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PTO-2316

Approved for use through XX/XX/20XX. OMB 0651-0051

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Petition To Director To Review Denial Of Certification Of International Application

Use this option **ONLY** if a specific TEAS form does not already exist for the purpose of this filing. Please double-check all possible TEAS forms before attempting to proceed.

**TIMEOUT WARNING:** You're required to log back in after 30 minutes of [inactivity](#). This ensures the USPTO complies with [mandatory federal information security standards](#) and protects user information. After 25 minutes of inactivity, you will be prompted to continue your session. If you do not continue within 5 minutes, the session will end, you will be logged out of your USPTO.gov account, and you will lose any unsaved data in the form. Please have all of your information ready before you start.

**NOTE:** You must complete any field/section preceded by the symbol "\*\*\*".

**WARNING:** To use the global form successfully, please note these requirements: Do NOT use your browser's "BACK" or "FORWARD" buttons at any time to navigate through any form; instead, always use the navigational tools provided specifically at the bottom of the form pages. If you have installed anti-spam filters or software on your email service, please ensure that legitimate emails from [TEAS@uspto.gov](mailto:TEAS@uspto.gov), are not falsely identified as spam or junk.

\* Serial/Registration/Reference Number

### Mark Information

#### USPTO Reference Number

#### Mark

#### Owner/Holder Information

Email Address:

#### Attorney Information

Email Address:

#### Primary Email Address for Correspondence

**Warning:** This is the email address currently of record in the USPTO database. If it is not the email address of either the appointed attorney, if any, otherwise the owner, it must be updated.

#### Secondary Email Address(es) (Courtesy Copies)

Use this form to update the information above. A current email address must be provided for the trademark owner/holder and the appointed attorney, if any. The **Primary Email Address for Correspondence** is the email address of the attorney, if appointed, if not, the trademark owner/holder. This is the official address for receiving communications from the USPTO. Courtesy email addresses may be provided within this form.

Is a [newly appearing U.S.-licensed attorney](#) filing this form or do you need to update the bar information, email address, street address, phone or fax number for an already appointed attorney? **Foreign-domiciled owners/holders must have a U.S.-licensed attorney** represent them before the USPTO in any application-or registration-related filing. [Information about hiring a U.S.-licensed attorney](#) can be found on the USPTO website.

Yes  No

**Text Entry/File Upload**

NOTE: For additional information on how to use the free-text entry box, [click here](#).

**SPECIAL FORM INSTRUCTIONS:** You **must** provide the following as part of this submission: (1) a statement of the relevant facts (and if the facts are to be proved on petition, a supporting affidavit or declaration signed by someone with firsthand knowledge); and (2) any relevant documentation or other evidence, if appropriate.

If the reason for denial of certification is due to a mistake in the international application as submitted to the USPTO, you must attach a completed MM2 form, available on the WIPO website, with the correct data. If the petition is granted, the substitute form will be certified and forwarded to the International Bureau (IB).

If the reason for denial of certification is due to differences in the basic applications and/or registrations and the correct data in the international application, a substitute MM2 form is not required. However, the basic applications and/or registrations must be corrected to match the information in the international application before it can be certified.

If your international fees were refunded, the IB will issue a notice of irregularity requiring payment of the necessary fees, and you will have to pay the IB directly.

**Text Entry**

Style  Font Type  Font Size

AND/OR

**File Upload**

**WARNING:** The file MUST be in JPG/PDF format (not exceeding 5 megabytes per attachment for JPG or 30 megabytes per attachment for PDF) or .WAV, .WMV, .WMA, .MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).

Attach File	<input type="text"/>
<b>File Name</b>	<b>Action</b>

**Owner Information**

**Instructions:**  
Update the mailing address, if needed. The address entered on this page is publicly viewable in the USPTO's [TSDR](#) database and is presumed to be the owner's/holder's domicile.

