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PTO Form PTO Form 1553 (Rev 5/2006)  
OMB No. 0651-0055 (Exp. 06/30/2012 )

## Declaration of Continued Use/Excusable Nonuse of Mark in Commerce Under Section 71 (15 U.S.C. § 1141)

**TEAS - Version 4.9 : 10/29/2011**

You must file a Section 71 declaration, specimen, and fee on a date that falls on or between the fifth (5th) and sixth (6th) anniversaries of the registration (or, for an extra fee of \$100.00 per class, you may file within the six-month grace period following the sixth (6th) anniversary date). Also, you must file a Section 71 declaration, specimen, and fee on a date that falls on or between the ninth (9th) and tenth (10th) anniversaries of the registration, and each successive ten-year period thereafter (or, for an extra fee of \$100.00 per class, you may file within the six-month grace period). FAILURE TO FILE A SECTION 71 DECLARATION WILL RESULT IN CANCELLATION OF THE U.S. REGISTRATION AND INVALIDATION OF THE PROTECTION OF THE INTERNATIONAL REGISTRATION IN THE UNITED STATES.

**NOTE:** You must complete any field preceded by the symbol "\*".

**WARNING:** This form has a session time limit of 60 minutes. Your "session" began as soon as you accessed this initial Form Wizard page. If you exceed the 60-minute time limit, the form will not validate and you must begin the entire process again; you can, however, [extend the time limit](#). You should always try to have all information required to complete the form prior to starting any session.

\* [Enter a Registration Number:](#)

*(required only if completing the form for the first time)*

**WARNING: Be sure you are entering a registration number and NOT a serial number.**

OR

Access **previously-saved data** using the "Browse/Choose File" button below to access the file from your local drive. **NOTE: For specific instructions, please click [here](#). FAILURE TO FOLLOW THESE INSTRUCTIONS WILL RESULT IN THE DISPLAY OF YOUR DATA IN AN XML FORMAT THAT CANNOT BE EDITED. NOTE: Do NOT attempt to use the button below to upload an image file (for example, a specimen). You must use the button that will be presented for that purpose *within the proper section of the actual form*.**

**WARNING:** The owner of a registered extension of protection of an international registration to the United States must *renew* the international registration directly with the International Bureau (IB). Under Section 70 (b) of the Trademark Act, if the international registration is not renewed, the IB will notify the USPTO that the registration has expired. The USPTO will update its record to expire the corresponding extension of protection to the United States as of the expiration date of the international registration.

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The information collected on this form allows the registrant to demonstrate that it is using the mark in commerce. With respect to applications filed on the basis of a request for extension of protection of an international registration with an intention to use the mark, responses to the request for information are required to retain the benefit of a registration on the Principal register. 15 U.S.C. § 1141k. and 37 C.F.R. Part 7, 7.36 and 7.37. The owner of a registered mark may respond to the request for information to attest to the incontestability of the registration. 15 U.S.C. § 1065 and 37 C.F.R. Part 2,, 2.164 and 2.168. All information collected will be made public. Gathering and providing the information will require an estimated 10 minutes. Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the USPTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

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Each field name links to the relevant section of the "[HELP](#)" instructions that will appear at the bottom of the screen. Fields containing the symbol "\*" **must** be completed; all other relevant fields should be completed if the information is known. If there are multiple signatories, click on the [Form Wizard](#).

**Important:** ONCE THIS FORM IS SUBMITTED ELECTRONICALLY, THE OFFICE WILL IMMEDIATELY PROVIDE THE SENDER WITH AN ELECTRONIC ACKNOWLEDGMENT OF RECEIPT. Please contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov) if you do not receive this acknowledgment within 24 hours of transmission (or by the next business day).

**Contact Points:**

For **general** trademark information, please e-mail [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov), or telephone 1-800-786-9199. If you need help in resolving **technical** glitches, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). Please include your telephone number in your e-mail, so we can talk to you directly, if necessary. For **status** information, use <http://tarr.uspto.gov>.

**NOTE:** Do NOT attempt to check status until at least 72 hours after submission of a filing, to allow sufficient time for our databases to be updated.

