UNITED STATES PATENT AND TRADEMARK OFFICE



Federal trademark searching: advanced techniques

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Discussion topics

- New trademark search system
- Basic mode
- Expert mode
- Advanced techniques
- Practice tips and short cuts
- USPTO resources



USPTO restrictions

- The USPTO does not provide legal advice.
 - This program is for informational purposes only.
 - It only covers the mechanics of searching the federal register.
 - It does not cover full clearance searching.
 - It does not cover everything you need to know about federal and common law trademark rights.

Discussion topic

New trademark search system

New trademark search system

Why it's happening

- Trademark Electronic Search System (TESS) deployed on February 14, 2000.
 - It relies on a backend system that will no longer be supported.
 - It relies on a programming language that will no longer be supported.
- TESS must retire on November 30, 2023.



New trademark search system

Benefits

- Beta version launched August 28, 2023.
 - It allows users to conduct all of the same types of searches that TESS did.
 - It provides a modern, more stable search experience.
 - It provides a platform for more powerful searches.
 - It supports new features and capabilities that will allow us to adapt to your needs and feedback.

Discussion topic

Federal trademark searching: basic mode



You want to register:

RABBIT

as a brand name for

racquet ball rackets



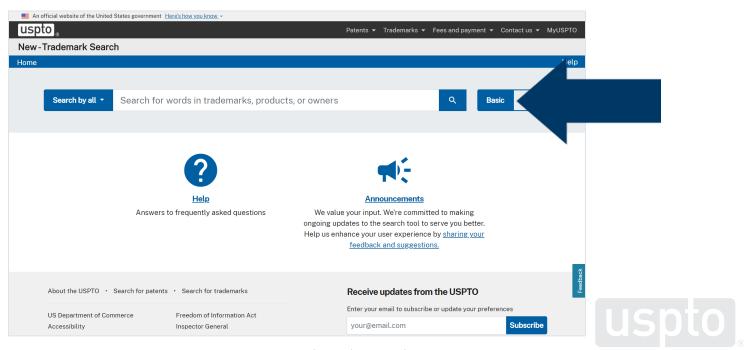


- Dropdown searches
 - Search by all
 - Not recommended for clearance searching
 - Wordmark



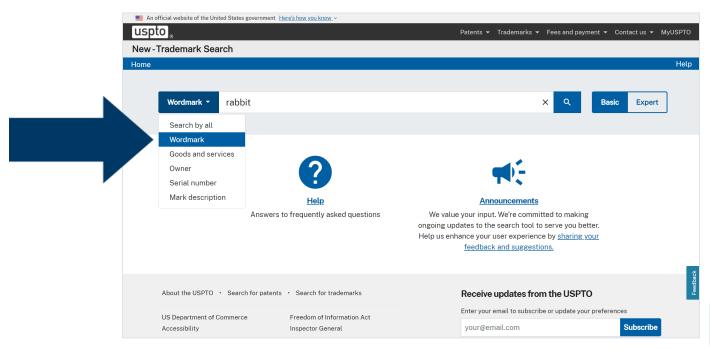


Access the USPTO database.





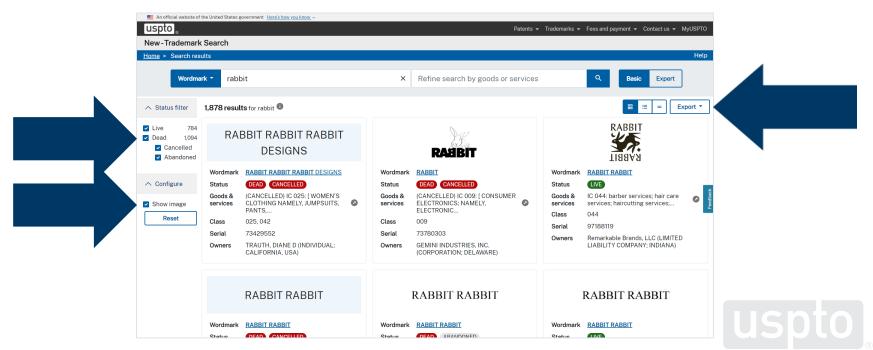
Select "Wordmark" and enter search term.





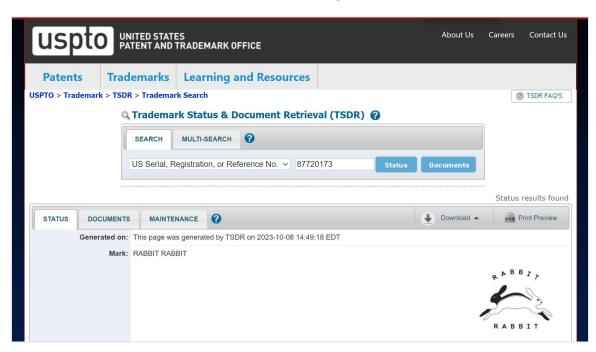


Look for conflicting trademarks.





Learn more about the potential conflict.







