are not required to enter any other statement(s) at the time of filing; however, you may be required to add a statement(s) to the record during examination of the application. If you are unsure whether you should make such a statement, besides those specifically identified above, the examining attorney assigned to your application will issue a requirement, if appropriate.

☒ Check here to display the full listing of additional statements from which you may make your selection.

#### [Additional Statement](#)

- To select a statement, enter any required information specific to your mark (or, for some statements, check the box in front of the statement). If you now realize that no statement is needed, you must click on the box that produced this section of the form to "uncheck" it, and the entire "Additional Statement" section below will be removed. Note: Do NOT include quotation marks within any entry made below.

**WARNING:** Additional statements are not commonly used and are for special circumstances that only exist in certain applications. Selecting items that do not apply may delay the processing of your application. HOWEVER, for any field below designated with an asterisk (\*), you must make an entry to maintain TEAS Plus status, if applicable within the facts of the application. Failure to do so will result in the examining attorney requiring the payment of an additional \$50 fee per class, because the application will lose its TEAS Plus status.

**DISCLAIMER:** "No claim is made to the exclusive right to use  apart from the mark as shown."

\* **PRIOR REGISTRATION(S):** "The applicant claims ownership of U.S. Registration Number(s) , , .

(Required if warranted by facts of application.) **NOTE:** Entry must not include any commas, and must be 7 numerals long (if necessary, add leading 0's to number, e.g., 0086417).

☐ "and others": Check here to indicate there are additional prior U.S. Registration Number(s).

\* **TRANSLATION:** (Required if warranted by facts of application.)

"The English translation of  in the mark is .

"The wording  has no meaning in a foreign language."

\* **TRANSLITERATION:** (Required if warranted by facts of application.) (NOTE: **Not** required for **any** standard character marks.)

"The non-Latin characters in the mark transliterate to  and this means  in English."

"The non-Latin characters in the mark transliterate to  and this has no meaning in a foreign language."

**MEANING OR SIGNIFICANCE OF WORDING, LETTER(S), OR NUMERAL(S):**

" appearing in the mark means or signifies or is a term of art for  in the relevant trade or industry or as applied to the goods/services listed in the application."

" appearing in the mark has no significance nor is it a term of art in the relevant trade or industry or as applied to the goods/services listed in the application, or any geographical significance."

"The word(s)  has no meaning in a foreign language."

☐ **§2(f), based on Use:** "The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the [U.S. Congress](#) may lawfully regulate for at least the five years immediately before the date of this statement."

**§2(f), based on Prior Registration(s):** "The mark has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). .

☐ **§2(f), based on Evidence:** "The mark has become distinctive of the goods/services, as demonstrated by the attached evidence."

[Click here to Attach/Remove §2\(f\) Evidence](#)

**§2(f), IN PART, based on Use:** " has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the [U.S. Congress](#) may lawfully regulate for at least the five years immediately before the date of this statement."

**§2(f), IN PART, based on Prior Registration(s):** " has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). .

**§2(f), IN PART, based on Evidence:** " has become distinctive of the goods/services, as demonstrated by the attached evidence."

[Click here to Attach/Remove §2\(f\) Evidence](#)

\* **NAME(S), PORTRAIT(S), SIGNATURE(S) OF INDIVIDUAL(S):** (Required if warranted by facts of application.)

"The name(s), portrait(s), and/or signature(s) shown in the mark identifies , whose consent(s) to register is made of record."

[Click here to Attach/Remove Consent\(s\)](#)

☐ "The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual."

**USE OF THE MARK IN ANOTHER FORM:** "The mark was first used anywhere in a different form other than that sought to be registered at least as early as , and in commerce at least as early as .

NOTE: If the use in another form claim does not relate to all classes in a multi-class application, specify within the miscellaneous statement section, below, the exact class(es) the claim covers.

\* **CONCURRENT USE:** Enter the appropriate concurrent use information, e.g., specify the goods and the geographic area for which registration is sought. WARNING: Enter text in the box only if you (1) intend to initiate a concurrent use registration proceeding before the Trademark Trial and Appeal Board; or (2) have a final determination by a court establishing your concurrent right to use the same or similar mark in commerce in a limited geographic area.

concurrent right to use the same or similar mark in commerce in a limited geographic area.

(Required if warranted by facts of application.)

- ☐ **MISCELLANEOUS STATEMENT:** Enter information for which no other section of the form is appropriate.

Click here to Attach/Remove Miscellaneous

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Burden/Privacy Statement

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United States Patent and Trademark Office

Trademark Electronic Application System - TEAS Application



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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

#### Goods and/or Services Information

#### Instructions:

**Step 1:** Click on the "Add Goods/Services by Searching IDManual" button below to select goods and/or services from the *Manual of Trademark Acceptable Identifications of Goods & Services* (IDManual).

**Step 2:** After creating the complete list of goods and/or services for this application, you will then be able in the next section of the form to designate the filing basis (or bases) appropriate for each listed item.

#### NOTE:

1. Your selection of goods/services must be precise and accurate. Do NOT simply select a listing that is "close" to your goods/services. If you do not find a listing that accurately identifies your goods/services, you may e-mail [TMIDSUGGEST@uspto.gov](mailto:TMIDSUGGEST@uspto.gov) to request that your identification be added to the IDManual, and then wait for the addition before filing using TEAS Plus. For more information on this process, click [here](#). If your request is not approved or you wish to file immediately, you must use the regular TEAS form.
2. The TEAS Plus version of the IDManual intentionally does not include the following: (1) items classified in Classes A, B, or 200, because those marks are not eligible for filing under TEAS Plus; (2) any listings that appear in the "regular" manual under "000," because correct classification is required under TEAS Plus, and classification for these listings varies according to the additional information provided within the listing; and (3) the Class 25 listing of "Clothing, namely, ...", because this entry is too open-ended, and could result in items being listed that do not truly fall within this class. Since specific clothing items must be listed anyway, the TEAS Plus version of the form requires the *initial* selection of those specific items.
3. Some entries include instructional language beneath the actual entry, within < > symbols. This language is only to assist in the proper selection of an entry, and will NOT be included as part of the actual identification after the checked entry is inserted into the form. **New**
4. If you cannot access the IDManual through the "Add Goods/Services by Searching IDManual" button, try switching to another browser. If after changing browsers you still cannot access the IDManual through the "Add Goods/Services by Searching IDManual" button, please contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov).  
**WARNING:** This form has a session time limit of 60 minutes. Your "session" began as soon as you accessed the initial Form Wizard page. If you exceed the 60-minute time limit, the form will not validate and you must begin the entire process again; you can, however, extend the time limit. You should always try to have all information required to complete the form prior to starting any session.

**NOTE:** For an instructional video on goods and services and the importance of making the proper selection, [click here](#).



