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**UNITED STATES: REQUIREMENTS FOR TRADEMARK APPLICATIONS**

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Those items marked underlined below must be submitted for the application to receive a filing date. Although the remaining information and supporting documents are not mandatory at the time of filing, they must be submitted before the application will be approved for publication. We therefore suggest that all materials be included with the application as filed, as this may avoid additional costs associated with submitting these materials in a separate filing.

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- (1) **APPLICANT:** Full Name, Address, and Citizenship (or Place of Incorporation).
- (2) **TRADEMARK:** The specific mark sought to be registered and a clear print of the mark, if other than a word mark.
- (3) **GOODS OR SERVICES:** A complete list of the goods and services expressed in Ordinary Commercial Terms. (Only those goods or services in use, or for which there is an intention to use should be stated.)
- (4) **APPLICATION FORM:** Petition, Power of Attorney, Appointment of Domestic Representative and Declaration.

The Application Form may be signed on behalf of the Applicant or any of the following may sign:

- (i) The individual applicant;
- (ii) A company officer or Director;
- (iii) A person with legal authority to bind the named applicant;
- (iv) A person with first hand knowledge of the facts in the application and actual or implied authority to act on the applicant's behalf.

A faxed copy or an email copy of a signed form is acceptable.

- (5) **ELECTRONIC FILING:** This is now permitted and we routinely use this filing method.
- (6) **BASIS FOR FILING:** Applications can claim any of the bases listed below, and may claim different bases for different goods and services. The only restriction is that both use in commerce (A) and intention to use (B) may not be claimed for the identical goods or services. Multiple classes can be included in a single application but there must be a basis for each class. Although it is not necessary to claim a basis when the application is submitted, the selection of a basis at the time of filing is recommended.

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- (A) **Use in Commerce in the United States** will require prior to approval for publication:
- (i) The date of first use in any country;
  - (ii) The date of first use in Commerce in the United States;
  - (iii) Specimens showing the mark as used.
    - For goods, provide duplicates of the actually used labels, tags, containers or the displays associated therewith (or when the specimens are bulky or large, photographs showing the mark).
    - For services, provide advertisements or sales brochures showing the mark and services.
- (B) **Bona fide intention to use** the mark in commerce, in or with the United States. (Actual use in the United States will be required before registration will be granted.)
- (C) **Home Application** no more than six (6) months old, with a Convention Priority Claim will require, prior to approval for publication:
- (i) A photocopy of or full details of the home application, including the number, date, and goods or services. A copy of the resulting registration will be required before registration will be granted in the United States;
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- (ii) A Statement of Bona Fide Intention to Use the mark in Commerce in the United States.
- (D) **Home Registration** will require prior to approval for publication:
- (i) Copy of Home Registration - showing current active status (a photocopy is sufficient);
  - (ii) Line by line, English translation of the registration certificate;
- and-
- (iii) A Statement of Bona Fide Intention to Use the mark in Commerce in or with the United States.