Dropdown searches

- Search by all
- Wordmark
- Goods and services
- Owner name
- Serial number
- Mark description



Discussion topic

Federal trademark searching: expert mode



Dropdown searches

- Search by all
- Wordmark
- Goods and services
- Owner name
- Serial number
- Mark description

- Design code
- Design description





You want to register:

RABBIT

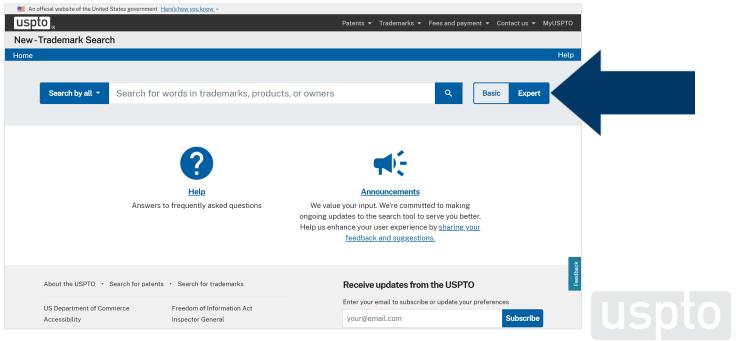
as a brand name for

racquet ball rackets

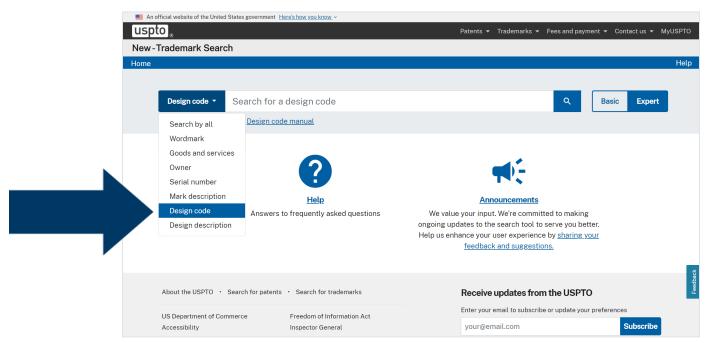




Select "Expert" mode.

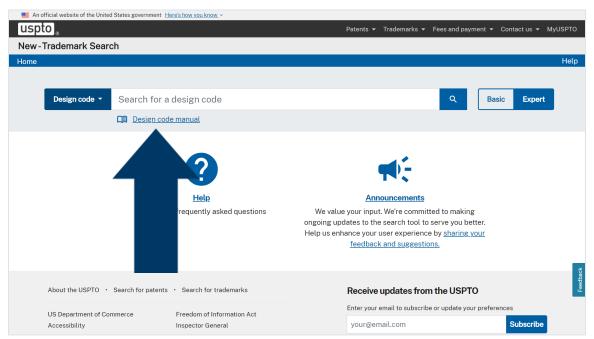


Select "Design code."



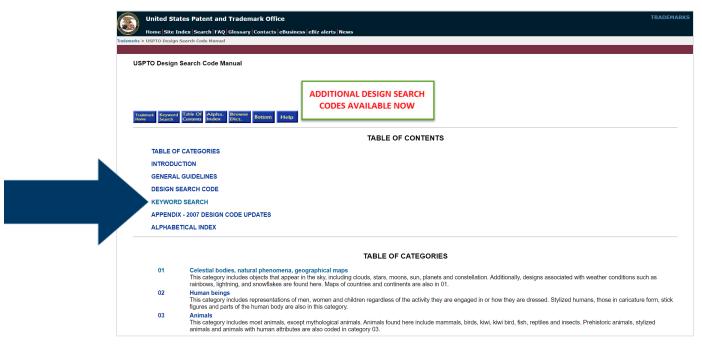


Select "Design code manual."



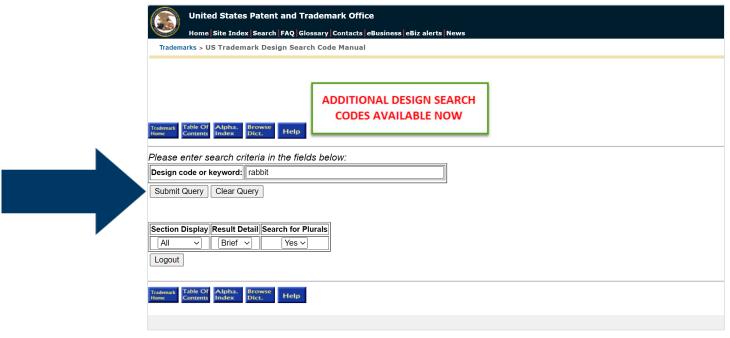


Select "Keyword search."



