

**U.S. Patent and Trademark Office, Commerce**

**§ 3.11**

(f) A notice of the issuance of each certificate under this section will be published in the *Official Gazette*.

SOURCE: 57 FR 29642, July 6, 1992, unless otherwise noted.

**PART 2—RULES OF PRACTICE IN TRADEMARK CASES**

EDITORIAL NOTE: Part 2 is placed in the separate grouping of parts pertaining to trademarks regulations. It appears on page 263 of this volume.

**PART 3—ASSIGNMENT, RECORDING AND RIGHTS OF ASSIGNEE**

Sec.

3.1 Definitions.

DOCUMENTS ELIGIBLE FOR RECORDING

- 3.11 Documents which will be recorded.
- 3.16 Assignability of trademarks prior to filing of an allegation of use.

REQUIREMENTS FOR RECORDING

- 3.21 Identification of patents and patent applications.
- 3.24 Requirements for documents and cover sheets relating to patents and patent applications.
- 3.25 Recording requirements for trademark applications and registrations.
- 3.26 English language requirement.
- 3.27 Mailing address for submitting documents to be recorded.
- 3.28 Requests for recording.

COVER SHEET REQUIREMENTS

- 3.31 Cover sheet content.
- 3.34 Correction of cover sheet errors.

FEEES

- 3.41 Recording fees.

DATE AND EFFECT OF RECORDING

- 3.51 Recording date.
- 3.54 Effect of recording.
- 3.56 Conditional assignments.
- 3.58 Governmental registers.

DOMESTIC REPRESENTATIVE

- 3.61 Domestic representative.

ACTION TAKEN BY ASSIGNEE

- 3.71 Prosecution by assignee.
- 3.73 Establishing right of assignee to take action.

ISSUANCE TO ASSIGNEE

- 3.81 Issue of patent to assignee.
- 3.85 Issue of registration to assignee.

AUTHORITY: 15 U.S.C. 1123; 35 U.S.C. 2(b)(2).

**§ 3.1 Definitions.**

For purposes of this part, the following definitions shall apply:

*Application* means a national application for patent, an international application that designates the United States of America, or an application to register a trademark unless otherwise indicated.

*Assignment* means a transfer by a party of all or part of its right, title and interest in a patent or patent application, or a transfer of its entire right, title and interest in a registered mark or a mark for which an application to register has been filed.

*Document* means a document which a party requests to be recorded in the Office pursuant to § 3.11 and which affects some interest in an application, patent, or registration.

*Office* means the Patent and Trademark Office.

*Recorded document* means a document which has been recorded in the Office pursuant to § 3.11.

*Registration* means a trademark registration issued by the Office.

DOCUMENTS ELIGIBLE FOR RECORDING

**§ 3.11 Documents which will be recorded.**

(a) Assignments of applications, patents, and registrations, accompanied by completed cover sheets as specified in §§ 3.28 and 3.31, will be recorded in the Office. Other documents, accompanied by completed cover sheets as specified in §§ 3.28 and 3.31, affecting title to applications, patents, or registrations, will be recorded as provided in this part or at the discretion of the Commissioner.

(b) Executive Order 9424 of February 18, 1944 (9 FR 1959, 3 CFR 1943-1948 Comp., p. 303) requires the several departments and other executive agencies of the Government, including Government-owned or Government-controlled corporations, to forward promptly to the Commissioner of Patents and Trademarks for recording all licenses, assignments, or other interests of the Government in or under patents or patent applications. Assignments and other documents affecting