**NOTE:** Clicking "Go Back" will take you directly back to the MARK section of the form.



The information collected on this form allows the PTO to determine whether a mark may be registered on the Principal or Supplemental register and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal register. 15 U.S.C. §1051-1054, 1061-1063, 1091, 1094, 1095, and 1126 and 37 C.F.R. Part 2, 2.32, 2.34-2.38, 2.41-2.47, 2.51-2.54, 2.56, 2.59, 2.76, and 2.80-2.89. All information collected will be made public. Gathering, preparing and submitting this information will require an estimated 18 to 25 minutes to complete (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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## United States Patent and Trademark Office

## Trademark Electronic Application System - Trademark ID Manual



The entry(ies) displayed below requires the insertion of additional information in the highlighted text box. Use as guidance the instruction from within the portion of the original entry shown between the {} symbols or move the mouse over the text box(es). After making all necessary free-text entries, click on the "Insert Checked Entries" button again. To delete an entry entirely prior to inserting additional information, click on the "Remove" button in front of the entry.

Search for: "audio recording"

Go

Insert Checked Entries

**Please specify the required information below:**

**NOTE:** Do not use any of the following wording in the listing(s), as it may make the identification "indefinite" for purposes of registration: "including," "comprising," "such as," "and the like," "and similar goods," "concepts," "like services," etc." The terms "namely" and "consisting of" are proper substitutes. Also, do not include any html or other programming code or language that may create links in the listing of goods and/or recitation of services, nor any abbreviations.

Remove

009 Audio recordings featuring legal education

Found 7 entries in 1 page(s) for ["audio recording"]: (For instructions on how to build the complete goods/services list, click [here](#).)

InternationalClass**Description**

- |                                     |     |   |
|-------------------------------------|-----|---|
| <input type="checkbox"/>            | 009 | <b>Audio recorders</b>  |
| <input checked="" type="checkbox"/> | 009 | <b>Audio recordings</b> featuring {specify subject matter, e.g., music, self-improvement, mathematics instruction}<br>Cases for music, <b>audio</b> and related electronic equipment, namely, cases for <b>audio</b> tuners, <b>audio</b> receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, <b>audio</b> mixers, <b>audio</b> speakers in the nature of music studio monitors, microphones, <b>audio</b> speakers, compact discs, <b>audio</b> tapes, portable computers, antennas, phonographic <b>record</b> players, <b>audio recording</b> equipment, and the cables associated with all of the foregoing equipment |
| <input type="checkbox"/>            | 009 | Visual and <b>audio recordings</b> featuring {indicate subject matter}  |
| <input type="checkbox"/>            | 041 | <b>Audio recording</b> and production   |
| <input type="checkbox"/>            | 041 | Production of <b>audio recording</b><br>Rental and computerized on-line rental services featuring interactive software and hardware home entertainment and consumer electronics in the nature of motion pictures, films, movies, prerecorded digital versatile discs (or DVDs), prerecorded videotape cassettes, <b>audio</b> , <b>audio recordings</b> in a variety of genres  |

Go Back

Insert Checked Entries

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Trademark Electronic Application System - TEAS Application



**Navigation History:** [Instruction](#) > [Applicant](#) > [Mark](#) > **Goods/Services/Filing Basis** > Attorney/Dom. Rep./Correspondence > Fee/Signature

PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

#### Basis for Filing

**NOTE:** For an instructional video on what is meant by "basis for filing," [click here](#).

Applicant requests registration of the trademark/service mark identified previously with the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. §1051 *et seq.*) for the Class(es) and Goods and/or Services displayed below, and asserts herein the specific basis(es) that covers the listed Goods and/or Services.

#### Instructions for assigning filing basis(es):

For each of the items listed in the chart below, you can assign a specific filing basis, or if appropriate, multiple bases. If the list is incorrect, you can either add or delete items, using the appropriate buttons, *below*. For an explanation of the possible filing basis(es), as identified by the 4 buttons beneath the listing of goods/services, click [here](#).

For complete step-by-step instructions on how correctly to assign the filing basis(es), click on the heading that corresponds to the factual scenario for this specific filing, *below*. For examples of filings corresponding to each of the heading descriptions, click on the link "*Examples*."

- [One class or multiple classes, with ONE filing basis for ALL listed items \*Examples\*](#)  
**NOTE:** This is the most common correct choice for any filing. The following are other options, but are much less likely to be appropriate:
- [One class or multiple classes, with same multiple filing bases for ALL listed items in class\(es\) \*Examples\*](#)
- [One class or multiple classes, with different filing basis\(es\) for different goods/services within the same class, and/or for different overall classes \*Examples\*](#)

**NOTE:** For an instructional video on goods and services and the importance of making the proper selection, [click here](#).

Add Goods/Services

Remove Checked Goods/Services

For instructions on how to add item(s) to the list displayed below, click [here](#).

For instructions on how to remove any item(s), click [here](#).

Select All	<input checked="" type="checkbox"/> <a href="#">International Class</a>	Goods and/or Services	Assigned Filing Basis(es)
<input checked="" type="checkbox"/>	009	Audio recordings featuring <b>legal education</b>	<a href="#">1(a)</a>

**Section 1(a)**, Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with

the identified goods and/or services. 15 U.S.C. §1051(a), as amended. Applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

**NOTE:** For an instructional video on what is an appropriate specimen for a good or service, [click here](#). **NOTE:** For attachment, the JPG/PDF image file(s) or sound/motion file(s) showing the specimen(s) must be on your local drive.

The specimen file must show the *overall context* of how the mark is used, e.g., on the packaging for the goods or in an

advertisement for services, with the mark clearly displayed thereon or within. This file should NOT be either (1) the same file used in the mark section; or (2) a newly-created file that nonetheless shows *only* the mark by itself. (Reminder: Within the earlier mark section, if you attached an image file for a stylized/design mark or a sound/motion file, you must ensure that it only shows the mark by itself, and does not display anything that would not truly be considered part of the actual mark, e.g., a scan of a complete business card would not be an acceptable mark image, although it may be an acceptable specimen).

Remove this 1(a)

Attach/Remove Specimen

1 file(s) attached

**\* [Attach Specimen](#)**

☐ Check this box if you are attaching a color specimen. **NOTE:** Check only if you believe your specimen is in color, yet you received after clicking the "CONTINUE" button a WARNING about lack of color within the specimen; otherwise, do not check this box, because the attached image was automatically accepted as color.

**[Description of Specimen](#)**

Website featuring the Applicant's Mark

**\* [Date of First Use of Mark Anywhere](#)**

By the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as

10/25/2010 (MM/DD/YYYY)

**\* [Date of First Use of the Mark in Commerce](#)**

By the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as

10/25/2010 (MM/DD/YYYY)

Section 44(d)

Foreign application exists for same goods/services

Section 44(e)

Foreign registration exists for same goods/services

**NOTE:** To **REMOVE** the listed basis entirely, click on the "Remove this [basis]" button, *above*. To **CHANGE** information within a basis, first edit the data displayed above, and then click the "Assign Filing Basis" button, *below*. To **ADD** another basis to the listed basis(es), click on the basis button, make data entries, if appropriate, and then click on the "Add Filing Basis" button.

