



## United States Patent and Trademark Office

Application for International Registration

## INSTRUCTIONS FOR APPLICATION FOR INTERNATIONAL REGISTRATION

**NOTE:** If you have installed Anti-Spam filters or software on your email service, please ensure that legitimate emails from [TEAS@uspto.gov](mailto:TEAS@uspto.gov) are not falsely identified as spam or junk.

1. **Important Filing Requirement:**

You may file this application for International Registration only if the applicant is either a national of the United States or the applicant has either (1) a domicile in the United States or (2) a real and effective commercial establishment in the United States. If there is more than one owner, each must satisfy this filing requirement.

2. **To navigate through each separate section of this form**

**Do not use your browser's "Back" or "Forward" buttons.** Instead, use the "< Previous" or "Next >" buttons at the bottom of each section of the form. As you navigate through the sections, each section is validated before the next section is displayed. If there are any errors, you must fix them before proceeding to the next section. **To save data already entered within a section, you must first click on "Next" prior to using the "Previous" button to return to any previous section.**

3. **To file the application electronically, please complete the following steps:**

- Complete all fields for which information is known. Fields prefaced with an asterisk (\*) are required fields for filing purposes and must be completed.
- Use the Pay/Submit button at the bottom of the Validation Page. After accessing the proper screen for payment and making the appropriate entries, you will receive a confirmation screen if your transmission was successful.
- You will also receive an e-mail acknowledgement of your submission providing a summary of your filing. Please contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov) within 24 hours of transmission (or by the next business day) if you do **not** receive this e-mail acknowledgement.

4. **Help Instructions:**

Each field name links to the relevant section of the "HELP" instructions that will appear at the bottom of the screen.

Check here if you do **not** want the scrolling help to display automatically at the bottom of each screen in the instructions page, AND/OR if the screen reader must allow the filer to enter the information with no problems.

5. **Contact Information:**

If you need help resolving technical glitches, you can e-mail us at [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For general information about the Madrid Protocol, please contact the Madrid Processing Unit at [MPU@uspto.gov](mailto:MPU@uspto.gov), or (571) 272-8910. Please include your telephone number in your e-mail so we can talk to you directly, if necessary. Or, to view the information provided by the International Bureau concerning the Madrid System for the international registration of marks, click [Madrid System for the International Registration of Marks](#).

6. **Browser Requirement:**

**IMPORTANT:** To use this form successfully, please note the following requirements:

1. You must use one of the following browsers: Internet Explorer 5.5+; Netscape 7.0+; Mozilla/FireFox 1.0+. You can **NOT** use Netscape 4.x;
2. You must have the cookies and javascript features of your browser enabled;
3. Do **NOT** use your browser's "BACK" or "FORWARD" buttons at any time to navigate through any portion of this form. Always use the navigational tools provided specifically at the bottom of the form pages; and
4. If you have installed Anti-Spam filters or software on your email service, please ensure that legitimate emails from [TEAS@uspto.gov](mailto:TEAS@uspto.gov) are not falsely identified as spam or junk.

7. **Other:**

**NOTE:** This form has a session time limit of 60 minutes. A session begins once you create and enter the form via the Form Wizard. If you exceed the 60 minute time limit, the form will not validate and you must begin the entire process again; however, you can [extend the time limit](#). You are encouraged to have all information required to complete the form available prior to starting your session.

Next >

PTO Form 2131 (07/31/2009)  
OMB No. 0651-0051 (Exp. 07/31/2009)



## United States Patent and Trademark Office

Application for International Registration

### SELECTION OF FORM TYPE FOR APPLICATION FOR INTERNATIONAL REGISTRATION

What type of form do you wish to use?

#### **PRE-POPULATED FORM**

(Use for **one** U.S. serial/registration number; *narrowing* of goods/services and/or substitute color drawing are permissible data change within this form.)

Enter the **one** U.S. serial number or registration number as the basis of this International Application.

Enter the number with NO punctuation or other symbols included.

**OR**

#### **FREE-TEXT FORM**

(Use for multiple U.S. serial/registration numbers and/or for cases that do not yet appear in [TARR](#) and/or if changing data **other** than only *narrowing* goods/services and/or substituting color drawing.)

Enter the U.S. serial number(s) or registration number(s) as the basis of this International Application. Separate multiple numbers with a comma.

Enter the number with NO punctuation or other symbols included.

