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

December 2021



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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.

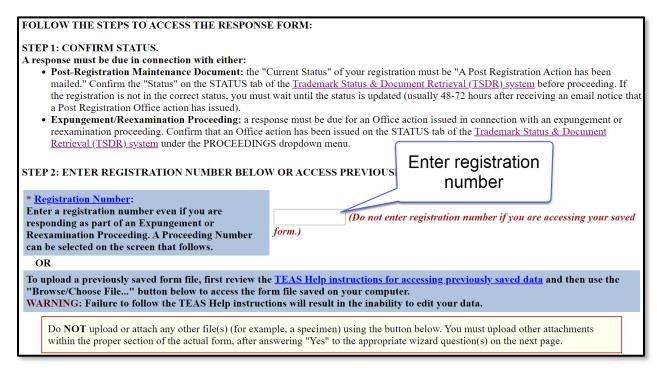
### Using the dedicated field form

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.



- 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 respon	ding to ?
Post-Registration Maintenance:	
O Combined Declaration of Use and Incontestability under Sections 8 &	15
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under Sections 8 & 9	
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certification	cate
O Surrender of Registration for Cancellation	
Request to Divide Registration	Select one radio
Select the Proceeding Number	button
O Proceeding No. Select the Proceeding Number >	

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

<u>Declaration of Use and/or Excusable Nonuse under Section 8</u>

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

<u>Declaration of Incontestability under Section 15</u>

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

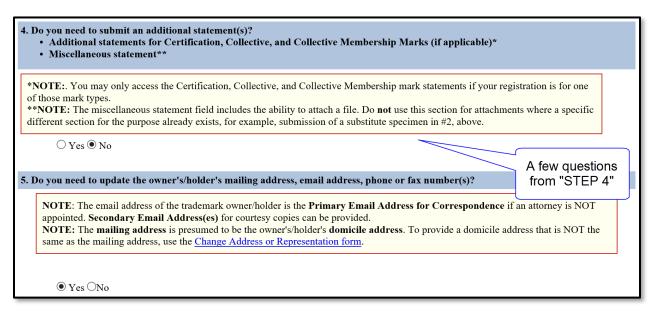
Expungement or reexamination proceeding number

### 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	e "Continue" button below:
© Combined Declaration of Use and Incontestability under Sections 8 & 15	
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal	Sections 8 & 9
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is
O Surrender of Registration for Cancellation	selected
Request to Divide Registration	

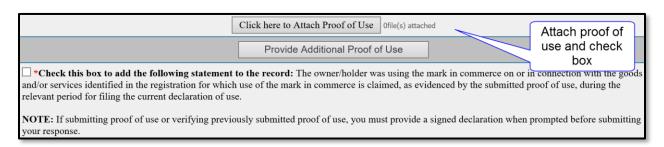
- 2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit an additional statement(s)", 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.



- 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 structuconstruction	res, none for use in relation to
Proof of Use provided below for this class.	
O Verification only being provided for previously-submitted, unverified proof of use.	
O No proof of use required for this class.	Complete text
Proof of Use Information	boxes
*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.	



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 construction	e structures, none for use i	in relation to
O Proof of Use provided below for this class.		
Verification only being provided for previously-submitted, unverified proof of use.	Check statement box	
O 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.		
<b>NOTE:</b> If submitting proof of use or verifying previously submitted proof of use, you must provide a signed do your response.	claration when prompted	before submitting

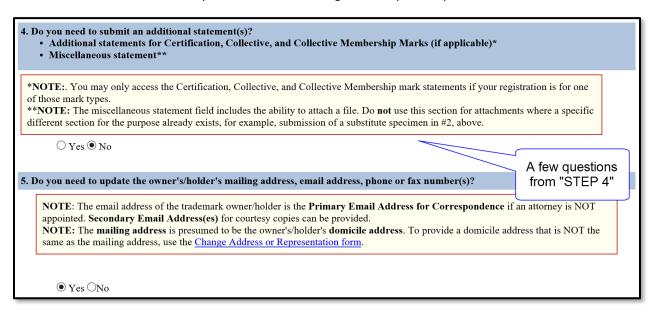
6. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature section of this form.</u>

### 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:	
O Combined Declaration of Use and Incontestability under Sections 8 & 15		
Declaration of Use and/or Excusable Nonuse under Section 8		
O Combined Declaration of Use and/or Excusable Nonuse/Application Renewal under Sections 8 & 9		
O Declaration of Incontestability under Section 15		
O Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is	
O Surrender of Registration for Cancellation	selected	
O Request to Divide Registration		

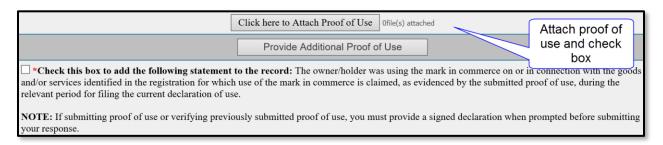
- 2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit an additional statement(s)", 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.