<b>Owner Name</b>	<input type="text"/>
<b>Internal Address</b>	<input type="text"/>

<p><b>* Mailing Address</b>          (Entered address is publicly viewable in the USPTO's <a href="#">TSDR</a> database. This address must be capable of receiving mail and may be your street address, a P.O. box, or a "care of" address.)</p>	<input type="text"/> <p><b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.</p>
<p><b>* City</b></p>	<input type="text"/> <p><b>NOTE:</b> You must limit your entry here to no more than 22 characters.</p>
<p><b>* State</b>          (Required for U.S. owners/holders)</p>	<input type="text" value="Selectstate"/> <p><b>NOTE:</b> You must include as part of the "City" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.</p>
<p><b>* Country/Region/Jurisdiction/U.S. Territory</b></p>	<input type="text" value="United States"/> 
<p><b>* Zip/Postal Code</b>          (Required for U.S. and certain international addresses)</p>	<input type="text"/>
<p><b>Domicile Address</b>          (Entered address is not publicly viewable in the USPTO's <a href="#">TSDR</a> database unless it is the same as the mailing address. If your mailing address is not your domicile, you must enter the number, street, city, state, country or U.S. territory, and if applicable, zip/postal code of your <a href="#">domicile</a> address. In most cases, a P.O. box, "care of" address, or similar variation is not acceptable as a domicile address.)</p>	<input checked="" type="checkbox"/> <b>Uncheck this box if the Domicile Address and mailing address of the applicant owner/holder are NOT the same.</b> <input type="text"/> <p>Indicate place you reside and intend to be your principal home (for individual) or your principal place of business (for entity).</p>
<p><b>Phone Number</b></p>	<input type="text"/>

<b><u>Fax Number</u></b>	<input type="text"/>
<b>* <u>Email Address</u></b> Confirm that the email address is correct before continuing. The owner email address is not publicly viewable in the USPTO's <a href="#">TSDR</a> database.	<input type="text"/> The owner/holder is required to provide an email address and keep that address current. If the owner/holder is represented by a U.S.-licensed attorney, only the attorney's email address will be used for correspondence by the USPTO.  <b>NOTE:</b> The owner/holder or the owner's/holder's attorney acknowledges that he or she is solely responsible for receiving USPTO emails. Additionally, the owner/holder or the owner's/holder's attorney is responsible for periodically checking the status of the application/registration using the <a href="#">Trademark Status &amp; Document Retrieval (TSDR)</a> system. USPTO notices and office actions issued in this application/registration can be viewed online using <a href="#">TSDR</a> . The USPTO is not responsible for any failure to receive a USPTO-issued email due to the receiver's security or anti-spam software, or any problems with the receiver's email system.

#### Attorney Information

**Tip:** Updating the attorney information will NOT result in an update to the Domestic Representative information, if one is appointed. Use the [Change Address or Representation](#) form to update the address(es) of the Domestic Representative.

<b><u>Attorney Name</u></b>	<input type="text"/>
<b><u>Individual Attorney Docket/Reference Number</u></b>	<input type="text"/>
<b>* <u>Bar Membership</u></b>	<p><b>* Year of Admission</b> <input type="text" value="SelectYear"/></p> <p><b>* U.S. State/Commonwealth/Territory</b> <input type="text"/></p> <p><b>* Membership Number</b> <input type="text"/></p> <p>You must enter "N/A" or a membership/registration number if your U.S. state, commonwealth, or territory issues one. This number is not viewable in TSDR. You must limit your entry here to no more than 40 alphanumeric characters.</p> <p><input type="checkbox"/> <b>* The 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.</b></p>
<b><u>Other Appointed Attorney(s) Recognized Canadian Attorney/Agent</u></b>	<input type="text"/>
<b><u>Firm Name</u></b>	<input type="text"/>
<b><u>Internal Address</u></b>	<input type="text"/>
<b>* <u>Street Address</u></b>	<input type="text"/>

