

Trademark or Service Mark

A trademark or service mark is supposed to *help consumers* identify the source or origin of a good or service. A word, slogan, logo, design, or other device can be used to tie a business to whatever it produces or does. Trademarks identify the source of goods, while service marks point to the service provider.

Trademark or Service Mark Application Package:

Flat Rate of \$800 + federal filing fees (additional \$250-\$350) per mark, per class/category

Includes:

- **Knockout Search** – we search databases including the Trademark Electronic Search System (TESS) for your proposed mark and variations that may get in the way of your application. This is the first step to avoid infringing on the rights of others or wasting time pursuing a registration that would be refused, opposed, or denied.
- **Strength and Strategy Session** – the strength of trademarks depends on how distinctive they are along the spectrum from generic to (weakest) descriptive → suggestive → arbitrary → fanciful (strongest).
- **Application Preparation and Specimen Selection** – based on the description of goods and services, we'll help you select a specimen that shows use in commerce for a 1a basis, or let you know about extensions and requirements for a 1b intent-to-use application to be registered.
- **Usage Guidelines and Best Practices** – when and how to use the symbols including “TM” for goods (™) or “SM” for services (SM) without a registration, and the ® symbol with a registered mark, plus ways to maintain protection by using the mark consistently as an adjective instead of a noun to avoid genericide.

It takes anywhere from 9-12 months for an application to be reviewed by an examining attorney, and they may respond with office actions or obstacles to registration. Any response to an office action would incur an additional charge, and in some cases we may refer matters to one of our firm's external resources focused on intellectual property matters.

A registration can help customers connect your business to your products or services, protect your brand against infringers, and help establish and solidify the value of your intellectual property portfolio. If you're interested in learning more, check out our [Trademark 101](#) and [DBA 101](#) articles, and feel free to schedule a consultation with us.

