



Business Services Division
Tre Hargett, Secretary of State
 State of Tennessee

INSTRUCTIONS

APPLICATION FOR REGISTRATION OF TRADEMARK OR SERVICE MARK

SUBMISSION OPTIONS

Applications may be filed using one of the following methods:

- **Paper submission:** A blank application may be obtained by going to <http://www.tn.gov/sos/forms/ss-4264.pdf>, by emailing the Secretary of State at TNSOS.ATS@tn.gov, or by calling (615) 741-0531. The application must be hand printed in ink or computer generated and mailed along with the required filing fee to the Secretary of State's office at 6th FL – Snodgrass Tower ATTN: Trademarks, 312 Rosa L. Parks AVE, Nashville, TN 37243.
- **Walk-in:** A blank application may be obtained in person at the Secretary of State Business Services Division located at 6th FL – Snodgrass Tower ATTN: Trademarks, 312 Rosa L. Parks AVE, Nashville, TN 37243.

Applications must be accurately completed in their entirety. Applications that are inaccurate, incomplete or illegible will be rejected.

APPLICANT INFORMATION

1. **Applicant Name:** Enter the name of the person or entity applying for the trademark or service mark.
2. **Applicant Business Address:** Enter the complete business address of the person or entity applying for the trademark or service mark. The address must include a street address or post office box (or both), city, state and zip code. Please provide a phone number including area code so that you may be contacted if there are questions regarding your application.
3. **If the applicant is a business entity, select the type of business entity:** Check the box that applies to the type of business entity, Corporation, Limited Liability Company, Limited Partnership, General Partnership or Sole Proprietorship. If the applicant is not a business entity or the type of entity is not listed, leave this space blank.
4. **If the applicant is a business entity, the state of incorporation / organization is:** Enter the state of incorporation or organization if the applicant is a business entity. If the applicant is not a business entity, leave this space blank.
5. **If the applicant is a partnership, the names of the general partners are:** If the applicant is a partnership, list the names of the general partners. If the form does not allow enough space, enter "see attached" and list the names on a separate sheet of paper.
6. **Name of the mark is:** Provide a name for the mark being registered. If the mark is a standard character trademark (just words), list only those words. If the mark is a design/special form trademark, you must still provide a name for the mark in this space. For example, if the mark is a logo for ABC Company, you could provide the name "ABC Logo". Print or type the name in this space.
7. **The description of the mark in words (required for design mark):** Enter a complete and accurate description of the overall mark, for example, "a stylized letter Q." If the mark image contains both words and a design element, the description must include both, for example, "the wording ABC LLC in green and a grey moon," rather than simply "a grey moon." If a mark is in color, you must list the portions of the mark that are in color and the corresponding color for each, for example, "a bee with a black and yellow striped body and blue wings." If the description is not accurate, either incomplete or includes word(s), letter(s), number(s), or other elements not

actually appearing in the mark image, applicant will be required to amend the description of the mark.

- 8. *This mark is used on or in connection with what goods or services?:*** Enter a description of the goods and services in connection with which the mark will be used. For example, “restaurant”, “business consultant”, “country music band”, “communications”, “jewelry”, “gift baskets”, etc.

If the form does not allow enough space, Enter “see attached” and list the goods or services on a separate sheet of paper.

- 9. *In what mode or manner is the mark used in connection with these goods or services?:*** List how the applicant is using the mark. For example, “business cards”, “letterhead”, “flyers”, “signs”, “labels”, “newspaper advertisements”, “billboards”, “bus benches”, “television advertisements”, “websites”.

If the form does not allow enough space, enter “see attached” and list the mode or manner on a separate sheet of paper.

- 10. *The class number(s) in which such goods or services fall:*** Enter the appropriate number of the class (or classes) under which such goods or services fall. Class numbers are listed at the end of the instructions. A \$20.00 filing fee is assessed for each class listed.

If the form does not allow enough space, enter “see attached” and list the class numbers on a separate sheet of paper.

- 11. *The dates when the mark was first used (must be a date prior to signature date of application; must be month/day/year):*** Both dates must be completed for every application. If the mark has only been used in Tennessee, then the date the mark was first used “anywhere” is the same date as the date the mark was first used in Tennessee. Since the mark must be in use prior to registration, both of these dates must also reflect a time prior to the signature date of the application.

(a) Anywhere: Enter the date on which the mark was first used anywhere by the applicant or a predecessor in business.

(b) In Tennessee: Enter the date the mark was first used in Tennessee by the applicant or a predecessor in business.

- 12. *One specimen showing the mark as actually used accompanies this application:*** The applicant must provide one specimen of the mark in use along with the application. By signing the application, the applicant certifies that this statement is true.

Failure to include one specimen will result in the rejection of the application. A specimen must establish that the mark currently is in use in commerce in Tennessee.

Specimen should not be larger than 8 ½ inches by 11 inches, should be flat, and should be in a vertical / portrait orientation. Small specimens, such as tags or labels, must be taped or pasted to a sheet of paper and labeled “SPECIMEN”.

For trademarks, examples of acceptable specimens are tags or labels that are attached to the goods, containers for the goods, displays associated with the goods, or photographs of the goods showing use of the mark of the goods themselves. Invoices, announcements, order forms, bills of lading, leaflets, brochures, catalogs, publicity releases, letterhead and business cards may be acceptable specimens for trademarks if they sufficiently demonstrate that the mark is being used with the goods. If it is impractical to send actual specimens because of its size, photographs or other acceptable reproductions that show the mark on the goods, or packaging for the goods, must be furnished.

