

Library

Start Your Business: Trademark Application Walk-through

Azalea Ebbay
Librarian, San Diego Public Library

Roya Bagheri
Staff Attorney, San Diego Volunteer Lawyer Program, Inc.

Jason Lott
Attorney Advisor for Trademark Educational Outreach, U.S. Patent and Trademark Office

June 17, 2020



Overview

- Patent and Trademark Resource Center with Azalea Ebbay
- San Diego Volunteer Lawyer Program, Inc. with Roya Bagheri
- Trademark Application Walk-through with Jason Lott

Patent and Trademark Resource Center

- Provide free access to patent and trademark resources provided by the USPTO
- Direct you to information and explain the application process and fee schedule
- Demonstrate how to use patent and trademark search tools
- Show you a directory of local patent attorneys and agents who are licensed to practice before the USPTO
- Assists with patent searches for an ancestor's inventions
- Offers free educational programs

Note: We cannot provide business or legal advice. We cannot perform patent or trademark searches.



**2019 Start Your Business event
with San Diego Volunteer Lawyer
Program, Inc. and Procopio**

You can invite us to teach intellectual property to your classroom or children's or teen group!



Kid's Invent It Month, a children's themed program

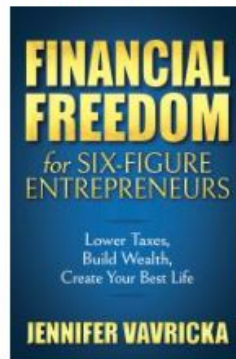


Teaching patents to high school students for UCSD Rady School of Management's LaunchPad program

Don't forget you can **check out free eBooks** on CloudLibrary and also **pick up your holds** at select San Diego Public Library locations!



Small Business & Personal Finance ▾ Sort



We will announce our upcoming Start Your Business events in the Library's monthly newsletter.

You can subscribe by visiting the very bottom right hand corner of the San Diego Public Library Foundation's website: <https://supportmylibrary.org/>

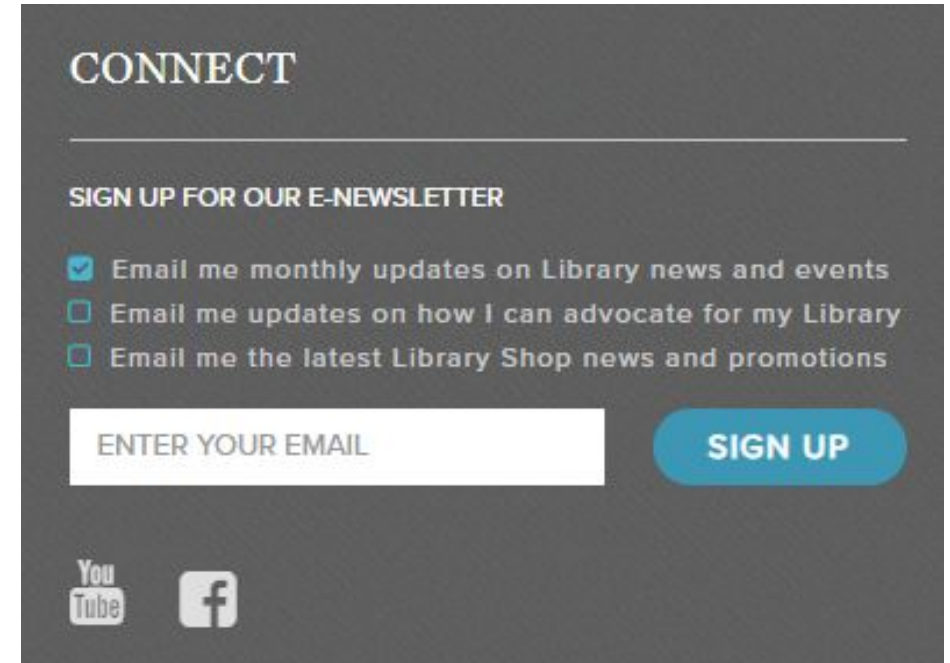
Any questions?

Azalea Ebbay, San Diego Public Library

AEbbay@sandiego.gov

(619) 238-6683

Look for this!

A screenshot of a dark grey sign-up form titled 'CONNECT'. Below the title is a horizontal line. The section is titled 'SIGN UP FOR OUR E-NEWSLETTER'. There are three checkboxes: the first is checked and labeled 'Email me monthly updates on Library news and events'; the second is unchecked and labeled 'Email me updates on how I can advocate for my Library'; the third is unchecked and labeled 'Email me the latest Library Shop news and promotions'. Below the checkboxes is a white input field with the placeholder text 'ENTER YOUR EMAIL' and a blue 'SIGN UP' button to its right. At the bottom of the form are two small icons: a YouTube logo and a Facebook logo.

San Diego Volunteer Lawyer Program, Inc.

