

# Response to Office Action for Post-Registration Matters dedicated field form user guide

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PATENT AND TRADEMARK OFFICE



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## Introduction

### Purpose

The Response to Office Action for Post-Registration Matters (Post Reg ROA) dedicated field form user guide is designed to help you know what information you need to include in your post registration office action response. This user guide will show you how to complete the dedicated field form. Using our dedicated field form will help you submit complete data, reduce form processing and correction costs, and provide a better way to automatically capture data.

### Using the dedicated field form

How you complete this form depends on what filing generated the office action you're responding to. For example, if you received an office action in response to a filing for a Declaration of Use and/or Excusable Nonuse under Section 8, you would use this dedicated field form to respond to that office action. You would also use this form to respond to an office action you received because an expungement or reexamination proceeding has been initiated against your registration. However, the information you would include in the dedicated field form for those two filings would differ based on the issues raised in the office action and your answers to the wizard questions.

## Step-by-step instructions

Everyone begins the form the same way.

1. Access the Post Reg ROA through <https://teas.uspto.gov/office/trs/>.
2. Enter your registration number on the wizard page.

**FOLLOW THE STEPS TO ACCESS THE RESPONSE FORM:**

**STEP 1: CONFIRM STATUS.**  
A response must be due in connection with either:

- **Post-Registration Maintenance Document:** the "Current Status" of your registration must be "A Post Registration Action has been mailed." Confirm the "Status" on the STATUS tab of the [Trademark Status & Document Retrieval \(TSDR\) system](#) before proceeding. If the registration is not in the correct status, you must wait until the status is updated (usually 48-72 hours after receiving an email notice that a Post Registration Office action has issued).
- **Expungement/Reexamination Proceeding:** a response must be due for an Office action issued in connection with an expungement or reexamination proceeding. Confirm that an Office action has been issued on the STATUS tab of the [Trademark Status & Document Retrieval \(TSDR\) system](#) under the PROCEEDINGS dropdown menu.

**STEP 2: ENTER REGISTRATION NUMBER BELOW OR ACCESS PREVIOUS**

**\* [Registration Number:](#)**  
Enter a registration number even if you are responding as part of an Expungement or Reexamination Proceeding. A Proceeding Number can be selected on the screen that follows.

(Do not enter registration number if you are accessing your saved form.)

**OR**

To upload a previously saved form file, first review the [TEAS Help instructions for accessing previously saved data](#) and then use the "Browse/Choose File..." button below to access the form file saved on your computer.  
**WARNING:** Failure to follow the TEAS Help instructions will result in the inability to edit your data.

Do NOT upload or attach any other file(s) (for example, a specimen) using the button below. You must upload other attachments within the proper section of the actual form, after answering "Yes" to the appropriate wizard question(s) on the next page.

3. Press the "Continue" button at the bottom of the page.
4. On the next page, you'll see information about your trademark and instructions on how to complete this form electronically.
  - a. Select the radio button for the type of office action you're responding to.
    - i. If you're responding to an office action that's connected to an expungement or reexamination proceeding, select the appropriate proceeding number.
    - ii. You won't see options for filings not related to your registration. For example, if your registration is a Madrid-based registration, you won't see radio buttons for Section 8 filings.

**SELECT A RADIO BUTTON. What type of Office action are you now responding to ?**

**Post-Registration Maintenance:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

**Select the Proceeding Number**

- Proceeding No.

Select one radio button

- b. Wizard questions will automatically appear in “STEP 3”. They will be specific to the radio button you selected.

**NOTE:** You can click on each of the below hyperlinks to get radio button specific instructions.

[Combined Declaration of Use and Incontestability under Sections 8 & 15](#)

[Declaration of Use and/or Excusable Nonuse under Section 8](#)

[Combined Declaration of Use and Excusable Nonuse/Application for Renewal under Sections 8 & 9](#)

[Declaration of Incontestability under Section 15](#)

[Section 7 Request for Amendment or Correction of Registration Certificate](#)

[Surrender of Registration for Cancellation](#)

[Request to Divide Registration](#)

[Section 12\(c\) Affidavit](#)

[Declaration of Use and/or Excusable Nonuse under Section 71](#)

[Combined Declaration of Use and Incontestability under Sections 71 & 15](#)

[Expungement or reexamination proceeding number](#)

## Combined Declaration of Use and Incontestability under Sections 8 & 15

1. You selected the Combined Declaration of Use and Incontestability under Sections 8 & 15 radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit an additional statement(s)", then an "ADDITIONAL STATEMENT(S)" page will automatically be added to your form. If you select "No", then you won't see an "ADDITIONAL STATEMENT(S)" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

### 4. Do you need to submit an additional statement(s)?

- Additional statements for Certification, Collective, and Collective Membership Marks (if applicable)\*
- Miscellaneous statement\*\*

**\*NOTE:** You may only access the Certification, Collective, and Collective Membership mark statements if your registration is for one of those mark types.

**\*\*NOTE:** The miscellaneous statement field includes the ability to attach a file. Do **not** use this section for attachments where a specific different section for the purpose already exists, for example, submission of a substitute specimen in #2, above.

Yes  No

A few questions from "STEP 4"

### 5. Do you need to update the owner's/holder's mailing address, email address, phone or fax number(s)?

**NOTE:** The email address of the trademark owner/holder is the **Primary Email Address for Correspondence** if an attorney is NOT appointed. **Secondary Email Address(es)** for courtesy copies can be provided.

**NOTE:** The **mailing address** is presumed to be the owner's/holder's **domicile address**. To provide a domicile address that is NOT the same as the mailing address, use the [Change Address or Representation form](#).

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make all changes, attachments, payments, etc. that are necessary.
  - a. Remember the information that you can provide within this form depends on how you answered the "STEP 3" questions. For example, if you selected that you need to update the owner's/holder's email address, then you would do so on the "Owner Information" page.

