

## Trademark Questionnaire

### [1] Identity of Client

(1) Name.

(2) Business address and phone number.

(3) Status of client, such as:

(a) Individual, and, if so:

(i) Citizenship and domicile.

(ii) Residence address and phone number.

(b) Partnership, and, if so:

(i) Whether partnership is general or limited.

(ii) Names, addresses, and citizenship or domicile of other partners.

(iii) Principal place of business and identity of partners who are domiciled in Texas.

(c) Other business association, and, if so:

(i) Nature of organization.

(ii) Principal place of business and citizenship or domicile of owners.

(d) Corporation, and, if so:

(i) State or country of incorporation.

(ii) Whether authorized to do business in Texas.

(iii) Name and address of officer or agent for service of process.

(iv) Client's relationship with corporation.

(e) If the applicant is not domiciled in the United States, the federal registration statutes require that a United States resident be designated as an agent for service of process [ 15 U.S.C. § 1051(e) ].

## **[2] Identity of Mark**

- (1) Goods or services with which mark has been or will be used.
- (2) Common, usual, or ordinary names for such goods or services.
- (3) Words or symbols that constitute mark.
- (4) Manner in which mark has been or will be used in connection with goods or services, e.g.:
  - (a) Stamped on goods.
  - (b) Printed on labels affixed to goods.
  - (c) Print or broadcast advertisements.

## **[3] History of Use**

- (1) Date mark first used by client.
- (2) Geographical area in which mark used by client.
  - (a) If the client has gradually expanded use of the mark in question to larger or more numerous geographical areas, the please indicate the date of first use in each area.
- (3) Whether client's use of mark has been continuous since first date of use and, if not, for each period of nonuse:
  - (a) Dates involved.
  - (b) Reasons for nonuse.
- (4) Whether client knows of any other person or organization using same or similar mark, and, if so:
  - (a) Identity of other user.
  - (b) Type of goods or services for which other user uses mark.
  - (c) Date of first use by other user.
  - (d) Geographic area of use by other user.

(e) Whether other user has registered mark:

(i) In Texas.

(ii) In any other state.

(iii) On federal principal or supplemental register.

(iv) In foreign country.

(5) Whether client plans for any other person or entity to use mark in future, and, if so:

(a) Identity of persons or entities (including, if possible, addresses and phone numbers).

(b) Relationship of persons or entities to client.

(c) If persons or entities not "related company", whether client intends to sell or license use of mark.

(6) Prior registrations or attempts at registration of mark by client, including:

(a) Dates of prior applications.

(b) Location of prior applications, i.e.:

(i) Principal or supplemental federal register.

(ii) Federal registration under earlier trademark legislation.

(iii) State registration in state other than Texas.

(iv) Texas Secretary of State.

(v) Foreign country.

(c) Current status or disposition of prior applications.