*i*

The pre-populated form will automatically display the exact information that is already in the USPTO database for one specific U.S. serial number or registration number. If you do not change any data fields, then the pre-populated form will directly submit information that must be certified to WIPO's International Bureau (IB), without independent review of this data at the USPTO. Alternatively, this form may be used where certain data fields can be changed (e.g., either narrowing the scope of the identification of goods and/or recitation of services in the U.S. application or registration, and/or substituting a color drawing of the mark, where the original mark is shown in the USPTO database as a black-and-white image); however, if any data field is changed, an independent review of this data at the USPTO must occur prior to submission as certified to the IB.

The free-text form must be used if 1) the application for International Registration is being based on more than one U.S. serial number or registration number; 2) data is being changed in any way other than only narrowing the scope of the identification of goods and/or recitation of services in the U.S. application or registration and/or substituting a color drawing of the mark, where the original mark is shown in the USPTO database as a black-and-white image; or 3) the U.S. application being used as the basis is not yet loaded into the Office's database at the time of filing, e.g., immediately after an application was filed. Information on this form is not automatically certified, and will not be submitted electronically directly to the IB. Instead, the form will be routed to the USPTO's Madrid Processing Unit for review, for subsequent certification, if appropriate.

[< Previous](#)

[Next >](#)

[Privacy Policy Statement](#)

The information collected on this form allows an applicant to file an international application through the USPTO to the International Bureau of the World Intellectual Property Organization. This collection of information is required by 15 U.S.C. 1141a. All information collected will be made public. Gathering and providing the information will require an estimated 15 minutes. Please direct comments on the time needed to complete this form and/or suggestions for reducing this burden to the Chief Information Officer, USPTO, P.O. Box 1450, Alexandria, VA 22313. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**APPLICATION FOR INTERNATIONAL REGISTRATION****HELP INSTRUCTIONS****37 C.F.R. § 7.11(a). Requirements for international application originating from the United States.**

The United States Patent and Trademark Office (USPTO) will grant a date of receipt to an international application that is submitted through the Trademark Electronic Application System (TEAS) and contains all of the following:

1. The filing date and serial number of the basic application and/or the registration date and registration number of the basic registration;
2. The name of the international applicant that is identical to the name of the applicant or registrant as it appears in the basic application or basic registration and applicant's current address;
3. A statement that the applicant is entitled to file an international application in the USPTO, specifying that applicant:
  - (i) is a national of the United States;
  - (ii) has a domicile in the United States; or
  - (iii) has a real and effective industrial or commercial establishment in the United States. Where an applicant's address is not in the United States, the applicant must provide the address of its U.S. domicile or establishment.
4. An e-mail address for receipt of correspondence from the USPTO.
5. A reproduction of the mark that is the same as the mark in the basic application and/or registration.
6. A color claim as set out in § 7.12, if appropriate;
7. A description of the mark that is the same as the description of the mark in the basic application or registration, as appropriate;
8. An indication of the type of mark if the mark in the basic application and/or registration is a three-dimensional mark, a sound mark, a collective mark or a certification mark;
9. A list of the goods and/or services that is identical to or narrower than the list of goods and/or services in each claimed basic application or registration and classified according to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks;
10. The USPTO certification fee, the international application fees for all classes, and the fees for all designated Contracting Parties identified in the international application.

**Instruction Section:**

**Extend the time limit:** The 60-minute period is not an "absolute" period; i.e., you do not have to complete the form, start to finish, within 60 minutes. If the USPTO's server does not detect any activity at all within 60 minutes, it will end your session at the 60-minute point. **HOWEVER**, at 54 minutes into your session, you will receive a pop-up window warning you that your session will expire in six minutes (it will actually provide the precise "end" time within the window, such as 11:29:14 EST).

To "renew" your session, you simply need to click on the "OK". button at the bottom of the pop-up window, and you will automatically get another 60 minute time period. If you do not click on the button within the remaining six minutes of the session, your session will completely end at the 60-minute mark,

and you will be returned directly to the initial form wizard to start the process again.

## Form Selection:

**Pre-Populated Form:** The pre-populated form will automatically display the exact information that is already in the USPTO database for one specific U.S. serial number or registration number. If you do not change any data fields, then the pre-populated form will directly submit information that must be certified to WIPO's International Bureau (IB), without independent review of this data at the USPTO.

