

INTRODUCTION TO INTELLECTUAL PROPERTY

TRADEMARK REGISTRATION EXERCISE

Prof. Bell
Spring 2008

1. Trademarks to Register

You have a choice between registering:

- a. a service mark comprised of or including your name;
- b. a service mark comprised of "Trail 0"; or
- c. another mark of your choosing, provided that you first obtain Professor Bell's approval.

2. Application Form

You should fill out relevant portions of a "Trademark/Service Mark Application, Principle Register," of the U.S. Patent and Trademark Office. You can also prepare and print a form using the P.T.O.'s Trademark Electronic Application System, available at <http://teas.uspto.gov/index.html>. Preparing the form should take about 10 minutes.

Feel free to make up any information subject to the following constraints:

- a. Apply only for a mark described immediately above;
- b. Assuming you apply for a mark under 1.a, above, fill out **"NAME(S), PORTRAIT(S), SIGNATURE(S) of INDIVIDUALS"** accordingly;
- c. Note that using your own name may subject you to the constraints applicable to marks that are "primarily merely a surname";
- d. Apply under 15 U.S.C. § 1051(a) only;
- e. If filing under 1.a, above, do so under International Class 035, retail department store services;
- f. If filing under 1.b, above, do so under International Class 041, music publishing services; and
- g. Assume that you are an attorney based in California acting on behalf of an applicant with a California address.

You need not describe or attach a specimen of the mark for which you are filing, though you are of course welcome to do so.

3. Search

You should spend about 45 minutes searching for trade- or service marks that your mark might infringe. Be sure to use the P.T.O.'s Trademark Electronic Search System, available at <http://www.uspto.gov/main/trademarks.htm>. Other resources might include Internet search engines, news story and press release databases, and trade publications. Spend about 15 minutes documenting your searches with a brief description of your methods and findings, together with your conclusion about the mark's registrability.

4. Deadline

On or before Monday, February 18, you should hand in to Professor Bell or his secretary:

1. Your completed application, with your name written at the very top of the first sheet; and
2. Documentation relating to your search efforts.

5. Grading

This project is not graded. If you qualify for a "pass" grade, because your work evinces a good faith effort, you will receive 5 class participation points.