

Trademark Intake Checklist

What to collect before filing a US trademark application.

Client / matter: _____ Mark: _____ Date: _____

1. Owner and entity

- ☐ Exact legal name of the owner (matches formation documents)
- ☐ Entity type (individual, corporation, LLC, partnership, trust...)
- ☐ Citizenship, or state/country of organization (partners if a partnership)
- ☐ Domicile address (permanent residence or principal place of business; not a PO box)
- ☐ Owner email address
- ☐ Related companies or licensees using the mark, and who controls quality
- ☐ Foreign-domiciled? (US-licensed attorney required)

2. The mark

- ☐ Standard characters or special form (stylized/design)
- ☐ Clean image file of the mark (special form)
- ☐ Mark description (special form)
- ☐ Color claim, if color is a feature
- ☐ Translation / transliteration of non-English wording
- ☐ Consent of any living individual named or shown
- ☐ Likely disclaimers
- ☐ Prior registrations for the same or similar marks

3. Goods and services

- ☐ Plain description of what is sold now, and what is planned
- ☐ Matched to USPTO ID Manual entries where possible
- ☐ Classes confirmed (fees are per class)
- ☐ Makes vs. resells; software downloadable vs. hosted

4. Dates of first use (Section 1(a))

- ☐ First use anywhere, per class
- ☐ First use in commerce, per class
- ☐ Evidence of dates (invoices, launch emails, archived pages)

5. Specimens (Section 1(a))

- ☐ One specimen per class showing the mark as actually used
- ☐ Goods: labels, tags, packaging, or web page with a way to buy
- ☐ Services: advertising or website showing the services
- ☐ Not a mockup or altered image; web captures include URL and date

6. Filing basis

- ☐ 1(a) use in commerce
- ☐ 1(b) intent to use (Statement of Use needed later)
- ☐ 44(d) foreign application filed within the last 6 months
- ☐ 44(e) foreign registration from the country of origin

7. Foreign priority

- ☐ Country, application number and filing date of the foreign filing
- ☐ Copy of the foreign registration, if any
- ☐ Priority date docketed separately by the firm

8. Clearance

- ☐ Knockout search of the USPTO register
- ☐ Full search and attorney opinion, if ordered
- ☐ Common-law and domain checks
- ☐ Client acknowledgement of identified risks

9. Engagement and consent

- ☐ Conflict check (owner and known adverse parties)
- ☐ Signed engagement letter (scope, billing)
- ☐ Signatory for the verified statement identified
- ☐ Preferred email; documented opt-in if SMS reminders are used
- ☐ Client told about maintenance duties (Section 8 at years 5-6; renewal at years 9-10)