



STATE OF ALABAMA

INSTRUCTIONS FOR APPLICATION TO REGISTER/RENEW TRADEMARK, SERVICE MARK, OR TRADE NAME IN ALABAMA

REGISTRATION/RENEWAL

Trademark, service mark, and trade name (hereinafter referred to as “marks”) registrations are administered at the state level in the Office of the Secretary of State. Any word, symbol, logo, slogan or combination thereof adopted and used by the applicant to identify services rendered is a **Service Mark**. Any word, symbol, logo, slogan or any combination thereof adopted and used by the applicant to identify goods made or sold is a **Trademark**. A word, symbol, logo, slogan or combination thereof adopted and used by the applicant to identify the business, vocation, occupation, or profession is a **Trade Name**.

Registration of marks is a complex matter. Because of the complexity of the laws pertaining to registration of marks, this office recommends that applicants seek the advice of (a) specifically trained and/or licensed professional(s) prior to submitting the application. It is the applicant’s personal responsibility to ensure the mark does not infringe on any other individual/business mark. It is also the responsibility of the applicant to ensure the mark is not being used in a fraudulent manner. Rejection/denial of the application by this office **does not** prevent use of the mark. Rights of ownership of a particular mark are achieved through the common laws of adoption and usage, not registration. The effective term for mark registrations is five years. A mark may be renewed for successive periods of five years six months prior to the expiration date if the mark is still in use in the state.

SPECIMENS

Specimens are an important part of the registration process. Specimens are samples which perform the function of verifying usage of a mark. Clear copies of specimens are generally accepted. Before submitting the application for registration, inspect all specimens for clarity. Altered or defaced specimens will not be accepted. Illegible specimens are also unacceptable. All specimens submitted must be clear and clean. Three specimens displaying the mark in use must be submitted with the application to register a mark. One specimen must be submitted with application for a mark registration renewal. Some acceptable mark specimens are business cards, brochures, flyers, labels, decals, tags, and newspaper advertisements. Specimens may be originals or legible copies.

APPLICATION

Before submitting the Application for Registration or Renewal, review the items below to ensure the application has been completed. Failure to do so may result in rejection/denial of the application.

1. Complete ALL applicable items on the application to register or renew trademark, service mark and trade name.
Please Note: Questions 3, 9 and 10 may not apply to all applications for registration. If “partnership” is selected for Question 2, please list the names and addresses of ALL partners for Question 3. If applicant has received permission to use the mark being registered, applicant must submit a notarized written consent and disclaimer from the owner of the mark for Questions 9 and 10. The written consent and disclaimer must be submitted with the application. If renewal applicant is different from original applicant as a result of the lawful transfer of the mark, a statement of assignment must be filed in this office prior to renewal. If applicant is different due to legal name change, please attach notarized evidence of such filing.
2. Select one classification number using the attached Schedules of Classifications to complete Question 7.
Please Note: When an application includes goods or services which fall within multiple classes, the Office of the Secretary of State requires an additional application for registration and an additional registration fee for each class.
3. Submit three (3) specimens for registration, or one (1) specimen for renewal, and a thirty dollar (\$30.00) filing fee at the time of filing.
4. Have the application notarized by a Notary Public.
5. If a Federal Registration has been granted for the mark, include a copy with the application for registration.

If you have questions, please contact:

Office of Secretary of State
Trademarks Division
11 South Union Street, Suite 224
Montgomery, Alabama 36130
(334) 242-5325

SCHEDULE OF CLASSIFICATION OF BUSINESSES

1 Agriculture, forestry, and fisheries	14 Eating and drinking places, drugstores, and liquor stores
2 Mining	15 Sporting goods, bicycles, and hobby stores
3 Construction	16 Book, stationery, jewelry, sewing, needlework, and piece-goods stores
4 Manufacturing, nondurable goods	17 Mail-order houses, vending machine operators, and direct selling establishments, fuel and ice dealers, and retail florists
5 Manufacturing, durable goods	18 Retail trade - miscellaneous
6 Transportation, communications, and other public utilities	19 Finance, insurance, and real estate
7 Wholesale trade, nondurable goods	20 Business and repair services
8 Wholesale trade, durable goods	21 Personal services
9 Retail trade - lumber and building materials, mobile home dealers, hardware, nurseries and garden stores	22 Entertainment and recreation services
10 Retail trade - department, variety, miscellaneous general merchandise, grocery, dairy products, retail bakery, and food stores	23 Professional and related services
11 Retail trade - motor vehicle dealers, auto and home supply stores, gasoline service stations, and miscellaneous vehicle dealers	24 Public administration
12 Retail trade - apparel, accessory, and shoe stores	25 Miscellaneous
13 Retail trade - furniture, home furnishings, household appliances, T.V. and radio stores.	Please Note: If renewal applicant is different from original applicant as a result of the lawful transfer of the mark, a statement of assignment must be filed in this office prior to renewal. If applicant is different due to legal name change, please attach evidence of such filing.