## Instructions

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To file this form, please complete the following steps:

1. Fill out all fields for which information is known. Fields with a \* symbol are mandatory for filing purposes and must be completed.
2. Validate the form, using the "button" at the end of the form. If there are errors, go back to step 1.
3. Use the Pay/Submit button at the bottom of the Validation Screen. This will allow you to choose from 3 different [payment methods](#): credit card, automated deposit account, or electronic funds transfer. After accessing the proper screen for payment, and making the appropriate entries, you will receive a confirmation screen if your transmission is successful. Or, use the "Download Portable Data" Button to save your work for submission at a later time.
4. You will receive an e-mail acknowledgement of your submission.

<b>Registration Number:</b>	
<b>Mark:</b>	
<b>Registration Date</b>	
<b>Currently Authorized Correspondence E-mail Address</b>	N/A

**NOTE:** Please consider authorizing the USPTO to communicate with you by e-mail, to allow for instant notification when an Office action or official notice issues. You can go to the [TEAS Change of Correspondence Address form](#) to enter an e-mail address and provide the authorization. For any technical issues with this process, please contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

### 1. Is an [attorney](#) filing this form?

**NOTE:** The USPTO considers powers of attorney to end upon either (1) the date of registration; or (2) the final acceptance or denial of a required post-registration filing. Therefore, if you answer YES to this question and file this form, the USPTO will presume that you are the registrant's attorney. This filing will automatically update the "Attorney of Record" and the "Correspondence Address" data fields in the USPTO's [TARR database](#). After submission of this form, it is not necessary to file a separate Appointment of Attorney form or Change of Correspondence Address form. Once the USPTO recognizes an attorney with respect to the submission of a required post-registration filing, such as an affidavit under Section 71, the USPTO will recognize only that attorney for [all submissions related to that filing](#), such as responses to Office actions, petitions, etc., unless and until the registrant revokes and appoints a new power of attorney or the filing is completely resolved (e.g., by acceptance, renewal, or abandonment).

Yes  No

## 2. Do you want to appoint a [Domestic Representative](#)?

Yes  No

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## Declaration of Continued Use/Excusable Nonuse of Mark in Commerce Under Section 71 (15 U.S.C. § 1141)

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### Holder/Owner Information

Check this box to **modify** the owner name that appears below if the name does not identify the current holder/owner of the registered extension of protection.  
Note: If this change relates to a change in the correspondence address or e-mail, please use the [Change of Correspondence Address Form](#).

**WARNING:** If the entity or person whose name appears immediately above is **not** the current holder/owner of the registered extension of protection, you must change the holder/owner information prior to transmission of this form. Please explain any change you make in the "Miscellaneous Statement" field to avoid the possibility of an Office action being issued.

#### 1. Transfer of Mark

If there has been a transfer of holdership/ownership after filing the application, you should record this transfer with the Assignment Services Branch. This can be filed through the USPTO website at <http://etas.uspto.gov>. In the alternative, you may submit evidence of the change in holdership/ownership without recording it, by either submitting a copy of the document transferring holdership/ownership, or an explanation of the transfer, supported by an affidavit or declaration under 37 C.F.R. §2.20. However, the USPTO records will not be updated and the registration will not issue in the correct holder/owner name unless you record the transfer with the Assignment Branch.

#### 2. Mistake in holder/owner name

If there is a minor clerical error in the holder's/owner's name or a non-existent legal entity was improperly identified as the holder/owner, this mistake may be corrected on the form with an explanation. NOTE: You may not add a different holder/owner or designate another legal entity as the applicant. For examples of other correctable errors, see TMEP 1201.02(c).

#### To enter the change in the holder/owner name:

- (1) check the box above (top) that appears to the left of the words "Check here to modify the holder/owner name.";
- (2) delete the name that appears immediately above;

\*Name

(3) type in the name of the current holder/owner of the application; and  
 (4) explain why you are changing the holder/owner in the "Miscellaneous Statement" field.