Alternatively, this form may be used where certain data fields can be changed (e.g., either narrowing the scope of the identification of goods and/or recitation of services in the U.S. application or registration, and/or substituting a color drawing of the mark, where the original mark is shown in the USPTO database as a black-and-white image); however, if any data field is changed, an independent review of this data at the USPTO must occur prior to submission as certified to the IB.

**Free-Text Form:** The free-text form must be used if 1) the application for International Registration is being based on more than one U.S. serial number or registration number; 2) data is being changed in any way other than only narrowing the scope of the identification of goods and/or recitation of services in the U.S. application or registration and/or substituting a color drawing of the mark, where the original mark is shown in the USPTO database as a black-and-white image; or 3) the U.S. application being used as the basis is not yet loaded into the Office's database at the time of filing, e.g., immediately after an application was filed. Information on this form is not automatically certified, and will not be submitted electronically directly to the IB. Instead, the form will be routed to the USPTO's Madrid Processing Unit for review, for subsequent certification, if appropriate.

## Account at WIPO's International Bureau:

To open a current account for the settlement of fees at WIPO's International Bureau, you must file a signed request for the opening of the account, together with the payment of an initial deposit, at the following address:

World Intellectual Property Organization (WIPO)  
Finance Division - Income Section  
34, chemini des Colombettes  
Switzerland  
Facsimile: (41 22) 734 46 93  
E-mail: receipts.mail@wipo.int

The request must specify all relevant information as to the identity and address of the person or the organization in whose name the account is to be opened. The current accounts will be kept only in Swiss francs at the headquarters of WIPO in Geneva. You may determine the amount of the initial deposit in light of filing requirements, although an initial deposit of 5,000 Swiss francs is recommended. An amount sufficient to cover all fees must always be on deposit in the account. The payment of the initial deposit, as well as subsequent payments replenishing the account, should be effected in Swiss francs. If not in Swiss francs, the payment will be accepted, provided that (1) the currency in question is freely convertible into Swiss francs; and (2) the amount of the payment will then be converted, for deposit into the current account, into Swiss francs at the rate of exchange obtained.

1. Check drawn on Swiss or foreign bank made payable to WIPO/OMPI, sent to:  
World Intellectual Property Organization (WIPO)  
Finance Division - Income Section  
34 chemin des Colombettes  
1211 Geneva 20  
Switzerland  
referencing "to the credit of my current account No ....."
2. Direct bank transfer to:  
Bank name: Credit Suisse - 1211 Geneva 70 - Switzerland

Account name: WIPO/OMPI  
Account number (IBAN): CH35 0425 1048 7080 8100 0  
SWIFT code: CRESCH ZZ12A  
referencing "to the credit of my current account No ....."

3. Transfer to WIPO postal account No 12-5000-8 - Geneva - Switzerland, referencing "to the credit of my current account No ....."

As soon as a current account has been opened, its number will be communicated to the account holder. This number must be provided when authorizing the charging of fees to the account. The finance Section of WIPO will enter debits on the current account, in chronological order of receipt, of transactions to be made.

A current account may only be debited on the basis of a written request made by the account holder. Requests relating to trademarks may be placed with a national office and will be acted upon when transmitted to WIPO. Completion of the Fee Calculation sheet attached to the request form being part of an International Application, with the authorization to debit the current account, will be considered as a written request.

The debit order must contain the particulars necessary to identify clearly the purpose of the payment, and must indicate the number of the account to be debited. No transaction that would result in an account overdraft will be made. An authorization to charge a fee to a current account will not be considered payment of the fee unless sufficient funds are present in the account to cover it.

Each month, a detailed statement of the transactions recorded in respect of the account for that preceding month will be sent to the account holder. The account holder must immediately, upon receipt of the statement, inform WIPO of any error. Also, the holder of the current account will receive an acknowledgment of receipt for each deposit received into the current account.

Access to current account information is available from the WIPO web site. For further information, e-mail [receipts.cc@wipo.int](mailto:receipts.cc@wipo.int).

## Mark Section

**Standard Character Set:** For entry of a mark at Option #1, the entered character(s) must appear in the accepted [standard character set](#). From the entry made, the USPTO will create a JPG image file of the mark, required for proper processing.

