

STATE OF ALABAMA

INSTRUCTIONS FOR APPLICATION TO REGISTER/RENEW TRADEMARK, SERVICE MARK, OR TRADE NAME IN ALABAMA

REGISTRATION/RENEWAL

Trademark, service mark, and trade name (hereinafter referred to as "marks") registrations are administered at the state level in the Office of the Secretary of State. Any word, symbol, logo, slogan or combination thereof adopted and used by the applicant to identify services rendered is a **Service Mark**. Any word, symbol, logo, slogan or any combination thereof adopted and used by the applicant to identify goods made or sold is a **Trademark**. A word, symbol, logo, slogan or combination thereof adopted and used by the applicant to identify the business, vocation, occupation, or profession is a **Trade Name**.

Registration of marks is a complex matter. Because of the complexity of the laws pertaining to registration of marks, this office recommends that applicants seek the advice of (a) specifically trained and/or licensed professional(s) prior to submitting the application. It is the applicant's personal responsibility to ensure the mark does not infringe on any other individual/business mark. It is also the responsibility of the applicant to ensure the mark is not being used in a fraudulent manner. Rejection/denial of the application by this office does not prevent use of the mark. Rights of ownership of a particular mark are achieved through the common laws of adoption and usage, not registration. The effective term for mark registrations is five years. A mark may be renewed for successive periods of five years six months prior to the expiration date if the mark is still in use in the state.

SPECIMENS

Specimens are an important part of the registration process. Specimens are samples which perform the function of verifying usage of a mark. Clear copies of specimens are generally accepted. Before submitting the application for registration, inspect all specimens for clarity. Altered or defaced specimens will not be accepted. Illegible specimens are also unacceptable. All specimens submitted must be clear and clean. Three specimens displaying the mark in use must be submitted with the application to register a mark. One specimen must be submitted with application for a mark registration renewal. Some acceptable mark specimens are business cards, brochures, flyers, labels, decals, tags, and newspaper advertisements. Specimens may be originals or legible copies.

APPLICATION

Before submitting the Application for Registration or Renewal, review the items below to ensure the application has been completed. Failure to do so may result in rejection/denial of the application.

- 1. Complete ALL applicable items on the application to register or renew trademark, service mark and trade name.

 Please Note: Questions 3, 9 and 10 may not apply to all applications for registration. If "partnership" is selected for Question 2, please list the names and addresses of ALL partners for Question 3. If applicant has received permission to use the mark being registered, applicant must submit a notarized written consent and disclaimer from the owner of the mark for Questions 9 and 10. The written consent and disclaimer must be submitted with the application. If renewal applicant is different from original applicant as a result of the lawful transfer of the mark, a statement of assignment must be filed in this office prior to renewal. If applicant is different due to legal name change, please attach notarized evidence of such filing.
- 2. Select one classification number using the attached Schedules of Classifications to complete Question 7. **Please Note**: When an application includes goods or services which fall within multiple classes, the Office of the Secretary of State requires an additional application for registration and an additional registration fee for each class.
- 3. Submit three (3) specimens for registration, or one (1) specimen for renewal, and a thirty dollar (\$30.00) filing fee at the time of filing.
- 4. If a Federal Registration has been granted for the mark, include a copy with the application for registration.

If you have questions, please contact:

Office of Secretary of State Trademarks Division 11 South Union Street, Suite 224 Montgomery, Alabama 36130 (334) 242-5325

SCHEDULE OF CLASSIFICATION OF BUSINESSES

| 14 Eating and drinking places, drugstores, and liquor stores |
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| 15 Sporting goods, bicycles, and hobby stores |
| 16 Book, stationery, jewelry, sewing, needlework, and piece-goods stores |
| 17 Mail-order houses, vending machine operators, and direct selling establishments, fuel and ice dealers, and retail florists |
| 18 Retail trade - miscellaneous |
| 19 Finance, insurance, and real estate |
| 20 Business and repair services |
| 21 Personal services |
| 22 Entertainment and recreation services |
| 23 Professional and related services |
| 24 Public administration |
| 25 Miscellaneous |
| Please Note: If renewal applicant is different from original applicant as a result of the lawful transfer of the mark, a statement of assignment must be filed in this office prior to renewal. If applicant is different due to legal name change, please attach evidence of such filing. |
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Please Note: When an application includes goods or services which fall within multiple classes, the Office of the Secretary of State requires an additional application for registration and an additional registration fee for each class.