- DBA (doing business as)  AKA (also known as)  
 TA (trading as)  Formerly

Entity Type

- Individual
- Corporation
- Limited Liability Company
- Partnership
- Limited Partnership
- Joint Venture
- Sole Proprietorship
- Trust
- Estate
- Other

Specify Entity Type

If Domestic Entity

Other

OR

If Foreign Entity

Other

If not listed above, please select "Other" from the list and specify here:

State or Country Where Legally Organized

If U.S. Entity

State

OR

If non-U.S. Entity OR if U.S. Federal Entity


Country

Note: You may correct an error or omission in the original listing. However, if the State/Country of Incorporation has actually changed, you should file an [assignment document form PTO-1594](#).

*For domestic applicants only:*  
 Name and Citizenship of All General Partners, Active Members, Individual, Trustees, or Executors

Internal Address



* <b>Street Address</b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see <i>below</i> ), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, <i>e.g.</i> , St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
* <b>City</b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here to no more than 22 characters.
* <b>State</b> (Required for U.S. applicants)	<input type="text" value="Select State"/> <b>NOTE:</b> You must include as part of the "city" entry any information related to geographical regions ( <i>e.g.</i> , provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma ( <i>e.g.</i> , Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.
* <b>Country or U.S. Territory</b>	<input type="text"/>
* <b>Zip/Postal Code</b> (Required for U.S. applicants only)	<input type="text"/>
Phone Number	<input type="text"/>
Fax Number	<input type="text"/>
Internet E-mail Address	<input type="text"/>  While the application may list an e-mail address for the owner, owner's attorney, and/or owner's domestic representative, <b>only one e-mail address may be used for correspondence, in accordance with <a href="#">Office policy</a></b> . The owner must keep this address current in the Office's records. <input type="checkbox"/> Check here to <a href="#">authorize</a> the USPTO to communicate with the owner via e-mail. <b>NOTE:</b> By checking this box, the owner acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The owner should periodically check the status of its application through the <a href="#">Trademark Applications and Registrations Retrieval (TARR)</a> database, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the owner's security or anti-spam software, or any problems within the owner's e-mail system. All sent actions can be viewed on-line, from <a href="#">Trademark Document Retrieval</a> .

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OMB No. 0651-0055 (Exp. 06/30/2012 )

## Declaration of Continued Use/Excusable Nonuse of Mark in Commerce Under Section 71 (15 U.S.C. § 1141)

**TEAS - Version 4.9 : 10/29/2011**

### Goods and/or Services Information

**WARNING: Registered Extension of Protection Subject to Cancellation for Fraudulent Statements**

**You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a registered extension of protection.** The lack of use on all goods and/or services for which you claim use in a post-registration filing with the USPTO could jeopardize the validity of the registered extension of protection and result in its cancellation. .

### Enter information for the Class

\* International Class: **018**

**Current listing of goods/services:**

- The mark is in use in commerce on or in connection with **all** goods or services listed in the existing registered extension of protection for this class; or, the owner is claiming [excusable nonuse](#) for this entire class.
- This filing does **not** cover this specific class. This entire class is to be permanently **deleted** from the registration. The USPTO will invalidate protection of this class and notify the International Bureau accordingly.

**Deleted Goods or Services:** This filing does **NOT** cover the following goods or services for this specific class listed in the registration, and these goods or services are to be permanently **deleted**(removed) from the registered extension of protection:

LEAVE THIS SPACE BLANK IF THE MARK IS IN USE IN COMMERCE ON OR IN CONNECTION WITH **ALL** THE GOODS OR SERVICES IN THE EXISTING REGISTERED EXTENSION OF PROTECTION FOR THIS SPECIFIC CLASS, OR IF THE OWNER IS CLAIMING EXCUSABLE NONUSE FOR **ALL** THE GOODS OR SERVICES FOR THIS SPECIFIC CLASS. LIST THE GOODS OR SERVICES TO BE DELETED (REMOVED).

