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## Filing Form Cover Letter

**Please return the approval certificate to:**

Name *(Individual or Business Name)*:

To the Attention of *(if necessary)*:

Address:

City:

State

ZIP Code:

Phone Number:

E-mail Address:

- Check here if you would like to receive important notices via e-mail from the Ohio Secretary of State's office regarding Business Services.
- Check here if you would like to be signed up for our Filing Notification System for the business entity being created or updated by filing this form. This is a free service provided to notify you via e-mail when any document is filed on your business record.

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Please make checks or money orders payable to: "Ohio Secretary of State"

Type of Service Being Requested: (PLEASE CHECK **ONE** BOX BELOW)

- Regular Service:** Only the filing fee listed on page one of the form is required and the filing will be processed in approximately 3-7 business days. The processing time may vary based on the volume of filings received by our office.
- Expedite Service 1:** By including an Expedite fee of \$100.00, **in addition** to the regular filing fee on page one of the form, the filing will be processed within 2 business days after it is received by our office.
- Expedite Service 2:** By including an Expedite fee of \$200.00, **in addition** to the regular filing fee on page one of the form, the filing will be processed within 1 business day after it is received by our office. **This service is only available to walk-in customers who hand deliver the document to the Client Service Center.**
- Expedite Service 3:** By including an Expedite fee of \$300.00, **in addition** to the regular filing fee on page one of the form, the filing will be processed within 4 hours after it is received by our office, if received by 1:00 p.m. **This service is only available to walk-in customers who hand deliver the document to the Client Service Center.**
- Preclearance Filing:** A filing form, to be submitted at a later date for processing, may be submitted to be examined for the purpose of advising as to the acceptability of the proposed filing for a fee of \$50.00. The Preclearance will be complete within 1-2 business days.



**Mail this form to one of the following:**

Regular Filing (non expedite)

P.O. Box 1329

Columbus, OH 43216

Expedite Filing **(Two business day processing time.**

**Requires an additional \$100.00.)**

P.O. Box 1390

Columbus, OH 43216

[For screen readers, follow instructions located at this path.](#)

## Trademark and Service Mark Application

**Filing Fee \$125.00**

**(174-TSMO)**

**Form Must Be Typed**

**Name of Applicant**

If the applicant is a corporation, partnership, limited partnership or limited liability company, please provide the jurisdiction of formation.

Jurisdiction of Formation

If the applicant is a partnership or limited partnership, please provide the names of all general partners:

Name(s)

**Business address of applicant.**

Mailing Address

City

State

ZIP Code

Describe the mark. The description you provide is the way the mark will be recorded on our database.

Describe mode or manner in which the mark is used on or in connection with the goods or services.

The class in which the goods or services fall (see list following form.)

Describe the goods or services used in connection with the mark.

The mark has been used in business by the applicant (or predecessor) since

Date (MM/DD/YYYY)

and used in Ohio since

Date (MM/DD/YYYY)

The applicant is the owner of the mark, the mark is in use, and to the knowledge of the person verifying the application, no other person has the right to use the mark in Ohio either in the identical form of the mark, or in near resemblance to the mark, as to be likely, when used on or in connection with the goods or services of another person, to cause confusion or mistake or to deceive.

To the knowledge of the person verifying the application, no other person has a registration or a pending intent to use application of the same or a confusingly similar mark in the United States Patent and Trademark office for the same or similar goods or services.

Applicant is the owner **OR**  Applicant is NOT the owner of a concurrent registration in the United States Patent and Trademark office of the applicant's mark covering an area including Ohio.

**A specimen of the mark which shows the mark in use is attached to the application.**

**By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.**

**Required**

Must be signed by the applicant or an authorized representative of the applicant.

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

# Instructions for Trademark and Service Mark Application

This form should be used by any person who adopts and uses a trademark or service mark in Ohio.

## Applicant Information

Please provide the name of the applicant. If the applicant is a corporation, partnership, limited partnership, or limited liability company, please provide the jurisdiction of formation which would either be Ohio or another state or jurisdiction. Also, if the applicant is a partnership or limited partnership, please provide the names of all general partners.

Please provide the business address of the applicant. This address can be in Ohio or outside of Ohio.

