

COMMONWEALTH OF KENTUCKY
MICHAEL ADAMS
SECRETARY OF STATE



Trademark/Service Mark Application

Pursuant to the provisions of KRS 365.567 to 365.581, the undersigned hereby makes application for the registration of a mark in Kentucky and for that purpose submits the following statements:

1. The undersigned applicant is an individual a corporation other organization
(Must check one) a limited liability company a partnership _____
2. The applicant is applying for (Must check one) a trademark registration a service mark registration
3. The name of the applicant: _____
4. The business address of the applicant is: street address _____
city _____ state _____ zip code _____
5. If the applicant is a corporation or limited liability company, indicate the state of incorporation/organization: _____
6. If the applicant is a partnership, indicate the state of organization: _____
List the names of the general partners: _____
(Attach a continuation sheet, if necessary)
7. If applying for a trademark, list the goods offered or sold under the mark. If applying for a service mark, list the services provided under the mark: _____

8. The manner in which the mark is used in association with the above goods or services: _____

9. The class comprising the goods or services: (refer to class listing on page 4) _____
10. List the dates the mark was first used: (a) anywhere: _____ (b) in Kentucky: _____
11. Describe the mark (words and/or design) as shown on the attached drawing page (do not draw design on application)

12. Disclaimer (if applicable*): No claim is made to the exclusive right to use the term _____
apart from the mark as shown. *see instructions
13. A drawing of all features of the mark for which ownership is claimed accompanies this application.
14. Three specimens showing actual use of the mark accompany this application.

The applicant declares the following: I am the owner of the mark and it is in use in the Commonwealth of Kentucky. To my knowledge no other person has registered, either federally or in this state, or has the right to use the mark in this state in an identical form or in such near resemblance as to be likely, when used on or in connection with the goods or services of the other person to cause confusion or mistake, or to deceive.

I am _____ of _____, the applicant herein, being first duly sworn, say that I have read the above application and know the contents thereof, and that the facts set out therein are true, complete and correct.

Signature

Type or Print Name and Title

State of _____
County of _____

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public
My Commission Expires: _____

Trademark/Service Mark Drawing Page

Drawing instructions:

The applicant must provide a drawing of the mark in addition to the three specimens showing the actual use of the mark in trade. This drawing is intended to show only that which is claimed in the description of the mark under item 11 on the application. If the mark consists of words, letters or numerals, or any combination thereof, and if the mark is not depicted in a special form, or if this special form is not being claimed as a feature of the mark, the mark may be typed in capital letters on the drawing page. If the mark includes a design, a drawing of the entire proposed mark (in clean, uniform black lines) must be attached to the application. If color is claimed as a feature of the mark, it should be indicated where appropriate on the drawing.



Application Check List:

- The original signed and notarized application
- Three specimens showing actual use of the mark
- Drawing page
- Application processing fee of \$10 per class

Instructions for completing the KY Trademark Service Mark Application

NOTE:

Application must be completed, including the notary section at the bottom.

Application must be verified and signed by the Applicant or an authorized agent of the Applicant, whose title must be declared under oath.

LINE-BY-LINE INSTRUCTIONS

1. Indicate entity of Applicant, if "other organization" clarify on line below.
2. Must mark only one box. If applying for both trademark and service mark, must use separate applications.
3. Print name of Applicant, must include any formal corporate ending.
4. Print complete business address.
5. This applies only to corporations and limited liability companies, print state of organization.
6. This applies only to organized partnerships, print state of organization.
7. State the products or services associated with the mark.
8. State the way the mark is used to distinguish and identify the products or services listed in item 7.
9. State the classification, by number, that best represents the products or services listed in item 7. Class listing is on page 4 of this application packet.
10. State the earliest date that the mark was used in trade anywhere and the date first used in Kentucky. **NOTE:** The mark must be in use in KY prior to registration.
11. State the mark in words exactly as it is to be registered. If the mark involves a symbol, design, or nonstandard typeface and the applicant wishes to claim these features as part of the mark, then briefly describe in words the features of design. This is the way the mark will be registered, and this is the way it should appear on the drawing page.
NOTE: A single application may not be used to seek registration of variations of a term or design.
12. A disclaimer is used when there are unregistrable components of an otherwise registrable mark. Generally, elements that are descriptive or generic of the goods /services are unregistrable and should be disclaimed. You may call the office, visit our website, or consult an attorney for more information on disclaimers and disclaimed elements.
13. The applicant must include a drawing page which depicts the mark exactly as described in item 11 of the application.