5. If in “STEP 3” you selected “Yes” for “Do you need to respond to a Proof of Use Audit”, you would also complete the “Proof of Use Submissions” page.
  - a. If you need to provide a proof of use, select the “Proof of Use provided below for this class” radio button, complete the free form text boxes, attach your proof of use, and check the box next to the required statement about the proof of use. The statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.
  - b. If you made any changes to your goods or services on the “CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION” page, those changes will be carried over to the “Proof of Use Submissions” page.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.  
 Verification only being provided for previously-submitted, unverified proof of use.  
 No proof of use required for this class.

**Proof of Use Information**

\*Audited Goods/Services (list each audited item in a separate box):

\*Description of the attached proof of use evidence:

**\*Proof of use Evidence:** Proof of use must show the mark in use for each audited good/service.

Complete text boxes

[Click here to Attach Proof of Use](#) 0file(s) attached  
[Provide Additional Proof of Use](#)

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Attach proof of use and check box

- c. If you only need to verify a previously-submitted proof of use, select the “Verification only being provided for previously-submitted, unverified proof of use” radio button. You won’t be able to attach a proof of use, but you’ll be prompted to submit a statement regarding the previously-submitted proof of use by check a statement box. This statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Check statement box

6. Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)



## Declaration of Use and/or Excusable Nonuse under Section 8

1. You selected the Declaration of Use and/or Excusable Nonuse under Section 8 radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit an additional statement(s)", then an "ADDITIONAL STATEMENT(S)" page will automatically be added to your form. If you select "No", then you won't see an "ADDITIONAL STATEMENT(S)" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

### 4. Do you need to submit an additional statement(s)?

- Additional statements for Certification, Collective, and Collective Membership Marks (if applicable)\*
- Miscellaneous statement\*\*

**\*NOTE:** You may only access the Certification, Collective, and Collective Membership mark statements if your registration is for one of those mark types.

**\*\*NOTE:** The miscellaneous statement field includes the ability to attach a file. Do **not** use this section for attachments where a specific different section for the purpose already exists, for example, submission of a substitute specimen in #2, above.

Yes  No

A few questions from "STEP 4"

### 5. Do you need to update the owner's/holder's mailing address, email address, phone or fax number(s)?

**NOTE:** The email address of the trademark owner/holder is the **Primary Email Address for Correspondence** if an attorney is NOT appointed. **Secondary Email Address(es)** for courtesy copies can be provided.

**NOTE:** The **mailing address** is presumed to be the owner's/holder's **domicile address**. To provide a domicile address that is NOT the same as the mailing address, use the [Change Address or Representation form](#).

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make all changes, attachments, payments, etc. that are necessary.
  - a. Remember the information that you can provide within this form depends on how you answered the "STEP 3" questions. For example, if you selected that you need to update the owner's/holder's email address, then you would do so on the "Owner Information" page.
5. If in "STEP 3" you selected "Yes" for "Do you need to respond to a Proof of Use Audit", you would also complete the "Proof of Use Submissions" page.

- a. If you need to provide a proof of use, select the “Proof of Use provided below for this class” radio button, complete the free form text boxes, attach your proof of use, and check the box next to the required statement about the proof of use. The statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.
- b. If you made any changes to your goods or services on the “CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION” page, those changes will be carried over to the “Proof of Use Submissions” page.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.  
 Verification only being provided for previously-submitted, unverified proof of use.  
 No proof of use required for this class.

**Proof of Use Information**

\*Audited Goods/Services (list each audited item in a separate box):

\*Description of the attached proof of use evidence:

**\*Proof of use Evidence:** Proof of use must show the mark in use for each audited good/service.

Complete text boxes

[Click here to Attach Proof of Use](#) 0file(s) attached

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Attach proof of use and check box

- c. If you only need to verify a previously-submitted proof of use, select the “Verification only being provided for previously-submitted, unverified proof of use” radio button. You won’t be able to attach a proof of use, but you’ll be prompted to submit a statement regarding the previously-submitted proof of use by check a statement box. This statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Check statement box

6. Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)

## Combined Declaration of Use and Excusable Nonuse/Application for Renewal under Sections 8 & 9

1. You selected the Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9 radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit an additional statement(s)", then an "ADDITIONAL STATEMENT(S)" page will automatically be added to your form. If you select "No", then you won't see an "ADDITIONAL STATEMENT(S)" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

### 4. Do you need to submit an additional statement(s)?

- Additional statements for Certification, Collective, and Collective Membership Marks (if applicable)\*
- Miscellaneous statement\*\*

**\*NOTE:** You may only access the Certification, Collective, and Collective Membership mark statements if your registration is for one of those mark types.

**\*\*NOTE:** The miscellaneous statement field includes the ability to attach a file. Do **not** use this section for attachments where a specific different section for the purpose already exists, for example, submission of a substitute specimen in #2, above.

Yes  No

A few questions from "STEP 4"

### 5. Do you need to update the owner's/holder's mailing address, email address, phone or fax number(s)?

**NOTE:** The email address of the trademark owner/holder is the **Primary Email Address for Correspondence** if an attorney is NOT appointed. **Secondary Email Address(es)** for courtesy copies can be provided.

**NOTE:** The **mailing address** is presumed to be the owner's/holder's **domicile address**. To provide a domicile address that is NOT the same as the mailing address, use the [Change Address or Representation form](#).

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, if you selected that you need to update the owner's/holder's email address, then you would do so on the "Owner Information" page.

5. If in “STEP 3” you selected “Yes” for “Do you need to respond to a Proof of Use Audit”, you would also complete the “Proof of Use Submissions” page.
  - a. If you need to provide a proof of use, select the “Proof of Use provided below for this class” radio button, complete the free form text boxes, attach your proof of use, and check the box next to the required statement about the proof of use. The statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.
  - b. If you made any changes to your goods or services on the “CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION” page, those changes will be carried over to the “Proof of Use Submissions” page.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.  
 Verification only being provided for previously-submitted, unverified proof of use.  
 No proof of use required for this class.

