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## PTO-2190: Appeal of refusal to register

**uspto**

# Electronic System for Trademark Trials and Appeals

[View ESTTA technical requirements, new features and other important user guidelines](#)

**If you are using Internet Explorer, please ensure that the Compatibility View (Tools>Compatibility View settings) is disabled or not enabled.**

[Browse ESTTA forms and learn when and how to use them](#)

**File Size Limits:** The maximum size for each attached file is 6 MB. A single ESTTA filing may comprise more than one attached file, totaling no more than 53 MB.

Please choose one of the following options to start filing a form for

- [Request for Extension of Time to File an Opposition](#)

File a request for extension of time to file a notice of opposition, relinquish an extension, or other actions related to extensions of time to oppose.

Enter the application serial number to which the filing applies:

Fees are required for certain requests for extension that can be filed using this form.

- [File a New Proceeding](#)

Use these options to file a new opposition, cancellation or appeal from a final refusal to register. Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

Type of filing:

There is a filing fee associated with these forms.

- [File Documents in a Board Proceeding](#)

Use these options to file documents (motions, briefs, etc.) in an already existing opposition, cancellation, concurrent use, or appeal proceeding. Choose a filing option and enter the opposition number (91xxxxxx), cancellation number (92xxxxxx), concurrent use number (94xxxxxx), or application serial number to which your filing applies.

Type of filing:

Most filings do not require a fee.

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*Start screen*

## Application data

Please verify that the information appearing below correctly identifies the application to which this action applies.

Applicant	
Application Serial Number	
Filing Date of Application	
Date of <a href="#">Publication</a>	
International Classes	
Applied-for Mark	

<input type="checkbox"/>	Applicant has filed a request for reconsideration of the refusal to register, and requests a suspension of the appeal pending consideration by the examining attorney. <small>The request for reconsideration should be filed with the examining attorney, and not with the Board.</small>
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*Verify application screen*

## Goods and Services Appealed

Please indicate below the classes which are the subject of the appeal

<input type="radio"/> All of the goods in this class	[redacted]
<input type="radio"/> Some of the goods in this class (delete goods or services that do not apply)	Opposed Goods and Services: [redacted]
<input type="radio"/> None of the goods in this class	First use: [redacted] First use in commerce: [redacted]

## Correspondence Address

Enter the address at which you would like to receive [correspondence regarding this proceeding](#).

<b>Name *</b>	<input type="text"/>
<b>Title</b>	<input type="text"/>
<b>Business</b>	<input type="text"/>
<b>Street address *</b>	<input type="text"/>
<b>Internal address/ Street 2</b>	<input type="text"/>
<b>City *</b>	<input type="text"/>
<b>State/Territory *</b>	<input type="text" value="v"/>
<b>Postal Code *</b>	<input type="text"/>
<b>Country *</b>	<input type="text" value="v"/> <input type="button" value="Switch to non US address"/>
<b>Email Address</b>	<b>Primary Email Address *</b> <small>(You may enter only one address.)</small> <input type="text"/>
	<b>Secondary Email Address(es)</b> <small>(You may enter up to 10 addresses. These are addresses to which the Board will also transmit correspondence.)</small> <input type="text"/>
<b>Telephone Number</b>	<input type="text"/>

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*Correspondence screen*

## Attorney Correspondence Information

Enter the address at which you would like to receive [correspondence regarding this proceeding](#).

Name *	<input type="text"/>
Firm	<input type="text"/>
Docket Number	<input type="text"/>
Bar Membership *	<p>Year of Admission <input type="text" value="v"/></p> <p>U.S. State/Commonwealth/Territory <input type="text" value="v"/></p> <p>Membership Number <input type="text"/></p> <p><small>You must enter either "N/A" or a membership number if your U.S. state, commonwealth, or territory issues one. This number will not be publically displayed.</small></p> <p><input type="checkbox"/> This attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. commonwealth or territory.</p>
Street address *	<input type="text"/>
Internal address/ Street 2	<input type="text"/>
City *	<input type="text"/>
State/Territory *	<input type="text" value="v"/>
Postal Code *	<input type="text"/>
Country *	UNITED STATES <input type="text" value="v"/> <input type="button" value="Switch to non US address"/>
<a href="#">Email Address</a>	<p><b>Primary Email Address *</b> <small>(You may enter only one address.)</small></p> <input type="text"/> <p><b>Secondary Email Address(es)</b> <small>(You may enter up to 10 addresses. These are addresses to which the Board will also transmit correspondence.)</small></p> <input type="text"/>
Telephone Number	<input type="text"/>

*Attorney correspondence screen*

# Electronic System for Trademark Trials and Appeals

## Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD	
Application Serial No.	[redacted]
Applicant	[redacted]
<h3>Notice of Appeal</h3> <p>Notice is hereby given that [redacted] appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. [redacted].</p> <p>The refusal to register has been appealed as to the following class of goods/services:</p> <ul style="list-style-type: none"><li>• Class [redacted] First Use: [redacted] First Use In Commerce: [redacted] [redacted]</li></ul> <p>Respectfully submitted,</p> <p>[redacted]</p>	

Signature: *	[redacted]
Name: *	[redacted]
Date:	[redacted]

# Electronic System for Trademark Trials and Appeals

## Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to the proper screen using navigation facilities on this web page and make your correction(s).  
**DO NOT USE THE BACK BUTTON ON YOUR BROWSER.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	( )
Applicant	( )

### Notice of Appeal

Notice is hereby given that ( ) appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. ( ).