**Properly-Sized JPG/JPEG image file:** All black-and-white jpg images and color jpg images must be scanned at no less than 300 dots per inch and no more than 350 dots per inch, and with a length and width of no less than 250 pixels and no more than 944 pixels; e.g., a valid pixel dimension is 640 X 480 pixels. To ensure your image file meets these requirements, you can use a free graphic viewer, e.g., [Irfanview](#). If you cut-and-paste an image into [Irfanview](#), or open an image file using the program, select "Image" from the tool bar and "Information" from the drop-down choices to view the current DPI and pixel dimensions. If your image is not in the proper dimension, you can use [Irfanview](#) to change the DPI and pixel dimensions: 1) Select "Image" from the tool bar; 2) Select "Resize" from the drop-down choices; 3) Set the DPI to 300 - 350 and change the pixel dimension to within the accepted range of 250 X 944; 4) If the new image file looks acceptable to you in the new dimensions, save the image file, by selecting "File" from the tool bar and using the "Save As" feature to save the file as a JPG image. If the image is not clear, do not submit the image. Instead, seek the assistance of a graphic artist to create the properly-sized jpg file.

**Black and White:** The "ideal" "black-and-white" image would consist of only two colors, namely, black and white. Unfortunately, due to limitations within the existing JPEG format, that is impossible. Instead, the "best" possible image will be a grayscale image that is as close to black and white as possible. This grayscale image can be created by image editors that will save the image in 8-bit JPEG, which eliminates

all color elements from the JPEG image. When scanning your image file, you should confirm that the settings on your scanner are set to create a black-and-white or grayscale JPEG, not a color image. If you submit a black-and-white or grayscale image that has colors associated with it, WIPO will reject the image and you will receive an irregularity on your application. To decrease the color depth in an existing JPEG image to only grayscale (and as close to pure "black-and-white" as possible), you can use a free graphic viewer, e.g., [Irfanview](#). If you copy-and-paste an image into [Irfanview](#), you can decrease the color depth to two colors by following these steps: 1) Select "Image" from the tool bar; 2) Select "Decrease Color Depth" from the drop-down menu; 3) Select "2 colors, black and white;" 4) Click "ok;" 5) Confirm view of image as a pure black and white image; 6) Select "File" from the tool bar and select "Save As;" 7) Select "Save as grayscale JPEG" that appears in a popup window titled "JPEG/GIF save options"; 8) Save the image as a JPEG; and 9) Attach this image to your application as your proper black-and-white mark image. If you are not able to reproduce your mark as a pure black-and-white image, you should seek the assistance of a graphic artist. NOTE: The form will "reject" a "black-and-white" image that has colors associated with it. Black-and-white images with a color claim are acceptable, but drawings that are lined for color are not; you must submit an actual color image

**Standard Character Format:** If you have attached your own JPG file of your mark, because it consisted of characters within the group of [90 characters](#) for which TEAS currently cannot create the required jpg file, you must click on this box to indicate that a claim to the standard character format is being made; i.e., that the mark is presented without claim to any particular font, style, size or color.

**Color Claimed:** Enter the colors claimed for the design mark (e.g., red and blue).

**Mark Description:** Enter the appropriate description of the mark; e.g., "A stylized letter C." If a color mark, you should list the portions of the mark that are in color and the corresponding color for each; e.g., "A bird with a blue body, a red head, and a yellow beak."

**Parts of the mark in color:** List the portions of the mark that are in color and the corresponding color for each; e.g., "A bird with a blue body, a red head, and a yellow beak."

**Color(s) in the mark:** List here only the actual color(s) appearing within the mark. For example, a proper entry may consist of the single word "green," or multiple colors, such as "red, blue, and yellow." No other information should be provided.

**Uploaded Color Image:** If you have uploaded a color image, but do not wish to proceed with that color image, you must return to the Wizard page and answer "No" to Question #1. When you return to the Mark section, your original image from the USPTO database will then be displayed.

### **Additional Statement:**

Answer YES if you need to make of record one of the following statements:

**Translation:** Where the mark consists of or contains words that can be translated, such a translation may be provided. The translation may be into English and/or French and/or Spanish, irrespective of the language of the international application. The International Bureau will not check the accuracy of any translation of the mark, nor will it question the absence of a translation or provide a translation of its own.

**Transliteration:** Enter the transliteration of any non-Latin characters in the mark.

**Verbal Element:** Enter the word(s) that appear within the overall composite mark (as shown in the JPG image file). E.g., if the mark consists of the design of a cat and the words THE CAT'S MEOW, you would enter in this field THE CAT'S MEOW. You would NOT enter "The design of a cat and THE CAT'S MEOW"- it is the actual image file that will show this.

