



Trademark Application Process

COLOR CODES

- APPLICATION FILING
- IMPORTANT EVENT
- APPLICANT ACTION
- OFFICE ACTION

START

Trademark Search

No Trademark Search

Conflicting Marks Found

No Conflicting Marks Found

Determine Filing Basis:

- Section 1(a) (In Use)
- Section 1(b) (Intent to Use)
- Section 44(d) or 44(e) (Foreign)

Prepare Application:

- All Applications:
- Description of goods and services
- In Use Based Applications:
- Date of first use in commerce
 - Specimen of use

Trademark Application Not Filed

Amend Mark and/or Goods/Services

Update Search and Re-evaluate

Pre-Filing Stage

Base Application Filing

up to 6 months after Base Application filing

Priority Deadline

Up to 6 months after Final Refusal

File Request For Reconsideration

File Notice of Appeal

Reconsideration Refused?

No

Yes

Yes

No

Registration

Abandon Application

First Office Action

Up to 6 months after office action

Response to Office Action

Subsequent Office Actions

Mark Allowed?

Yes

Publication in Official Gazette

Up to 30 days

Third Party Opposition?

No

FINISH

Registration

Registration

File National Application in Foreign Member States Under Paris Convention

Prosecute Application in Each Member State

File International Application at WIPO Under Madrid Protocol

WIPO Examination Leading To International Registration and Publication

Application Examined In Each Designated Member State

Prosecute Application in Each Designated Member State

Section 1(a)? Section 44(e)?

Yes

No

Section 1(b) Basis

Allowance

Up to 6 months x 6 after NOA

File Statement Of Use