For service marks, examples of acceptable specimens are signs, brochures about the services, advertisements for the services, business cards or stationery showing the mark in connection with the services, or photographs that show the mark either as it is used in the rendering or advertising of the services. The specimen must either show the mark and include some clear reference to the type of services rendered under the mark in some form of advertising, or show the mark as it is used in the rendering of the service (for example, on a store front or the side of a delivery truck).

- 13. *The applicant is the owner of the mark, and the mark is in use. To the knowledge of the person verifying (signing) this application, no other person has registered, either federally or in Tennessee, or has the right to use the mark in an identical form or in such near resemblance as to be likely, when applied to the goods or services of such other person, to cause confusion or mistake, or to deceive.*** By signing the application, the applicant certifies that this statement is true.

Signature and Verification

- This application must be signed by the applicant. **Failure to sign the application will result in the application being rejected.**
- Type or Print Name & Title. **Failure to type or print the signature name and title of the signer (if the applicant is a business entity) will result in the application being rejected.**
- **By signing the application, the applicant verifies under penalty of perjury that all the statements on the application are true and correct.**

FILING FEE

- The filing fee for the application is \$20.00 per Class entered in number 10 of the application. If there is only one (1) class indicated the fee is \$20.00. If there are two (2) classes indicated, the fee is \$40.00, etc.
- Make check, cashier's check or money order payable to the Tennessee Secretary of State. Cash is only accepted for walk-in filings. **Applications submitted without the proper filing fee will be rejected.**

Classes

GOODS

Class 1 - Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

Class 2 - Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

Class 3 - Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Class 4 - Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.

Class 5 - Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic food and substances adapted for medical or veterinary use, food for babies; dietary supplements for humans and animals; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Class 6 - Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

Class 7 - Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs; automatic vending machines.

Class 8 - Hand tools and implements (hand-operated); cutlery; side arms; razors.

Class 9 - Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment, computers; computer software; fire-extinguishing apparatus.

Class 10 - Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

Class 11 - Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

Class 12 - Vehicles; apparatus for locomotion by land, air or water.

Class 13 - Firearms; ammunition and projectiles; explosives; fireworks.

Class 14 - Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

Class 15 - Musical instruments.

Class 16 - Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

Class 17 - Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

Class 18 - Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas and parasols; walking sticks; whips, harness and saddlery.

Class 19 - Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.

Class 20 - Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

Class 21 - Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

Class 22 - Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

Class 23 - Yarns and threads, for textile use.

Class 24 - Textiles and textile goods, not included in other classes; bed covers; table covers.

Class 25 - Clothing, footwear, headgear.

Class 26 - Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

Class 27 - Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).

Class 28 - Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

Class 29 - Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs; milk and milk products; edible oils and fats.

Class 30 - Coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and confectionery; ices; sugar, honey, treacle; yeast, baking-powder; salt; mustard; vinegar, sauces (condiments); spices; ice.

Class 31 - Grains and agricultural, horticultural and forestry products not included in other classes; live animals; fresh fruits and vegetables; seeds; natural plants and flowers; foodstuffs for animals; malt.

Class 32 - Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages.

Class 33 - Alcoholic beverages (except beers).

Class 34 - Tobacco; smokers' articles; matches.

SERVICES

Class 35 - Advertising; business management; business administration; office functions.

Class 36 - Insurance; financial affairs; monetary affairs; real estate affairs.

Class 37 - Building construction; repair; installation services.

Class 38 - Telecommunications.

Class 39 - Transport; packaging and storage of goods; travel arrangement.

Class 40 - Treatment of materials.

Class 41 - Education; providing of training; entertainment; sporting and cultural activities.

Class 42 - Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.


Class 43 - Services for providing food and drink; temporary accommodation.

Class 44 - Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

Class 45 - Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals.



APPLICATION FOR REGISTRATION OF TRADEMARK OR SERVICE MARK (SS-4264)

	Business Services Division Tre Hargett, Secretary of State State of Tennessee 312 Rosa L. Parks Ave., 6th Fl. Nashville, TN 37243 615-741-0531	<i>For Office Use Only</i>
Filing Fee: \$20.00 per class		

In compliance with the requirements of T.C.A. § 47-25-503, the undersigned makes the following statements:

1. Applicant Name: _____
2. Applicant Business Address: _____
 City: _____ State: _____ Zip Code: _____ Phone #: _____
3. If the applicant is a business entity, select the type of business entity:
 Corporation Limited Liability Company Limited Partnership General Partnership Sole Proprietorship
4. If the applicant is a business entity, the state of incorporation / organization is: _____
5. If the applicant is a partnership, the names of the general partners are: _____

6. Name of the mark is: _____
7. The description of the mark in words (required for design mark): _____

8. This mark is used on or in connection with what goods or services? _____

9. In what mode or manner is the mark used in connection with these goods or services? _____

10. The class number(s) in which such goods or services fall: _____
11. The dates when the mark was first used (must be a date prior to signature date of application; must be month/day/year):
 a) Anywhere: _____ / _____ / _____ b) In Tennessee: _____ / _____ / _____
 Month Day Year *Month Day Year*
12. One specimen showing the mark as actually used accompanies this application.
13. The applicant is the owner of the mark, and the mark is in use. To the knowledge of the person verifying (signing) this application, no other person has registered, either federally or in Tennessee, or has the right to use the mark in an identical form or in such near resemblance as to be likely, when applied to the goods or services of such other person, to cause confusion or mistake, or to deceive.

I declare under penalty of perjury that the foregoing is true and correct.

Signature Date

Applicant's Signature

Applicant's Name and Title (printed or typed)

***Note: Pursuant to T.C.A. § 10-7-503 all information on this form is public record.**