Assign Filing Basis

Add Filing Basis

Exit

Burden/Privacy Statement

The information collected on this form allows the PTO to determine whether a mark may be registered on the Principal or Supplemental register and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal register. 15 U.S.C. §1051-1054, 1061-1063, 1091, 1094, 1095, and 1126 and 37 C.F.R. Part 2, 2.32, 2.34-2.38, 2.41-2.47, 2.51-2.54, 2.56, 2.59, 2.76, and 2.80-2.89. All information collected will be made public. Gathering, preparing and submitting this information will require an estimated 18 to 25 minutes to complete (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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United States Patent and Trademark Office

Trademark Electronic Application System - TEAS Application



## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

**NOTE:** You must "**Browse/Choose File**" AND "**Attach**" each file, as described in Steps 1 and 2 below. If you do NOT click on the "**Attach**" button after selecting the correct file via the "**Browse/Choose File**" button, the file will not be attached to the form.

**WARNING:** The file **MUST** be in the JPG/PDF format (not exceeding 5 megabytes per attachment) or .WAV, .WMV, .WMA, .MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).

To attach a file, please complete the following steps:

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

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United States Patent and Trademark Office

Trademark Electronic Application System - TEAS Application



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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

- ☒ Check here if an attorney is filing this form on behalf of applicant(s). If an attorney is not filing, simply click on the box if currently checked to "uncheck" that box.
- ☐ Check here if the applicant wishes to appoint a Domestic Representative. A Domestic Representative is OPTIONAL if the applicant's address is outside the United States. Once checked, a separate section of the form will appear to enter the Domestic Representative information.

#### Attorney Information

\* [Correspondent Attorney Name](#)

Evan Anderson

[Individual Attorney Docket/Reference Number](#)

[Other Appointed Attorney\(s\)](#)

[Firm Name](#)

Brand Ventures Intellectual Property Law

[Internal Address](#)

\* [Street Address](#)

2434 Lincoln Blvd., Floor 2

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

\* [City](#)

Los Angeles

**NOTE:** You must limit your entry here to no more than 22 characters.

\* [State](#)  
(Required for U.S. applicants)

California

**NOTE:** You must include as part of the "city" entry any information related to geographical regions (*e.g.*, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (*e.g.*, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

\* [Country or U.S. Territory](#)

United States

\* [Zip/Postal Code](#)

(Required for U.S.  
applicants only)

[Phone Number](#)

[Fax Number](#)

An e-mail address for communication with the appointed attorney must be provided. The attorney must keep this address current in the Office's records. Specific authorization for this communication may be made, *below*.

\* [Internet  
E-mail Address](#)

☒ Check here to [authorize](#) the USPTO to communicate with the appointed attorney via e-mail. (Informal communication is permissible without authorization.)

**NOTE:** By checking this box, the appointed attorney acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The appointed attorney should periodically check the status of its application through the [Trademark Applications and Registrations Retrieval \(TARR\)](#) database, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the applicant's security or anti-spam software, or any problems within the applicant's e-mail system. All sent actions can be viewed on-line, from [Trademark Document Retrieval](#).

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#### Burden/Privacy Statement

The information collected on this form allows the PTO to determine whether a mark may be registered on the Principal or Supplemental register and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal register. 15 U.S.C. §1051-1054, 1061-1063, 1091, 1094, 1095, and 1126 and 37 C.F.R. Part 2, 2.32, 2.34-2.38, 2.41-2.47, 2.51-2.54, 2.56, 2.59, 2.76, and 2.80-2.89. All information collected will be made public. Gathering, preparing and submitting this information will require an estimated 18 to 25 minutes to complete (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9)

#### Fee Information

**Note:** The total fee is computed based on the Number of Classes in which the goods and/or services associated with the mark are classified. If the free-text approach for the goods/services has been used, and different filing bases exist within the same class, neither the displayed Number of Classes nor Total Fee Due will be correct. You must manually adjust the Total Fee Paid amount, using the pull-down box to select the correct fee amount.

**Note:** Three payment options ([credit card](#), [automated deposit account](#), and [Electronic Funds Transfer](#)) will appear after clicking on the **Pay/Submit** button, which is available on the bottom of the *Validation Page* after completing and validating this form.

<b><u>Number of Classes</u></b>	<b>1</b> (Class: 009)
<b>Fee per class</b>	<b>\$275</b>
<b><u>Total Fee Due</u></b>	<b>\$275</b>

#### Signature Information

Click to choose ONE [signature method](#):

☒ [Sign directly](#) ☐ [E-mail Text Form to second party for signature](#) ☐ [Handwritten pen-and-ink signature](#)

#### Electronic Signature

The application will not be "signed" in the sense of a traditional paper document. To verify the contents of the application, the signatory must enter any alpha/numeric character(s) or combination thereof **of his or her choosing**, preceded and followed by the forward slash (/) symbol. The USPTO does **not** determine or pre-approve what the entry should be, but simply presumes that this specific entry has been adopted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "signatures" could include /john doe/; /jd/; or /123-4567/. The application may still be validated to check for missing information or errors even if the **signature** and **date signed** fields are left blank; however, you must specifically click the button for "Submit application unsigned," *above*.

#### DECLARATION

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1126(d) or (e), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

\* **Signature**  \* **Date Signed**  (MM/DD/YYYY)

\* **Signatory's Name**

\* **Signatory's Position**

**NOTE:** Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner;" if an attorney, enter "Attorney of record, [**specify at least one state**] bar member;" if an authorized signatory of a business entity enter, *e.g.*, "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company).

[Signatory's Phone Number](#)

(424) 750-9499

**NOTE:** If there are multiple signatories, click on the "Add Signatory" button below, and repeat signature process. Otherwise, Click on the [Validate](#) button, or if necessary, the Go Back button.

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Burden/Privacy Statement

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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2014)



## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application (Version 4.9) - Validation Page

**On Wed Sep 12 05:50:31 EDT 2012 You completed all mandatory fields and successfully validated the form. It has NOT been filed to the USPTO at this point. Please complete all steps below to submit the application.**

■ **STEP 1:** Review the application data in various formats, by clicking on the phrases under Application Data. Use the print function within your browser to print these pages for your own records. If the Mark and Specimens appear huge, click [here](#).

**Note:** It is important that you review this information for accuracy and completeness now.

Corrections after submission may not be permissible, thereby possibly affecting your legal rights.

**Note:** If you are using the e-signature approach or the handwritten pen-and-ink signature approach, you must click on the final link to access the specific "text form" for that purpose.

#### Application Data

■ [Input](#)■ [Mark](#)■ [Specimen](#)■ [XML File](#)■ [Text Form](#)

■ **STEP 2:** If there are no errors and you are ready to file this application electronically, confirm the e-mail address for acknowledgment. Once you submit the form electronically, we will send an electronic acknowledgment of receipt to the e-mail address entered below. If no e-mail address appears, you must enter one. If we should send the acknowledgment to a different e-mail address, or to an additional address(es), please enter the proper address or additional address(es). For **multiple addresses/receipts**, please separate e-mail addresses by either a **semicolon** or a **comma**.

