Initial Consultations start at $350

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Awards:

Top 300 Patent Firm In U.S.A. 2000-2008*
Top 300 Trademark Firm In U.S.A. 2000-2008*
Top 100 Women Owned Business In Texas **
*As published in **Intellectual Property Today***
** As honored by **DiversityBusiness.com***

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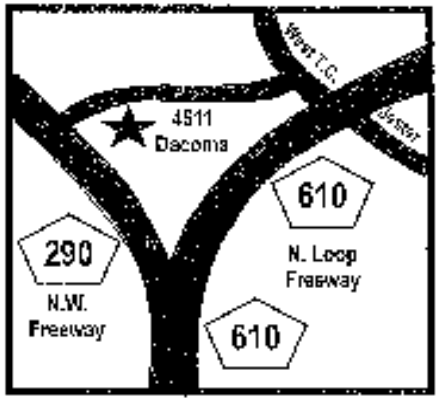

DIRECTIONS:

Going North up 290
Exit Dacoma/Mangum, stay in far left lane, do u-turn under freeway. Make left at Dacoma. Third building on right (single story brick building behind wrought iron fence).

Going South down 290
Exit Dacoma/Mangum, turn left at Dacoma and go under freeway, third building on right behind wrought iron fence.

From Galleria Area—610 North
Take exit for US-290 W via exit 13B towards Austin. Exit Dacoma/Mangum, stay in far left lane, do u-turn under freeway. Make left at Dacoma, third building on right.

From 45—610 West
Take exit 13C, TC Jester, stay on frontage road, follow it around curve as if you were heading west on 290, turn right on Dacoma, third building on right.

T R A D E M A R K S

BUSKOP LAW GROUP, P.C.

PATENTS & TRADEMARKS

" PATENTING AND TRADEMARKING GREAT IDEAS SINCE 1992 "

NAMES, LOGOS, COLORS AND SLOGANS;
STATE AND FEDERAL TRADEMARKS

4511 Dacoma Street—Houston, Texas 77092
713-275-3400

SM ® TM

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PATENTS & TRADEMARKS

What is a Trademark?

A **trademark** is a word, a name, symbol, design, color, sound or smell which identifies the source or origin of a good or product in commerce. A **service mark** is a word, name, symbol, design, color, sound or smell which identifies the source or origin of a service in commerce.

Common Trademark & Service Mark Filings

Class 09: Computer software, recordable media, namely, CDs & DVDs

Class 16: Printed matter, namely books, manuals, calendars

Class 25: Clothing

Class 35: Retail store sale and wholesale store services

Class 41: Educational services/Entertainment services

Class 42: Technical consultation services

What should I use a ™ or ® ?

™ is a notice, symbol used to designate a "trademark", and indicates that the owner is using the word or design as a trademark in conjunction with the sale or transport of goods in commerce. It is commonly used prior to registration with the United States Patent & Trademark Office. (Similarly, "SM" is a notice symbol used to denote a service mark.) The R in a circle symbol (®) used on goods and services in the United States indicates that the trademark or service mark is registered with the USPTO.

The Process

(10 Steps—Takes about 2 Years)

- **Have a bona fide intent to use a mark**
- **Draft scope of application and get first use dates and first interstate dates**
- **File one case per class (of the 45) with a specimen**
- **Receive Office Action from Government**
- **Respond to Office Action**
- **Receive Notice of Publication from Government**
- **Survive Opposition Period**
- **Obtain registered trademark**
- **File Section 8 affidavit at 5 years after registration to obtain "incontestability"**
- **File Renewal fees at 10 years**
- **Use a watching service or "Google" alerts.**

What is a specimen?

A "real world example" such as *a label, an ad, a photo of a sign, showing how the mark is used in conjunction with the good or service in commerce.*

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Trademarks are:

ASSETS to increase company value

WEAPONS to help protect market share and keep others from using similar names, to sell similar or related good or service.

LICENSABLE Trademarks can be exclusively or non-exclusively licensed for short or long periods of time.

MARKETING TOOL to help create brand awareness among customers and competitors.

How long does a Federal registration last?

Federal registrations for trademarks or service marks last 10 years, and are renewable from the date of registration.

What is an Intent to Use Trademark Application?

A filing where the owner has a bona fide intention to use the mark in interstate commerce, but has not yet used the mark in commerce as of the filing date of the application.

What is an Actual Use Trademark Application?

A filing where the owner is currently using the mark in commerce as of the filing date of the application.

Do I need a watching service?

Yes, for company names and major branded products.