**Proof of Use Information**

\*Audited Goods/Services (list each audited item in a separate box):

\*Description of the attached proof of use evidence:

**\*Proof of use Evidence:** Proof of use must show the mark in use for each audited good/service.

Complete text boxes

[Click here to Attach Proof of Use](#) 0file(s) attached

[Provide Additional Proof of Use](#)

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Attach proof of use and check box

- c. If you only need to verify a previously-submitted proof of use, select the “Verification only being provided for previously-submitted, unverified proof of use” radio button. You won’t be able to attach a proof of use, but you’ll be prompted to submit a statement regarding the previously-submitted proof of use by check a statement box. This statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Check statement box

6. Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)

## Declaration of Incontestability under Section 15

1. You selected the Declaration of Incontestability under Section 15 radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit a fee", then a "FEE INFORMATION" page will automatically be added to your form. If you select "No", then you won't see a "FEE INFORMATION" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

**3. 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?**

**NOTE:** The USPTO considers powers of attorney to end upon: (1) the date of registration; or (2) the final acceptance or denial of a post-registration maintenance filing. Therefore, if you answer YES to this question and file this form, the USPTO will presume that you are the owner's/holder's attorney. This filing will automatically update the "Attorney of Record" and the "Correspondence Address" data fields in the USPTO's [Trademark Status & Document Retrieval \(TSDR\)](#) system. After submission of this form, it is not necessary to file a separate [Change Address or Representation \(CAR\)](#) form if the owner/holder was previously unrepresented. Once the USPTO recognizes an attorney with respect to the submission of a post-registration maintenance filing, such as an affidavit/declaration under Section 8, an application for renewal under Section 9, etc., the USPTO will recognize only that attorney for [all submissions related to that filing](#), such as responses to Office actions, petitions, etc., unless and until the owner/holder revokes and appoints a new power of attorney or the filing is completely resolved (e.g., by acceptance, renewal, or abandonment).

**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

A few questions from "STEP 4"

**4. Do you need to submit a fee for: (1) a §15 declaration; and/or (2) processing a payment that has been [refused or charged back](#)?**

- Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, since "Yes" was selected for needing to submit a fee, then you would complete the "FEE INFORMATION" page and pay your fee at the end of the submission.

To pay a fee for any of the items that may be listed below in the "Additional Fees" portion, use the pulldown 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
No Required Fees				
<b>Required Fee Total</b>				<b>\$0</b>
Additional Fees				
Fee Information	Per	Multiplier	Fee	Total
Section 15 Fee	Number of Classes	1 ▾	\$200	\$200
Additional Processing Fee for Each Payment Refused or Charged Back	Number of Payments Refused or Charged Back	0 ▾	\$50	\$0
<b>Additional Fee Total</b>				<b>\$200</b>
<b>OVERALL TOTAL AMOUNT</b>				<b>\$200</b>

Calculate any fees

- Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)



## Section 7 Request for Amendment or Correction of Registration Certificate

1. You selected the Section 7 Request for Amendment or Correction of Registration Certificate radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to do any of the following: Delete goods, services, or an existing class...", then a "CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION" page will automatically be added to your form. If you select "No", then you won't see that page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

2. Do you need to do any of the following:

- [Delete goods, services, or an existing class](#)
- [Change the class number of an existing class](#)
- [Modify the identification of goods/services/the nature of the collective membership organization \\*](#)
- [Submit new or substitute specimen or verify a previously submitted specimen](#)

**\*NOTE:** You may only modify the identification of goods/services/the nature of the collective membership organization to clarify or limit the goods/services/the nature of the collective membership organization; adding to or broadening the scope of the goods/services/nature of the collective membership organization is **not** permitted.

A few questions from "STEP 4"

Yes  No

5. Do you need to update the owner's/holder's mailing address, email address, phone or fax number(s)?

**NOTE:** The email address of the trademark owner/holder is the **Primary Email Address for Correspondence** if an attorney is NOT appointed. **Secondary Email Address(es)** for courtesy copies can be provided.  
**NOTE:** The **mailing address** is presumed to be the owner's/holder's **domicile address**. To provide a domicile address that is NOT the same as the mailing address, use the [Change Address or Representation form](#).

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, since "Yes" was selected for deleting goods, services, or an

existing class, then you would complete the "CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION" page.

The **current identification** of goods/services/nature of the collective membership organization is displayed below. If modifying the identification typographical errors, edit the identification in the "MODIFY IDENTIFICATION" section of this page.

Key to Symbols Appearing in the Identification:

- Brackets [...] indicate previously deleted goods/services;
- Double parenthesis ((..)) identify any goods/services previously not claimed in Section 15 affidavit of incorporation;
- Asterisks \* \_ \* identify previously added wording in the goods/services.

Construction of high rise condominiums, industrial buildings, office buildings, retail buildings, mixed office, retail and/or residential buildings; construction and installation project management, namely, carrying out and management of the carrying out of industrial buildings, commercial buildings, high rise residential buildings, office buildings, retail buildings, mixed office buildings, retail and residential buildings, power plants and power facilities, processing plants, industrial plants; construction and

**MODIFY IDENTIFICATION:**

Any item deleted from the listing of goods/services/nature of the collective membership organization is **PERMANENTLY DELETED** from the listing of goods/services/nature of the collective membership organization beyond the scope of the listing. To **add or broaden** goods or services or otherwise amend the goods/services/nature of the collective membership organization, use the "MODIFY IDENTIFICATION" section of this page.