**NOTE:** This e-mail address is only for the purpose of receiving the acknowledgment that the transmission reached the USPTO, and is not related to the e-mail that will be used for correspondence purposes (although it could be the same address. The official e-mail address that the USPTO will use for any future communication is whatever appears in the specific correspondence section of the form.)

\* **E-mail for acknowledgment**

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

\* **E-mail for acknowledgment**

■ **STEP 3:** To download and save the form data, click on the [Download Portable Data](#) button at the bottom of this page. The information will be saved to your local drive. To begin the submission process with saved data, you must open a new form, and click on the "Browse/Choose File" button displayed on the initial form wizard page, at "[OPTIONAL] To access previously-saved data, use the "Browse/Choose File" button below to access the file from your local drive." **REMINDER:** Do **NOT** try to open the saved .obj.xml form directly. You must return to the very first page of the form, as if starting a brand new form, and then use the specific "Browse/Choose File" button on that page to import the saved file. Clicking on the "Continue" button at the bottom of that first page will then properly open the saved version of your form.

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

#### Important Notice:

Once you submit this application, we will not cancel the filing or refund your fee. The fee is a processing fee, which we do not refund even if we cannot issue a registration after our substantive review. This is true regardless of how soon after submission you might attempt to request cancellation of the filing. Therefore, please review **ALL** information carefully prior to transmission.

All information you submit to the USPTO at any point in the application and/or registration process will become public record, including your name, phone number, e-mail address, and street address. By filing this application, you acknowledge that **YOU HAVE NO RIGHT TO CONFIDENTIALITY** in the information disclosed. The public will be able to view this information in the USPTO's on-line databases and through internet search engines and other on-line databases. This information will remain public even if the application is later abandoned or any resulting registration is surrendered, cancelled, or expired. To maintain confidentiality of banking or credit card information, only enter payment information in the secure portion of the site after validating your form. For any information that may be subject to copyright protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its on-line database and in copies of the application or registration record.

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

■ **STEP 5:** If you are ready to file electronically:

Click on the **Pay/Submit** button *below*, to access the site where you will select one of three possible payment methods. After successful entry of payment information, you can complete the submission to the USPTO. A valid transaction will result in a screen that says **SUCCESS!** Also, we will send an e-mail acknowledgment within 24 hours.

**WARNING:** Click on the Pay/Submit button **ONLY** if you are now entirely prepared to complete the Pay/Submit process. After clicking the button, you can **NOT** return to the form, since you will have left the TEAS site entirely. Once in the separate payment site, you **must** complete the Pay/Submit process within **30 minutes**. If you are not prepared to complete the process now, you should select the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction.

**WARNING:** Fee payments by credit card may **not** be made from 2 a.m. to 6 a.m. Sunday, Eastern Standard Time. If you are attempting to file during that specific period, you **must** use either (1) the deposit account or electronic funds transfer payment method; or (2) the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later for a credit card payment.

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The information collected on this form allows the PTO to determine whether a mark may be registered on the Principal or Supplemental register and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal register. 15 U.S.C. §1051-1054, 1061-1063, 1091, 1094, 1095, and 1126 and 37 C.F.R. Part 2, 2.32, 2.34-2.38, 2.41-2.47, 2.51-2.54, 2.56, 2.59, 2.76, and 2.80-2.89. All information collected will be made public. Gathering, preparing and submitting this information will require an estimated 18 to 25 minutes to complete (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2011)

# Trademark/Service Mark Application, Principal Register

## TEAS Plus Application

**NOTE: Data fields with the \* are mandatory. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.**

The table below presents the data as entered.

Input Field	Entered
<b>TEAS Plus</b>	<b>YES</b>
<b>MARK INFORMATION</b>	
*MARK	<a href="#">mark.jpg</a>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	LAWREVIEWCLE
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	LAWREVIEWCLE, LLC
INTERNAL ADDRESS	Unit A
*STREET	2568 Commerce Parkway
*CITY	North Port
*STATE (Required for U.S. applicants)	Florida
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	34289
PHONE	(888)-4LAWCLE
FAX	BLANK NOT NECESSARY
EMAIL ADDRESS	REQUIRED@EMAIL.COM
WEBSITE ADDRESS	www.lawreviewcle.com
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	LIMITED LIABILITY COMPANY
* STATE/COUNTRY WHERE LEGALLY ORGANIZED	Florida

**GOODS AND/OR SERVICES AND BASIS INFORMATION****\*INTERNATIONAL CLASS** 009**IDENTIFICATION** Audio recordings featuring **legal education****\*FILING BASIS** SECTION 1(a)**FIRST USE ANYWHERE DATE** At least as early as 10/25/2010**FIRST USE IN COMMERCE DATE** At least as early as 10/25/2010**SPECIMEN  
FILE NAME(S)** [SPE0-98148120177-053847619\\_.awReviewCle\\_Advocacy\\_in\\_Practice\\_-\\_Audio\\_Class\\_009\\_Specimen.pdf](#)**SPECIMEN DESCRIPTION** Website featuring the Applicant's Mark**ADDITIONAL STATEMENTS INFORMATION****\*TRANSLATION**  
(if applicable)**\*TRANSLITERATION**  
(if applicable)**\*CLAIMED PRIOR REGISTRATION**  
(if applicable)**\*CONSENT (NAME/LIKENESS)**  
(if applicable)**\*CONCURRENT USE CLAIM**  
(if applicable)**ATTORNEY INFORMATION****NAME** Evan Anderson**FIRM NAME** Brand Ventures Intellectual Property Law**STREET** 2434 Lincoln Blvd., Floor 2**CITY** Los Angeles**STATE** California**COUNTRY** United States**ZIP/POSTAL CODE** 90291**PHONE** (424) 750-9499**EMAIL ADDRESS** evan@bviplaw.com**AUTHORIZED TO COMMUNICATE VIA  
EMAIL** Yes**CORRESPONDENCE INFORMATION****\*NAME** Evan Anderson**FIRM NAME** Brand Ventures Intellectual Property Law

<b>*STREET</b>	2434 Lincoln Blvd., Floor 2
<b>*CITY</b>	Los Angeles
<b>*STATE</b> (Required for U.S. applicants)	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b>	90291
<b>PHONE</b>	(424) 750-9499
<b>*EMAIL ADDRESS</b>	evan@bviplaw.com
<b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	275
<b>*TOTAL FEE PAID</b>	275
<b>SIGNATURE INFORMATION</b>	
<b>* SIGNATURE</b>	/evananderson/
<b>* SIGNATORY'S NAME</b>	Evan Anderson, Esq.
<b>* SIGNATORY'S POSITION</b>	Attorney or record, California bar member
<b>SIGNATORY'S PHONE NUMBER</b>	(424) 750-9499
<b>* DATE SIGNED</b>	09/12/2012

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## Trademark/Service Mark Application, Principal Register TEAS Plus Application

### To the Commissioner for Trademarks:

**MARK:** LAWREVIEWCLE (Standard Characters, see [mark](#))

The literal element of the mark consists of LAWREVIEWCLE.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, LAWREVIEWCLE, LLC, a limited liability company legally organized under the laws of Florida, having an address of

Unit A,  
2568 Commerce Parkway  
North Port, Florida 34289  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

**For specific filing basis information for each item listed below, click directly on the class heading(s).**

[International Class 009:](#) Audio recordings featuring legal education

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee at least as early as 10/25/2010, and first used in commerce at least as early as 10/25/2010, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Website featuring the Applicant's Mark.