**Remaining Goods or Services:** The mark is in use in commerce on or in connection with the following goods or services listed in the existing registered extension of protection for this specific class; or if the owner is claiming [excusable nonuse](#), list those specific goods or services to which the claim applies, *following the specific instructions [here](#)*:

ENTER HOW THE **COMPLETE** "FINAL" LISTING SHOULD READ THAT WILL IDENTIFY THE GOODS/SERVICES IN USE IN COMMERCE OR FOR WHICH THE OWNER IS CLAIMING EXCUSABLE NONUSE (FOLLOW INSTRUCTIONS IDENTIFIED ABOVE) FOR THIS SPECIFIC REGISTERED EXTENSION OF PROTECTION (I.E., REMOVE THOSE GOODS OR SERVICES IDENTIFIED IN THE PRECEDING BOX). DO NOT ATTEMPT TO ADD OR MODIFY ANY OTHER WORDING, SINCE SUCH CHANGES ARE NOT ALLOWED.

#### Use Information

**NOTE: If deleting an entire class, you can by-pass any fields listed therein as being "mandatory."**

#### **[\\*Specimen Image File](#)**

**NOTE:** For an **instructional video** on what is an appropriate specimen for a good or service, click [here](#). (To view video, you must have Windows Media Player installed. For information about downloading Windows Media Player, click [here](#).)

**NOTE:** For attachment, the JPG/PDF image file(s) showing the specimen(s) must be on your local drive. The specimen image file must show the *overall context* of how the mark is used, e. g., on the packaging for the goods or in an advertisement for services, with the mark clearly displayed thereon or within. This image file should **NOT** show *only* the mark by itself.

**To attach your image, please note that:**

- \*JPG/PDF image file(s) showing specimen(s) must be on your local drive.
- \*The image size cannot exceed 5 megabytes per attachment.

[Click here to Attach Specimen\(s\)](#)

0 image(s) attached

[\\*Describe what the specimen submitted consists of:](#)

[Excusable Nonuse Explanation:](#)

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## Declaration of Continued Use/Excusable Nonuse of Mark in Commerce Under Section 71 (15 U.S.C. § 1141)

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### Attorney Information

**Note:** Enter current attorney information, *below*, to update the "Attorney of Record" and "Correspondence Address" fields in the USPTO's [TARR database](#) automatically. Filing of separate forms for that purpose is not necessary.

<b>* <a href="#">Correspondent Attorney Name</a></b>	<input type="text"/>
<b><a href="#">Firm Name</a></b>	<input type="text"/>
<b><a href="#">Docket/Reference Number</a></b>	<input type="text"/>
<b><a href="#">Other Appointed Attorney (s)</a></b>	<input type="text"/>
<b><a href="#">Internal Address</a></b>	<input type="text"/>
<b>* <a href="#">Street Address</a></b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see <i>below</i> ), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.

<p><b>* <a href="#">City</a></b></p>	<div style="border: 1px solid black; height: 25px; width: 100%;"></div> <p><b>NOTE:</b> You must limit your entry here to no more than 22 characters.</p>
<p><b>* <a href="#">State</a></b> (Required for U.S. applicants only)</p>	<div style="border: 1px solid black; padding: 2px;">State</div> <p><b>NOTE:</b> You must include as part of the "city" entry any information related to geographical regions (<i>e.g.</i>, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (<i>e.g.</i>, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.</p>
<p><b>* <a href="#">Country or U.S. Territories</a></b></p>	<div style="border: 1px solid black; padding: 2px;">Country or U.S. Territory</div>
<p><b>* <a href="#">Zip/Postal Code</a></b> (Required for U.S. applicants only)</p>	<div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p><b><a href="#">Phone Number</a></b></p>	<div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p><b><a href="#">Fax Number</a></b></p>	<div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p><b><a href="#">Internet E-mail Address</a></b></p>	<p>Email Address</p> <div style="border: 1px solid black; height: 25px; width: 100%;"></div>  <p><input type="checkbox"/> Check here to <a href="#">authorize</a> the USPTO to communicate with the registrant or its representative via e-mail.</p> <p><b>NOTE:</b> While you may list an e-mail address for the registrant, registrant's attorney, and/or registrant's domestic representative, <b>only</b> one e-mail address may be used for correspondence, in accordance with <a href="#">Office policy</a>. You must keep this address current in the Office's records. NOTE: By checking this box, you acknowledge sole responsibility for receipt of USPTO documents sent via e-mail. You should periodically check the status of your filing through the <a href="#">Trademark Applications and Registrations Retrieval (TARR)</a> database, to see if the Post Registration Division has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to e-mail security or anti-spam software, or any other problems with your e-mail system.</p>