| l Chemicals | 24 Textiles and Textile Goods |
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| 2 Paints | 25 Clothing, Footwear, Headgear |
| 3 Cosmetics and Cleaning | 26 Lace, Embroidery, Dressmaker's Articles, Wigs |
| 4 Lubricants and Fuels | 27 Floor Coverings |
| 5 Pharmaceuticals | 28Toys, Sporting Goods, Novelty Items |
| 6 Metal Goods | 29 Meats and Processed Foods |
| 7 Machinery, Razors, Cutlery | 30 Staple Foods |
| 8 Hand tools | 31 Natural Agricultural Products |
| 9 Electrical and Scientific Apparatus, Recording Media | 32 Beverages, Beverage Syrup, Beer |
| 10 Medical, Surgical, Dental, and Veterinary Apparatus | 33 Alcoholic Beverages Except Beer |
| 11 Environmental Control Apparatus | 34 Tobacco, Smokers' Articles, Matches |
| 12Vehicles | 35 Advertising and Business Management |
| 13 Firearms | 36 Insurance, Financial Affairs, Real Estate Affairs |
| 14 Jewelry, Precious Metals and Stones | 37 Building Construction, Building Repair |
| 15 Musical Instruments | 38 Telecommunications |
| 16 Paper Goods and Printed Matter | |
| 17 Rubber Goods | 39 Transportation and Storage |
| 18 Leather and Faux Leather Goods | 40 Treatment of Materials |
| 19 Non-Metallic Building Materials | 41 Education, Entertainment, Sporting Activities |
| 20 Furniture and Parts, Nonmetallic Containers, Shell, Bone | 42 Computers, Scientific Services |
| 21 Housewares, Personal Grooming, and Glassware | 43 Hotels and Restaurants |
| 22 Cordage and Fibers | 44 Medical, Beauty and Agriculture Services |
| 23 Yarns and Threads | 45 Legal, Security, and Personal Services |

Please Note: Categories for Goods and Services are governed by the United States Patent and Trademark Office (USPTO). Explanation of categories, and more information for each category can be found on the USPTO website: www.uspto.gov



STATE OF ALABAMA

APPLICATION TO REGISTER OR RENEW TRADEMARK, SERVICE MARK OR TRADE

This is an Application For: (Mark One Only) Registration Renewal 2.Applicant is Registered in the State of ____ 1.Applicant Name (Individual, Corporation, Partnership, LLC or LLP) __ , as a(n) Unincorporated Non-profit **General Partnership** Individual Limited Liability Company Corporation Limited Liability Partnership Sole Proprietor Other Street Address County State Zip Code Telephone 3.List Names and Addresses of Partners (If Applicable, Registration Only) 4.Description of Mark/Name to be registered 6. How the Mark/Name Will Be Used in Commerce (Ex: Mark is used on letterhead.) 5. Description of Goods, Services or Business Provided Under the Mark/Name 7. Classification No. (Old) New No. (Renewal Only) Classification Type: **Business Goods & Services** 8.Mark Type: Trade Name Service Mark 9. Disclaimer (If Applicable) 10. Other Entities Granted Consent to Use Mark/Name (If Applicable) 11a.Date Mark/Name was first used 11b.Date On Which the Mark/Name Was First Used in Alabama (Registration Only), OR Original Date Of Registration with Registration Number (Renewal Only) Registration #: 12. Email Address of Applicant: ___ 13. Attach three (3) specimens for registration, or one (1) specimen for renewal, which exhibit the Mark/Name in use. Specimens for Trade Names must 14. Attach the filing fee of thirty dollars (\$30.00) payable to the Alabama Secretary of State. No starter checks will be accepted. If paying by credit card, please fill out and attach the credit card payment slip. I hereby swear, verify, and affirm that I am the owner of the Mark/Name, a member of the firm, or an officer of the corporation (or association) applying for the registration or renewal or the Mark/Name above. I believe no other person has the right to use the Trademark, Service Mark or Trade Name in Alabama in identical form thereof or in such near resemblance to deceive or cause to be mistaken pursuant to § 8-12-8(a)(4), Code of Alabama 1975. Any exceptions are provided for in the Disclaimer and Consent section. If this application is submitted as a registration renewal, I affirm the Mark/Name is still in use in this State and has not been abandoned; furthermore, I understand that if I am not the original applicant and have obtained ownership of the above listed mark as a result of lawful transfer of the Mark/Name, a statement of assignment pursuant to §8-12-11, Code of Alabama, 1975, must be filed in this office prior to renewal. I have the authority to make this affidavit and verification. I have read the above foregoing application and know the contents and the facts set out therein are true. I further attest that the affixed specimens filed are true and correct. (Owner, Member, CEO...) Date_

Revision Date 12/2018