**Disclaimer:** Enter the descriptive or generic wording, for which no claim is being made to the exclusive

right to use, apart from the mark as shown.

## Goods and Services Information

**International Class:** If known, enter the International Class number(s) of the goods and/or services associated with the mark, e.g., 009. For more information about acceptable classes, see the USPTO's on-line [Goods and/or Services Manual](#), or the overall listing of all [classes of goods and services](#).

**Listing of Goods and/or Services:** Enter the *specific* goods and/or services associated with the mark; e.g., "computer software for accounting purposes;" or "shirts, pants and shoes." If you are not specific enough (e.g., listing "internet services"), you will *not* receive a filing date. Even if you are filing based on intent to use, you must provide a specific enough recitation so that the nature of the goods/services is sufficiently clear. While you *may* be able to amend the recitation during prosecution to clarify a broad recitation, if the initial listing is too ambiguous, you will not receive a filing date and no amendment will be permitted. Also, do not enter the broad class number here, such as 009 or 025 (this information belongs in the field above, namely International Class). If the goods and/or services are classified in more than one class, the goods and/or services should be listed in ascending numerical class order. For more information about acceptable language for the goods and/or services, see the USPTO's on-line [Goods and/or Services Manual](#).

## Fee Information

**Number of Classes:** This number is based on the highest number of classes for any particular country to which protection is extended, if there are different class totals within the application.

**International Registration fees:** The International Registration fees are based on the specific election of fees by the designated countries. An additional fee is required for the submission of any color image. The calculation can be determined from the WIPO fee calculator. The total is reflected in U.S. dollars, as converted from Swiss francs.

**Exchange Rate:** This is the rate being used to convert Swiss francs into U.S. dollars. Updates to the rate (as used within the WIPO fee calculator) are by the International Bureau, which follows the rule that changes will be made only after a given three-month period, unless there is a change in the rate of greater than 10%, at which time the change will be made within a month timeframe. E.g., at an exchange rate of, hypothetically, .8021 dollars per Swiss franc, 100 Swiss francs = 80.21 U.S. Dollars (100 X .8021= 80.21).

**USPTO Certification Fee:** This \$100 fee is based on the total number of classes in the International Application, with each class only counting once, even if that class is claimed multiple times for different Contracting Party countries within the International Application. The fee is \$150 per class, rather than \$100 per class, when the international application is based on more than one basic application or registration.

**Total Amount:** This is the total, in U.S. dollars, of the combined International Registration fees and the USPTO Certification fee.

**Payment Method Type:** The designation of the specific method of payment for submission of the required fees to the International Bureau.

**IB Account Number:** The number of a current account that has been opened with the International Bureau.

**Account Holder:** The full name of the holder of the current account that has been opened with the International Bureau.

**Payment Reference Number:** For a payment already submitted and acknowledged by WIPO, the specific payment reference number assigned to the submission.

**WIPO Receipt Number:** The number assigned by WIPO to confirm receipt of payment.

**Total Fee Amount to be paid to IB:** The total amount of fees being paid to the International Bureau, in Swiss francs.

## Application Information

**Serial Number:** Enter the U.S. serial number (eight-digit number - no letters) as the basis of this International Application.

**Registration Number:** Enter the registration number (seven-digit number - no letters) as the basis of this International Application.

**Filing Date:** Enter the filing date related to the U.S. serial number.

**Registration Date:** Enter the registration date related to the registration number.

## Priority Claim Information

An international applicant may assert a priority claim for a trademark application filed in another country, prior to the filing of the international application. If recognized by the International Bureau, this claim may result in an international registration date that is earlier than the date of filing of the international application.

**Country Of Earlier Filing:** Select or enter the country wherein the earlier application was previously filed.

**Application/Serial Numbers of Earlier Filing:** Enter the application or serial number of the filing that is the basis for the priority claim.

**Dates of Earlier Filing:** Enter the filing date of the application that is the basis for the priority claim.  
**WARNING:** In accordance with Article 4(c)(3) of the Paris Convention, where the last day of the six-month period from the claimed priority date is a day when the Office of origin is not open for the receipt of requests to present international applications, the six-month period will, where the international registration bears the date of the receipt by the Office of origin of the said request, be extended until the first following working day at the Office of origin; similarly, where the international registration bears the date of the receipt of the international application by the International Bureau, or a subsequent date, and the last day of the six-month period is a day when the International Bureau is not open to the public, the six-month period will be extended until the first following working day at the International Bureau.