- 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 structuconstruction	res, none for use in relation to
Proof of Use provided below for this class.	
O Verification only being provided for previously-submitted, unverified proof of use.	
O No proof of use required for this class.	Complete text
Proof of Use Information	boxes
*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.	



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 construction	le structures, none for use	in relation to
O Proof of Use provided below for this class.		
Verification only being provided for previously-submitted, unverified proof of use.	Check statement box	
O 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 co and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by relevant period for filing the current declaration of use.		
<b>NOTE:</b> If submitting proof of use or verifying previously submitted proof of use, you must provide a signed do your response.	eclaration when prompted	before submitting

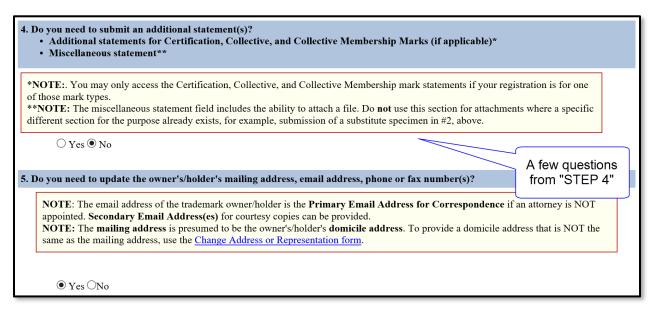
6. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature section of this form.</u>

# 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:
O Combined Declaration of Use and Incontestability under Sections 8 & 15	
O 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
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is
O Surrender of Registration for Cancellation	selected
O Request to Divide Registration	

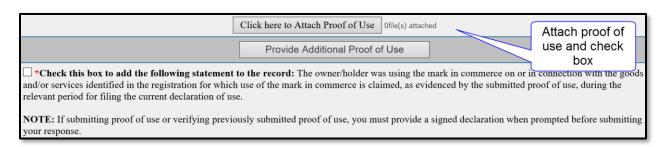
- 2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to submit an additional statement(s)", 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.



- 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 structuconstruction	res, none for use in relation to
Proof of Use provided below for this class.	
O Verification only being provided for previously-submitted, unverified proof of use.	
O No proof of use required for this class.	Complete text
Proof of Use Information	boxes
*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.	



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 construction	le structures, none for use	in relation to
O Proof of Use provided below for this class.		
Verification only being provided for previously-submitted, unverified proof of use.	Check statement box	
O 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.		
<b>NOTE:</b> If submitting proof of use or verifying previously submitted proof of use, you must provide a signed do your response.	eclaration when prompted	before submitting

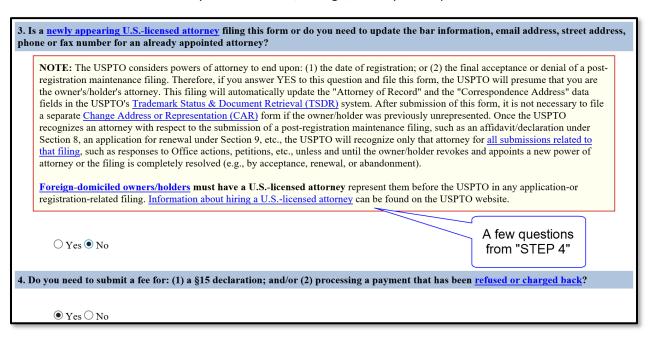
6. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature section of this form.</u>

### Declaration of Incontestability under Section 15

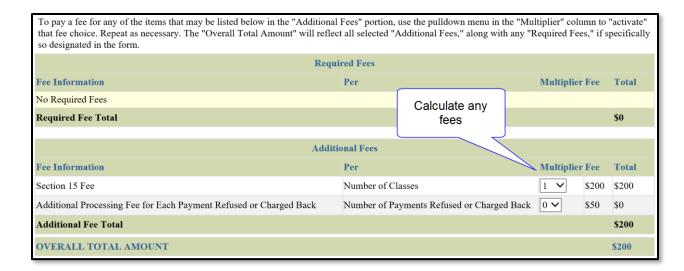
1. You selected the Declaration of Incontestability under Section 15 radio button.

*STEP 3: To respond to an Office action, select the appropriate radio button and click on the	"Continue" button below:
O Combined Declaration of Use and Incontestability under Sections 8 & 15	
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under	Sections 8 & 9
Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is
O Surrender of Registration for Cancellation	selected
O Request to Divide Registration	

- 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. 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.



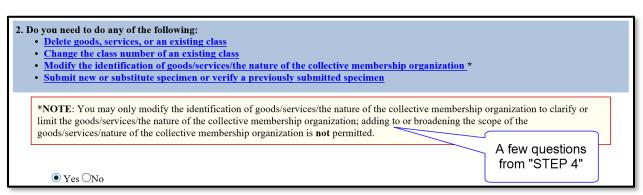
5. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature</u> section of this form.

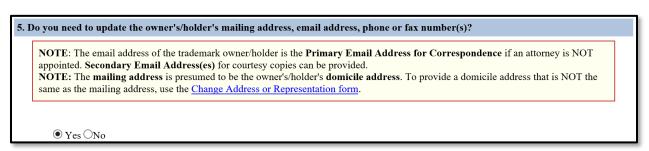
### Section 7 Request for Amendment or Correction of Registration Certificate

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:
, , , , ,	
O Combined Declaration of Use and Incontestability under Sections 8 & 15	
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under	Sections 8 & 9
O Declaration of Incontestability under Section 15	
Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is
O Surrender of Registration for Cancellation	selected
O Request to Divide Registration	

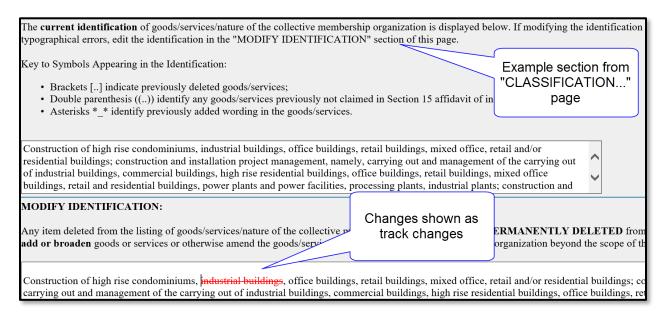
- 2. Answer all the questions in "STEP 3" by selecting either "Yes" or "No" for each question. You must answer "Yes" to at least one question.
  - a. Your answers will affect what other pages appear in this form. For example, if you select "Yes" when asked "Do you need to do any of the following: Delete 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.





- 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.



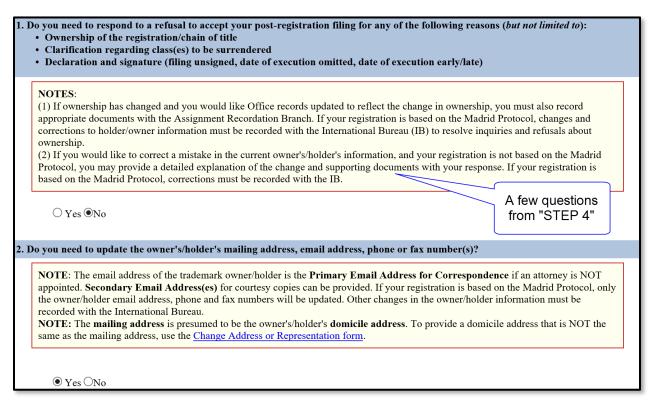
5. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature</u> section of this form.

### Surrender of Registration for Cancellation

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

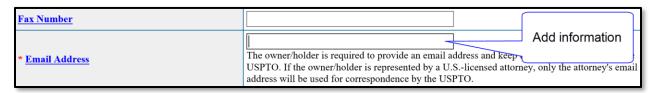
*STEP 3: To respond to an Office action, select the appropriate radio button and click on the	"Continue" button below:
O Combined Declaration of Use and Incontestability under Sections 8 & 15	
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under	r Sections 8 & 9
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is
Surrender of Registration for Cancellation	selected
Request to Divide Registration	

- 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.



- 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.



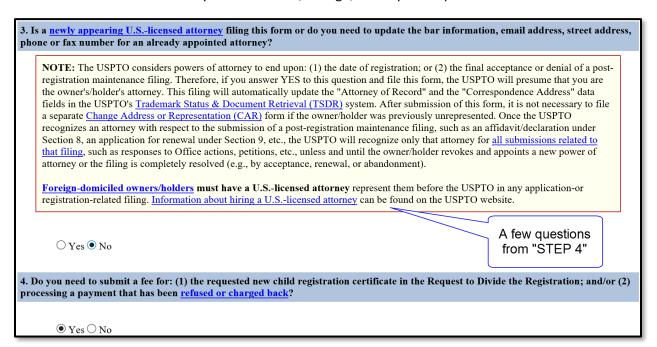
5. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature section of this form.</u>

### Request to Divide Registration

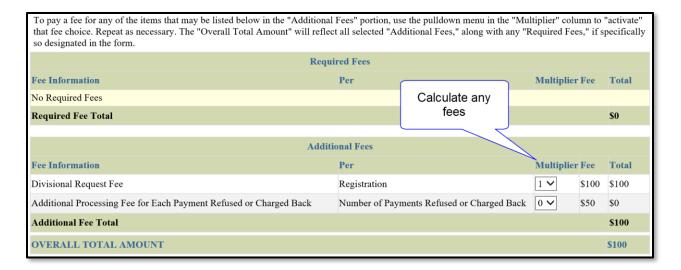
1. You selected the Request to Divide Registration radio button.

*STEP 3: To respond to an Office action, select the appropriate radio button and click on the	"Continue" button below:
O Combined Declaration of Use and Incontestability under Sections 8 & 15	
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under	r Sections 8 & 9
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	Radio button is
O Surrender of Registration for Cancellation	selected
Request to Divide Registration	

- 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. 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.



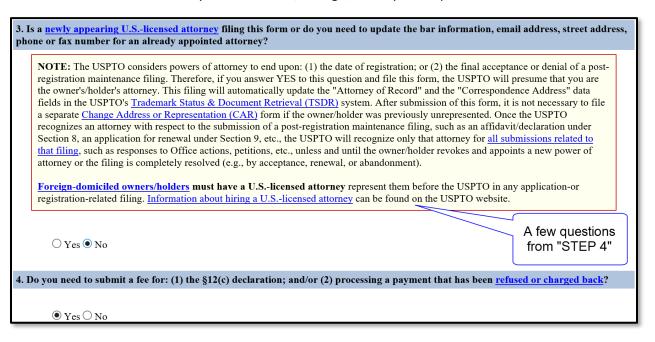
5. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature</u> section of this form.

### Section 12(c) Affidavit

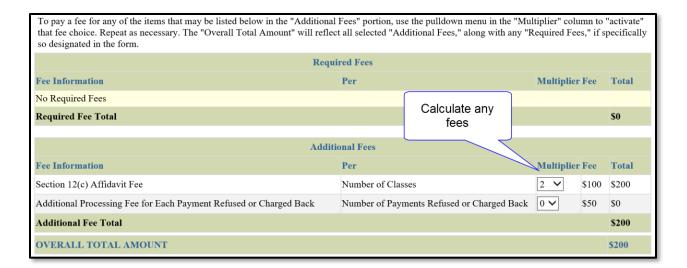
1. You selected the Section 12(c) Affidavit radio button.

*STEP 3: To respond to an Office action, select the appropriate radio button and click on the	"Continue" button below:
O Combined Declaration of Use and Incontestability under Sections 8 & 15	
O Declaration of Use and/or Excusable Nonuse under Section 8	
O Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal under	Sections 8 & 9
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	Dadia buttan ia
O Surrender of Registration for Cancellation	Radio button is
Request to Divide Registration	selected
● Section 12(c) Affidavit	

- 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. 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.



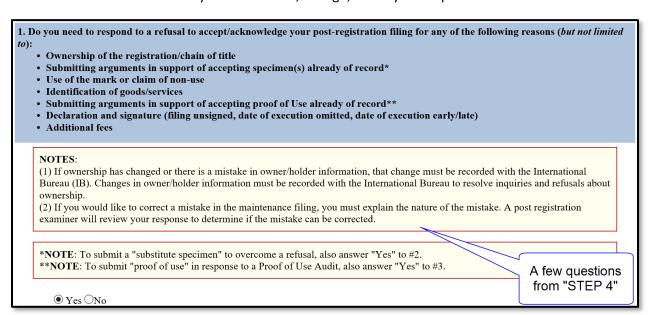
5. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature</u> section of this form.

### 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.

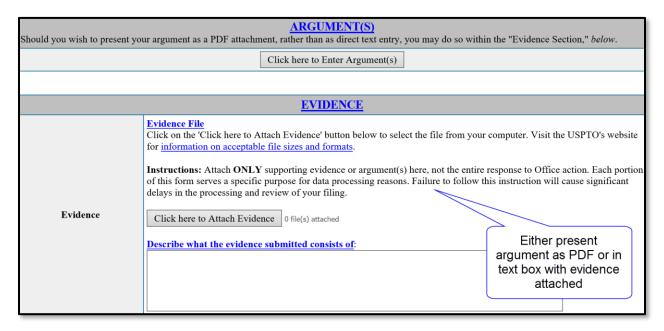
*STEP 3: To respond to an Office action, select the appropriate radio button and click on the	"Continue" button	below:
O Declaration of Incontestability under Section 15		
O Section 7 Request for Amendment or Correction of Registration Certificate		
O Surrender of Registration for Cancellation		
Request to Divide Registration	Radio button	ı is
Declaration of Use and/or Excusable Nonuse under Section 71	selected	
O Combined Declaration of Use and Incontestability under Sections 71 & 15		

- 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.



# 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.

- 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.



- 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 pr	ocessing and review of your filing.
Click here to Attach Specimen(s) 0 file	
☐ Check this box if you are mailing a non-traditional specimen using USPS because it meets the qualifications explai be submitted using this form. Failure to submit a required specimen through TEAS may result in processing delays an	Attach specimen and include a description of specimen in text box
Describe what the submitted specimen consists of	
CHECK THIS BOX IF SPECIMENS ARE NOW BEING SUBMITTED OR WERE PREVIOUSLY SUBMITTE	Check box for

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.

"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce during specimen is a true copy of the specimen that was originally submitted with the declaration of use" [for an illegible specimen,

NOTE: If submitting a substitute specimen or verifying a previously submitted specimen, you must provide a signed declaration when p

- 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.

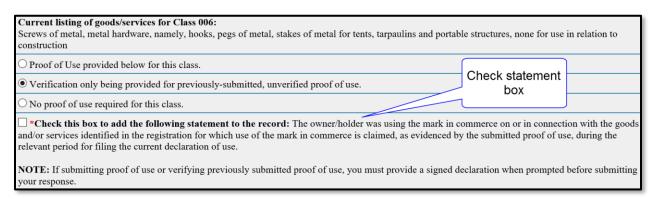
specimen

statement

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 structure construction	res, none for use in relation to
Proof of Use provided below for this class.	
O Verification only being provided for previously-submitted, unverified proof of use.	
O No proof of use required for this class.	Complete text
Proof of Use Information	boxes
*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.	

С	Provide Additional Proof of Use 0file(s) attached		Attach proof of use and check
*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.			
<b>NOTE:</b> If submitting proof of use or verifying previous your response.	ly submitted proof of use, you must provide a sign	ned declaration when p	rompted before submitting

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.



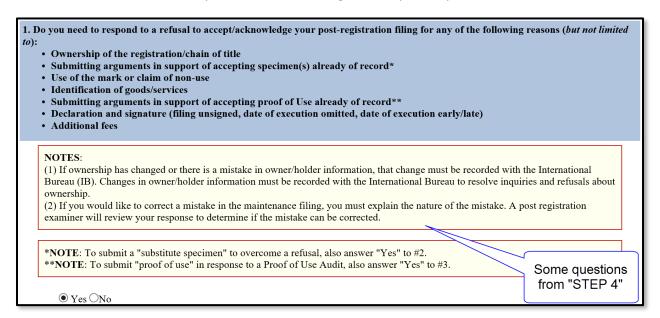
6. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature</u> section of this form.

### 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:
O Declaration of Incontestability under Section 15	
O Section 7 Request for Amendment or Correction of Registration Certificate	
O Surrender of Registration for Cancellation	
Request to Divide Registration	Radio button is
O Declaration of Use and/or Excusable Nonuse under Section 71	selected
© Combined Declaration of Use and Incontestability under Sections 71 & 15	

- 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.