[Specimen-1](#) [SPE0-98148120177-053847619\_.\_awReviewCle\_\_Advocacy\_in\_Practice\_-\_Audio\_Class\_009\_Specimen.pdf ]

For informational purposes only, applicant's website address is: [www.lawreviewcle.com](http://www.lawreviewcle.com)

The applicant's current Attorney Information:

Evan Anderson of Brand Ventures Intellectual Property Law  
2434 Lincoln Blvd., Floor 2  
Los Angeles, California 90291  
United States

The applicant's current Correspondence Information:

Evan Anderson

Brand Ventures Intellectual Property Law

2434 Lincoln Blvd., Floor 2

Los Angeles, California 90291

(424) 750-9499(phone)

evan@bviplaw.com (authorized)

A fee payment in the amount of \$275 will be submitted with the application, representing payment for 1 class(es).

### **Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /evananderson/ Date Signed: 09/12/2012

Signatory's Name: Evan Anderson, Esq.

Signatory's Position: Attorney or record, California bar member

Signatory's Phone Number: (424) 750-9499

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OMB No. 0651-0009 (Exp 12/31/2011)

**Mark (USPTO-generated image for standard characters):**

LAWREVIEWCLE

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## United States Patent and Trademark Office

### **Attention USPTO Deposit Account Holders**

*On September 28th, the USPTO will close the accounting date at 10:00am to facilitate the year-end closing process. Deposit account replenishments submitted on 9/28/12 must be received by 10:00am to be credited to the account in September. Replenishments received after 10:00am on 9/28/12 will not be posted to the account until 10/1/12. Accounts with balances below the minimum required amount as of 10:00am on 9/28/12 will be assessed the \$25.00 service charge. Thank you for your cooperation.*

### **NOTICE- New Maximum Daily Limit for Credit Card Payments-Effective 6/30/2012**

*The maximum daily limit per credit card or debit card account is currently \$99,999.99. Effective June 30, 2012, the daily limit per credit card account will be lowered to \$49,999.99, and the daily limit for debit cards will be eliminated. All credit card and debit card payments are processed through the Department of the Treasury's Pay.gov system. The new daily limit for credit cards will automatically be enforced through the Pay.gov system; if cardholders exceed the daily limit, a message will indicate that the maximum daily limit has been reached and the payment will be rejected.*

### **Security enhancement for EFT payments and account maintenance**

*EFT payments and account maintenance requires multi-factor authentication. When attempting to pay with an EFT account or view/modify EFT account information, an e-mail is sent to the address associated with the account. Please follow the instructions in the e-mail to complete the transaction, and ensure your e-mail service is set up to accept e-mails from 'RAMSupport@uspto.gov' and 'donotreply@uspto.gov'. (Note: Deposit account and credit card payment methods are not affected.)*

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Pay by Deposit Account

## EFT Payment

An active EFT User Account is required to pay using this method.

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### **Privacy Act and Paperwork Reduction Act - as it relates to Credit or Debit Card**

#### **Item Purchase Description:**

Trademark/Service Mark Application, Principal Register: LAWREVIEWCLE

#### **Amount:**

**275**

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Fields labeled in **bold** text are required.*

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#### **Enter the credit or debit card expiration date:**

Month  Year

#### **Enter the credit or debit card security code: [What is it?](#)**

#### **Enter the name as it appears on the credit or debit card:**

#### **Enter the billing address (exactly as it appears on your credit or debit card statement):**

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City

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FLORIDA

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If your country is not listed, select "OTHER".

UNITED STATES

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## United States Patent and Trademark Office

---

### **Attention USPTO Deposit Account Holders**

*On September 28th, the USPTO will close the accounting date at 10:00am to facilitate the year-end closing process. Deposit account replenishments submitted on 9/28/12 must be received by 10:00am to be credited to the account in September. Replenishments received after 10:00am on 9/28/12 will not be posted to the account until 10/1/12. Accounts with balances below the minimum required amount as of 10:00am on 9/28/12 will be assessed the \$25.00 service charge. Thank you for your cooperation.*

---

## Payment Using Your USPTO Deposit Account

### [The Privacy Act of 1974 - as it relates to Deposit Accounts](#)

**Deposit Account Number:**

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NOTE: An access code is required to authorize USPTO to process this payment request. If you do not know the access code for your deposit account and you are an authorized user of the account, please contact the Office of Finance Deposit Account Branch at 571-272-6500 to obtain the access code for the account. Please note that the Deposit Account Branch cannot give out the access code to anyone who is not on the authorized user list for the account.

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**To:** LAWREVIEW CLE, LLC ([jholloway@lawreviewcle.com](mailto:jholloway@lawreviewcle.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85339602 - LAWREVIEWCLE - N/A  
**Sent:** 9/23/2011 1:35:23 PM  
**Sent As:** ECOM117@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**APPLICATION SERIAL NO.** 85339602

**MARK:** LAWREVIEWCLE

**\*85339602\***

**CORRESPONDENT ADDRESS:**

LAWREVIEW CLE, LLC  
LAWREVIEW CLE, LLC  
2568 COMMERCE PKWY UNIT A  
NORTH PORT, FL 34289-9329

**CLICK HERE TO RESPOND TO THIS LETTER:**

[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** LAWREVIEW CLE, LLC

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

[jholloway@lawreviewcle.com](mailto:jholloway@lawreviewcle.com)

**EXAMINER'S AMENDMENT/PRIORITY ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:** 9/23/2011

**PRIORITY ACTION**

**DATABASE SEARCH:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

**ISSUES APPLICANT MUST ADDRESS:** On September 23, 2011, the trademark examining attorney and John Holloway discussed the issues below. Applicant must timely respond to these issues. *See* 15 U.S.C. §1062(b); 37 C.F.R. §2.62(a); TMEP §§708, 711.