**Goods and/or Services listed in earlier filing, for which priority claimed:** If the country of earlier filing is the United States, click the "Retrieve GS" button to populate Class and Goods/services data automatically. Otherwise, you must use the pull-down box to enter the number of classes you wish to add, and then click on the "Add Classes" button.

**Number of Classes to be added:** If you are not using the "Retrieve GS" button (because the country of earlier filing is not the United States), you must use the pull-down box to enter the number of classes you wish to add, and then click on the "Add Classes" button.

**Six month priority period:** In accordance with Article 4(c)(3) of the Paris Convention, where the last day of the six-month period from the claimed priority date is a day when the Office of origin is not open for the receipt of requests to present international applications, the six-month period will, where the international registration bears the date of the receipt by the Office of origin of the said request, be extended until the first following working day at the Office of origin; similarly, where the international

registration bears the date of the receipt of the international application by the International Bureau, or a subsequent date, and the last day of the six-month period is a day when the International Bureau is not open to the public, the six-month period will be extended until the first following working day at the International Bureau..

**Delete Class:** If you indicated that you wished to enter goods/services manually (because the country of earlier filing was not to be the United States), but do not wish to do so now, you must click on the box under the "Delete Class" column to remove that entry.

**Class Code:** Specify through the pull-down box the proper international class number associated with the identification of goods and/or services.

**Goods and/or Services:** Enter the goods and/or services corresponding to the selected international classification code that were listed within the earlier-filed application that is the basis of the priority claim.

## Applicant Information

**Name:** Enter the full name of the Applicant, i.e., the name of the individual, corporation, partnership, or other entity that owns the mark. If the applicant is an individual, please list as LAST NAME, FIRST NAME, MIDDLE INITIAL/NAME; e.g., Smith, John A.

**Street Address:** Enter the Applicant street address.

**Internal Address:** Enter the Applicant internal address.

**City:** Enter the city in which the Applicant is located.

**State:** If a U.S. state, enter that state by clicking on the proper entry in the pull-down box. Otherwise, enter the information in the designated box.

**Country:** Enter the country by clicking on the proper entry in the pull-down box. If the country is not listed, enter the information in the designated box.

**Zip/Postal Code:** Enter the U.S. zip code or foreign country postal identification code of the Applicant.

**Phone Number:** Enter the Applicant telephone number.

**Fax Number:** If available, enter the Applicant fax number.

**Internet/E-Mail Address:** Enter the Applicant e-mail address.

**Individual:** Enter the applicant's country of citizenship.

**Corporation:** Enter the applicant's state of incorporation (or the applicant's country of incorporation if the applicant is a foreign corporation).

**Partnership:** Enter the state under whose laws the partnership is organized (or the country under whose laws the partnership is organized if the partnership is a foreign partnership).

**Limited Partnership:** Enter the state under whose laws the partnership is organized (or country if the partnership is a foreign partnership) in the appropriate designated field. In the other designated field, enter only the names and citizenship or state or country of organization or incorporation of the general partners.

**Limited Liability Company:** Enter the state under whose laws the limited liability company is organized (or if the limited liability company is foreign, the country).

**Joint Venture:** Enter the name and entity type of each entity participating in the joint venture. Also, enter the citizenship of those joint venture participants who are individuals, and/or the state or (foreign) country of incorporation of those joint venture participants which are corporations, and/or the state or (foreign) country of organization- and the names and citizenship of the partners- of those joint venture participants which are partnerships.

**Sole Proprietorship:** Enter the state or country where the sole proprietorship is organized in the appropriate designated field. In the other designated field, enter the name and citizenship of the individual who composes the sole proprietorship.

**Trust:** Identify the trustees and the trust itself, using the following format: The Trustees of the XYZ Trust, a California trust, the trustees comprising John Doe, a U.S. citizen, and the ABC Corp., a Delaware corporation. (Please note that the trustees, and not the trust itself, must be identified as the applicants in the portion of the application designated for naming the applicant).

**Estate:** Identify the executors and the estate itself using the following format: The Executors of the John Smith estate, a New York estate, the executors comprising Mary Smith and John Smith, U.S. citizens. (Please note that the executors, and not the estate itself, must be identified as the applicants in the portion of the application designated for naming the applicant).

**Other Entity Type:** Enter a brief description of the applicant's entity type (e.g., joint or multiple applicants, joint venture, limited liability company, association, Indian Nation, state or local agency). The following sets forth the information required with respect to the most common types of "other" entities:

### Attorney/Representative Information

The applicant or holder may appoint an attorney or representative to act on his behalf before the International Bureau (IB). This may or may not be the same representative whom he uses before the United States Patent and Trademark Office (USPTO). The IB will recognize only one representative in respect of a given international application or registration. Where a document in which a representative is appointed indicates the names of more than one representative, only the one indicated first will be considered to have been appointed. Where however a partnership or firm of attorneys or patent or trademark agents has been indicated, this will be regarded as a single representative. Where the requirements concerning the address of the representative are not fulfilled, the IB will treat the appointment as if it had not been made and will so inform the applicant or holder, the purported representative and, where the appointment has been transmitted by the USPTO, that Office. Where the appointment is not acceptable, the IB will send all relevant communications to the applicant or holder himself.

**Attorney/Representative Name:** Enter the name of the Attorney/Representative who is responsible for the filing of the application and to whom correspondence should be addressed. You may list more than one name in this field; however, correspondence will only be sent to the first listed name.

**Firm Name:** Enter the name of the law firm with which the Attorney/Representative is associated.

**Street Address:** Enter the Attorney/Representative street address.

**Internal Address:** Enter the Attorney/Representative internal address.

**City:** Enter the city in which the Attorney/Representative is located.

**State:** If a U.S. state, enter that state by clicking on the proper entry in the pull-down box. Otherwise, enter the information in the designated box.

**Country:** Enter the country by clicking on the proper entry in the pull-down box. If the country is not listed, enter the information in the designated box.

**Zip/Postal Code:** Enter the U.S. zip code or foreign country postal identification code.

**Phone Number:** Enter the Attorney/Representative telephone number.

**Fax Number:** If available, enter the Attorney/Representative fax number.

**Internet/E-Mail Address:** Enter the Attorney/Representative e-mail address.

## Entitlement Information

**National of the United States:** (1) a citizen of the United States; or (2) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

**Street Address:** Enter the U.S. street address for the applicant's domicile or commercial establishment.

**Internal Address:** Enter the U.S. internal address for the applicant's domicile or commercial establishment.

**City:** Enter the U.S. city for the applicant's domicile or commercial establishment.

**State:** Enter the U.S. state for the applicant's domicile or commercial establishment.

**Country:** Enter the country for the applicant's domicile or commercial establishment.

**Zip/Postal Code:** Enter the U.S. zip code for the applicant's domicile or commercial establishment.

**Joint applicant:** It is important to determine if a "joint applicant" relationship actually exists between the owners, rather than a different relationship (such as a partnership or a joint venture). Normally, a trademark application is filed in the name of one party. However, joint applicants can apply if the mark is used in a business in which two or more parties are involved actively. Therefore, if the application lists joint applicants, the USPTO will presume that the mark and the business in which it is used are, in fact, owned by separate parties jointly and cannot be identified correctly in any other way; that is, the parties have not been incorrectly labeled "joint owners" when actually they are members of a partnership or a joint venture or are part of some other type of business entity in whose name the application should be made. Note: A joint venture is not in the category of joint applicants; instead, a joint venture is a single applicant, in the same way that a partnership is a single applicant. If, in fact, there is to be ONLY a single applicant, then answer this Wizard question NO, and list for the applicant the single name of a partnership or joint venture. On the other hand, if joint applicants are correct, then all relevant information must be provided for each of the applicants, and each of the applicants must sign the application, since they are individual parties and not a single entity.

## Exclusions and Limitations

**Exclusion of a Class:** An exclusion of the goods or services in a class removes the class from the international application. The USPTO does not send the goods or services information for the excluded class to the International Bureau, and no subsequent designation of this class will be possible.

**Limitation:** The applicant may request a limitation of the list of goods and/or services, which may affect some or all of the designated contracting parties. This does NOT remove the goods and services from the international application or affect their ability to be assigned in a subsequent designation. The sole effect is that the international registration does not extend protection for the goods/services concerned into the

contracting Parties identified in the application. The goods/services will still be examined by the International Bureau, and, if accepted, published in the International Gazette as part of the international registration.

**Total Limitation:** In the event of a total limitation, the entire list of goods or services for a particular class or classes is not extended into some or all designated contracting parties in the International Application.

**Partial Limitation:** In the event of a partial limitation, a narrowed list of goods or services for a particular class is extended into some or all designated contracting parties in the International Application.