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Correspondence Information	
<b>* <u>Correspondent Name</u></b>	
<b><u>Firm Name</u></b>	<input type="text"/>
<b><u>Docket/Reference Number</u></b>	<input type="text"/>
<b><u>Internal Address</u></b>	<input type="text"/>
<b>* <u>Street Address</u></b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see <i>below</i> ), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, <i>e.g.</i> , St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
<b>* <u>City</u></b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here to no more than 22 characters.

<p><b>* <u>State</u></b> <b>(Required for U.S. applicants only)</b></p>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p><b>NOTE:</b> You must include as part of the "city" entry any information related to geographical regions (<i>e.g.</i>, provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (<i>e.g.</i>, Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.</p>
<p><b>* <u>Country or U.S. Territories</u></b></p>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<p><b>* <u>Zip/Postal Code</u></b> <b>(Required for U.S. applicants only)</b></p>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<p><b><u>Phone Number</u></b></p>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<p><b><u>Fax Number</u></b></p>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<p><b><u>Internet E-mail Address</u></b></p>	<p>Primary Email Address</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>  <p>Secondary Email Address(es)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>  <p>Enter up to 4 addresses, separated by either a <b>semicolon</b> or a <b>comma</b>.</p> <p><input checked="" type="checkbox"/> Check here to <a href="#">authorize</a> the USPTO to communicate with the registrant or its representative via e-mail.</p> <p><b>NOTE:</b> While you may list an e-mail address for the registrant, registrant's attorney, and/or registrant's domestic representative, <b>only</b> one e-mail address may be used for correspondence, in accordance with <a href="#">Office policy</a>. You must keep this address current in the Office's records. NOTE: By checking this box, you acknowledge sole responsibility for receipt of USPTO documents sent via e-mail. You should periodically check the status of your filing through the <a href="#">Trademark Applications and Registrations Retrieval (TARR)</a> database, to see if the Post Registration Division has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to e-mail security or anti-spam software, or any other problems with your e-mail system.</p>

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### Miscellaneous Information

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- \*The image size cannot exceed 5 megabytes per attachment.

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PTO Form PTO Form 1553 (Rev 5/2006)  
OMB No. 0651-0055 (Exp. 06/30/2012 )

## Declaration of Continued Use/Excusable Nonuse of Mark in Commerce Under Section 71 (15 U.S.C. § 1141)

TEAS - Version 4.9 : 10/29/2011

### Fee Information

#### Section 71 Filing Fee: \$100

<u>Number of Classes</u>	1
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**Note:** The filing fee is computed based on the Number of Classes in which the goods and/or services associated with the mark are classified.

Section 71 Filing Fee (Number of Classes x \$100 (per class))	\$ 100
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#### Grace Period Fee: \$100

(if filing during the six-month grace period, enter the Section 71 Grace Period Fee)

Grace Period Fee (Number of Classes x \$100 (per class))	\$ 0
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#### Total fee paid

(Note: The total fees paid is the sum of the Section 71 filing fee due and the grace period fee due, if applicable.)

<u>Amount</u> Section 71 Filing fee + Grace Period fee	\$ 100
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TEAS - Version 4.9 : 10/29/2011

### Signature Information

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### DECLARATION

*Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

\* [Signature](#)

**NOTE:** Only one signature is required, regardless of the number of applicants. The person signing for each section may be different, depending on who has the required knowledge to sign.

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<p><b>* <a href="#">Signatory's Position</a></b></p>	<div data-bbox="399 75 1008 128" style="border: 1px solid black; height: 25px; width: 100%;"></div> <p><b>NOTE:</b> Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner;" if an attorney, enter "Attorney of record, <b>[specify at least one state]</b> bar member;" if an authorized signatory of a business entity enter, e.g., "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company).</p>
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