

7. Have you submitted an application to register this same mark at the federal level with the United States Patent and Trademark Office? ___Yes ___ No. If so, what is the status of the application? _____

8. SPECIMENS: Pursuant to N.C.G.S. § 80-3.1(b) “. . . The application shall be accompanied by three (3) specimens of the mark as currently used” Accordingly, please submit three (3) complete, original (no photocopies or “camera ready art”), current (no more than six [6] months old) specimens of the mark as it actually and currently is being used on the goods or to advertise the goods and/or services to the public. See the attached instructions for additional information regarding acceptable specimens. **PLEASE NOTE:** If the mark “as currently used” is a Design Mark that contains color(s) and you indicate in number 8 below that you do not want to claim and register the Design Mark in color(s), you **MUST submit two (2) additional depictions of the colored Design Mark in black and white.** (Original black and white photographs of the colored Design Mark are acceptable)

MARK INFORMATION [You can register only one type of mark per application]

9. Check the appropriate box to indicate whether you want to register a “Standard Character Mark” OR a “Design Mark”

“ Standard Character Mark” (aka: Word Mark or Typed Mark) A Standard Character Mark consists only of words, numbers, common punctuation or diacritical marks, but it **does not contain a design element or underlining**. The mark also can be in any stylized font, size or color, but “**NO CLAIM**” of such can be made on the application. Read the attached instructions and go to <http://teas.uspto.gov/standardCharacterSet.html> to review the USPTO’s list of acceptable characters. **Write the “Standard Character Mark” you wish to register:** _____

“Design Mark” A “Design Mark” contains design elements. The design can be a symbol, a hand-drawn design, a graphically created design, or words and a design. When registering a Design Mark, you can claim the color(s), if any, depicted in the mark or elect to not claim the color and register the mark in black and white.

Do you want to claim and register the color(s) depicted in the mark: Yes ___ No ___

Describe the Mark: If you are claiming the color(s), provide a detailed description of the mark and identify the color(s) where they appear in your mark. If you are not claiming the color(s) and wish to register the mark in black and white, describe the mark without reference to color(s); attach additional pages if necessary: _____

10. Describe the specific goods or services in connection with which the mark is used. Please refer to the International Classification of Goods and Services on our webpage at www.sosnc.com for assistance identifying your goods or services. [Example of goods: “This Trademark is used in connection with the production of BBQ sauce’.] [Example of Services: “This Service Mark is used in connection with restaurant services.”] **Please note, the goods and or services described in this section must fall within the same Class Number designated in #10.** _____

11. You may apply for one classification of goods and services per application. Please refer to the International Classification of Goods and Services on our webpage at www.sosnc.gov to determine the correct Class Number and Class Title.

Class Number: _____ Class Title: _____

12. Required for Initial Registration Only: Date of first use of the mark by applicant, predecessor or licensee. If you are using the mark for the first time in the month of mark application, please specify the specific date of use (Month/Day/Year).

_____ In North Carolina (Month/Year) _____ Anywhere (Month/Year)

CERTIFICATION: *By signing the following, the Applicant affirms that the following are true and accurate statements:*

For All Applicants: *The applicant is the owner of the mark, the mark is in use, and to the best knowledge of the person verifying the application, no other person has registered the mark in this State, or has the right to use the mark in this State either in the identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods or services of the other person, to cause confusion, or to cause mistake, or to deceive.*

For Corporations and Limited Liability Companies only: *I certify that the applying corporation or limited liability company is in good standing in the above-named state.*

For Applications to "Renew" an "Existing Mark" only: *The mark described above is still in use in North Carolina for the goods or services for which registration was initially granted and these goods or services are described in item #9 in this application.*

All Applicants/Owners of the applied-for-mark must print and sign his/her name in the presence of a Notary Public.

Name (Please Print): _____

Signature: _____

Official Capacity: _____ Date: _____

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public for _____
County, North Carolina, do hereby certify that _____
personally appeared before me this day and acknowledged to me that he or she voluntarily signed the
foregoing document for the purpose stated therein and in the capacity indicated. That I either possess
personal knowledge of the identity of the principal or was provided with satisfactory evidence of the
principal's identity.

Witness my hand and official seal, this the _____ day of _____, 20____

Notary Public (Official Seal)

My Commission Expires: _____, 20____
Month/Day

DID YOU REMEMBER TO INCLUDE:

- _____ The complete original signed and notarized application.
 - _____ Three (3) original specimens depicting the mark "as currently used" in North Carolina., **and**
 - _____ Two (2) black and white depictions of the Colored Design Mark if you did not claim color
 - _____ Initial Application Processing fee of \$75.00, or Renewal Application Processing fee of \$35.00.
- Please make check or money order payable to NC Secretary of State.

Mail all documents to: Trademark Section, NC Department of the Secretary of State
PO Box 29622, Raleigh, NC 27626-0622