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## GETTING AND PROTECTING INTELLECTUAL PROPERTY

### QUESTIONS TO ANSWER BEFORE YOU REGISTER YOUR MARK

This questionnaire is designed to help you anticipate issues that may arise when you apply to register your trademark or service mark. Print it and fill it out before you meet with your lawyer. It will help you understand what is involved and may greatly assist your lawyer.

1. What name do you want to use on the application? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Is there more than one owner?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

If you answered yes, who are they? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. What address should be used on the application?

\_\_\_\_\_  
Street address

\_\_\_\_\_  
Street address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

If there are multiple addresses, write them on the back of this sheet.

4. What kind of entity is the applicant?

\_\_\_\_\_ An individual

\_\_\_\_\_ A partnership

\_\_\_\_\_ A corporation

Other: \_\_\_\_\_

5. Describe the products or services that will carry your mark. \_\_\_\_\_

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6. How do you describe your mark? Pretend you have it in front of you and you're describing it to a colleague over the telephone. Write down what you would say. Include the colors you want to use, a special way of using a particular word, what any graphic symbol looks like and where it is placed.

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7. Are you sure that you have decided on the final version of the mark?

Yes  No

8. Are you planning to seek a trademark on a particular color you have used? (It is difficult, but possible to do.) While the color remains in the public domain, nobody else would be able to use that color for the same kind of product.

Yes  No

9. What kind of product will use the mark? Choose from the following list (the services are listed after the products).

- |  |  |
|--|--|
| <input type="checkbox"/> Chemicals             | <input type="checkbox"/> Scientific apparatus            |
| <input type="checkbox"/> Paints                | <input type="checkbox"/> Medical apparatus               |
| <input type="checkbox"/> Cosmetics             | <input type="checkbox"/> Environmental control apparatus |
| <input type="checkbox"/> Cleaning preparations | <input type="checkbox"/> Vehicles                        |
| <input type="checkbox"/> Lubricants and fuels  | <input type="checkbox"/> Firearms                        |
| <input type="checkbox"/> Pharmaceuticals       | <input type="checkbox"/> Jewelry                         |
| <input type="checkbox"/> Metal goods           | <input type="checkbox"/> Musical instruments             |
| <input type="checkbox"/> Machinery             | <input type="checkbox"/> Paper goods or printed matter   |
| <input type="checkbox"/> Hand tools            | <input type="checkbox"/> Rubber goods                    |
| <input type="checkbox"/> Electrical apparatus  |  |

- \_\_\_\_\_ Leather goods
- \_\_\_\_\_ Non-metallic building materials
- \_\_\_\_\_ Furniture
- \_\_\_\_\_ Housewares and glass
- \_\_\_\_\_ Cords and fibers
- \_\_\_\_\_ Yarns and threads
- \_\_\_\_\_ Fabric
- \_\_\_\_\_ Clothing
- \_\_\_\_\_ Fancy goods
- \_\_\_\_\_ Floor coverings
- \_\_\_\_\_ Toys and sporting goods
- \_\_\_\_\_ Meats and processed foods
- \_\_\_\_\_ Staple foods
- \_\_\_\_\_ Natural agricultural products
- \_\_\_\_\_ Light beverages
- \_\_\_\_\_ Wines and spirits
- \_\_\_\_\_ Smokers' articles
- \_\_\_\_\_ Advertising and business
- \_\_\_\_\_ Insurance and financial services
- \_\_\_\_\_ Construction and repair
- \_\_\_\_\_ Communication
- \_\_\_\_\_ Transportation and storage
- \_\_\_\_\_ Education and entertainment
- \_\_\_\_\_ Miscellaneous



10. Are you already using your mark in commerce?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

11. When was your mark first used? \_\_\_\_\_

12. If your first use was purely local and conducted *only* within your state, when was your mark first used in interstate commerce?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. Have you used your mark for business between your state and another country or a territory of the United States?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

14. How is the mark used?

\_\_\_\_\_ It is affixed directly on the product.

\_\_\_\_\_ It is on a label attached to the product.

\_\_\_\_\_ It is on letterhead, mailing labels, business cards, advertisements or signs.

15. If you are not already using your mark, do you plan to use it within the next six months?

\_\_\_\_\_ Yes

\_\_\_\_\_ No