

Technology Protection

Patent Procurement

Trademark Registration

Copyright Registration

Licensing and Technology
Transfer

Manufacturing Agreements

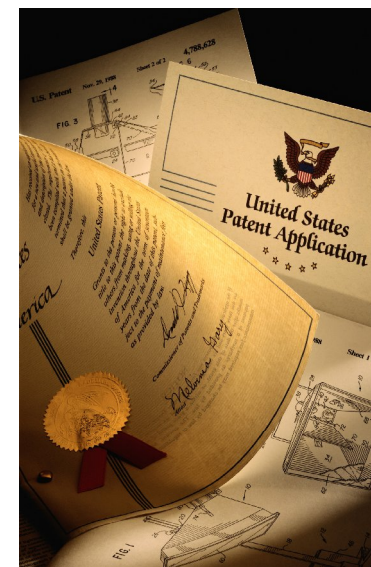
Trade Secret Protection

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What Is The Difference Between TM, SM, and ®?



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What is the difference between TM, SM and ®?

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Under common law and state law, any time you claim rights in a mark, you may use the "TM" (trademark) or "SM" (service mark) designation to alert the public to your claim, regardless of whether you have filed an application with the USPTO. However, you may use the Federal registration symbol "®" only after the USPTO actually registers a mark, and not while an application is pending (This differs from patents where "patent pending" status may be marked on products). Also, you may use the registration symbol with the mark only on or in connection with the goods and/or services listed in the Federal trademark registration. Some people use Å to indicate an application for registration has been filed.

Trademark

Trademarks are used for brand names, store names, product line names, logos, packaging, colors, sounds and even shapes of products.

If trademark registration is not required, why bother?

According to the U.S. Trademark Office, the advantages of federal registration include:

- Constructive notice to the public of the registrant's claim of ownership of the mark;
- A legal presumption of the registrant's ownership of the mark and the registrant's exclusive right to use the mark nationwide on or in connection with the goods and/or services listed in the registration;
- The ability to bring an action concerning the mark in Federal court;
- The use of the U.S. registration as a basis to obtain registration in foreign countries; and
- The ability to file the U.S. registration with U.S. Customs and Border Protection to prevent importation of infringing foreign goods.

Other benefits include a greater weight of evidence in the trademark owner's favor in the event of a domain name dispute over URLs incorporating the mark.

Trademark Services

- Trademark registration
- Trademark licensing
- Trademark transactions
- Advising brand name, logo and slogan creators and users
- Correcting Trademark records
- Recording Trademark instruments
- Clearing rights
- Opinion letters
- Cease and desist letters
- Trademark office searches
- Analyze search reports
- Trademark assignments
- Security instruments for Trademarks as collateral
- Intellectual property audits
- Due diligence
- Trademark infringement analysis

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