**NOTE:** You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the

	USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
<b>* City</b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here to no more than 22 characters.
<b>* State</b> (Required for U.S. addresses)	<input type="text" value="Selectstate"/> <b>NOTE:</b> You must include as part of the "City" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.
<b>* Country/Region/Jurisdiction/ U.S. Territory</b>	<input type="text" value="United States"/>
<b>* Zip/Postal Code</b> (Required for U.S. and certain international addresses)	<input type="text"/>
<b>Phone Number</b>	<input type="text"/>
<b>Fax Number</b>	<input type="text"/>
<b>* Email Address</b>	<input type="text"/> The appointed attorney's email address must be provided and kept current with the USPTO. <b>NOTE:</b> The owner/holder or the owner's/holder's attorney acknowledges that he or she is solely responsible for receiving USPTO emails. Additionally, the owner/holder or the owner's/holder's attorney is responsible for periodically checking the status of the application/registration using the <a href="#">Trademark Status &amp; Document Retrieval (TSDR)</a> system. USPTO notices and office actions issued in this application/registration can be viewed online using <a href="#">TSDR</a> . The USPTO is not responsible for any failure to receive a USPTO-issued email due to the receiver's security or anti-spam software, or any problems with the receiver's email system.

### Correspondence Information

To make changes to the **Primary Email Address for Correspondence** below, either

1. return to the Owner Information section (if no attorney has been appointed) and enter the change, or
2. use the Attorney Information section of the form to enter the change (if an attorney has been appointed).

<b>Name</b>	
<b>Email Address</b>	<p><b>Primary Email Address for Correspondence :</b></p> <p><b>Secondary Email Address(es) (Courtesy Copies) :</b></p> <input type="text"/> <p>Enter up to 4 addresses, separated by either a <b>semicolon</b> or a <b>comma</b>.</p> <p>Only the Primary Email Address for Correspondence is used for official communication by the USPTO. If an attorney has been appointed, the USPTO will correspond ONLY with the appointed attorney; otherwise the USPTO will correspond with the owner/holder. The owner/holder or the attorney must keep this email address current with the USPTO. <b>NOTE:</b> I understand that (1) a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, for correspondence and (2) all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).</p>

### Fee Section

To pay a fee for any of the items that may be listed below in the "Additional Fees" portion, use the pull-down menu in the "Multiplier" column to "activate" that fee choice. Repeat as necessary. The "Overall Total Amount" will reflect all selected "Additional Fees," along with any "Required Fees," if specifically so designated in the form.

Required Fees				
Fee Information	Per	Multiplier	Fee	Total
Petition to Director Fee	Per Application:	1 <input type="text" value="x"/>	\$250	\$250
<b>Required Fees Total</b>				<b>\$250</b>
Additional Fees				
Fee Information	Per	Multiplier	Fee	Total
7.6(a)(1) Certifying an International application based on single application or registration	Per Class:	0 <input type="text" value="x"/>	\$100	\$0
7.6(a)(2) Certifying an International application based on more than one basic application or registration	Per Class:	0 <input type="text" value="x"/>	\$150	\$0
<b>Additional Fees Total</b>				<b>\$0</b>
<b>OVERALL TOTAL AMOUNT</b>				<b>\$</b>

### Signature Section

To electronically sign this document, enter any alpha/numeric characters (letters/numbers) of **your choosing**, preceded and followed by the forward slash (/) symbol. Most signatories enter their name between the two forward slashes; examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/.

#### DECLARATION SIGNATURE

Click to choose ONE [signature method](#):

Sign electronically directly on this form
  Email Text Form to second party for electronic signature
  Handwritten pen-and-ink signature

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examiner could, upon later review, require a signed declaration.

The signatory being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application, submission, or any registration resulting therefrom, declares that the facts set forth above are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

**NOTE:** Only one signature is required, regardless of the number of owners/holders. The person signing for each section may be different, depending on who has the required knowledge to sign.

\* [Signature](#)

Examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/.

**NOTE:** Must be personally signed by the individual listed in the Signatory's Name field. [37 C.F.R. §2.193\(a\)](#). The person signing may not enter someone else's signature.

