



Secretary of State

OFFICE OF SECRETARY OF STATE  
CORPORATIONS DIVISION

2 Martin Luther King Jr. Dr. SE  
Suite 313 West Tower  
Atlanta, Georgia 30334  
(404) 656-2817  
http://sos.ga.gov/

APPLICATION FOR REGISTRATION  
TRADEMARK OR SERVICE MARK

DO NOT WRITE IN SHADED AREA - SOS USE ONLY

INTAKE DATE: \_\_\_\_\_ INTAKE INITIALS: \_\_\_\_\_ AMOUNT RECEIVED: \_\_\_\_\_ CHECK #/ M.O. #/ CC: \_\_\_\_\_

NOTICE TO APPLICANT: SEE GENERAL INSTRUCTIONS FOR COMPLETING THIS APPLICATION.

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

1. \_\_\_\_\_  
Name of Applicant

2. \_\_\_\_\_  
Principal Business Address City State Zip Code

\_\_\_\_\_ Mailing Address (if different from principal business address) City State Zip Code

3. If applicant is an entity, please indicate the state of incorporation/formation/organization: \_\_\_\_\_

4. Describe the mark. The description you provide is the way the mark will be registered. (Attach additional sheet if necessary)  
\_\_\_\_\_  
\_\_\_\_\_

5. Disclaimer (if applicable): No claim is made to the exclusive right to use: \_\_\_\_\_ apart from the mark as shown.

6. (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?  
\_\_\_\_\_  
\_\_\_\_\_

7. Class No: \_\_\_\_\_ (A separate application must be filed for each class in which a registration of the mark is sought.)

8. Date of first use of the mark by applicant, predecessor, or licensee. (Give month, day and year.)  
(a) Anywhere: \_\_\_\_\_ (b) In Georgia: \_\_\_\_\_

9. Mode or manner in which the mark is used in connection with identified (a) goods or (b) services. Check all that apply in either (a) or (b):  
(a) Trademark:  To tags/labels affixed to goods  To tags/labels affixed to containers of goods  Directly to containers of goods  
 Directly to goods  Other: \_\_\_\_\_  
(b) Service Mark:  Advertising brochures  Advertising leaflets/flyers  Newspaper advertisements  
 Signs  Business cards  Menus  
 Other: \_\_\_\_\_

10. 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): \_\_\_\_\_ Date: \_\_\_\_\_

Email: \_\_\_\_\_ Secondary Email: \_\_\_\_\_

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

- 1) This completed application.
- 2) Three (3) specimens of the mark as currently used. May be 3 samples of the same specimen. (See General Instructions)
- 3) A drawing page showing **only** the mark on an 8 1/2 x 11 white sheet of paper.
- 4) A filing fee of \$15.00 payable to the Secretary of State. Filing fees are non-refundable and non-transferable.

Keep a copy of your submitted application, specimens, and drawing page for your records.

## GENERAL INSTRUCTIONS

**Fee:** The filing fee is \$15.00 per application. Make checks or money orders payable to the Secretary of State. Filing fees are non-refundable.

**Specimens:** Three (3) specimens showing current use of the mark in commerce must be submitted with the application. Three samples of the same specimen are acceptable. If a trademark, the specimen should be the actual tags or labels affixed to goods, actual tags or labels affixed to containers of the goods, or packaging used on the goods. If a service mark, the specimen should be in the form of an advertisement (e.g. newspaper ad, leaflet, brochure, flyer, etc.) and must denote 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. Specimens will not be returned to applicant.

**Drawing Page:** A "drawing" of the mark on an 8 ½ x 11 white sheet of paper should accompany the application. A "drawing" is a clear and accurate visual drawing, picture, or depiction of the mark. A "drawing" is not necessarily hand-drawn. If the mark contains only words, list only those words on the drawing page. A drawing should not show additional words or designs that are not part of the mark.

**In Use:** Prior to registration of the mark, the mark must be in use in Georgia on or in connection with the goods/services identified in the application. Goods must already be offered for sale or in distribution in Georgia in order to register a trademark. Services must already be sold or otherwise rendered in this State in order to register a service mark. The mere advertising of future goods or services does not constitute use of a trademark or service mark in Georgia.

**Application Form:** Type or print in blue or black ink. Complete all applicable items. Items #3 and #5 may not apply to all applications. Attach additional sheet(s) if needed. The word "mark" refers to both trademarks and service marks. All previous versions or revisions of this application form are obsolete.

Item 1: Enter the name of the applicant. Applicant is the owner of the mark; the applicant is not necessarily the person filing the application. The applicant may be an individual or an entity (e.g. corporation, limited liability company (LLC), limited partnership).

Item 2: Enter the principal business address of the applicant. If mailing address is different, enter the mailing address in the space provided.

Item 3: If applicant is an entity (e.g. corporation, LLC, limited partnership), indicate the state of incorporation, formation, or organization of the entity.

Item 4: Enter a concise description of the mark. List only one mark per application. If the mark consists of word(s) only, list only the words. If the mark is a design only, then provide a detailed written description of the design. If the mark is word(s) and a design, then provide a detailed written description of the word(s) and design. The description must be consistent with how the mark appears on the specimens. Do not attach a copy of the mark and write "see attached." Do not draw the mark on the application. Do not write in Item 4 of the application what the mark may mean, stand for, or represent. If the mark contains non-English words, please provide an English translation. Attach additional sheets if necessary.

Item 5: If applicable, enter a disclaimer for word(s) or design(s) which are merely descriptive of the goods or services, geographically descriptive (e.g. "Georgia," "USA"), or designate entity status (e.g. "Inc.," "Company," "LLC"). A disclaimer does not remove the disclaimed matter from the mark. It is simply a statement that the applicant does not claim exclusive rights in the disclaimed wording or design apart from the mark.

Item 6: If a trademark, state the specific goods sold or distributed with the mark affixed; or, if a service mark, state the specific services rendered. List only those goods/services currently available. Do not include future goods/services. All goods/services listed in Item 6 must fall within the class designated in Item 7.

Item 7: Enter class number. Number must correspond with the identified goods/services. List only one class number per application. 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. See below for list of classes.

Item 8: Enter the date of first use of the mark "anywhere" and the date of first use of the mark "in Georgia" (month/day/year). If the mark has only been used in Georgia, the date of first use would be the same for both "anywhere" and "in Georgia." If only a year or month/year is entered, the date presumed for purposes of registration will be the last day of the year or last day of the month entered. The mark must already be in use in Georgia prior to registration.

Item 9: Enter the mode or manner in which the mark is used in connection with the identified (a) goods or (b) services. If a trademark, how is the mark applied to the goods? If a service mark, how is the mark used in rendering the services? Check all that apply in either (a) or (b). Attach additional sheet if needed.

Item 10: The application must be signed. 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 an LLC, 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 \_\_\_\_\_."

Submit your application along with specimens, drawing page, and \$15.00 filing fee to the Secretary of State's office at the address listed on the application. **Keep a copy of your submitted application, specimens, and drawing page for your records.** The Secretary of State's office will review each application and determine the availability of registration in Georgia. If the application is deficient, incomplete, or ineligible for registration, a notice will be sent to applicant. If an application is approved for registration, a certificate of registration will be issued. 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. 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. 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.

## CLASSES

Each application shall list only one class of goods or services in Item 7. All goods or services offered within that class may be listed in Item 6. The classes are as follows:

### A. GOODS

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

### B. SERVICES

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