Construction of high rise condominiums, ~~industrial buildings~~, office buildings, retail buildings, mixed office, retail and/or residential buildings; carrying out and management of the carrying out of industrial buildings, commercial buildings, high rise residential buildings, office buildings, re

Example section from "CLASSIFICATION..." page

Changes shown as track changes

5. Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)

## Surrender of Registration for Cancellation

1. You selected the Surrender of Registration for Cancellation radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to update the owner's/holder's mailing address, email address, phone or fax number(s)", then an "Owner Information" page will automatically be added to your form. If you select "No", then you won't see an "Owner Information" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

**1. Do you need to respond to a refusal to accept your post-registration filing for any of the following reasons (but not limited to):**

- **Ownership of the registration/chain of title**
- **Clarification regarding class(es) to be surrendered**
- **Declaration and signature (filing unsigned, date of execution omitted, date of execution early/late)**

**NOTES:**

(1) If ownership has changed and you would like Office records updated to reflect the change in ownership, you must also record appropriate documents with the Assignment Recordation Branch. If your registration is based on the Madrid Protocol, changes and corrections to holder/owner information must be recorded with the International Bureau (IB) to resolve inquiries and refusals about ownership.

(2) If you would like to correct a mistake in the current owner's/holder's information, and your registration is not based on the Madrid Protocol, you may provide a detailed explanation of the change and supporting documents with your response. If your registration is based on the Madrid Protocol, corrections must be recorded with the IB.

Yes  No

A few questions from "STEP 4"

**2. Do you need to update the owner's/holder's mailing address, email address, phone or fax number(s)?**

**NOTE:** The email address of the trademark owner/holder is the **Primary Email Address for Correspondence** if an attorney is NOT appointed. **Secondary Email Address(es)** for courtesy copies can be provided. If your registration is based on the Madrid Protocol, only the owner/holder email address, phone and fax numbers will be updated. Other changes in the owner/holder information must be recorded with the International Bureau.

**NOTE:** The **mailing address** is presumed to be the owner's/holder's **domicile address**. To provide a domicile address that is NOT the same as the mailing address, use the [Change Address or Representation form](#).

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.

- a. Remember that changes you make in this form depend on how you answered the “STEP 3” questions. For example, since “Yes” was selected for needing to update the owner’s/holder’s information, then you would update that information on the “Owner Information” page.

<b>Fax Number</b>	<input type="text"/>	Add information
* <b>Email Address</b>	<input type="text"/> The owner/holder is required to provide an email address and keep it current with the USPTO. 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.	

5. Complete the “SIGNATURE” page to submit this form. [Learn how to complete the signature section of this form.](#)

## Request to Divide Registration

1. You selected the Request to Divide Registration radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit a fee for...", then a "FEE INFORMATION" page will automatically be added to your form. If you select "No", then you won't see a "FEE INFORMATION" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

**3. 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?**

**NOTE:** The USPTO considers powers of attorney to end upon: (1) the date of registration; or (2) the final acceptance or denial of a post-registration maintenance filing. Therefore, if you answer YES to this question and file this form, the USPTO will presume that you are the owner's/holder's attorney. This filing will automatically update the "Attorney of Record" and the "Correspondence Address" data fields in the USPTO's [Trademark Status & Document Retrieval \(TSDR\)](#) system. After submission of this form, it is not necessary to file a separate [Change Address or Representation \(CAR\)](#) form if the owner/holder was previously unrepresented. Once the USPTO recognizes an attorney with respect to the submission of a post-registration maintenance filing, such as an affidavit/declaration under Section 8, an application for renewal under Section 9, etc., the USPTO will recognize only that attorney for [all submissions related to that filing](#), such as responses to Office actions, petitions, etc., unless and until the owner/holder revokes and appoints a new power of attorney or the filing is completely resolved (e.g., by acceptance, renewal, or abandonment).

**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

A few questions from "STEP 4"

**4. Do you need to submit a fee for: (1) the requested new child registration certificate in the Request to Divide the Registration; and/or (2) processing a payment that has been [refused or charged back](#)?**

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, since "Yes" was selected for needing to submit a fee, then you would complete the "FEE INFORMATION" page and pay your fee at the end of the submission.

To pay a fee for any of the items that may be listed below in the "Additional Fees" portion, use the pulldown 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
No Required Fees				
<b>Required Fee Total</b>				<b>\$0</b>
Additional Fees				
Fee Information	Per	Multiplier	Fee	Total
Divisional Request Fee	Registration	1	\$100	\$100
Additional Processing Fee for Each Payment Refused or Charged Back	Number of Payments Refused or Charged Back	0	\$50	\$0
<b>Additional Fee Total</b>				<b>\$100</b>
<b>OVERALL TOTAL AMOUNT</b>				<b>\$100</b>

Calculate any fees

- Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)

## Section 12(c) Affidavit

1. You selected the Section 12(c) Affidavit radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration
- Section 12(c) Affidavit

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit a fee for...", then a "FEE INFORMATION" page will automatically be added to your form. If you select "No", then you won't see a "FEE INFORMATION" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

**3. 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?**

**NOTE:** The USPTO considers powers of attorney to end upon: (1) the date of registration; or (2) the final acceptance or denial of a post-registration maintenance filing. Therefore, if you answer YES to this question and file this form, the USPTO will presume that you are the owner's/holder's attorney. This filing will automatically update the "Attorney of Record" and the "Correspondence Address" data fields in the USPTO's [Trademark Status & Document Retrieval \(TSDR\)](#) system. After submission of this form, it is not necessary to file a separate [Change Address or Representation \(CAR\)](#) form if the owner/holder was previously unrepresented. Once the USPTO recognizes an attorney with respect to the submission of a post-registration maintenance filing, such as an affidavit/declaration under Section 8, an application for renewal under Section 9, etc., the USPTO will recognize only that attorney for [all submissions related to that filing](#), such as responses to Office actions, petitions, etc., unless and until the owner/holder revokes and appoints a new power of attorney or the filing is completely resolved (e.g., by acceptance, renewal, or abandonment).

**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

A few questions from "STEP 4"

**4. Do you need to submit a fee for: (1) the §12(c) declaration; and/or (2) processing a payment that has been [refused or charged back](#)?**

- Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, since "Yes" was selected for needing to submit a fee, then you would complete the "FEE INFORMATION" page and pay your fee at the end of the submission.

