

U.S. Patent and Trademark Office, Commerce

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AUTHORITY: 15 U.S.C. 1123; 35 U.S.C. 2, unless otherwise noted.

SOURCE: 30 FR 13193, Oct. 16, 1965, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 2 appear at 68 FR 14337, Mar. 25, 2003.

§ 2.1 [Reserved]

§ 2.2 Definitions.

(a) The Act as used in this part means the Trademark Act of 1946, 60 Stat. 427,

as amended, codified in 15 U.S.C. 1051 et seq.

(b) Entity as used in this part includes both natural and juristic persons.

(c) Director as used in this chapter, except for part 10, means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(d) Federal holiday within the District of Columbia means any day, except Saturdays and Sundays, when the United States Patent and Trademark Office is officially closed for business for the entire day.

(e) The term Office means the United States Patent and Trademark Office.

(f) The acronym TEAS means the Trademark Electronic Application System, available online at http://www.uspto.gov.

(g) The acronym ESTTA means the Electronic System for Trademark Trials and Appeals, available at www.uspto.gov.

(h) The term international application means an application for international registration that is filed under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks.

[54 FR 37588, Sept. 11, 1989, as amended at 68 FR 48289, Aug. 13, 2003; 68 FR 55762, Sept. 26, 2003]

§ 2.6 Trademark fees.

The Patent and Trademark Office requires the following fees and charges:
(a) Trademark process fees.

- (1) Application filing fees.
(i) For filing an application on paper, per class.....\$375.00
(ii) For filing an application through TEAS, per class\$325.00
(iii) For filing a TEAS Plus application under § 2.22, per class\$275.00
(iv) Additional processing fee under §§ 2.22(b) and 2.23(b), per class\$50.00
(2) For filing an amendment to allege use under section 1(c) of the Act, per class\$100.00
(3) For filing a statement of use under section 1(d)(1) of the Act, per class\$100.00
(4) For filing a request under section 1(d)(2) of the Act for a six-month extension of time for filing a statement of use under section 1(d)(1) of the Act, per class\$150.00

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- (5) For filing an application for renewal of a registration, per class\$400.00
- (6) Additional fee for filing a renewal application during the grace period, per class\$100.00
- (7) For filing to publish a mark under section 12(c), per class\$100.00
- (8) For issuing a new certificate of registration upon request of assignee\$100.00
- (9) For a certificate of correction of registrant's error\$100.00
- (10) For filing a disclaimer to a registration\$100.00
- (11) For filing an amendment to a registration\$100.00
- (12) For filing an affidavit under section 8 of the Act, per class\$100.00
- (13) For filing an affidavit under § 15 of the Act, per class\$200.00
- (14) Additional fee for filing a section 8 affidavit during the grace period, per class\$100.00
- (15) For petitions to the Director\$100.00
- (16) For filing a petition to cancel, per class\$300.00
- (17) For filing a notice of opposition, per class\$300.00
- (18) For *ex parte* appeal to the Trademark Trial and Appeal Board, per class\$100.00
- (19) Dividing an application, per new application (file wrapper) created\$100.00
- (20) For correcting a deficiency in a section 8 affidavit\$100.00
- (21) For correcting a deficiency in a renewal application\$100.00

(b) Trademark service fees.

- (1) For printed copy of registered mark, copy only. Service includes preparation of copies by the Office within two to three business days and delivery by United States Postal Service; and preparation of copies by the Office within one business day of receipt and delivery to an Office Box or by electronic means (*e.g.*, facsimile, electronic mail)—\$3.00
- (2) Certified or uncertified copy of trademark application as filed processed within seven calendar days—\$15.00
- (3) Certified or uncertified copy of a trademark-related file wrapper and contents.....\$50.00
- (4) Certified copy of a registered mark, showing title and/or status:
 - (i) Regular service\$15.00
 - (ii) Expedited local service\$30.00
- (5) Certified or uncertified copy of trademark records, per document except as otherwise provided in

- this section\$25.00
- (6) For recording each trademark assignment, agreement or other paper relating to the property in a registration or application
 - (i) First property in a document\$40.00
 - (ii) For each additional property in the same document\$25.00
- (7) For assignment records, abstract of title and certification, per registration\$25.00
- (8) Marginal cost, paid in advance, for each hour of terminal session time, including print time, using X-Search capabilities, prorated for the actual time used. The Director may waive the payment by an individual for access to X-Search upon a showing of need or hardship, and if such waiver is in the public interest.....\$40.00
- (9) Self-service copy charge, per page\$0.25
- (10) Labor charges for services, per hour or fraction thereof\$40.00
- (11) For items and services that the Director finds may be supplied, for which fees are not specified by statute or by this part, such charges as may be determined by the Director with respect to each such item or serviceActual Cost
- (12) For processing each payment refused (including a check returned "unpaid") or charged back by a financial institution\$50.00
- (13) Deposit accounts:
 - (i) For establishing a deposit account\$10.00
 - (ii) Service charge for each month when the balance at the end of the month is below \$1,000\$25.00

[56 FR 65155, Dec. 13, 1991; 56 FR 66670, Dec. 24, 1991, as amended at 57 FR 38196, Aug. 21, 1992; 59 FR 257, Jan. 4, 1994; 60 FR 41023, Aug. 11, 1995; 62 FR 40453, July 29, 1997; 64 FR 48918, Sept. 8, 1999; 64 FR 67486, Dec. 2, 1999; 64 FR 67777, Dec. 3, 1999; 67 FR 79522, Dec. 30, 2002; 67 FR 70850, Nov. 27, 2002; 68 FR 48289, Aug. 13, 2003; 70 FR 2953, Jan. 19, 2005; 70 FR 38773, July 6, 2005]

§ 2.7 Fastener recordal fees.

- (a) Application fee for recordal of insignia\$20.00
- (b) Renewal of insignia recordal.....\$20.00
- (c) Surcharge for late renewal of insignia recordal\$20.00

[61 FR 55223, Oct. 25, 1996]

REPRESENTATION BY ATTORNEYS OR OTHER AUTHORIZED PERSONS

AUTHORITY: Secs. 2.11 to 2.19 also issued under 35 U.S.C. 31, 32.