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PTO Form 1683 (Rev 9/2012)
OMB No. 0651-0051 (Exp. 09/30/2012)

Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15 (15 U.S.C. § 1141 & 1065)

TEAS - Version 4.9 : 10/29/2011

You may file a Combined Declaration of Continued Use/Excusable Nonuse and Incontestability under Sections 71 and 15 only if you have continuously used a mark registered on the Principal Register in commerce for five (5) consecutive years after the date of U.S. registration. You must file the Combined Declaration, specimen, and fee on a date that falls on or between the fifth (5th) and sixth (6th) anniversaries of the U.S. registration (or, for an extra fee of \$100.00 per class, you may file within the six-month grace period following the sixth anniversary date). If you have NOT continuously used the mark in commerce for five (5) consecutive years, you must still file a Section 71 Declaration. Please use the separate Declaration of Continued Use and Excusable Nonuse Under Section 71 form available from the Registration Maintenance/Renewal/Correction Forms index. **FAILURE TO FILE THE SECTION 71 DECLARATION WILL RESULT IN CANCELLATION OF THE U.S. REGISTRATION AND INVALIDATION OF THE PROTECTION OF THE INTERNATIONAL REGISTRATION IN THE UNITED STATES.**

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WARNING: The owner of a registered extension of protection of an international registration to the United States must **renew** the international registration directly with the International Bureau (IB). Under Section 70(b) of the Trademark Act, if the international registration is not renewed, the IB will notify the USPTO that the registration has expired. The USPTO will update its record to expire the corresponding extension of protection to the United States as of the expiration date of the international registration.

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The information collected on this form allows the registrant to demonstrate that it is using the mark in commerce. With respect to applications filed on the basis of a request for extension of protection of an international registration with an intention to use the mark, responses to the request for information are required to retain the benefit of a registration on the Principal register. 15 U.S.C. § 1141k. and 37 C.F.R. Part 7, 7.36 and 7.37. The owner of a registered mark may respond to the request for information to attest to the incontestability of the registration. 15 U.S.C. § 1065 and 37 CFR Part 2, 2.167 and 2.168. All information collected will be made public. Gathering and providing the information will require an estimated 15 minutes. 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.

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