The refusal to register has been appealed as to the following class of goods/services:

- Class ( ). First Use: ( ) First Use In Commerce: ( )

Respectfully submitted,

( )

Fee calculated according to <a href="#">USPTO fee table</a>	
Fee code	7403
Amount	200.00
Description	Ex Parte Appeal, per Class, Electronically Filed
Total	200.00

Go to Payment screen

Back

Cancel

Save Session

*Validate and go to payment system to complete filing*

Alternative flow – A request for reconsideration filed in Trademarks

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# Electronic System for Trademark Trials and Appeals

Notice of Appeal  
Navigation: Application data

ESTTA v. \_\_\_\_\_  
PTO-2190 (Exp. \_\_\_\_\_)  
OMB No. 0851-0040 (Exp. \_\_\_\_\_)

## Application data

Please verify that the information appearing below correctly identifies the application to which this action applies.

Applicant	_____
Application Serial Number	_____
Filing Date of Application	_____
Date of <a href="#">Publication</a>	_____
International Classes	_____
Applied-for Mark	_____

<input checked="" type="checkbox"/>	Applicant has filed a request for reconsideration of the refusal to register, and requests a suspension of the appeal pending consideration by the examining attorney. <small>The request for reconsideration should be filed with the examining attorney, and not with the Board.</small>
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*Verify application screen (Check the box)*



# Electronic System for Trademark Trials and Appeals

## Request for Reconsideration

You have indicated that you have filed or will file a [request for reconsideration](#) of the examining attorney's final refusal to register.

If you have not already done so, you must file your request for reconsideration with the Trademark Examining Operation within the time permitted by rule. Your request can be filed electronically via [TEAS](#), using the Response to Office Action form. (To maintain their status, TEAS Plus applicants must use TEAS for filing a request for reconsideration.)

If you have not filed a request for reconsideration and do not intend to do so, return to the previous page using the "Back" button below and correct the entry.

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*Information screen*

## Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	
Applicant	

### Notice of Appeal

Notice is hereby given that [redacted] appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. [redacted].

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following class of goods/services:

- Class [redacted]. First Use: [redacted] First Use In Commerce: [redacted]

Respectfully submitted,

[redacted]

Signature: *	<input type="text"/>
Name: *	<input type="text"/>
Date:	<input type="text"/>

# Electronic System for Trademark Trials and Appeals

## Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to the proper screen using navigation facilities on this web page and make your correction(s).  
**DO NOT USE THE BACK BUTTON ON YOUR BROWSER.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	
Applicant	

### Notice of Appeal

Notice is hereby given that [redacted] appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. [redacted].

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following class of goods/services:

- Class [redacted] First Use: [redacted] First Use In Commerce: [redacted]

Respectfully submitted,

[Redacted signature area]

Fee calculated according to <a href="#">USPTO fee table</a>	
Fee code	7403
Amount	200.00
Description	Ex Parte Appeal, per Class, Electronically Filed
Total	200.00

*Validate and go to payment system to complete filing*

### Paperwork Reduction Act Statement

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. This Notice of Appeal is estimated to take 15 minutes to complete and submit to USPTO. Any comments on the amount of time you require to complete this activity and/or suggestions for reducing this burden, should be sent to the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

### Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to an application for a trademark/servicemark. The authority for the collection of this information is 35 U.S.C. 2(b)(2); (2). The information in this system of records is used to disseminate information about Trademarks submission or other Trademark related actions before the United States Patent Office. However, routine uses of this information may include disclosure to the following: to law enforcement and investigation in the event that the system of records indicates a violation or potential violation of law; to a Federal, state, local, or international agency, in response to its request; to an agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law; to non-federal personnel under contract to the agency; to a court for adjudication and litigation; to the Department of Justice for Freedom of Information Act (FOIA) assistance; to members of Congress working on behalf of an individual; to the Office of Personnel Management for personnel research purposes; to National Archives and Records Administration for inspection of records; and to the Office of Management and Budget for legislative coordination and clearance. Disclosure of the information by you is voluntary; however, if you do not furnish the requested information, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application for a trademark. The applicable Privacy Act System of Records Notice for this information request is COMMERCE/USPTO-26, Trademarks Application and Registration Records: Federal Register vol. 85 February 18, 2020, p 8847, available at <https://www.govinfo.gov/content/pkg/FR-2020-02-18/pdf/2020-03068.pdf>.