To pay a fee for any of the items that may be listed below in the "Additional Fees" portion, use the pulldown 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
No Required Fees				
<b>Required Fee Total</b>				<b>\$0</b>
Additional Fees				
Fee Information	Per	Multiplier	Fee	Total
Section 12(c) Affidavit Fee	Number of Classes	2 ▼	\$100	\$200
Additional Processing Fee for Each Payment Refused or Charged Back	Number of Payments Refused or Charged Back	0 ▼	\$50	\$0
<b>Additional Fee Total</b>				<b>\$200</b>
<b>OVERALL TOTAL AMOUNT</b>				<b>\$200</b>

Calculate any fees

- Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)



## Declaration of Use and/or Excusable Nonuse under Section 71

1. You selected the Declaration of Use and/or Excusable Nonuse under Section 71 radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration
- Declaration of Use and/or Excusable Nonuse under Section 71
- Combined Declaration of Use and Incontestability under Sections 71 & 15

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to respond to a refusal...", then an "ARGUMENT(S)" page will automatically be added to your form. If you select "No", then you won't see an "ARGUMENT(S)" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

1. Do you need to respond to a refusal to accept/acknowledge your post-registration filing for any of the following reasons (*but not limited to*):

- Ownership of the registration/chain of title
- Submitting arguments in support of accepting specimen(s) already of record\*
- Use of the mark or claim of non-use
- Identification of goods/services
- Submitting arguments in support of accepting proof of Use already of record\*\*
- Declaration and signature (filing unsigned, date of execution omitted, date of execution early/late)
- Additional fees

**NOTES:**

- (1) If ownership has changed or there is a mistake in owner/holder information, that change must be recorded with the International Bureau (IB). Changes in owner/holder information must be recorded with the International Bureau to resolve inquiries and refusals about ownership.
- (2) If you would like to correct a mistake in the maintenance filing, you must explain the nature of the mistake. A post registration examiner will review your response to determine if the mistake can be corrected.

\*NOTE: To submit a "substitute specimen" to overcome a refusal, also answer "Yes" to #2.

\*\*NOTE: To submit "proof of use" in response to a Proof of Use Audit, also answer "Yes" to #3.

A few questions from "STEP 4"

Yes  No

2. Do you need to do any of the following:

- [Delete goods, services, or an existing class\\*](#)
- [Modify the identification of goods/services/the nature of the collective membership organization\\*\\*](#)
- [Submit new or substitute specimen or verify a previously submitted specimen\\*\\*\\*](#)

\*NOTE: The classification in a registered extension of protection of an international registration may not be amended, even with a Section 7 Request.

\*\*NOTE: Only modifications to correct obvious typographical errors or to delete goods/services/classes in the identification of goods/services/the nature of the collective membership organization are permitted without a Section 7 Request. Other changes, including to clarify or limit the goods/services/the nature of the collective membership organization require a Section 7 Request. Adding to or broadening the scope of the goods/services/nature of the collective membership organization is **not** permitted.

\*\*\*NOTE: This is for the submission of substitute specimens. You should not select this if you are responding to a Proof of Use Audit unless you also need to submit a new or substitute specimen. If you are responding to a Proof of Use Audit, answer "Yes" to #3.

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, since "Yes" was selected for needing to respond to a refusal, then you can respond by completing the "ARGUMENT(S)" page.
    - i. On the "ARGUMENT(S)" page, you'd enter arguments directly into the form by clicking the "Click here to Enter Argument(s)" button and/or attach evidence by clicking the "Click here to Attach Evidence" button, such as an argument presented in a PDF format. The "ARGUMENT(S)" page is for submitting a written response to a refusal or requirement that you're trying to overcome.
      1. Don't attach a specimen or proof of use using the "Click here to Attach Evidence" button. Specimens and proof of use must be attached using others parts of the form dedicated to those purposes.

[ARGUMENT\(S\)](#)

Should you wish to present your argument as a PDF attachment, rather than as direct text entry, you may do so within the "Evidence Section," below.

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[EVIDENCE](#)

<b>Evidence</b>	<p><b>Evidence File</b> Click on the 'Click here to Attach Evidence' button below to select the file from your computer. Visit the USPTO's website for <a href="#">information on acceptable file sizes and formats</a>.</p> <p><b>Instructions:</b> Attach <b>ONLY</b> supporting evidence or argument(s) here, not the entire response to Office action. Each portion of this form serves a specific purpose for data processing reasons. Failure to follow this instruction will cause significant delays in the processing and review of your filing.</p> <p><input type="button" value="Click here to Attach Evidence"/> 0 file(s) attached</p> <p><b>Describe what the evidence submitted consists of:</b></p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
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Either present argument as PDF or in text box with evidence attached

- b. Since “Yes” was also selected for “Do you need to do any of the following”, you would also complete the “CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION” page. For example, if you need to submit a “substitute specimen”, you would do so on this page.
  - i. If submitting a specimen, you’ll be required to submit a statement regarding use of the specimen. The statement is at the bottom of the “CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION” page and must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.

**Specimen File**

Watch the TMIN [video explaining what is meant by the term "specimen"](#). Visit the USPTO's website for [information on acceptable file sizes and formats](#).

**Instructions:** Attach ONLY the specimen here. Failure to follow this instruction will cause significant delays in the processing and review of your filing.

Click here to Attach Specimen(s) 0 files

Check this box if you are [mailing a non-traditional specimen](#) using USPS because it meets the qualifications explained in the instructions. Failure to submit a required specimen through TEAS may result in processing delays and additional fees.

