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USA Trademark Registration Costs and Registration Procedures

The legal basis of the United States trademark is “The Lanham Act”. The United States is a member of the Paris Convention and the Madrid Protocol. The United States adopts first-to-use basis for trademark protection. A trademark registration is valid for 10 years from the date of registration and could be renewed for 10 years before the expiry date.

1. USA Trademark Registration Fees

Services		Fees (USD)
Step 1: Pre-filing Search		
	First class (word mark)	350
	Each additional class	200
(1) Pre-filing search is not compulsory in USA. (2) Pre-filing search is limited to the United States Patent and Trademark Office (the USPTO)’s database only. (3) Pre-filing search report is delivered in 15 working days by email.		
Step 2: Trademark Registration Request		
	First class	1,400
	Each additional class	900
(1) Fees cover both our service fees and official filing fees. (2) Fees for trademark registration request listed above cover no more than 14 items of products or services in each class. Each item in excess of 14 will be charged with an extra fee of USD20.		
Step 3: Final Registration/Certificate		
	Each application	200

Note:

- (1) The fixed fees quoted above apply only to trademark applications which are unopposed and proceed without complication.
- (2) A federal trademark application is filed at the USPTO, based on Use in Commerce, Intent to Use or foreign application under certain international agreements. If a mark is not currently being used in business and it has not been registered in the home country where the proprietor is resided, the application will be filed on the basis of

Intent to Use. In this case, a Statement of Use will need to be filed with the USPTO within 6 months once receiving a Notice of Allowance from the USPTO (this usually occurs about 10 to 18 months after filing). The total fees for filing the Statement of Use for the first class and each additional class are USD500 and USD180 respectively. If no Statement of Use can be filed on time, an Extension Request should be applied. Each can be extended six months, up to six requests. The Extension Request for the first class and each additional class will be charged for USD600 and USD270.

- (3) If a mark has been registered in the home country where the proprietor is resided, then the application will be filed on the basis of foreign application under certain international agreements. In this case, a copy of Registration Certificate in the applicant's home country will need to be filed with the USPTO. If no certificate in the applicant's home country can be filed on time, a request for suspend of time to file should be applied. It will be charged for USD320.
- (4) All fees quoted do not include delivery fees.

2. Example of Trademark Registration Costs in USA

Example 1: One mark one class

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear), that is, one mark one class, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: USD350
Request for registration: USD1,400
Final registration/Certificate: USD200
TOTAL: USD1,950

Example 2: One mark two classes

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear) and Class 26 (lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers), that is, one mark two classes, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: $350 + 200 = \text{USD}550$
Request for registration: $1,400 + 900 = \text{USD}2,300$
Final registration/Certificate: USD200
TOTAL: USD3,050

Example 3: Two marks one class

If you want to have your trademarks "ABC" and "DEF" registered in Class 25 (clothing, footwear, headgear), that is, two marks one class, the total fees for trademark pre-filing searches, registration requests and certificates are:

Pre-filing searches: $350 + 350 = \text{USD}700$

Request for registrations: $1,400 + 1,400 = \text{USD}2,800$

Final registrations/Certificates: $200 + 200 = \text{USD}400$

TOTAL: USD3,900

The costs illustrated in the examples above are based on the assumption of a smooth application, that is, no objection being raised by the USPTO or any other third party. Also, the costs stated above exclude courier charges for sending the Certificate of Registration upon acceptance of registration.

It is further assumed that the number of items of products included in each class is no more than 14. Each additional item after the first 14 is charged at a fee of USD20.

3. Materials Required for Filing of Trademark Application in USA

- (1) A duly completed trademark search/registration order form (to be provided by Kaizen).
- (2) A soft copy of the trademark in JPEG format (device mark).
- (3) A copy of identity proof of the applicant (passport for individuals and Business Registration Certificate/Certificate of Incorporation for companies).
- (4) A copy of Certificate of Registration in home country (foreign application under certain international agreements).
- (5) Specimens of use and Statement of Use in each class (Use in Commerce or Intent to Use).

4. USA Trademark Application Procedures

- (1) Kaizen acknowledges the information including the specimens of mark, its goods/services and registration details, then provides the latest quotation, preliminary advice and classify your goods/services;
- (2) After the quotation has been confirmed, client will be required to complete our Trademark Search/ Registration Order Form and send it back to Kaizen by email, fax or post;
- (3) Once receipt of the payment for pre-filing search, Kaizen will conduct the pre-filing search (if requested). The search report will be sent to client within 15 working days (based on the duration of the official search);
- (4) Client could refer to our analysis and suggestion in the search report and decide whether to file the application. Kaizen will file trademark application to the USPTO upon receipt of your payment and instruction;
- (5) The USPTO will conduct a search of the trademarks records to see if the same or similar trademark has already been registered or been applied for by another trader in the same or similar class. They will also see if the trademark satisfies the

registration requirements laid down in The Lanham Act. If the requirements for registration are not met, the Examiner will object to the mark;

- (6) Once your trademark has been accepted for registration, it will be published on the Official Gazette for Trademarks;
- (7) If no objection by a third party, a registration certificate will be issued by the USPTO. We will review and send the certificate to you.

5. Time scale

Currently it takes around **9 - 12** months to get a trademark registered in USA in a smooth case.

6. Payment Term and Payment Method

Our fees for each stage of an application are to be invoiced and settled before the commencement of each stage of service. If a China or Taiwan Value-Added Tax invoice is required, 7% or 5% additional charge will be incurred.

We currently accept cheque, cash, TT and credit card through Paypal (5% additional charge will incur for paypal). [Please click here for payment methods.](#)

7. Refund Policy

No refund of fees will be made after the commencement of services. For example, if we have already conducted the pre-filing search and the search result indicates that there is an identical mark already in the register, the application for filing should not be proceeded, the fees for pre-filing search will not be refunded. Or we have already filed an application and the application is being objected and refused by the USPTO or any other party, there will not be any refunded of fees.

In any case you pay us our fees for all three stages of an application, and the search result indicates that there is an identical mark already in the register, the application for filing should not be proceeded, the fees for services not performed, i.e., filing for application and issuing of certificate of registration will be refunded, after deducting bank wiring charge.