

~COLLECTIVE MEMBERSHIP MARK APPLICATION (15 U.S.C. §§ 1051, 1126(d)&(e))~

**Note: The following form complies with the provisions of the Trademark Law Treaty Implementation Act (TLTIA) and the fee increase effective January 10, 2000.**

### **BASIC INSTRUCTIONS**

The following form is written in a "scannable" format that will enable the U.S. Patent and Trademark Office (USPTO) to scan paper filings and capture application data automatically using optical character recognition (OCR) technology. Information is to be entered next to identifying data tags, such as <DATE OF FIRST USE IN COMMERCE>. OCR software can be programmed to identify these tags, capture the corresponding data, and transmit this data to the appropriate data fields in the Trademark databases, largely bypassing manual data entry processes.

Please enter the requested information in the blank space that appears to the right of each tagged (< >) element. However, do not enter any information immediately after the section headers (the bolded wording appearing in all capital letters). If you need additional space, first, in the space provided on the form, enter "See attached." Then, please use a separate piece of paper on which you first list the data tag (e.g., <LISTING OF GOODS AND/OR SERVICES>), followed by the relevant information. Some of the information requested must be provided. Other information is either required only in certain circumstances, or provided only at your discretion. **Please consult the "Help" section following the form for detailed explanations as to what information should be entered in each blank space.**

To increase the effectiveness of the USPTO scanners, it is recommended that you use a typewriter to complete the form.

For additional information, please see the Basic Facts About Trademarks booklet, available at <http://www.uspto.gov/web/offices/tac/doc/basic/>, or by calling the Trademark Assistance Center, at 1-800-786-9199. You may also wish to file electronically, from <http://www.uspto.gov/teas/index.html>.

### **MAILING INFORMATION**

Send the completed form, appropriate fee(s) (made payable to the "Commissioner of Patents and Trademarks"), and any other required materials to:

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

The filing fee for this application is \$375.00 *per class* of goods and/or services. You must include at least \$375.00 with this application; otherwise the papers and money will be returned to you. Once your application meets the minimum filing date requirements, this processing fee becomes **non-refundable**. This is true even if the USPTO does not issue a registration certificate for this mark.

You may also wish to include a self-addressed stamped postcard with your submission, on which you identify the mark and list each item being submitted (e.g., application, fee, specimen, etc.). We will return this postcard to you, stamped with your assigned serial number, to confirm receipt of your submission.

~COLLECTIVE MEMBERSHIP MARK APPLICATION (15 U.S.C. §§ 1051, 1126(d)&(e))~

~To the Commissioner for Trademarks~

<APPLICANT INFORMATION>

<Name>  
<Street>  
<City>  
<State>  
<Country>  
<Zip/Postal Code>  
<Telephone Number>  
<Fax Number>  
<e-Mail Address>

<APPLICANT ENTITY INFORMATION>~Select only ONE~

<Individual: Country of Citizenship>  
<Corporation: State/Country of Incorporation>  
<Partnership: State/Country under which Organized>  
    <Name(s) of General Partner(s) & Citizenship/Incorporation>  
  
<Other Entity Type: Specific Nature of Entity>  
    <State/Country under which Organized>

<COLLECTIVE MEMBERSHIP MARK INFORMATION>

<Mark>  
<Typed Form>                      ~Enter YES, if appropriate~

<MEMBERSHIP INFORMATION>

~Applicant requests registration of the above-identified collective membership mark in the United States Patent and Trademark Office on the Principal Register established by Act of July 5, 1946 (15 U.S.C. §1051 et seq.) to indicate Membership in a(n):

<TYPE OF ORGANIZATION>~Specify the type or nature of the organization; for example, a social club, labor union, association of real estate brokers.~

<INTERNATIONAL CLASS NUMBER> 200

<FEE INFORMATION>

\$375.00 x <Number of Classes>                      = <Total Filing Fee Paid>

<FILING BASIS INFORMATION>

<Intent to Use: Section 1(b)>                      ~Enter YES, if appropriate~  
~Applicant has a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members to indicate membership (15 U.S.C. §§1051(b) and 1054).~

**<Use in Commerce: Section 1(a)>**

~Enter YES, if appropriate~

~Applicant is exercising legitimate control over the use of the mark in commerce by its members to indicate membership (15 U.S.C. §§1051(a) and 1054). Applicant submits one (1) SPECIMEN showing the mark as used by members in commerce.~