Microbusiness and Nonprofit Support Program (MNSP)



SAN DIEGO
VOLUNTEER LAWYER
PROGRAM

Pursuing justice | Transforming lives

San Diego Volunteer Lawyer Program, Inc.

SDVLP is a 501(c)(3) nonprofit law firm that has provided free legal help to disadvantaged San Diegans since 1983.

Microbusiness and Nonprofit Support Program:

Provides free legal services to:

- qualifying entrepreneurs and microbusinesses in San Diego, and
- nonprofit organizations whose primary purpose is to serve disadvantaged, low-income San Diegans.

Microbusiness Support:

Staff and volunteer attorneys provide legal help in a variety of transactional legal areas, including:

- Business Entity Formation (LLCs, Partnerships, Sole Proprietorships, etc.)
- Review and Drafting of Business Contracts
- Lease Agreements
- Intellectual Property (Trademarks, Copyrights and Patents)
- Employment Issues
- Insurance
- Permitting

Microbusiness Application and Eligibility:

- Application is available on our website: www.sdvlp.org
- Individual must be low-income and a resident of San Diego County. We will evaluate an individual's financial situation as well as all business partners.
- In some cases, if you are starting a new business, we will need to see a business plan.

Microbusiness Support Screening Form



IMPORTANT: Due to limited resources, we can only help residents of San Diego County. If you do not live in San Diego County, please do not complete this form. There may be similar assistance available where you live.

IMPORTANTE: Debido a los recursos limitados, sólo podemos ayudar a los residentes del Condado de San Diego. Si usted no vive en el Condado de San Diego, favor de no llenar este formulario. Es posible que haya una asistencia similar disponible donde usted vive.

Please do not complete this form if you are seeking help for a nonprofit organization. Please [click here](#) to download the Application for Legal Services for nonprofit organizations.

Your information / Su información

First Name / Nombre *

Middle Name / Segundo Nombre

Last Name(s) / Apellido(s) *

Maiden Name or Other Name(s) Used / Apellido de Soltera u otros nombres utilizados

How did you hear about SDVLP's legal services? / ¿Cómo se enteró de los servicios legales de SDVLP?

Date of Birth / Fecha de Nacimiento *

Last 4 digits of your Social Security Number / Últimos cuatro números de seguro social

MNSP Process:

- If you are deemed eligible for our services, we will discuss your business and issue spot the potential legal issues.
- We will reach out to pro bono attorneys to place your case with a subject matter expert.
- You will work one-on-one with your assigned pro bono attorney.
- SDVLP remains involved throughout the process until the case is fully completed.

Microbusiness Support:

- Intellectual Property:
 - Trademarks:
 - Assist entrepreneurs with protecting the name and logo of their business.
 - Copyrights:
 - Assist entrepreneurs protect their own original works of authorship, and properly use other copyrighted work.
 - For example: A catering business using photographs that other people took for their website.
 - Patents:
 - Will assign a patent attorney to assist entrepreneur with entire patent application, including designs, filing, and follow up communication with USPTO.

COVID-19 Small Business Brief Legal Advice Clinic

- Our program just launched a brief legal advice clinic to assist small businesses and nonprofit organizations impacted by the pandemic.
- Volunteer attorneys will provide remote consultations to eligible businesses on legal issues arising out of the pandemic, including questions relating to:
 - Labor and Employment
 - Real Estate/Commercial Leases
 - Insurance
 - Contracts
 - Tax Law
 - Paycheck Protection Program
 - SBA Economic Injury Disaster Loans/Grants
 - Small Business Debt Relief Program
 - Business Operations (e.g., operating as an essential business)
 - Bankruptcy/Restructuring
 - Other COVID-19 Related Questions

COVID-19 Small Business Brief Legal Advice Clinic

- Consultations will last up to 45 minutes, and are provided free of charge.
- Small Businesses can apply at: [SDVLP.ORG/COVID-19-MNSP](https://sdvlp.org/covid-19-mnsp)
- Or Call: (619) 235-5656 ext. 130

Questions?

Roya Bagheri, Esq.
Staff Attorney
rbagheri@sdvlp.org
(619) 235-5656, ext. 131

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



Trademark application walk-through

Jason Lott

Attorney Advisor for Trademark Educational Outreach

June 17, 2020

































Images used in this presentation are for educational purposes only.

