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Submitter Information

Name: Julia Lang

Address:

St. Louis, MO, 63105

Email: jml@carmodymacdonald.com

Phone: 314-854-8612

General Comment

I am a trademark attorney and have been in practice for nine years. The USPTO's estimated time per response, which ranges from 40 to 50 minutes, seems low in my experience. It likely takes me about that amount of time to complete and file an application, but the actual burden—which must account not only for time spent filling out the form, but also time spent collecting and analyzing the information required to prepare it—is realistically closer to two hours on average, depending on an application's complexity and filing basis.

Before I begin an application, I first must compile a significant amount of information. The process requires gathering material from clients about their business, including, but not limited to, determining ownership of the application, claims of priority, and/or related properties; judging whether the mark requires a translation or has particular meaning in the relevant industry; for design marks, preparing an adequate drawing of the mark; determining whether the mark is famous or has acquired secondary meaning (1(a) only); determining how the mark is or will be used and marketed in commerce and through which trade channels; identifying the relevant classes of goods and/or services (g/s); selecting or drafting adequate descriptions of the g/s; confirming commercial use of the mark (1(a) only); and selecting and preparing a sufficient specimen of use (1(a) only).