<Date of First Use Anywhere>

<Date of First Use in Commerce>

**<Foreign Priority: Section 44(d)>**

~Enter YES, if appropriate~

~Applicant has a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members on or in connection with the above-identified goods/services (15 U.S.C. §1054), and asserts a claim of priority based upon a foreign application in accordance with 15 U.S.C. §1126(d).~

<Country of Foreign Filing>

<Foreign Application Number>

<Date of Foreign Filing>

**<Foreign Registration: Section 44(e)>**

~Enter YES, if appropriate~

~Applicant has a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members on or in connection with the above-identified goods/services (15 U.S.C. §1054). Applicant must submit the foreign registration certificate or a certified copy of the foreign registration, in accordance with 15 U.S.C. §1126(e).~

<Country of Foreign Registration>

<Foreign Registration Number>

<Foreign Registration Date>

<Foreign Registration Renewal Date>

<Foreign Registration Expiration Date>

**<METHOD OF CONTROL>**

~Applicant controls, or intends to control (if filing under 15 U.S.C. 1051(b)), the use of the mark by members as follows:~

<Method of Control>

**<SIGNATURE AND OTHER INFORMATION>**

~DECLARATION: The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the collective membership mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to exercise legitimate control over the use of such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.~

~Signature~ \_\_\_\_\_

<Date Signed>

<Name>

<Title>

<CONTACT INFORMATION>

<Name>

<Company/Firm Name>

<Street>

<City>

<State>

<Country>

<Zip/Postal Code>

<Telephone Number>

<Fax Number>

<e-Mail Address>

The information collected on this form allows the USPTO to determine whether a mark may be registered on the Principal or Supplemental Register, and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal register. 15 U.S.C. §1051 et seq. and 37 CFR Part 2. All information collected will be made public. Gathering and providing the information will require an estimated 17 to 23 minutes (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the USPTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

## LINE-BY-LINE HELP INSTRUCTIONS FOR COLLECTIVE MEMBERSHIP MARK APPLICATION

In order for the U.S. Patent and Trademark Office ("USPTO") to accept this Application for filing, all the information requested must be entered in the space provided, unless otherwise indicated. **Note:** *If filing pursuant to §1(a)*, please attach one (1) specimen *for each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services.

### APPLICANT INFORMATION

**Name:** Enter the full name of the applicant, i.e., the name of the individual, corporation, partnership, or other entity that is seeking registration. If a joint venture organized under a particular business name, enter that name. If joint or multiple applicants, enter the name of each. If a trust, enter the name of the trustee(s). If an estate, enter the name of the executor(s).

**Street:** Enter the street address or rural delivery route where the applicant is located.

**City:** Enter the city and/or foreign area designation where the applicant's address is located.

**State:** For an applicant residing in the United States, enter the U.S. state in which the applicant's address is located.

**Country:** Enter the country of the applicant's address. If the address is outside the United States, the applicant may appoint a "Domestic Representative" on whom notices or process in proceedings affecting the mark may be served.

**Zip/Postal Code:** Enter the applicant's U.S. zip code or foreign country postal identification code.

**Telephone Number:** Enter the applicant's telephone number.

**Fax Number:** Enter the applicant's fax number.

**e-Mail Address:** Enter the applicant's e-mail address.

### APPLICANT ENTITY INFORMATION

Indicate the applicant's entity type by entering the appropriate information in the space to the right of the correct entity type. Please note that only one entity type may be selected.

**Individual:** Enter the applicant's country of citizenship.

**Corporation:** Enter the applicant's state of incorporation (or the applicant's country of incorporation if the applicant is a foreign corporation).

**Partnership:** Enter the state under whose laws the partnership is organized (or the country under whose laws the partnership is organized if the partnership is a foreign partnership).

**Name(s) of General Partner(s) & Citizenship/Incorporation:** Enter the names and citizenship of any general partners who are individuals, and/or the names and state or (foreign) country of incorporation of any general partners that are corporations, and/or the names and states or (foreign) countries of organization of any general partners that are themselves partnerships. If the applicant is a limited partnership, then only the names and citizenship or state or country of organization or incorporation of the general partners need be provided.

