



Brian Kemp
Secretary of State

**OFFICE OF SECRETARY OF STATE
CORPORATIONS DIVISION**

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**APPLICATION FOR REGISTRATION
TRADEMARK OR SERVICE MARK**

DO NOT WRITE IN SHADED AREA - SOS USE ONLY

DOCKET NO.:	REGISTRATION NO.:	MARK VERIFICATION:
DOCKET CODE:	DATE FILED:	CHECK/M.O. #:
	AMOUNT RECEIVED:	

NOTICE TO APPLICANT: PRINT PLAINLY OR TYPE REMAINDER OF THIS FORM.

In compliance with the requirements of O.C.G.A. §§10-1-440 et seq., the undersigned, having adopted and used a trademark or service mark in this state for the purposes provided in that Code Chapter and desiring to file the same for public record in the Office of the Secretary of State of Georgia, does hereby certify the following:

- Name of Applicant _____
- Principal Business Address _____ City _____ State _____ Zip Code _____
Mailing Address (if different from principal business address) _____ City _____ State _____ Zip Code _____
- If applicant is an entity, please indicate the state of incorporation/formation/organization: _____
- Describe the mark. The description you provide is the way the mark will be registered. (See General instructions) *(Attach additional sheet if necessary)*

- (A) If a trademark, what goods are offered or sold under the mark? OR (B) If a service mark, what services are provided under the mark?

- Class No: _____ (A separate application must be filed for each class in which a registration of the mark is sought.)
- Date of first use of the mark by applicant, predecessor, or licensee. (Give Month, Day and Year)
(A) Anywhere: _____ (B) In Georgia: _____
- The applicant is the owner of the mark described herein, the mark is in use, the specimens filed herewith are true and correct, and, to the best of his/her knowledge, no other person except the applicant has the right to use such mark in this State either in its 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.
Signature of Applicant _____ Print Name _____
Official Title (if signing for an entity) _____ Phone Number _____
Email: _____

Mail or deliver to the Secretary of State, at the above address, the following:

- This COMPLETED and notarized application.
- Three (3) specimens of the mark as currently used. May be 3 samples of the same specimen. If trademark, should be actual label or packaging used on product. If service mark, should be advertising such as newspaper ad, brochure, etc. depicting the service rendered. If specimens are bulky or of value, i.e., jewelry, t-shirts, caps, etc., please submit photographs of the actual specimens. The photos should clearly and legibly depict the mark along with all material pertinent to the registration.
- A filing fee of \$15.00 payable to the Secretary of State. Filing fees are NON-refundable.

STATE OF _____

COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20 _____

_____ My commission expires _____

NOTARY PUBLIC

GENERAL INSTRUCTIONS FOR COMPLETING TRADEMARK/SERVICE MARK APPLICATION

Each application for registration of a trademark or service mark must be accompanied by a non-refundable filing fee of \$15.00. Make checks or money orders payable to the Secretary of State. The application must be accompanied by three (3) specimens to show current use of the mark in commerce. Three samples of the same specimen are acceptable. If a trademark, the specimen should be the actual label or packaging used on the product. If a service mark, the specimen should be in the form of advertising, such as a newspaper ad, leaflet, brochure, flyer, etc., denoting the service rendered to the public. If specimens are bulky or of value, i.e. jewelry, t-shirts, caps, etc., please submit photographs of the actual specimens. The photographs should clearly and legibly depict the mark along with all material pertinent to the registration.

The mark **MUST BE IN USE IN GEORGIA** prior to registration. Goods must already be offered for sale or in distribution in this State in order to register a trademark. Services must already be sold or otherwise rendered in this State in order to register a service mark. This office does not search records of federal or other state registrations and cannot guarantee availability of marks. Registration of a mark does not prevent another person from registering the name as a trade name in a county, or incorporating or forming a business entity under the same name. Registration of your mark provides public notice of your claim to the mark.

All questions on the application must be answered, specimens submitted and the fee attached. PLEASE READ THE FOLLOWING INSTRUCTIONS.