## Description of the Mark

Please provide a written description of the mark - the language used on the application will be entered exactly as written into the database in the secretary of state's office. Also, please describe the goods or services on or in connection with which the mark is used. For example, if the applicant is a clothing manufacturer then the goods used in connection with the mark will be "clothes." Then provide the class in which the goods or services fall. To locate the appropriate class, please look at the list provided on pages 4, 5 and 6 of the form. In the example provided above, the appropriate class would be 25 for "Clothing, footwear, headgear." Finally, please provide the mode or manner in which the mark is used on or in connection with the goods or services. For example, the mark might be used in advertisements and letterhead in connection with the applicant's clothing business.

## Date of First Use

Please provide the date when the mark was first used by the applicant (or predecessor) in any location and the date when it was first used in Ohio by the applicant (or predecessor). Note: the mark must be in use prior to filing the application; therefore, this date must be on the date of filing or prior to the date of filing.

## Statements regarding Use of the Mark

By submitting this form, the applicant agrees to the statements provided on page 2 of the form and also selects the appropriate box to indicate whether the applicant is or is not the owner of a concurrent registration in the United States Patent and Trademark Office.

## Specimen

The form must be accompanied by a specimen of the mark as actually used. In the example above, an appropriate specimen would be a copy of the letterhead showing the mark in use which advertises the clothing company. Our office will accept originals, photocopies and a copy of a photograph. So long as the specimen shows our office how the mark is used (i.e., how it appears on the sign, letterhead, menu, etc.), it is adequate. Please do not submit actual items (a menu, a shirt, a hat, etc.) bearing the mark.

## Signature

Section 1329.56 of the Revised Code requires the application to be signed by the applicant, an authorized representative, or by an officer of the firm, limited liability company, limited liability partnership, general partnership, or limited partnership, corporation, union, association, or other organization that is the applicant.

## Classification of Goods and Services for the Registration of Trademarks and Service Marks

Ohio recognizes the International (NICE) Classifications of Goods and Services. Abbreviated class headings are below and additional information can be found by searching the [USPTO ID Manual here https://tmidm.uspto.gov/id-master-list-public.html](https://tmidm.uspto.gov/id-master-list-public.html). Trademarks are registered if you are protecting a mark related to a good (a physical item purchased from you or your company) (classes 1 – 34) and service marks are registered if you are protecting a mark related to a service you or your company provides (classes 35 – 45). There may be situations in which you need to register the same mark under multiple classes, and if this is the case then this must be done on a separate filing form for each class. Also, it is important to note that your mark may only be protected in the class listed on the form as it might not conflict with a similar mark if the similar mark is used in another class. You might not find a class that specifically states your good or service, but please choose the closest to your good/service.

| Goods (Trademarks)                          | Services (Service Marks)                       |
|---|--|
| Class 1. Chemicals                          | Class 35. Advertising and Business Services    |
| Class 2. Paints                             | Class 36. Insurance and Finance Services       |
| Class 3. Cleaning Substances                | Class 37. Construction and Repair Services     |
| Class 4. Industrial Oils                    | Class 38. Telecommunication Services           |
| Class 5. Pharmaceuticals                    | Class 39. Shipping and Travel Services         |
| Class 6. Common Metals                      | Class 40. Material Treatment Services          |
| Class 7. Machines                           | Class 41. Education and Entertainment Services |
| Class 8. Hand Tools                         | Class 42. Science and Technology Services      |
| Class 9. Computers and Scientific Devices   | Class 43. Food Services                        |
| Class 10. Medical Supplies                  | Class 44. Medical and Vet Services             |
| Class 11. Appliances                        | Class 45. Legal and Security Services          |
| Class 12. Vehicles                          |  |
| Class 13. Firearms                          |  |
| Class 14. Precious Metals                   |  |
| Class 15. Musical Instruments               |  |
| Class 16. Paper Goods                       |  |
| Class 17. Rubber Products                   |  |
| Class 18. Leather Goods                     |  |
| Class 19. Building Materials                |  |
| Class 20. Furniture                         |  |
| Class 21. Household Utensils                |  |
| Class 22. Ropes and Textile Products        |  |
| Class 23. Yarns and Threads                 |  |
| Class 24. Textiles                          |  |
| Class 25. Clothing                          |  |
| Class 26. Lace and Embroidery               |  |
| Class 27. Carpets                           |  |
| Class 28. Games and Sporting Goods          |  |
| Class 29. Meats, Fish and Poultry           |  |
| Class 30. Coffee, Flour and Rice            |  |
| Class 31. Grains, Agriculture               |  |
| Class 32. Beers and Beverages               |  |
| Class 33. Alcoholic Beverages (except beer) |  |
| Class 34. Tobacco Products                  |  |