[Describe what the submitted specimen consists of](#)

Attach specimen and include a description of specimen in text box

**CHECK THIS BOX IF SPECIMENS ARE NOW BEING SUBMITTED OR WERE PREVIOUSLY SUBMITTED UNVERIFIED**

Checking this box will automatically add the following declaration language to the form:  
 "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce during the period of the filing of the application. The substitute specimen is a true copy of the specimen that was originally submitted with the declaration of use" [for an illegible specimen, the substitute specimen is a true copy of the specimen that was originally submitted with the declaration of use].

**NOTE:** If submitting a substitute specimen or verifying a previously submitted specimen, you must provide a signed declaration when presenting the specimen to the examiner.

Check box for specimen statement

- 5. If in “STEP 3” you selected “Yes” for “Do you need to respond to a Proof of Use Audit”, you would also complete the “Proof of Use Submissions” page.
  - a. If you need to provide a proof of use, select the “Proof of Use provided below for this class” radio button, complete the free form text boxes, attach your proof of use, and check the box next to the required statement about the proof of use. The statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.
  - b. If you made any changes to your goods or services on the “CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION” page, those changes will be carried over to the “Proof of Use Submissions” page.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**Proof of Use Information**

\*Audited Goods/Services (list each audited item in a separate box):

\*Description of the attached proof of use evidence:

**\*Proof of use Evidence:** Proof of use must show the mark in use for each audited good/service.

Complete text boxes

0file(s) attached

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Attach proof of use and check box

- c. If you only need to verify a previously-submitted proof of use, select the “Verification only being provided for previously-submitted, unverified proof of use” radio button. You won’t be able to attach a proof of use, but you’ll be prompted to submit a statement regarding the previously-submitted proof of use by check a statement box. This statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Check statement box

6. Complete the “SIGNATURE” page to submit this form. [Learn how to complete the signature section of this form.](#)

## Combined Declaration of Use and Incontestability under Sections 71 & 15

1. You selected the Combined Declaration of Use and/or Incontestability under Sections 71 & 15 radio button.

**\*STEP 3: To respond to an Office action, select the appropriate radio button and click on the "Continue" button below:**

- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration
- Declaration of Use and/or Excusable Nonuse under Section 71
- Combined Declaration of Use and Incontestability under Sections 71 & 15

Radio button is selected

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to respond to a refusal...", then an "ARGUMENT(S)" page will automatically be added to your form. If you select "No", then you won't see an "ARGUMENT(S)" page in your form.
  - b. The office action you previously received should explain the refusals or requirements made and what you need to add, change, etc. in your response.

**1. Do you need to respond to a refusal to accept/acknowledge your post-registration filing for any of the following reasons (but not limited to):**

- Ownership of the registration/chain of title
- Submitting arguments in support of accepting specimen(s) already of record\*
- Use of the mark or claim of non-use
- Identification of goods/services
- Submitting arguments in support of accepting proof of Use already of record\*\*
- Declaration and signature (filing unsigned, date of execution omitted, date of execution early/late)
- Additional fees

**NOTES:**

- (1) If ownership has changed or there is a mistake in owner/holder information, that change must be recorded with the International Bureau (IB). Changes in owner/holder information must be recorded with the International Bureau to resolve inquiries and refusals about ownership.
- (2) If you would like to correct a mistake in the maintenance filing, you must explain the nature of the mistake. A post registration examiner will review your response to determine if the mistake can be corrected.

**\*NOTE:** To submit a "substitute specimen" to overcome a refusal, also answer "Yes" to #2.

**\*\*NOTE:** To submit "proof of use" in response to a Proof of Use Audit, also answer "Yes" to #3.

Some questions from "STEP 4"

Yes  No

2. Do you need to do any of the following:

- [Delete goods, services, or an existing class](#)\*
- [Modify the identification of goods/services/the nature of the collective membership organization](#) \*\*
- [Submit new or substitute specimen or verify a previously submitted specimen](#)\*\*\*

\*NOTE: The classification in a registered extension of protection of an international registration may not be amended, even with a Section 7 Request.

\*\*NOTE: Only modifications to correct obvious typographical errors or to delete goods/services/classes in the identification of goods/services/the nature of the collective membership organization are permitted without a Section 7 Request. Other changes, including to clarify or limit the goods/services/the nature of the collective membership organization require a Section 7 Request. Adding to or broadening the scope of the goods/services/nature of the collective membership organization is **not** permitted.

\*\*\*NOTE: This is for the submission of substitute specimens. You should not select this if you are responding to a Proof of Use Audit unless you also need to submit a new or substitute specimen. If you are responding to a Proof of Use Audit, answer "Yes" to #3.

Yes  No

3. Do you need to respond to a [Proof of Use Audit](#)?

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. Continue through the form. Make any changes, attachments, payments, etc. that are necessary.
  - a. Remember that changes you make in this form depend on how you answered the "STEP 3" questions. For example, since "Yes" was selected for needing to respond to a refusal, then you can respond by completing the "ARGUMENT(S)" page.
    - i. On the "ARGUMENT(S)" page, you'd enter arguments directly into the form by clicking the "Click here to Enter Argument(s)" button and/or attach evidence by clicking the "Click here to Attach Evidence" button, such as an argument presented in a PDF format. The "ARGUMENT(S)" page is for submitting a written response to a refusal or requirement that you're trying to overcome.
      1. Don't attach a specimen or proof of use using the "Click here to Attach Evidence" button. Specimens and proof of use must be attached using others parts of the form dedicated to those purposes.

**ARGUMENT(S)**

Should you wish to present your argument as a PDF attachment, rather than as direct text entry, you may do so within the "Evidence Section," below.

[Click here to Enter Argument\(s\)](#)

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**EVIDENCE**

<b>Evidence</b>	<p><b><u>Evidence File</u></b> Click on the 'Click here to Attach Evidence' button below to select the file from your computer. Visit the USPTO's website for <a href="#">information on acceptable file sizes and formats</a>.</p> <p><b>Instructions:</b> Attach <b>ONLY</b> supporting evidence or argument(s) here, not the entire response to Office action. Each portion of this form serves a specific purpose for data processing reasons. Failure to follow this instruction will cause significant delays in the processing and review of your filing.</p> <p style="text-align: center;"><a href="#">Click here to Attach Evidence</a> 0 file(s) attached</p> <p><b><u>Describe what the evidence submitted consists of:</u></b></p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
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Either present argument as PDF or in text box with evidence attached

- b. Since "Yes" was also selected for "Do you need to respond to a Proof of Use Audit", you would also complete the "Proof of Use Submissions" page.
- i. If you need to provide a proof of use, select the "Proof of Use provided below for this class" radio button, complete the free form text boxes, attach your proof of use, and check the box next to the required statement about the proof of use. The statement must be verified with a signed declaration. This declaration will appear on the "SIGNATURE" page later in the form.
  - ii. If you made any changes to your goods or services on the "CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION" page, those changes will be carried over to the "Proof of Use Submissions" page.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**Proof of Use Information**

\*Audited Goods/Services (list each audited item in a separate box):

\*Description of the attached proof of use evidence:

**\*Proof of use Evidence:** Proof of use must show the mark in use for each audited good/service.

Complete text boxes

0file(s) attached

---

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Attach proof of use and check box

- iii. If you only need to verify a previously-submitted proof of use, select the “Verification only being provided for previously-submitted, unverified proof of use” radio button. You won’t be able to attach a proof of use, but you’ll be prompted to submit a statement regarding the previously-submitted proof of use by check a statement box. This statement must be verified with a signed declaration. This declaration will appear on the “SIGNATURE” page later in the form.

**Current listing of goods/services for Class 006:**  
Screws of metal, metal hardware, namely, hooks, pegs of metal, stakes of metal for tents, tarpaulins and portable structures, none for use in relation to construction

Proof of Use provided below for this class.

Verification only being provided for previously-submitted, unverified proof of use.

No proof of use required for this class.

**\*Check this box to add the following statement to the record:** The owner/holder was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the current declaration of use.

**NOTE:** If submitting proof of use or verifying previously submitted proof of use, you must provide a signed declaration when prompted before submitting your response.

Check statement box

- 5. Complete the “SIGNATURE” page to submit this form. [Learn how to complete the signature section of this form.](#)



## Expungement or reexamination proceeding number


1. You selected the Proceeding No. radio button.
  - a. If your registration number is connected to more than one expungement or reexamination proceeding, select the specific proceeding you're replying to in the dropdown menu.

**SELECT A RADIO BUTTON. What type of Office action are you now responding to ?**

**Post-Registration Maintenance:**

- Combined Declaration of Use and Incontestability under Sections 8 & 15
- Declaration of Use and/or Excusable Nonuse under Section 8
- Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9
- Declaration of Incontestability under Section 15
- Section 7 Request for Amendment or Correction of Registration Certificate
- Surrender of Registration for Cancellation
- Request to Divide Registration

**Select the Proceeding Number**

Proceeding No.  

Select the Proceeding Number

2021-119442R

2021-119443R

**Radio button is selected**

2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to provide arguments or evidence supporting use of the registered mark", then an "ARGUMENT(S)" page will automatically be added to your form. If you select "No", then you won't see an "ARGUMENT(S)" page in your form.
  - b. If you select "Yes" to "Are you surrendering the entire registration", then you will only be able to update owner or attorney information in the form.
  - c. The office action you previously received should explain the basis for the proceeding, any requirements, and what arguments or evidence you can provide in your response.

**STEP 3. ANSWER ALL WIZARD QUESTIONS.**

Review the Office action and then answer "Yes" to any question that directly relates to a requirement and/or refusal raised in the Office action. You must respond explicitly to each refusal and/or requirement and enter the responses in the proper place in the form. At least one answer to the questions below must be "Yes."

**A RESPONSE WITH ONLY YOUR SIGNATURE IS NOT ACCEPTABLE.** Merely providing a response with a signature and no other information or authorizing the examiner to make any necessary changes to the filing/record *without specifying the exact changes* is not a proper response.

**1. Are you surrendering the entire registration?**

Surrendering the registration under §7(e) of the Trademark Act will result in termination of this proceeding and **cancellation of the subject registration.**

Yes  No

A few questions from "STEP 3"

**2. Do you need to provide arguments or evidence supporting use of the registered mark?**

**NOTE:** Use this page to provide evidence of use, factual information, and an itemized index of the evidence.

Yes  No

3. Press the "Continue" button at the bottom of the page.
4. If in "STEP 3" you selected "Yes" for "Do you need to provide arguments or evidence supporting use of the registered mark", then you need to complete the "ARGUMENT(S)" page.
  - a. Complete the free form text box.

**ARGUMENT(S)**

Provide the following information:

- [Evidence of use](#) or excusable nonuse, as appropriate
- Numbered paragraphs of factual information explaining the use of the mark in commerce and the supporting evidence, including how the evidence demonstrates use in commerce as of any relevant date for the goods and/or services at issue
- Itemized index of the evidence

**Instructions:** Enter explanatory statements here. Evidence, the itemized index, and any formatted documents must be uploaded in the attachments section below.

Complete text box

Attach evidence of use

**Attachments**  
Click on the "Attach Evidence" button below to select the file from your computer. Visit the USPTO's website for [information on acceptable file sizes and formats](#).

Attach Evidence 0 file(s) attached

- b. Attach your evidence of use. Click "Attach evidence". You'll be automatically redirected to a new page. Select "Choose File". Once you've selected your file, click "Attach". You'll

see a "File Uploaded" message, when your file has successfully attached to the form. Then, select "Return to Form".

