

# **THE POCKET LAWYER<sup>®</sup>**

## **Document Preparation Service**

### **/// Workbook ///**

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✍️ “We Help You Help Yourself” ✍️

**TRADEMARK REGISTRATION**



**PART "A"**

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# **THE POCKET LAWYER<sup>®</sup>**

## *Document Preparation Service Workbook*

**“Self-Help” Series**

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# The **POCKET LAWYER**<sup>®</sup> Document Preparation Service

## Trademark Registration Client Questionnaire

INSTRUCTIONS: Answer All questions with an answer or a N/A. Today's date \_\_\_\_\_  
 If more space is needed, use the space below or attach blank pages.

### APPLICANT INFORMATION

*(This identifies who owns the "mark", not necessarily who is filing the application)*

1	First name or Business name			
2	Middle name			
3	Last name			
4	Street address			
5	Apt/ Suite			
6	City	County	State	Zip
7	Mailing address (if different) Street/ PO			
8	City	County	State	Zip
9	Phone		Fax	
10	*Email address ( <i>required for electronic trademark filing</i> ):			

### ENTITY INFORMATION

*(Select the entity type that best describes the Applicant)*

11	<input type="checkbox"/> Corporation - If corporation, what state was it incorporated in: _____ <input type="checkbox"/> Individual (sole proprietor) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Trust <input type="checkbox"/> Estate <input type="checkbox"/> Other ( <i>describe</i> ):			
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### How would you like to register your trademark or service mark:

12	<input type="checkbox"/> Standard Character drawing (formerly known as a 'typed' drawing) ( <i>Words only - This type of mark is presented in standard character format without claim to any particular font style, size or color</i> ), <div style="text-align: center;"><i>or</i></div> <input type="checkbox"/> "Stylized or Special Form" drawing ( <i>Design and/ or words - If the particular style of lettering is important or the mark includes color or a design or logo, you must select the "stylized or special form" drawing format</i> ) <input type="checkbox"/> Check here if you are claiming color as a feature of the mark <u>and</u> complete the following (2) statements:  1) <b>Color Claim</b> - "The color(s) _____ <div style="text-align: right;"><i>&lt;name the color(s)&gt;</i></div> are claimed as a distinctive feature of the mark.  2) <b>Color Description</b> - "The color(s) _____ <div style="text-align: right;"><i>&lt;name the color(s)&gt; (for example red and blue)</i></div> appear in _____. <div style="text-align: center;"><i>&lt;specify portion of mark on which color(s) appear&gt; (for example, e.g., "A bird with a blue body, a red head, and a yellow beak."</i> </div>			
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Trademark Registration Client Questionnaire (continued)

13  Attach a **clear drawing of the mark** (color drawing if color is an element of your mark) as you would want it to appear in the Trademark Application. If you are preparing the drawing page yourself, use white, non-shiny paper that is 8½ x 11. The mark can be no larger than 3.5 inches high by 3.5 inches wide. The drawing page should include a "heading" with the following elements: 1) applicant's name 2) correspondence address, 3) listing of goods and/or services; and 4) dates of use (if already using the mark in commerce); or, wording "Intent to Use."

14 **Literal Element:** Enter the word(s) or letter(s) that appear within the overall composite mark (as shown in your attached image). Do **not** enter a description of the mark in this field. For example, if the mark consists of the design of a cat and the words THE CAT'S MEOW underneath, you would enter in this field THE CAT'S MEOW. You would **not** enter "The design of a cat and THE CAT'S MEOW"- it is the actual image file that will show this. NOTE: Do **not** enter any word(s) or letter(s) that do not appear in your attached image; the image file **must** reflect the overall mark, consisting of **both** the design **and** the word(s)/letter(s):

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Words or Letters

15 Description of the mark (*Enter the appropriate description of the mark, for example: "A stylized letter C."*)  
 "The mark consists of \_\_\_\_\_

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16 **Select ONE of the following:**

The mark is currently used in commerce (*For the purpose of obtaining federal registration, "commerce" means all commerce that the U.S. Congress may lawfully regulate; for example, interstate commerce or commerce between the U.S. and another country. "Use in commerce" must be a bona fide use of the mark in the ordinary course of trade, and not use simply made to reserve rights in the mark. Generally, acceptable use is as follows: **For goods:** the mark must appear on the goods, the container for the goods, or displays associated with the goods, and the goods must be sold or transported in commerce. **For services:** the mark must be used or displayed in the sale or advertising of the services, and the services must be rendered in commerce*)

or

There is an "intent to use" the mark in commerce (*If you have not yet used the mark, but plan to do so in the future, you may file based on a good faith or bona fide intention to use the mark in commerce. **You do not have to use the mark before you file your application.** An "intent to use" application must include a sworn statement (usually in the form of a declaration) that you have a bona fide intention to use the mark in commerce. A properly worded declaration is included in the USPTO standard application form.*)

**If additional space is needed, number and insert below.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Trademark Registration Client Questionnaire (continued)