\* [Signatory's Name](#)



\* [Date Signed](#)

(MM/DD/YYYY)

SUBMISSION SIGNATURE

Click to choose ONE [signature method](#) :

- Sign electronically directly on this form
- Email Text Form to second party for electronic signature

**NOTE:** Although a possible combination as selected on the form, the following signing method must NOT be used: [declaration signed directly and submission signed through the email text form approach](#).

\*You **must** click **one** of the three buttons below to confirm that you are legally authorized to sign this form based on the trademark rules governing representation of others before the USPTO.

If you have a U.S.-licensed attorney representing you in this application, only your attorney can sign this form.

**Petitioner who is not represented by an attorney (pro se):** I hereby confirm that

- I am not represented by an attorney in this matter, and am either: (1) the petitioner; or (2) a person or person(s) with legal authority to bind the petitioner; and
- If I had previously been represented by an attorney in this matter, either I revoked their power of attorney by filing a signed revocation with the USPTO or the USPTO has granted this attorney's withdrawal request.

**ADVISORY:** Click the above first button *only* if you are the petitioner or legally authorized to bind the petitioner, such as an officer of the petitioner corporation or association, or a general partner of the petitioner partnership.

**Authorized U.S.-Licensed Attorney:** I hereby confirm that

- I am a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory);
- I am currently the trademark petitioner's attorney or an [associate](#) thereof; and
- To the best of my knowledge, if prior to my appointment another U.S.-licensed attorney **not currently associated with my company/firm** previously [represented](#) the petitioner in this matter:
  - o the petitioner has revoked their power of attorney by filing a signed revocation or substitute power of attorney with the USPTO;
  - o the USPTO has granted that attorney's withdrawal request;
  - o the petitioner has filed a power of attorney appointing me in this matter; or
  - o the petitioner's appointed U.S.-licensed attorney has filed a power of attorney appointing me as an associate attorney in this matter.

**Authorized Canadian Trademark Attorney/Agent:** I hereby confirm that

- An authorized U.S.-licensed attorney has been appointed to represent the petitioner;
- I have been granted reciprocal recognition under 37 C.F.R. §11.14(c)(1) by the USPTO's Office of Enrollment and Discipline; and
- I am an authorized signatory based on 37 C.F.R. §11.14(c)(2).

**ADVISORY:** Foreign attorneys (other than authorized Canadian attorneys/agents) may not sign this form and are prohibited from representing trademark petitioners/owners/holders before the USPTO in trademark matters.

\* [Signature](#)

Examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/.

**NOTE:** Must be personally signed by the individual listed in the Signatory's Name field. [37 C.F.R. §2.193\(a\)](#). The person signing may not enter someone else's signature.

\* [Date Signed](#)

(MM/DD/YYYY)

\* [Signatory's Name](#)

\* [Signatory's Position](#)

**STEP 1:** Review the data in various formats, by clicking on the phrases under Data. Use the print function within your browser to print these pages for your own records.

**Note:** It is important that you review this information for accuracy and completeness now. Corrections after submission may not be permissible, thereby possibly affecting your legal rights.

**Note:** If you are using the e-signature approach or the handwritten pen-and-ink signature approach, you must click on the final link to access the specific "text form" for that purpose.

**STEP 2:** If any of the information is incorrect, click on the "Go Back to Modify" button, bottom below, to make changes and then re-validate the form. If no errors are present and you are ready to file, click on the Pay/Submit button, which if a fee is required will bring up a screen for you to enter the appropriate payment information. After successful entry of the payment information, you can complete the submission to the USPTO. Or, use the "Save Form" button to save your form.

**STEP 3:** If there are no errors and you are ready to file, confirm the **Primary Email Address for Correspondence**, displayed below. To make changes to this email address, use the navigation buttons below to return to the appropriate page in the form and update either the attorney's email address, if appointed, or the applicant owner's/holder's email address. **Courtesy copies** are also permitted and these email address(es) are displayed below. To update these addresses, use the navigation buttons below to return to the Correspondence Information page and enter the changes. After you submit the form, the USPTO will send an acknowledgment of receipt to the following email address(es):

**Primary Email Address for Correspondence**

**Secondary Email Address(es) (Courtesy Copies)**

**STEP 4:** Read and check the following:

**Important Notice:**

Please note that:

(1) If a fee was required, once you submit this form, we will not refund the fee, because it is a processing fee for our substantive review.

