



STATE OF ALABAMA

INSTRUCTIONS FOR APPLICATION TO REGISTER
TRADEMARK, SERVICE MARK, OR TRADE NAME IN ALABAMA

REGISTRATION

Trademark, service mark, and trade name (hereinafter referred to as “marks”) registrations are administered at the state level in the Office of the Secretary of State. Any word, symbol, logo, slogan or combination thereof adopted and used by the applicant to identify services rendered is a **Service Mark**. Any word, symbol, logo, slogan or any combination thereof adopted and used by the applicant to identify goods made or sold is a **Trademark**. A word, symbol, logo, slogan or combination thereof adopted and used by the applicant to identify the business, vocation, occupation, or profession is a **Trade Name**.

Registration of marks is a complex matter. Because of the complexity of the laws pertaining to registration of marks, this office recommends that applicants seek the advice of (a) specifically trained and/or licensed professional(s) prior to submitting the application. It is the applicant’s personal responsibility to ensure the mark does not infringe on any other individual/business mark. It is also the responsibility of the applicant to ensure the mark is not being used in a fraudulent manner. Rejection/denial of the application by this office does not prevent use of the mark. Rights of ownership of a particular mark are achieved through the common laws of adoption and usage, not registration. The effective term for mark registrations is five years. A mark may be renewed for successive periods of five years six months prior to the expiration date.

SPECIMENS

Specimens are an important part of the registration process. Specimens are samples which perform the function of verifying usage of a mark. Clear copies of specimens are generally accepted. Before submitting the application for registration, inspect all specimens for clarity. Altered or defaced specimens will not be accepted. Illegible specimens are also unacceptable. All specimens submitted must be clear and clean.

Three specimens displaying the mark in use must be submitted with the application. Some acceptable mark specimens are business cards, brochures, flyers, labels, decals, tags, and newspaper advertisements. Specimens may be originals or legible copies.

APPLICATION

Before submitting the Application for Registration, review the items below to ensure the application has been completed. Failure to do so may result in rejection/denial of the application.

1. Complete ALL applicable items on the application to register trademark, service mark and trade name.
Please Note: Items 3, 9 and 10 may not apply to all applications for registration. If “partnership” is selected for Item 2, please list the names and addresses of ALL partners for Item 3. If applicant has received permission to use the mark being registered, applicant must submit a notarized written consent and disclaimer from the owner of the mark for Items 9 and 10. The written consent and disclaimer must be submitted with the application.
2. Select one classification number using the attached Schedules of Classifications to complete Item 7.
Please Note: When an application includes goods or services which fall within multiple classes, the Office of the Secretary of State requires an additional application for registration and an additional registration fee for each class.
3. Submit three (3) specimens and a thirty dollar (\$30.00) registration fee at the time of filing.
4. Have the application notarized by a Notary Public.
5. If a Federal Registration has been granted for the mark, include a copy with the application for registration.

If you have questions, please contact:

Office of Secretary of State
Trademarks Division
11 South Union Street, Suite 224
Montgomery, Alabama 36130
(334) 242-5325

SCHEDULE OF CLASSIFICATION OF BUSINESSES

1 Agriculture, forestry, and fisheries	14 Eating and drinking places, drugstores, and liquor stores
2 Mining	15 Sporting goods, bicycles, and hobby stores
3 Construction	16 Book, stationery, jewelry, sewing, needlework, and piece-goods stores
4 Manufacturing, nondurable goods	17 Mail-order houses, vending machine operators, and direct selling establishments, fuel and ice dealers, and retail florists
5 Manufacturing, durable goods	18 Retail trade - miscellaneous
6 Transportation, communications, and other public utilities	19 Finance, insurance, and real estate
7 Wholesale trade, nondurable goods	20 Business and repair services
8 Wholesale trade, durable goods	21 Personal services
9 Retail trade - lumber and building materials, mobile home dealers, hardware, nurseries and garden stores	22 Entertainment and recreation services
10 Retail trade - department, variety, miscellaneous general merchandise, grocery, dairy products, retail bakery, and food stores	23 Professional and related services
11 Retail trade - motor vehicle dealers, auto and home supply stores, gasoline service stations, and miscellaneous vehicle dealers	24 Public administration
12 Retail trade - apparel, accessory, and shoe stores	25 Miscellaneous
13 Retail trade - furniture, home furnishings, household appliances, T.V. and radio stores.	

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1.Applicant Name (Individual, Corporation, Partnership, LLC or LLP)	2.Applicant is registered in the State of _____ as a(n) <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Unincorporated limited liability company sole proprietor other _____ </div> <div style="width: 30%;"> non-profit partnership limited liability partnership </div> <div style="width: 30%;"> corporation individual </div> </div>
Street Address _____ City _____ County _____	State _____ Zip _____ Telephone _____
3.List names and addresses of partners (if applicable)	4.Description of Mark/Name
5. Description of goods, services or business provided under the Mark/Name	6.How will the Mark/Name be used in commerce
	7.Classification Number _____ Email Address of Applicant: _____
	8.Mark Type: <div style="display: flex; justify-content: space-around;"> Trademark Trade Name Service Mark </div>
9.Disclaimer (if applicable)	10.Consent (if applicable)
11a.Date and state of Mark/Name origination: _____ in _____	11b.Date in which the Mark/Name was first used in Alabama

12. Attach three (3) specimens which exhibit the Mark/Name in use. Specimens for Trade Names must be included
 13. Attach the filing fee of thirty dollars (\$30.00) payable to the Alabama Secretary of State. No starter checks.
 14. Sign the application for registration before a Notary Public.

I, _____, before first duly sworn, attest that I am the owner of the Mark/Name, a member of the firm, or an officer of the corporation (or association) applying for the registration of the Mark/Name above. I believe no other person has the right to use the Trademark, Service Mark or Trade Name in Alabama in identical form thereof or in such near resemblance to deceive or cause to be mistaken pursuant to § 8-12-8(a)(4), Code of Alabama 1975. Any exceptions are provided for in Item 10. I have the authority to make this affidavit and verification. I have read the above foregoing application and know the contents and the facts set out therein are true. I further attest that the three specimens filed are true and correct.

Signature _____

Name _____ Title _____

Section below to be completed by Notary Public

Subscribed and sworn to before me this the _____ day of _____, 20_____.

County of _____ State of _____

Notary Public Name

Notary Public Signature

Commission Expiration Date