Signing the application: The applicant must swear under an oath administered by a notary public that the information is true and correct and must sign the application in the presence of a notary public.

SPECIMENS OF USE: The application must be accompanied by three (3) specimens showing the mark as actually used. A specimen must show usage in the normal course of trade in the Commonwealth of Kentucky.

A **trademark** specimen may include the following: label, tag, a picture or impression of the mark stamped on, printed on or otherwise applied to goods.

A **service mark** specimen may include the following: advertisement, brochure, flier. Note: business cards and stationery may be acceptable provided that they show a connection between the mark and the services offered.

NOTE: Names or marks typed, printed or written on plain paper are not acceptable as specimens of use of the mark.

Photo-ready or computer generated print-outs are not acceptable specimens of use.

FILING FEES: The filing fee for Trademark/Service Mark application is \$10.00 per class.

When a single application includes goods or services falling in multiple classes, a fee of \$10.00 is required for each class.

Your check should be made payable to the Secretary of State.

NUMBER OF COPIES: Submit the **original** signed application, no additional copies are necessary. Photocopied signatures are not accepted.

MAILING ADDRESS: Office of the Secretary of State

Trademark Division

P.O. Box 718,

Frankfort, KY 40602-0718

Registration Period: Registration is effective for a term of five years from the date of registration. Registration can be renewed by filing for renewal within six months prior to the expiration of the registration.

Contact Information:

For further information, call **(502) 564-3490**

Visit our website to review trademark/service mark FAQs and to perform online searches: www.sos.ky.gov

International Classification of Goods and Services

Classification of Goods:

1. Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparation; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.
2. Paints, varnishes, lacquer; preservatives against rust and against deterioration of wood; colorants, mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.
3. Bleaching preparations and other substances for laundry use; cleaning polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics hair lotions; denitrifies.
4. Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminates; candles, wicks.
5. Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin, fungicides, herbicides.
6. Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes, ores.
7. Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agriculture implements; incubators for eggs.
8. Hand tools and implements (hand operated); cutlery; side arms; razors.
9. Scientific, nautical, surveying, electric photographic, cinematographic; optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; computer software and games; fire-extinguishing apparatus.
10. Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.
11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.
12. Vehicles; apparatus for locomotion by land, air or water.
13. Firearms; ammunition and projectiles; explosives, fireworks.
14. Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones; horological and chronometric instruments.
15. Musical instruments.
16. Paper, cardboard and goods made from these materials, not included in other classes; printed matter, bookbinding material; photographs; stationery, adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); playing cards; printers' type; printing blocks.
17. Rubber, gutta-percha, gum asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.
18. Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides, trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
19. Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.
20. Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone ivory,

- whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.
21. Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.
22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.
23. Yarns and threads, for textile use.
24. Textiles and textile goods not included in other classes; bed and table covers.
25. Clothing, footwear, headgear.
26. Lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles; artificial flowers.
27. Carpets rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).
28. Games and playthings; gymnastics and sporting articles not included in other classes; decorations for Christmas trees.
29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruit and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oats and fats.
30. Coffee, tea, coca, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, honey treacle; yeast, baking-powder, salt, mustard, vinegar, sauces (condiments); spices; ice.
31. Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.
32. Beers, mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
33. Alcoholic beverages (except beers).
34. Tobacco; smokers' articles; matches.

Classification of Services

35. Advertising; business management; business administration; office functions; retail, wholesale, distributorship services.
36. Insurance; financial affairs; monetary affairs; real estate affairs.
37. Building construction; repair, installation services.
38. Telecommunications.
39. Transport; packaging and storage of goods; travel arrangement.
40. Treat of materials.
41. Education; providing of training; entertainment; sporting and cultural activities.
42. Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development for computer hardware and software; legal services.
43. Services for providing food and drink; temporary accommodations.
44. Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.
45. Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals.