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# A BEGINNER'S GUIDE TO TRADEMARKS: PART TWO—USPTO TRADEMARK APPLICATION REQUIREMENTS

Submitting a valid trademark application to the United States Patent and Trademark Office is a straightforward process with the right assistance. In general, submitting a successful application to the USPTO to register your trademark requires three central components.

**Central Components of Trademark Applications**

First, a trademark application requires a detailed description of the trademark. If the trademark is your business or product's name in standard characters, comprised only of text not in a specific font nor stylized in any form (a "standard character mark"), you must describe the spelling, punctuation, and capitalization of the text constituting the name. All other types of trademarks must be described in additional detail. For example, if the trademark is your business or product's logo, then your logo's words, colors, symbols, and the orientation of all elements constituting your logo must be described in as much detail as possible. Except for standard character marks, the description for any other type of trademark also requires a corresponding image sample.

Second, a trademark application requires the identification of a specific goods or services class. In total, there are 45 USPTO trademark classes of goods and services determined by international agreement organized into broad categories. Each class has various respective descriptions that explain why an applicant's goods or services qualify for a specific class. A single USPTO trademark application can have multiple descriptions, but it can only identify a single corresponding class. For example, if you operate an apparel company that sells shirts, but your company also offers a custom t-shirt printing service, then you could apply to register your trademark (e.g., your company's name or logo) under a goods class for your shirt products, and you could also apply separately to register the same trademark in a different class for your t-shirt printing service.

Last, a trademark application requires identifying a "specimen." A specimen is an example of a trademark used in interstate commerce that represents evidence of the trademark's real-life use. Specimens are what consumers see in the marketplace when they consider whether to purchase your goods or services. For instance, a specimen could be a picture of your

product’s packaging displaying your trademark. Common trademark specimens for services include advertisements and other types of promotional materials displaying your trademark in connection with your services. Websites promoting your goods or services in connection with your trademark are also valid specimens that can be included in your trademark applications. Successful trademark applications tend to include a variety of specimens.

**How Long Is The Trademark Application Process And What Does It Cost?**

Completing a trademark application does not often require considerable time or effort. But, due to the high number of trademark applications that the USPTO receives, the overall application process timeline can vary and, in some cases, it may take the USPTO over a year to complete.

A USPTO trademark application does not cost more than $350. The bulk of the costs in the application process arises from attorneys’ fees for assisting clients with identifying and gathering the relevant information for their applications or addressing later issues the USPTO flags in submitted applications. Collaborating with an experienced attorney to identify the required information and materials for your USPTO trademark application in advance of starting the application can minimize the total cost of the application process and increase the likelihood of your trademark’s registration via the USPTO.