**Other Entity Type:** Enter a brief description of the applicant's entity type (e.g., joint or multiple applicants, joint venture, limited liability company, association, Indian Nation, state or local agency, trust, estate). The following sets forth the information required with respect to the most common types of "other" entities:

For *joint or multiple applicants*, enter the name and entity type of each joint applicant. Also, enter the citizenship of those joint applicants who are individuals, and/or the state or (foreign) country of incorporation of those joint applicants that are corporations, and/or the state or (foreign) country of organization (and the names and citizenship of the partners) of those joint applicants that are partnerships. The information regarding each applicant should be preceded by a separate heading tag (<APPLICANT INFORMATION>).

For *sole proprietorship*, enter the name and citizenship of the sole proprietor, and indicate the state where the sole proprietorship is organized.

For *joint venture*, enter the name and entity type of each entity participating in the joint venture. Also, enter the citizenship of those joint venture participants who are individuals, and/or the state or (foreign) country of incorporation of those joint venture participants that are corporations, and/or the state or (foreign) country of organization (and the names and citizenship of the partners) of those joint venture participants that are partnerships. The information regarding each entity should be preceded by a separate heading tag (<APPLICANT INFORMATION>).

For *limited liability company or association*, enter the state or (foreign) country under whose laws the entity is established.

For *state or local agency*, enter the name of the agency and the state and/or locale of the agency (e.g., Maryland State Lottery Agency, an agency of the State of Maryland).

For *trusts*, identify the trustees and the trust itself, using the following format: The Trustees of the XYZ Trust, a California trust, the trustees comprising John Doe, a U.S. citizen, and the ABC Corp., a Delaware corporation. (Please note that the trustees, and not the trust itself, must be identified as the applicant in the portion of the application designated for naming the applicant).

For *estates*, identify the executors and the estate itself using the following format: The Executors of the John Smith estate, a New York estate, the executors comprising Mary Smith and John Smith, U.S. citizens. (Please note that the executors, and not the estate itself, must be identified as the applicant in the portion of the application designated for naming the applicant).

**State/Country under which Organized:** Enter the state or country under whose laws the entity is organized.

## COLLECTIVE MEMBERSHIP MARK INFORMATION

**Mark:** A mark may consist of words alone, a design or logo, or a combination of words and a design or logo. However, an application may consist of only one mark; separate marks must be filed in separate applications. In this space, enter the word mark in typed form (e.g., THE CAT'S MEOW); or, in the case of a non-word mark or a combination mark, a brief description of the mark (e.g., Design of a fanciful cat or Design of a fanciful cat combined with THE CAT'S MEOW). Do NOT include quotation marks around the mark itself, unless the mark actually features these quotation marks. Also, do NOT include any information related to a "pseudo mark" in this field. The "pseudo mark" field is controlled by the USPTO, and is not something that you should try to enter. If the USPTO determines that a pseudo mark is necessary for your particular mark, it will enter this information in the search system.

**Typed Form:** Enter "YES" if the collective membership mark applied for is in a "typed" format (i.e., if the mark consists of only typed words, letters or numbers, and does not include any special stylization or design element(s)). Please note that a registration for a mark based on a typed drawing affords protection not only for the typed version of the mark, but for all other renderings of the mark as long as those renderings do not contain any design elements. For a drawing in stylized form or design, a special form drawing must be submitted. The drawing should be in black and white.

**Display the Mark:** Regardless of whether the mark consists of words alone; a design or logo; or a combination of words and a design or logo, submit on a separate piece of paper a display of what the mark is. At the top of the page, include a heading consisting of (1) the applicant's name and address; (2) a listing of the goods and/or services on which on in connection with which the mark is used; and (3) a listing of the basis for filing (and any relevant information related thereto). Then, in the middle of the page, show the mark: If the mark is to be in a "typed" form, simply type the mark in the middle of the page *in all capital letters*. For a mark in stylized form or design, in the middle of the page display an image of the mark in black and white, in an area no greater than 4x4 inches.

## MEMBERSHIP INFORMATION

**Type of Organization:** Enter the specific type or nature of the organization; for example, a social club, labor union, political party, or association of real estate brokers.

**International Class Number(s):** All collective membership marks are properly classified in Class 200.