17	<p>Select the Class Number <i>from the list below</i>, that best describes your mark: Class No. _____          (If in more than (1) class, list additional classes): Class No. _____, Class No. _____</p>
17a	<p>International Schedule of Classes of Goods and Services - Goods (Class 1-34) Services (Class 35-42)  <b>Goods - Class No.:</b>          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.          2 Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metal in foil and powder form for painters, decorators, printers and artists.          3 Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.          4 Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks.          5 Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.          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.          7 Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs.          8 Hand tools and implements (hand operated); cutlery; side arms; razors.          9 Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.          10 Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.          11 Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.          12 Vehicles; apparatus for locomotion by land, air or water.          13 Firearms; ammunitions and projectiles; explosives; fireworks.          14 Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones; horological and chronometric instruments.          15 Musical instruments.          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); playing cards; printers' type; printing blocks.          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.          18 Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.          19 Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.          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.          21 Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.          22 Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials</p> <p>(CONTINUED ON FOLLOWING PAGE)</p>

Trademark Registration Client Questionnaire (continued)

17b	<p>International Schedule of Classes of Goods and Services - Goods (Class 1-34) Services (Class 35-42) (CONTINUED)</p> <p><b>Goods - Class No.:</b>                  23 Yarns and threads, for textile use.                  24 Textiles and textile goods, not included in other classes; bed and table covers.                  25 Clothing, footwear, headgear.                  26 Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.                  27 Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).                  28 Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.                  29 Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats.                  30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.                  31 Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.                  32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.                  33 Alcoholic beverages (except beers).                  34 Tobacco; smokers' articles; matches.</p> <p><b>Services – Class No.:</b>                  35 Advertising; business management; business administration; office functions.                  36 Insurance; financial affairs; monetary affairs; real estate affairs.                  37 Building construction; repair; installation services.                  38 Telecommunications.                  39 Transport; packaging and storage of goods; travel arrangements.                  40 Treatment of materials.                  41 Education; providing of training; entertainment; sporting and cultural activities.                  42 Computer, scientific &amp; legal: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services.                  43 Hotels and Restaurants: Services for providing food and drink; temporary accommodations.                  44 Medical, beauty &amp; agricultural; Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.                  45 Personal: Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals.</p>
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18	<p>If the mark is currently in use, insert the date of first use <u>anywhere</u>:</p> <p>At least as early as (Month): _____ (Day): _____ (Year): _____</p>
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19	<p>If the mark is currently in use, insert the date of first use in <u>commerce</u>:</p> <p>At least as early as (Month): _____ (Day): _____ (Year): _____</p>
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**If additional space is needed, number and insert below.**


Trademark Registration Client Questionnaire (continued)

**Attach a clear image (photo) of the specimen.** A "specimen" of use must be included with the application when the mark is currently being used in commerce (For an application based on "intent to use", you must submit one specimen for each class of goods/ services when filing the "Allegation of Use.") A specimen is *an actual example* of how you are using the mark in commerce on or in connection with the identified goods and/or services. This is not the same as the drawing of the mark, which merely represents what you are claiming as the mark.

Normally, a specimen for a mark used on goods (products) shows the mark on the actual goods or packaging for the goods. You may submit a tag or label for the goods; a container for the goods; a display associated with the goods; or a photograph of the goods that shows use of the mark on the goods. Do not submit the actual product. *Invoices, announcements, order forms, bills of lading, leaflets, brochures, publicity releases, letterhead and business cards generally are NOT acceptable specimens for goods.*

A specimen for a mark used in connection with services must show the mark used in the sale or advertising for the services. You may submit a sign; a brochure about the services; an advertisement for the services; a business card or stationery showing the mark in connection with the services; or a photograph showing the mark as used in rendering or advertising the services. There must be some reference to the type of services rendered on the specimen, *i.e.*, not just a display of the mark itself. For example, if the mark sought to be registered is "XYZ," a business card that only shows the mark "XYZ" would not be acceptable. A business card that states "XYZ REAL ESTATE" would be acceptable.

The specimen is filed by attaching an image or photo of it. In order to show the context in which the mark is used, the image should include as much of the label or advertisement as possible.

**ACKNOWLEDGEMENT and SIGNATURE**

21 This Acknowledgement must be signed by one of the following:

- The applicant,
- A person with legal authority to bind the applicant,
- A person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant,
- An attorney who has an actual written or verbal power of attorney or an implied power of attorney from the applicant.

22  The signer authorizes the POCKET LAWYER Document Preparation Service to complete an online filing using TEAS (Trademark Electronic Application System), with the information contained in this questionnaire.

I (We), acknowledge that the information provided by me in this Questionnaire is true and accurate to the best of my knowledge. I further acknowledge that I am going to do my own **Trademark Registration** and want the **POCKET LAWYER**® Document Preparation Service to assist me by performing certain document preparation services, according to my instructions. I will be solely responsible for the information contained in these documents and will have the opportunity to review the completed documents before they are filed. I understand that the **POCKET LAWYER** Document Preparation Service does not render legal advice or legal services and is acting solely at my direction and pursuant to my decisions. I further understand that I have the right to handle my own legal matters and act as my own attorney, but that the advice of an attorney may be necessary. The **POCKET LAWYER** Document Preparation Service encourages attorney participation and will provide a list of attorney referrals, at my request. I hereby relieve the **POCKET LAWYER** Document Preparation Service from any liability whatsoever, regarding this Trademark matter, and agree to hold them harmless from any damages I may suffer and understand that my sole relief is limited to the return of any fee paid for the preparation of these documents.

Signature	Date
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Print name	Title
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Signature	Date
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Print name	Title
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