### **SUBSTITUTE SPECIMEN REQUIRED**

The specimen is not acceptable because it does not show the applied-for mark used in connection with any of the goods specified in the application. An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each class of goods and/or services. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

In this case, the specimen is advertising for CLE training services, not for goods such as audio recordings as identified by the application. Examples of specimens for goods are tags, labels, instruction manuals, containers, photographs that show the mark on the actual goods or packaging, or displays associated with the actual goods at their point of sale. *See* TMEP §§904.03 *et seq.*

Therefore, applicant must submit the following:

- (1) A substitute specimen showing the mark in use in commerce for each class of goods and/or services specified in the application; and
- (2) The following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: “**The substitute specimen was in use in commerce at least as early as the filing date of the application.**” 37 C.F.R. §2.59(a); TMEP §904.05; *see* 37 C.F.R. §2.193(e)(1). If submitting a substitute specimen requires an amendment to the dates of use, applicant must also verify the amended dates. 37 C.F.R. §2.71(c); TMEP §904.05.

If applicant cannot satisfy the above requirements, applicant may amend the application from a use in commerce basis under Section 1(a) to an intent to use basis under Section 1(b), for which no specimen is required. *See* TMEP §806.03(c). However, if applicant amends the basis to Section 1(b), registration will not be granted until applicant later amends the application back to use in commerce by filing an acceptable allegation of use with a proper specimen. *See* 15 U.S.C. §1051(c), (d); 37 C.F.R. §§2.76, 2.88; TMEP §1103.

To amend to Section 1(b), applicant must submit the following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: “**Applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods and/or services listed in the application as of the filing date of the application.**” 37 C.F.R. §2.34(a)(2); TMEP §806.01(b); *see* 15 U.S.C. §1051(b); 37 C.F.R. §§2.35(b)(1), 2.193(e)(1).

Pending receipt of a proper response, registration is refused because the specimen does not show the applied-for mark in use in commerce as a trademark and/or service mark for the identified goods and/or services. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a);

TMEP §§904, 904.07(a).

Applicant may respond by using the Trademark Electronic Application System (TEAS) Response to Office Action Form to satisfy one of the following:

(1) **Submit a verified substitute specimen as follows:** (a) answer “yes” to the TEAS response form wizard question to “submit a new or substitute specimen;” (b) on the next page, attach a jpg or pdf file of the substitute specimen; (c) check the box next to the statement “The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application”; and (d) on the next page, applicant must personally sign or personally enter his/her electronic signature and date after the declaration at the end of the TEAS response form.; or

(2) Amend the application to an intent to use filing basis under Trademark Act Section 1(b) as follows: (a) answer “yes” to the TEAS response form wizard questions to “change filing basis” and for a “signed declaration,” respectively; (b) on the next page, uncheck the box for “Filing Basis Section 1(a);” (c) check the box for “Filing Basis Section 1(b);” and (d) on the next page, applicant must personally sign or personally enter his/her electronic signature and date after the declaration at the end of the TEAS response form.

*See* 37 C.F.R. §§2.34(a)(2), 2.59(a), 2.193(a), (c)-(d), (e)(1); TMEP §§611.01(c), 804.01(b).

Please note that choosing option (2) would result in an action that would reverse the amendment to the Supplemental Register, and consequently result in further action and refusal to register on the basis of descriptiveness of the mark as discussed.

If applicant experiences difficulty in submitting the verified substitute specimen or in changing the filing basis, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov) for technical assistance regarding the TEAS response form.

**TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE:** Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. §2.23(a)(1). For a complete list of these documents, see TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner’s amendment will not incur this additional fee.

### **EXAMINER'S AMENDMENT**

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by the individual identified in the Priority Action section above, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

Applicant hereby amends the application to seek registration on the **Supplemental Register**, deleting the word “Principal” where it may appear and substituting “Supplemental” therefor. Trademark Act Section 23, 15 U.S.C. §1091; 37 C.F.R. §§2.47 and 2.75(a); TMEP §§801.02(b), 815 and 816 *et seq.*

/Hanno Rittner/  
Trademark Examining Attorney  
Law Office 117  
(571) 272-7188 (phone)  
(571) 273-7188 (fax)  
hanno.rittner@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.


**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.



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**Attorney Frank Skrupa**  
Omaha, NE on September 13, 2011

Frank will be speaking at the "The Essentials of Foreclosure Defense" CLE Seminar.

Mr. Skrupa is responsible for the filing of over 5,500 bankruptcy cases. He has a great deal of public speaking experience in the area of debt management. Prior to practicing **law**, he was heavily involved in the management, and on the Board of Directors of a National Debt Consolidation Company. He is therefore able to provide a sounding board to clients to ensure that they are presented with options to aid them with their financial matters.

Mr. Skrupa is nationally board certified by the American Board of Certification (ABC) in the area of Consumer Bankruptcy.

[Details of this upcoming Live Continuing Legal Education Seminar>>](#)



## Up Coming CLE Classes

Cities and Dates

September

October



## September

September 13 • [Des Moines, IA](#)  
 September 13 • [Omaha, NE](#)  
 September 15 • [Albuquerque, NM](#)  
 September 15 • [Austin, TX](#)  
 September 20 • [Anaheim, CA](#)  
 September 20 • [Providence, RI](#)  
 September 22 • [Nashville, TN](#)  
 September 22 • [San Jose, CA](#)  
 September 27 • [Birmingham, AL](#)  
 September 27 • [Columbus, OH](#)  
 September 29 • [Jackson, MS](#)  
 September 29 • [Phoenix, AZ](#)

## November

November 1 • [St Louis, MO](#)  
 November 1 • [Philadelphia, PA](#)  
 November 3 • [Pittsburgh, PA](#)  
 November 3 • [Milwaukee, WI](#)  
 November 8 • [Atlanta, GA](#)  
 November 8 • [Sacramento, CA](#)  
 November 10 • [Riverside, CA](#)  
 November 10 • [Salt Lake City, UT](#)  
 November 15 • [Fort Myers, FL](#)  
 November 15 • [Portland, OR](#)  
 November 17 • [Miami, FL](#)  
 November 17 • [Seattle, WA](#)

## October

October 6 • [Ft. Lauderdale, FL](#)  
 October 11 • [Minneapolis, MN](#)  
 October 11 • [Jacksonville, FL](#)  
 October 13 • [Orlando, FL](#)  
 October 13 • [Las Vegas, NV](#)  
 October 18 • [Columbia, SC](#)  
 October 20 • [Charlotte, NC](#)  
 October 20 • [Oklahoma City, OK](#)  
 October 25 • [Cleveland, OH](#)  
 October 25 • [San Antonio, TX](#)  
 October 27 • [Los Angeles, CA](#)  
 October 27 • [New Brunswick, NJ](#)

## December

December 1 • [Chicago, IL](#)  
 December 1 • [Austin, TX](#)  
 December 6 • [Oakland, CA](#)  
 December 6 • [Houston, TX](#)  
 December 8 • [Dallas, TX](#)  
 December 8 • [Des Moines, IA](#)  
 December 13 • [Buffalo, NY](#)  
 December 13 • [San Diego, CA](#)  
 December 15 • [Rochester, NY](#)  
 December 15 • [Tampa, FL](#)  
 December 20 • [Albuquerque, NM](#)  
 December 20 • [Omaha, NE](#)



**Attorney Jamie Balagia**  
 Austin, TX on September 15, 2011

Jamie will be speaking at the  
 "Handling First DUI Case" CLE  
 Seminar.