(2) All information you submit to the USPTO at any point in the application and/or registration process will become public record, including your name, phone number, email address, and street address. By filing this document, you acknowledge and agree that **YOU HAVE NO RIGHT TO CONFIDENTIALITY** in the information disclosed. The public will be able to view this information in the USPTO's on-line databases and through internet search engines and other on-line databases. This information will remain public even if the application is abandoned or any registration is surrendered, cancelled, or expired. To maintain confidentiality of banking or credit card information, only enter payment information in the secure portion of the site after validating your form. For any information that may be subject to copyright protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its on-line database and in copies of the application or registration record.

(3) Private companies **not** associated with the USPTO often use trademark application and registration information from the USPTO's databases to [mail or email trademark-related solicitations](#) (samples of non-USPTO solicitations included).

If you have read and understand the above notice, please check the box before you click on the **Pay/Submit** button.

**STEP 5:** To save the form data, first enter the email address to be used for this specific purpose:

**Email for save form function:**  
(required if using Save Form)

Please re-enter your **email address(es)** here:

**Email for save form function:**  
(required if using Save Form)

Then, click on the "Save Form" button at the bottom of this page for delivery of an email to the address listed above. To begin the filing process with saved data, click the "Restore" link that you will see within the delivered email.

**WARNING:** The saved form will reside on the USPTO Server, but only for **two (2) weeks**. After that point, you will not be able to re-access any saved form, and must begin a new form.

**STEP 6:** If you are ready to file electronically:

Click on the Pay/Submit button, below, to access the site where you will select one of three possible payment methods. After successful entry of payment information, you can complete the submission to the USPTO. A valid transaction will result in a screen that says **SUCCESS!** Also, we will send an email acknowledgment within 24 hours.

**WARNING:** Click on the Pay/Submit button below **ONLY** if you are now entirely prepared to complete the Pay/Submit process. After clicking the button, you can **NOT** return to the form, since you will have left the



TEAS site entirely. Once in the separate payment site, you must complete the Pay/Submit process within 30 minutes. If you are not prepared to complete the process now, you should select the "Save Form" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction.

**WARNING:** You can **NOT** make any fee payments by *credit card* from 2 a.m. to 6 a.m. Sunday, Eastern Time. To file during this specific period, you **must** use either the deposit account or electronic funds transfer payment method; or, you may use the "Save Form" option to save your form, and then complete the Pay/Submit process at a later time with the credit card payment option.

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#### **Paperwork Reduction Act Statement**

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995, unless the information collection has a valid OMB Control Number. The OMB Control Number for this information collection is 0651-0051. Public burden for this form is estimated to average 75 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 or email [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov).

#### **Privacy Act Statement**

The United States Patent and Trademark Office (USPTO) collects this information under authority of 5 CFR 339.205. The information in this system of records is used to manage name, citizenship, domicile, email address, postal address, and telephone number of the trademark applicant, registrant, and applicant's or registrant's legal or other authorized representative(s), an attorney's law firm or company affiliation and professional licensing information, and other information pertaining to an applicant's or registrant's activities in connection with the applied-for or registered mark. Other records managed in this system include trademark applications, applicant and registrant declarations, office actions, registration certificates, and correspondence generated in the course of the prosecution of a trademark application or maintenance of a trademark registration. The information you provide is protected from disclosure to third parties in accordance with the Privacy Act. However, routine uses of this information may include disclosure to the following: public; foreign entity, professional organizations or associations, audit or oversight; governments, law enforcement and investigation; non-federal personnel; record informational inquiries; data breach notification; data breach assistance; adjudication and litigation; department of justice litigation; freedom of information act assistance from department of justice; office of personnel management; congressional inquiries; the National Archives and Records Administration; and office of management and budget. Disclosure of the information by you is voluntary; however, failure to provide any part of the requested information may result in our inability to enroll you in the program. 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>.

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