- Line 1: Enter the name of the owner/registrant of the mark. "Applicant" is the owner/registrant of the mark; the applicant is not necessarily the person filing the mark. The applicant may be an individual, corporation, or other business entity.
- Line 2: Enter the principal business address of the applicant. If mailing address is different, indicate the mailing address in a cover letter included with the filing.
- Line 3: If applicant is an entity (e.g. corporation, limited partnership, LLC), indicate the state of incorporation, formation, or organization of the entity.
- Line 4: Describe the mark. For example, if your mark is 'ABC Shops', then the description should read "the words 'ABC Shops.'" If your mark is "ABC Shops," but includes a design (logo), then the description should read "the words 'ABC Shops'" accompanied by a detailed written description of the design. If the mark is only design, then provide a detailed written description of the design. The description must be consistent with how the mark appears in the actual specimens submitted with the application. Do not attach a copy of the mark and write "see attached."
- Line 5: If a trademark, state the specific goods on which the mark is used; or, if a service mark, state the specific services rendered. All goods/services listed in Line 5 must fall within the class designated in Line 6.
- Line 6: Enter class number. List only ONE class number. If a mark is used in more than one class, it may be registered in more than one class. A separate application must be filed for registration in each eligible class.
- Line 7: Enter the date of first use of the mark "anywhere" and the date of first use of the mark "in Georgia." If the mark has only been used in Georgia, the date of first use would be the same for both "anywhere" and "in Georgia." The mark must already be in use in Georgia prior to registration.
- Line 8: The application must be signed and notarized. If applicant is an individual, then the individual must sign. If applicant is a partnership, a general partner must sign. If applicant is a corporation, an officer of the corporation must sign. If applicant is a limited liability company, a manager or member must sign. Persons signing on behalf of an entity must designate his or her title. An attorney may sign for the applicant by including the statement "Attorney for _____."

The Secretary of State's office will review each application for accuracy and will determine the availability of registration in Georgia. Once an application is approved for registration, a certificate will be issued to the applicant. Registration is effective for ten years, and may be renewed for subsequent ten year terms. The Secretary of State's office cannot provide legal advice. If you have a legal question about registering a trademark or about trademarks and service marks in general, you should consult with your attorney. Questions regarding the application process may directed to (404) 656-2817.

CLASSIFICATION

Each application shall list only one class of goods or services in Line 6. All goods or services offered within that class may be listed in Line 5. The classes are as follows:

A. GOODS

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| 1. Raw or partly prepared materials | 18. Medicines and pharmaceutical preparations | 35. Belting, hose, machinery packing, and nonmetallic tires |
| 2. Receptacles | 19. Vehicles | 36. Musical instruments and supplies |
| 3. Baggage, animal equipments, portfolios, and pocketbooks | 20. Linoleum and oiled cloth | 37. Paper and stationery |
| 4. Abrasives and polishing materials | 21. Electrical apparatus, machines, and supplies | 38. Prints and publications |
| 5. Adhesives | 22. Games, toys, and sporting goods | 39. Clothing |
| 6. Chemicals and chemical compositions | 23. Cutlery, machinery, and tools, and parts thereof | 40. Fancy goods, furnishings, and notions |
| 7. Cordage | 24. Laundry appliances and machines | 41. Canes, parasols, and umbrellas |
| 8. Smokers' articles, not including tobacco products | 25. Locks and safes | 42. Knitted, netted, and textile fabrics and substitutes therefor |
| 9. Explosives, firearms, equipments, and projectiles | 26. Measuring and scientific appliances | 43. Thread and yarn |
| 10. Fertilizers | 27. Horological instruments | 44. Dental, medical, and surgical appliances |
| 11. Inks and inking materials | 28. Jewelry and precious metal ware | 45. Soft drinks and carbonated waters |
| 12. Construction materials | 29. Brooms, brushes, and dusters | 46. Foods and ingredients of foods |
| 13. Hardware and plumbing and steamfitting supplies | 30. Crockery, earthenware, and porcelain | 47. Wines |
| 14. Metals and metal castings and forgings | 31. Filters and refrigerators | 48. Malt beverages and liquors |
| 15. Oils and greases | 32. Furniture and upholstery | 49. Distilled alcoholic liquors |
| 16. Paints and painters' materials | 33. Glassware | 50. Merchandise not otherwise classified |
| 17. Tobacco products | 34. Heating, lighting, and ventilating apparatus | 51. Cosmetics and toilet preparations |
| | | 52. Detergents and soaps |

B. SERVICES

1. Miscellaneous (i.e. medical or personal type services)
2. Advertising and business
3. Insurance and financial
4. Construction and repair
5. Communication
6. Transportation and storage
7. Material treatment
8. Education and entertainment