### 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.

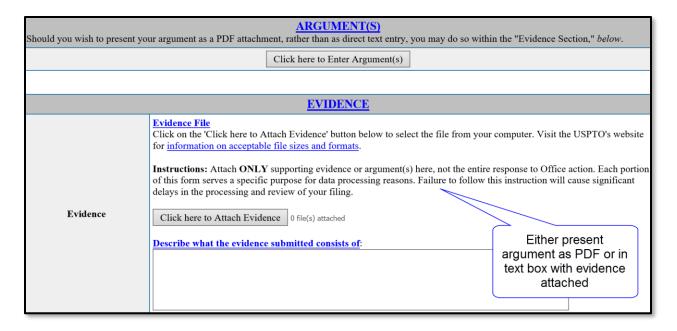
\*\*\*NOTE: This is for the submission of substitute specimens. You should not select this if you are responding to a Proof of Use Audit unless you also need to submit a new or substitute specimen. If you are responding to a Proof of Use Audit, answer "Yes" to #3.

○ Yes •No

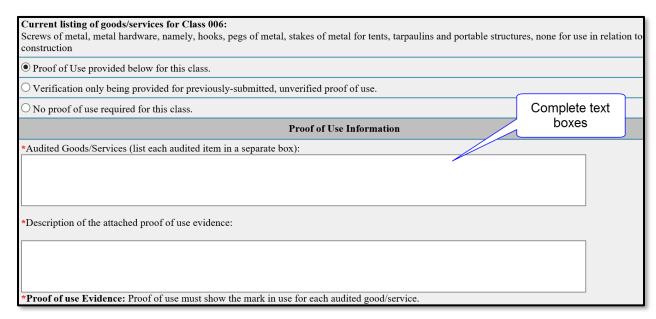
### 3. Do you need to respond to a **Proof of Use Audit?**

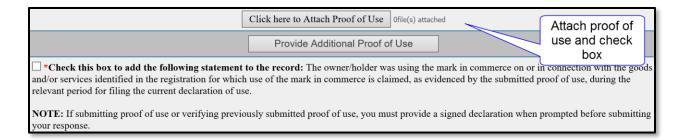
● Yes ○ No

- 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.

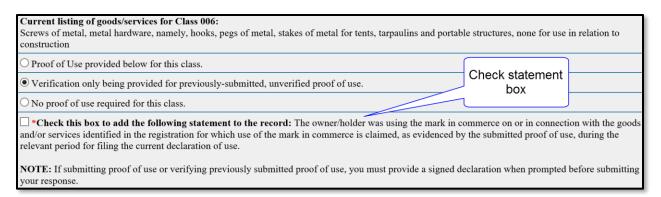


- b. Since "Yes" was also selected for "Do you need to respond to a Proof of Use Audit", you would also complete the "Proof of Use Submissions" page.
  - i. If you need to provide a proof of use, select the "Proof of Use provided below for this class" radio button, complete the free form text boxes, 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.





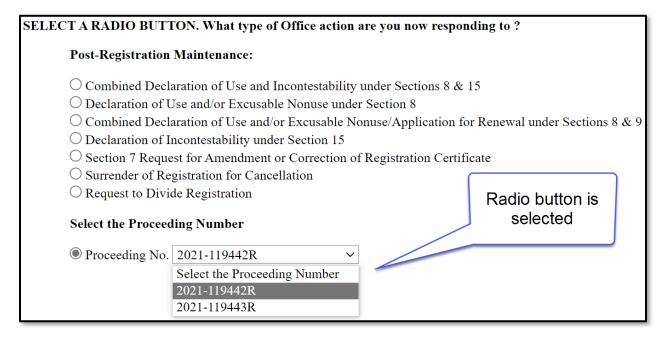
iii. If you only need to verify a previously-submitted proof of use, select the "Verification only being provided for previously-submitted, unverified proof of use" radio button. You won't be able to attach a proof of use, but you'll be prompted to submit a statement regarding the previously-submitted 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.



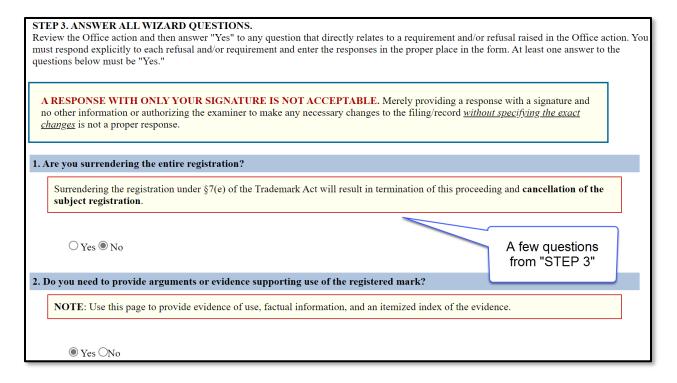
5. Complete the "SIGNATURE" page to submit this form. <u>Learn how to complete the signature</u> section of this form.