Please Note: When an application includes goods or services which fall within multiple classes, the Office of the Secretary of State requires an additional application for registration and an additional registration fee for each class.

SCHEDULE OF CLASSIFICATION OF GOODS AND SERVICES

1 Chemicals	24 Textiles and Textile Goods
2 Paints	25 Clothing, Footwear, Headgear
3 Cosmetics and Cleaning	26 Lace, Embroidery, Dressmaker's Articles, Wigs
4 Lubricants and Fuels	27 Floor Coverings
5 Pharmaceuticals	28 Toys, Sporting Goods, Novelty Items
6 Metal Goods	29 Meats and Processed Foods
7 Machinery, Razors, Cutlery	30 Staple Foods
8 Hand tools	31 Natural Agricultural Products
9 Electrical and Scientific Apparatus, Recording Media	32 Beverages, Beverage Syrup, Beer
10 Medical, Surgical, Dental, and Veterinary Apparatus	33 Alcoholic Beverages Except Beer
11 Environmental Control Apparatus	34 Tobacco, Smokers' Articles, Matches
12 Vehicles	35 Advertising and Business Management
13 Firearms	36 Insurance, Financial Affairs, Real Estate Affairs
14 Jewelry, Precious Metals and Stones	37 Building Construction, Building Repair
15 Musical Instruments	38 Telecommunications
16 Paper Goods and Printed Matter	
17 Rubber Goods	39 Transportation and Storage
18 Leather and Faux Leather Goods	40 Treatment of Materials
19 Non-Metallic Building Materials	41 Education, Entertainment, Sporting Activities
20 Furniture and Parts, Nonmetallic Containers, Shell, Bone	42 Computers, Scientific Services
21 Housewares, Personal Grooming, and Glassware	43 Hotels and Restaurants
22 Cordage and Fibers	44 Medical, Beauty and Agriculture Services
23 Yarns and Threads	45 Legal, Security, and Personal Services

Please Note: Categories for Goods and Services are governed by the United States Patent and Trademark Office (USPTO). Explanation of categories, and more information for each category can be found on the USPTO website: www.uspto.gov



STATE OF ALABAMA

APPLICATION TO REGISTER OR RENEW TRADEMARK, SERVICE MARK OR TRADE NAME IN ALABAMA

This is an Application For: (Mark One Only)

Registration

Renewal

1.Applicant Name (Individual, Corporation, Partnership, LLC or LLP)	2.Applicant is Registered in the State of _____ , as a(n) Unincorporated Non-profit General Partnership Limited Liability Company Corporation Individual Sole Proprietor Limited Liability Partnership Other _____
Street Address City County	State Zip Code Telephone
3.List Names and Addresses of Partners (If Applicable, Registration Only)	4.Description of Mark/Name (Registration Only)
5. Description of Goods, Services or Business Provided Under the Mark/Name	6.How the Mark/Name Will Be Used in Commerce (Ex: Mark is used on letterhead.) 7.Classification No. (Old) New No. (Renewal Only) Classification Type: _____ Goods & Services Business 8.Mark Type: Trademark Trade Name Service Mark
9. Disclaimer (If Applicable)	10. Other Entities Granted Consent to Use Mark/Name (If Applicable)
11a.Date/State of Mark/Name Origination: _____/_____/_____	11b.Date On Which the Mark/Name Was First Used in Alabama (Registration Only), OR Original Date Of Registration with Registration Number (Renewal Only) Registration #:

- 12. Email Address of Applicant: _____
- 13. Attach three (3) specimens for registration, or one (1) specimen for renewal, which exhibit the Mark/Name in use. Specimens for Trade Names must be included.
- 14. Attach the filing fee of thirty dollars (\$30.00) payable to the Alabama Secretary of State. No starter checks will be accepted.
- 15. Sign the application for registration or renewal before a Notary Public.

I, _____, before first duly sworn, attest that I am the owner of the Mark/Name, a member of the firm, or an officer of the corporation (or association) applying for the registration or renewal of the Mark/Name above. I believe no other person has the right to use the Trademark, Service Mark or Trade Name in Alabama in identical form thereof or in such near resemblance to deceive or cause to be mistaken pursuant to § 8-12-8(a)(4), Code of Alabama 1975. Any exceptions are provided for in Question 10 above. If this application is submitted as a registration renewal, I affirm the Mark/Name is still in use in this State and has not been abandoned; furthermore, I understand that if I am not the original applicant and have obtained ownership of the above listed mark as a result of lawful transfer of the Mark/Name, a statement of assignment pursuant to §8-12-11, Code of Alabama, 1975, must be filed in this office prior to renewal. I have the authority to make this affidavit and verification. I have read the above foregoing application and know the contents and the facts set out therein are true. I further attest that the affixed specimens filed are true and correct.

Signature _____

Name _____ Title _____

Section below to be completed by Notary Public
Subscribed and sworn to before me this the _____ day of _____, 20____.

County of _____ State of _____

Notary Public Name _____ Notary Public Signature _____ Commission Expiration Date _____