

FORWARD 

Forward Law Firm

Trademark Guide

Learn about what a trademark is, what the process is like, and
work through the workbook for your own

www.forwardlawfirm.com

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Overview



Trademarks are often among a company's most valuable assets. The right branding can fast track a company's marketing success. In legal terminology, a trademark (or brand) can be almost any word, phrase, symbol, design, or other device, that is used to identify the provider or goods or services.

Trademark owners have the exclusive right to use a trademark in connection with the products or services covered by the description given in the application for the mark. Branding makes it easier for consumers to recognize a business's products and services as opposed to those of its competitors. When a business is run correctly, its mark can serve as a symbol of value, quality, or status, engendering customer loyalty and goodwill.

Trademarks incentivize brand investment. Trademark owners are granted the ability to exclude others from using the same or confusingly similar marks is key. Trademarks are protected at the federal level under the Lanham Act. This Act allows registrants to enforce their trademark rights through lawsuits for infringement and a variety of unfair competition



Six Stages of Federal Trademarks

1

Selection

Ensuring your mark is unique, descriptive, and represents your brand

Verifying your mark has a good likelihood of success when you apply to the USPTO

Application

Filling out the application and submitting your trademark registration to the USPTO

Examination

Your application is reviewed by a USPTO attorney and they either accept your application, ask for

Publication

Before full registration, the USPTO publishes your mark for 30 days in case another

Registration

Your mark is registered with the USPTO and should be maintained as needed

Want to get a head
start on trademarking
your name and logo?

My Company Trademark Planner.

My Marks.

The Basics.

Company Name

Company Structure

Street Address

Is this business based in the US?

Yes

Describe what your company does

Classifications

The fees you pay to the USPTO are based on the number of classes you designate, per mark. The fee per class ranges from \$250-\$350. Generally you want to cover the main classes you'll use your mark in.

Striking a balance between what your company does, and how many classes you apply for is one of the more important elements. For example, if you have a restaurant that also sells t-shirts, you may consider both class 43 and class 25 for maximum coverage.

Keep in mind that the initial rejection rate for USPTO applications is over 80%, which means that you will most likely have to pay these fees again. While it's important to try to cover all of the areas your business operates in, be realistic in your budgetary constraints.

The USPTO also provides a full searchable list at

<https://idm-tmng.uspto.gov/id-master-list-public.html>

Alternatively, you can click here to be taken directly to the website

Goods Classes

Class 1: Chemical Products
Class 2: Paint Products
Class 3: Cosmetics and Cleaning Products
Class 4: Lubricant and Fuel Products
Class 5: Pharmaceutical Products
Class 6: Metal Products
Class 7: Machinery Products
Class 8: Hand Tool Products
Class 9: Computer and Software Products and Electrical and Scientific Products
Class 10: Medical Instrument Products
Class 11: Environmental Control Instrument Products (lighting, heating, cooling, cooking)
Class 12: Vehicles and Products for locomotion by land, air or water
Class 13: Firearm Products
Class 14: Jewelry Products
Class 15: Musical Instrument Products
Class 16: Paper and Printed Material Products
Class 17: Rubber Products
Class 18: Leather Products (not including clothing)
Class 19: Non-Metallic Building Material Products
Class 20: Furniture Products
Class 21: Houseware and Glass Products
Class 22: Ropes, Cordage and Fiber Products
Class 23: Yarns and Threads
Class 24: Fabrics and Textile Products
Class 25: Clothing and Apparel

Products

Class 26: Lace, Ribbons, Embroidery and Fancy Goods
Class 27: Floor Covering Products
Class 28: Toys and Sporting Goods Products
Class 29: Meat and Processed Food Products
Class 30: Staple Food Products
Class 31: Natural Agricultural Products
Class 32: Light Beverage Products
Class 33: Wines and Spirits (not including beers)
Class 34: Smoker's Products

Service Classes

Class 35: Advertising, Business and Retail Services
Class 36: Insurance and Financial Services
Class 37: Construction and Repair Services
Class 38: Communication Services
Class 39: Transportation and Storage Services
Class 40: Treatment and Processing of Materials Services
Class 41: Education and Entertainment Services
Class 42: Computer and Software Services and Scientific Services
Class 43: Restaurant and Hotel Services
Class 44: Medical and Beauty Services and Agricultural
Class 45: Personal, Legal and Social Services

Trademark One

Is it a word,
slogan, or
logo?

Brief description of mark or word you are filing

Date first used

Date of first use in commerce

Classes

Date Approved

Trademark Two

Is it a word,
slogan, or
logo?

Brief description of mark or word you are filing

Date first used

Date of first use in commerce

Classes

Date Approved

Trademark Three

Is it a word,
slogan, or
logo?

Brief description of mark or word you are filing

Date first used

Date of first use in commerce





Classes

Date Approved

Ready to File?

FORWARD Trademark Package

\$600

-  Attorney Consultation
-  Conflict Search
-  Trademark Application
-  One year of ClearIP
(our IP monitoring program)

Our trademark attorneys have over 25 years of combined experience with business law and helping business owners protect their intellectual property. We believe so strongly in protection, we created a cost-effective package for clients, without sacrificing quality.