Click on the "Browse/Choose File" button to select a file to upload:

Choose File No file chosen Attach Return to Form

Status: Evidence of use 0202.pdf has been uploaded

File Uploaded:  
[evi\\_1023447219-20211206141402379751\\_-\\_Evidence\\_of\\_use\\_0202.pdf](#) Remove

**WARNING:** The file **MUST** be in the 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).

To attach a file, please complete the following steps:

1. Click on the "**Browse/Choose File**" button to select the file from your local drive.
2. Click on the "**Attach**" button to attach the selected file.
3. To attach additional file(s), return to step 1.
4. To remove unwanted file(s), click the "**Remove**" button to the right of the file name.
5. Click on "**Return to Form**" and return back to the form, but **ONLY** once you see the file(s) loaded above.

**WARNING:** A submission must be complete within the "4 corners" of the actual transmitted document. Information only accessible through a link, but not part of the submission itself, will **NOT** be considered to be made of record. E.g., if you wish a catalogue to be considered as evidence, you must present the actual pages of the catalogue, and not merely reference that the catalogue is available for viewing at a particular URL. The URL will **NOT** be independently accessed as part of the examination process, and any materials presented only "by reference" will not constitute part of the actual file.

Form successfully uploaded

5. Continue through the form. Make all changes, attachments, payments, etc. that are necessary.
  - a. Remember the information that you can provide within this form depends on how you answered the "STEP 3" questions. For example, if you selected that you need to update the owner's/holder's email address, then you would do so on the "Owner Information" page.
6. Complete the "SIGNATURE" page to submit this form. [Learn how to complete the signature section of this form.](#)

## Signature

1. On the signature page, you'll see two sections: "DECLARATION SIGNATURE" and "RESPONSE SIGNATURE". If the office action you received did not require a declaration to support the information in your response, you do not need to sign the "DECLARATION SIGNATURE" section. You must sign the "RESPONSE SIGNATURE" section in all responses.
  - a. For the "DECLARATION SIGNATURE" section, you can choose to either:
    - i. Sign electronically directly on the form.
    - ii. Email a text version of the form to a second party for electronic signature.
    - iii. Handwritten a pen-and-ink signature.
    - iv. Check a box to bypass signing the declaration.
      1. You must sign the declaration for an expungement or reexamination proceeding.

<u>DECLARATION SIGNATURE</u>	
<p>If a declaration is required, the declaration must be signed by the owner/holder of the registration or a person properly authorized to sign on behalf of the owner/holder under <a href="#">Trademark Rule 2.193</a>. The radio button identifying the signatory in the Response must be selected.</p>	<div style="border: 1px solid black; padding: 5px; display: inline-block;">Choose signature method</div>
<p>Click to choose ONE <a href="#">signature method</a>:</p>	
<p><input checked="" type="radio"/> Sign electronically <a href="#">directly</a> on this response form <input type="radio"/> Email <a href="#">Text Form</a> to second party for electronic signature <input type="radio"/> <a href="#">Handwritten pen-and-ink signature</a></p>	
<p><b>NOTE:</b> To electronically sign this document, enter any alpha/numeric characters (letters/numbers) of <b>your choosing</b>, 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/.</p>	
<p><input type="checkbox"/> <b>Check this box to bypass signing the declaration.</b> The undersigned has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i>. The undersigned acknowledges that the USPTO may, upon later review, require a signed declaration.</p>	

- b. For the "RESPONSE SIGNATURE" section, you can choose to either:
        - i. Sign electronically directly on the form.
        - ii. Email a text version of the form to a second party for electronic signature.

<u>RESPONSE SIGNATURE</u>	
<p>Click to choose ONE <a href="#">signature method</a>:</p>	<div style="border: 1px solid black; padding: 5px; display: inline-block;">Choose signature method</div>
<p><input checked="" type="radio"/> Sign electronically <a href="#">directly</a> on this response form <input type="radio"/> Email <a href="#">Text Form</a> to second party for electronic signature</p>	
<p><b>NOTE:</b> Do NOT sign the Declaration Signature section "directly" and use the "email text form" option for signing the Response. Both sections must be signed "directly" if choosing that option.</p>	
<p><b>NOTE:</b> To electronically sign this document, enter any alpha/numeric characters (letters/numbers) of <b>your choosing</b>, 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/.</p>	

- c. In the "RESPONSE SIGNATURE" section, select one of the three radio buttons to confirm your role in relation to the trademark registration.

**If you have a U.S.-licensed attorney representing you in this matter, only your attorney can sign this Response.**

**Owner/Holder 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 owner(s)/holder(s); or (2) a person or persons(s) with legal authority to bind the owner(s)/holder(s).
- 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 that attorney's withdrawal request.

**ADVISORY:** Click the above button if you are the owner(s)/holder(s) or legally authorized to bind the owner(s)/holder(s); such as an officer of the owner/holder corporation or association, or a general partner of the owner/holder 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 owner's/holder's attorney or an [associate](#) thereof;
- 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 owner/holder in this matter:
  - the owner/holder has revoked their power of attorney by filing a signed revocation or substitute power of attorney with the USPTO;
  - the USPTO has granted that attorney's withdrawal request;
  - the owner/holder has filed a power of attorney appointing me in this matter; or
  - the owner/holder'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 owner/holder;
- 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).

Select one of these radio buttons

2. Click the "Validate" button at the bottom of the page.
3. In step four on the validation page, check the box to show you've read and understood the posted notice.

**Important Notice:**

Please note that:

1. I am aware that this response, to be considered "complete," should address each issue requiring response in the Office action or any previous Office action incorporated by reference, and, in addition, that this response does not consist only of a signature (unless the missing signature was the sole issue raised in the Office action).
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, please contact the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make this information available in its on-line database and in copies of the application or registration record.
3. Be aware that information submitted with the USPTO often uses trademark application and registration information from the USPTO's [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 **Submit** button.

Check this box

4. Click "Submit" at the bottom of the form to submit your filing.
  - a. If you are paying any fees, you'll see "Pay/Submit" at the bottom of the form instead of "Submit". Click "Pay/Submit". You'll be redirected to a "Make Payment" page, where you'll enter your payment information. The form will not be submitted until payment is complete.