### Expungement or reexamination proceeding number

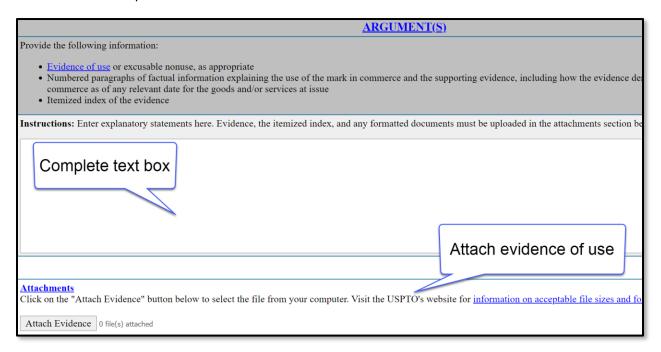
- 1. You selected the Proceeding No. radio button.
  - a. If your registration number is connected to more than one expungement or reexamination proceeding, select the specific proceeding you're replying to in the dropdown menu.



- 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.

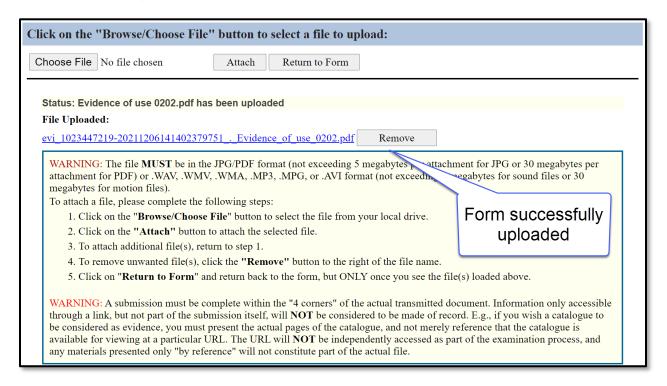


- 3. Press the "Continue" button at the bottom of the page.
- 4. If in "STEP 3" you selected "Yes" for "Do you need to provide arguments or evidence supporting use of the registered mark", then you need to complete the "ARGUMENT(S)" page.
  - a. Complete the free form text box.



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

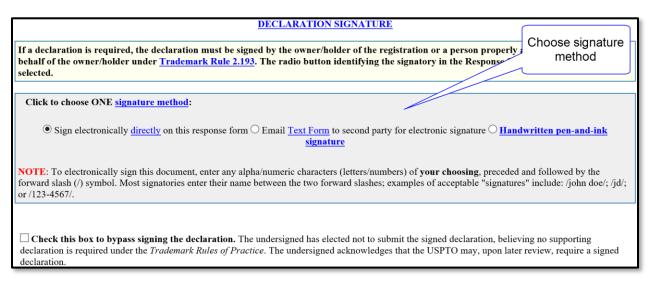
see a "File Uploaded" message, when your file has successfully attached to the form. Then, select "Return to Form".



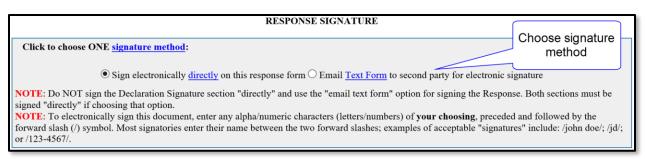
- 5. Continue through the form. Make all changes, attachments, payments, etc. that are necessary.
  - a. Remember the information that you can provide within this form depends on how you answered the "STEP 3" questions. For example, if you selected that you need to update the owner's/holder's email address,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



- 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.



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 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 ow Select one of in this matter, either I revoked their power of attorney by filing a signed revocation with the If I had previously USPTO or the USPTO these radio withdrawal request. buttons ADVISORY: Click the above 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. O 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. O 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).

- 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 online 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 proter e USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permis n available in its on-line database and in copies of the application or registration record. Check this box 3. Be aware that p iated with the USPTO often use trademark application and registration information from the USPTO's nark-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.

- 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.