Discussion topics

- Trademark basics
- TEAS basics
- TEAS pre-filing checklist
- TEAS Plus demonstration

Trademark basics

Interbrand best global brands 2019

01  +9% 234,241 \$m	02  +8% 167,713 \$m	03  +24% 125,263 \$m	04  +17% 108,847 \$m	05  -4% 63,365 \$m	06  +2% 61,098 \$m	07  +5% 56,246 \$m	08  +5% 50,832 \$m
09  +4% 45,362 \$m	10  +11% 44,352 \$m	11  +1% 41,440 \$m	12  -6% 40,381 \$m	13  -7% 40,197 \$m	14  -12% 39,857 \$m	15  +3% 35,559 \$m	16  +7% 32,376 \$m
17  +14% 32,223 \$m	18  +1% 26,288 \$m	19  -22% 25,566 \$m	20  +10% 25,092 \$m	21  +3% 24,422 \$m	22  +11% 22,134 \$m	23  +13% 21,629 \$m	24  -1% 20,488 \$m
25  +8% 19,044 \$m	26  +5% 18,407 \$m	27  +7% 18,072 \$m	28  +9% 17,920 \$m	29  -3% 17,175 \$m	30  -3% 16,345 \$m	31  +14% 16,205 \$m	32  +3% 16,018 \$m

www.interbrand.com/best-brands/best-global-brands/2019/ranking

Trademark definition

Any word, slogan, symbol, design, or combination of these that:

- **Identifies** the source of your goods and services

and

- **Distinguishes** them from the goods and services of another party.



TEAS basics

TEAS basics

- You must use the **Trademark Electronic Application System** (TEAS) to file your application.
- The USPTO requires electronic filing for all trademark-related matters, with very rare exceptions.

TEAS pre-filing checklist

TEAS pre-filing checklist

Pre-filing checklist for your trademark application

Use this checklist to understand the decisions you must make before filing your application.

1. Determine your mark type

Standard character drawing

- To register words, letters, and slogans used as marks, without stylization or design.
- Protects the wording itself without limiting the mark to a specific font style, size, or color.
- Provides broader protection than a special form drawing.

Special form drawing

- To register stylized and design marks.
- If the mark consists of both words and a design, the drawing must depict both the words and the design combined as one image.
- Save a JPG image of your mark to your computer.

2. Check the Trademark ID Manual and identify your goods/services

- The ID Manual lists acceptable identifications of goods and services.
- Find entries that accurately describe your goods/services.
- Inaccurate and unacceptable identifications will result in a refusal to register your mark.

3. Know your filing basis

Section 1(a) – Use-in-commerce filing basis

- To register a mark you have already used in commerce in connection with your goods/services.
- Save a PDF or JPG image of your specimen to your computer. A specimen is evidence of how you actually use the mark in commerce on your goods or with your services.
- For specimen examples, watch the video at www.uspto.gov/Watch/TMINSpecimen.

Section 1(b) – Intent-to-use filing basis

- To register a mark you have not yet used in commerce but have a good faith intent to use in commerce in the future.
- Before we will register your mark, you must:
 - Use the mark in commerce.
 - File an additional form that includes a specimen and an additional fee.

4. Choose your application form

- You must file electronically. There are two online application forms: TEAS Plus and TEAS Standard.
- Learn more at www.uspto.gov/AboutTEAS.

See the reverse side to help determine which TEAS form is right for you.




TEAS pre-filing checklist

- Determine your mark type.
 - Save a JPG image, if needed.
- Identify your goods and services.
- Know your filing basis.
 - Save a JPG or PDF specimen, if needed.
- Choose your application form.





TEAS Plus demonstration



TEAS Plus demonstration

 UNITED STATES
PATENT AND TRADEMARK OFFICE

About Us | Jobs | Contact Us | MyUSPTO

Search uspto.gov 

Patents Trademarks IP Policy Learning and Resources  Find It Fast

Home > Trademarks: Application process > Filing online > Trademark initial application form  Share |  Print

Main menu

Patents

Trademarks

IP Policy

Learning and Resources

About Us

Jobs

Contact Us

Trademark initial application form

In the Trademark Electronic Application System (TEAS), we have one initial application form with two filing options: TEAS Plus and TEAS Standard.

- The **TEAS Plus** filing option has more requirements up-front when you submit your initial application. As a result, you pay a lower fee of \$225 per class of goods/services.
- The **TEAS Standard** filing option has fewer requirements up-front. However, you must eventually meet all the application requirements and pay a higher fee of \$275 per class of goods/services.

Ready to apply?

Start your application in TEAS

www.uspto.gov/trademarks-application-process/filing-online/initial-application-forms

Questions?





Please type your questions in the chat box.
Thank you for attending!

Contact Us

Azalea Ebbay, San Diego Public Library

AEbbay@sandiego.gov

(619) 238-6683

Roya Bagheri, San Diego Volunteer Lawyer Program, Inc.

<https://www.sdvlp.org/>

rbagheri@sdvlp.org

(619) 235-5656, ext. 130

Trademark Assistance Center at the U.S. Patent and Trademark Office

www.uspto.gov/TrademarkAssistance

TrademarkAssistanceCenter@uspto.gov

1 (800) 786-9199

Please let us know what you thought about the event on **San Diego Public Library's Program Feedback Form:**
<https://docs.google.com/forms/d/e/1FAIpQLScf0k-71GP60oMlhvCg5Gu4h9yQb6D4ILi3b3-dHT1Ck8FgQ/viewform>