Jamie Balagia, "the DWI Dude", handles criminal cases from Austin to south of San Antonio and all surrounding areas. The Dude was a Texas police officer for thirteen years, an undercover VICE cop and University of Texas Law School Graduate. The Dude is trained to handle your case and stay one step ahead of the prosecution team. Jamie is certified as a Practitioner and Instructor of the NHTSA Standardized Field Sobriety Testing program (SFST). He has also completed the Drug Recognition Expert (DRE) course. Jamie is known as a relentless cross examiner of police DWI and DRE experts due to his training and experience.

[Details of this upcoming Live Continuing Legal Education Seminar>>](#)



**Attorney Steve Meister**  
 Anaheim, CA on September 20, 2011

Steve will be speaking at the  
 "Discovery & Evidence in the  
 Social Media Era" CLE Seminar.

Steve Meister is principal of the Meister Law Offices, a criminal defense firm located in downtown Los Angeles, and is the author of Law Review CLE's Social Media and Internet Discovery course. He is a veteran criminal defense lawyer and former prosecutor, in practice for 20 years. Steve has handled virtually every kind of criminal case in state and federal court, including the death penalty. He is also an expert media commentator on TV and radio news and has been quoted and interviewed for his expertise by numerous national publications and news networks. Steve also teaches DUI, ethics and trial tactics to attorneys nationally.

[Details of this upcoming Live Continuing Legal Education Seminar>>](#)



**Attorney Christopher M. Lefebvre**  
 Providence, RI on September 20, 2011

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All of our courses are taught by local attorneys and are catered to the local rules and procedures for the districts in which the courses are taught. As an attorney, you can attend one of the live events or purchase an audio version of the event once it has been completed. Additionally, each course is approved for Cle credit for the State in which the event was held.

### Our Sponsors



2011

Christopher will be speaking at the "Consumer Bankruptcy 101:

Practice, Petition and the Plan" Cle Seminar.

Christopher M. Lefebvre, Esq. practices family, bankruptcy and consumer protection law with his father in Pawtucket, Rhode Island. Chris is a member of the debtor/creditor committee of the Rhode Island Bar Association and is a frequent speaker on consumer matters. He was the 1995 recipient of the Rhode Island Bar Association's Pro Bono Publico Award for his commitment to equal access to justice for the poor. To date, his largest case was the Sears bankruptcy class action suit where 190,000 former debtors received restitution in excess of \$175 million.

[Details of this upcoming Live Continuing Legal Education Seminar>>](#)



Attorney Jonathan Frutkin  
Phoenix, AZ on September 29,  
2011

Jonathan will be speaking at the "Consumer Bankruptcy 101:

Practice, Petition and the Plan" Cle Seminar.

Jonathan Frutkin brings multiple talents and areas of expertise to each client engagement. Well known for his work in the insolvency area, Jonathan is the Principal at The Frutkin Law Firm, PLC, the leading provider of debtor representation bankruptcy services in Arizona. With four offices throughout the Valley, the attorneys at the firm represent debtors in Chapter 7, 13 and 11 cases. The firm's bankruptcy web site, [www.discreetbk.com](http://www.discreetbk.com), provides comprehensive bankruptcy information to the public. Representing hundreds of debtors per year, in varying degrees of complex cases, the AV-rated law firm is consistently recognized for its work.

[Details of this upcoming Live Continuing Legal Education Seminar>>](#)



**To:** LAWREVIEW CLE, LLC ([jholloway@lawreviewcle.com](mailto:jholloway@lawreviewcle.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85339602 - LAWREVIEWCLE - N/A  
**Sent:** 9/23/2011 1:35:27 PM  
**Sent As:** ECOM117@USPTO.GOV  
**Attachments:**

## **IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION**

**Your trademark application (Serial No. 85339602) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office Action”) on **9/23/2011** to which you must respond. Please follow these steps:**

**1. Read** the Office letter by clicking on this [link](#) **OR** go to <http://tportal.uspto.gov/external/portal/tow> and enter your serial number to [access](#) the Office letter.

**PLEASE NOTE:** The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

**2. Respond** within 6 months, calculated from **9/23/2011** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System [Response to Office Action form](#). If you have difficulty using the USPTO website, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**3. Contact** the examining attorney who reviewed your application with any questions about the content of the office letter:

/Hanno Rittner/  
Trademark Examining Attorney  
Law Office 117  
(571) 272-7188 (phone)  
(571) 273-7188 (fax)  
[hanno.rittner@uspto.gov](mailto:hanno.rittner@uspto.gov)

## **WARNING**

**Failure to file any required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.**

**Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, please use the Trademark Electronic Application System [Response to Office Action form](#).**



## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85339602
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 117
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>DESCRIPTION</b>	Audio and video recordings featuring Legal Education
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 05/18/2010
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 05/18/2010
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Audio and video recordings featuring Legal Education;</del> <a href="#">Audio recordings featuring Legal Education</a>	
<b>FINAL DESCRIPTION</b>	Audio recordings featuring Legal Education
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 10/25/2010
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 10/25/2010
<b>STATEMENT TYPE</b>	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to AI or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].

<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPU0-17322548234-125357267_.ripping_Junior_Mortgages_by_Law_Review_CLE_Law_Review</a>
<b>CONVERTED PDF FILE(S)</b> (2 pages)	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\853\396\85339602\xml6\ROA0002.JPG</a>
	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\853\396\85339602\xml6\ROA0003.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	AUDIO RECORDING PROMINENTLY FEATURING APPLIED FOR MARK
<b>NEW ATTORNEY SECTION</b>	
<b>NAME</b>	LEE KIM
<b>FIRM NAME</b>	TUCKER ARENSBERG, PC
<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	27219-154891
<b>STREET</b>	1500 ONE PPG PLACE
<b>CITY</b>	PITTSBURGH
<b>STATE</b>	Pennsylvania
<b>ZIP/POSTAL CODE</b>	15222
<b>COUNTRY</b>	United States
<b>PHONE</b>	4125661212
<b>FAX</b>	4125945619
<b>EMAIL</b>	lkim@tuckerlaw.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>CORRESPONDENCE SECTION</b>	
<b>ORIGINAL ADDRESS</b>	LAWREVIEW CLE, LLC UNIT A 2568 COMMERCE PKWY NORTH PORT Florida (FL) US 34289
<b>NEW CORRESPONDENCE SECTION</b>	
<b>NAME</b>	LEE KIM
<b>FIRM NAME</b>	TUCKER ARENSBERG, PC

<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	27219-154891
<b>STREET</b>	1500 ONE PPG PLACE
<b>CITY</b>	PITTSBURGH
<b>STATE</b>	Pennsylvania
<b>ZIP/POSTAL CODE</b>	15222
<b>COUNTRY</b>	United States
<b>PHONE</b>	4125661212
<b>FAX</b>	4125945619
<b>EMAIL</b>	lkim@tuckerlaw.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/JOHN D. HOLLOWAY/
<b>SIGNATORY'S NAME</b>	JOHN D. HOLLOWAY
<b>SIGNATORY'S POSITION</b>	APPLICANT, DIRECTOR OF OPERATIONS
<b>SIGNATORY'S PHONE NUMBER</b>	(941) 286-6287
<b>DATE SIGNED</b>	03/20/2012
<b>RESPONSE SIGNATURE</b>	/LEE KIM,REG.#53125/
<b>SIGNATORY'S NAME</b>	LEE KIM
<b>SIGNATORY'S POSITION</b>	ATTORNEY OF RECORD, PA BAR MEMBER
<b>SIGNATORY'S PHONE NUMBER</b>	4125943915
<b>DATE SIGNED</b>	03/20/2012
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Mar 20 13:42:34 EDT 2012
	USPTO/ROA-173.225.48.234-20120320134234089836-8533

**TEAS STAMP**

9602-4902115c3f6bdf89955c  
1882d2fec97ed1-N/A-N/A-20  
120320125357267032

PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 04/2009)

## **Response to Office Action To the Commissioner for Trademarks:**

Application serial no. **85339602** has been amended as follows:

### **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 009 for Audio and video recordings featuring Legal Education

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/18/2010 and first used in commerce at least as early as 05/18/2010, and is now in use in such commerce.

### **Proposed:**

**Tracked Text Description:** ~~Audio and video recordings featuring Legal Education;~~ [Audio recordings featuring Legal Education](#)

Class 009 for Audio recordings featuring Legal Education

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/25/2010 and first used in commerce at least as early as 10/25/2010, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 009. The specimen(s) submitted consists of AUDIO RECORDING PROMINENTLY FEATURING APPLIED FOR MARK.

**"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** *[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use].*

### **Original PDF file:**

[SPU0-17322548234-](#)

[125357267 . ripping Junior Mortgages by Law Review CLE Law Review Cle.pdf](#)

**Converted PDF file(s) (2 pages)**

[Specimen File1](#)

[Specimen File2](#)



**ATTORNEY ADDRESS**

Applicant proposes to amend the following:

**Proposed:**

LEE KIM of TUCKER ARENSBERG, PC, having an address of  
1500 ONE PPG PLACE PITTSBURGH, Pennsylvania 15222

United States

lkim@tuckerlaw.com

4125661212

4125945619

The attorney docket/reference number is 27219-154891.

**CORRESPONDENCE ADDRESS CHANGE**

Applicant proposes to amend the following:

**Current:**

LAWREVIEW CLE, LLC

UNIT A

2568 COMMERCE PKWY

NORTH PORT

Florida (FL)

US

34289

**Proposed:**

LEE KIM of TUCKER ARENSBERG, PC, having an address of  
1500 ONE PPG PLACE PITTSBURGH, Pennsylvania 15222

United States

lkim@tuckerlaw.com

4125661212

4125945619

The attorney docket/reference number is 27219-154891.

**SIGNATURE(S)****Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the

applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /JOHN D. HOLLOWAY/    Date: 03/20/2012  
Signatory's Name: JOHN D. HOLLOWAY  
Signatory's Position: APPLICANT, DIRECTOR OF OPERATIONS  
Signatory's Phone Number: (941) 286-6287

**Response Signature**

Signature: /LEE KIM,REG.#53125/    Date: 03/20/2012  
Signatory's Name: LEE KIM  
Signatory's Position: ATTORNEY OF RECORD, PA BAR MEMBER  
  
Signatory's Phone Number: 4125943915

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address:    LEE KIM  
                         TUCKER ARENSBERG, PC  
                         1500 ONE PPG PLACE  
                         PITTSBURGH, Pennsylvania 15222

Serial Number: 85339602  
Internet Transmission Date: Tue Mar 20 13:42:34 EDT 2012  
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2fec97ed1-N/A-N/A-20120320125357267032



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## AUDIO CLE - "LIEN STRIPPING" JUNIOR MORTGAGES

\$195.00

Learn how to assist clients facing foreclosure rid their homes of "underwater" mortgage liens through a bankruptcy filing.

Additionally, learn the possible defenses opposing mortgagee counsel may implement to stop their lien from being removed.

This is a timely CLE and one that can have immediate impact in helping families struggling all across the country.

The following Key topics will be discussed:

- Curing Defaults in a Chapter 13 Plan
- Lien Stripping
- Possible Defenses of Junior mortgagee
- Bankruptcy Ethics

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**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85339602	FILING DATE	06/07/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	SUPPLEMENTAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	RITTNER, HANNO I	L.O. ASSIGNED	M80-NOT FOUND

**PUB INFORMATION**

RUN DATE	03/22/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	03/21/2012		
LITERAL MARK ELEMENT	LAWREVIEWCLE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	09/23/2011		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	LAWREVIEWCLE

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	LAWREVIEW CLE, LLC
ADDRESS	Unit A 2568 Commerce Parkway North Port, FL 34289
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Florida

### GOODS AND SERVICES

INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Audio recordings featuring Legal Education

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	009	FIRST USE DATE	10/25/2010	FIRST USE IN COMMERCE DATE	10/25/2010	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	LAW REVIEW CONTINUING LEGAL EDUCATION

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/21/2012	CNTA	O	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	013
03/20/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
03/20/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
03/20/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	010
09/27/2011	CEPE	I	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION ENTERED	009
09/26/2011	ALIE	A	ASSIGNED TO LIE	008
09/23/2011	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	007
09/23/2011	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006

09/23/2011	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	005
09/21/2011	DOCK	D	ASSIGNED TO EXAMINER	004
06/11/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/10/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/10/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	LEE KIM
CORRESPONDENCE ADDRESS	LEE KIM TUCKER ARENSBERG, PC 1500 ONE PPG PLACE PITTSBURGH PA 15222
DOMESTIC REPRESENTATIVE	NONE

# LawReviewCle



# United States of America

United States Patent and Trademark Office

## LawReviewCle

**Reg. No. 4,140,479**

**Registered May 8, 2012**

**Int. Cl.: 9**

**TRADEMARK**

**SUPPLEMENTAL REGISTER**

LAWREVIEW CLE, LLC (FLORIDA LIMITED LIABILITY COMPANY)  
UNIT A  
2568 COMMERCE PARKWAY  
NORTH PORT, FL 34289

FOR: AUDIO RECORDINGS FEATURING LEGAL EDUCATION, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-25-2010; IN COMMERCE 10-25-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-339,602, FILED P.R. 6-7-2011; AM. S.R. 9-23-2011.

HANNO RITTNER, EXAMINING ATTORNEY



*David J. Kyjars*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

**First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

**Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**