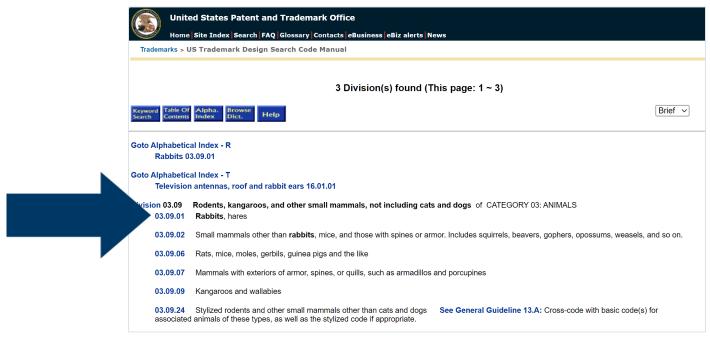


Enter search term and submit query.



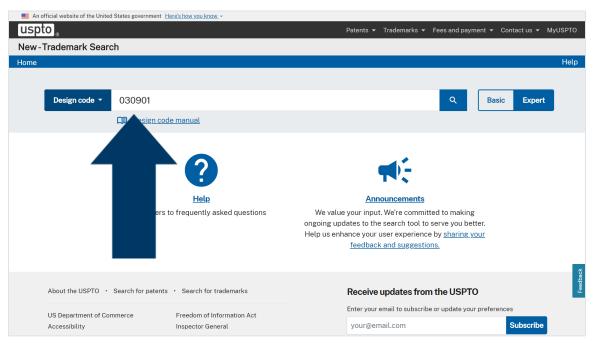


Copy down six-digit design code.



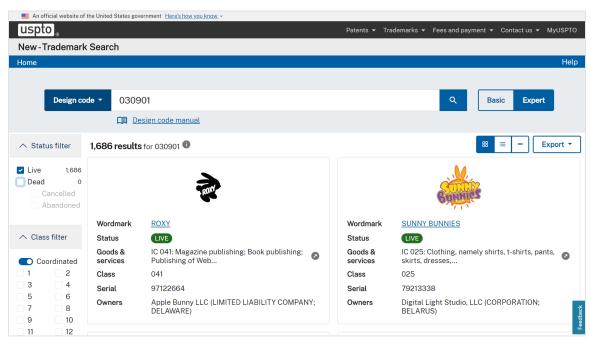


Enter six-digit design code.





Look for conflicting marks.







- Dropdown searches
- Filtering by class
 - Coordinated class





- Dropdown searches
- Filtering by class
 - Coordinated class
 - International class

∧ Class filter	
Coordinated	
1	_ 2
3	_ 4
_ 5	6
7	8
9	<u> </u>
11	12
13	_ 14
<u> </u>	<u> </u>
17	<u> </u>
19	_ 20
21	22
23	24
25	26
27	2 8
29	30
31	32
33	34
35	36
37	38
39	40
41	42
43	44
45	_ A
В	200



- Dropdown searches
- Filtering by class
 - Coordinated class
 - International class
 - Consider 035, 042, a, b, and 200





- Dropdown searches
- Filtering by class
- Advanced techniques



Discussion topic

Federal trademark searching: advanced techniques



Overview

- Craft searches without the dropdown menus.
- Incorporate into your search:
 - Pattern matching
 - Truncation
 - Logical operators
- Execute "free form"-style searches.





You want to register a wordmark:

RABBIT

as a brand name for

t-shirts





- Common search strategy
 - Execute dead-on search.
 - Execute alternate spelling search.
 - Execute truncation and wildcard search.
 - Execute combined term search.
 - Filter search results as needed.





Search preparation

- Brainstorm trademarks similar to yours.
- Brainstorm alternate spellings of your mark.
- Brainstorm alternate meanings of your mark.
- Brainstorm goods and services related to yours.
- Look up which USPTO database search fields you want to search.

Discussion topic

Advanced techniques: search fields and field tags



- What are search fields?
 - Database categories available for searching
 - Example:
 - Goods and services
- What are field tags?
 - Abbreviations used to indicate a desired field
 - Example:
 - GS:





- How do field tags work?
 - Place at the front of the search statement.
 - Use capital letters followed by a colon.
 - Type search term in lowercase letters.
 - DS:shoes
 - RG:supplemental



- Combined mark field or CM:
 - Combines multiple trademark categories into a single searchable field.
 - Word mark field
 - Pseudo mark field
 - Translation field
 - Transliteration field





- Design code field or DC:
 - Searches the six-digit code assigned to the mark.
 - Search with or without the internal periods.

Search for foxes using design codes
DC:030111
DC:03.01.11
DC:(030111 foxes)
DC:0301*





Search field	Field tag
Combined mark	CM:
Design code	DC:
Live/dead	LD:
Coordinated class	CC:
International class	IC:
Goods/services	GS:
Disclaimer	DS:
Serial number	SN:
Registration number	RN:
Owner name and address	OW:
Attorney of record	AT:



Advanced techniques

- Common search strategy
 - Execute dead-on search.
 - rabbit
- Example
 - CM:rabbit



Discussion topic

Advanced techniques: Pattern matching



- Signal the system for advanced searches.
 - Surround search term with forward slashes.
 - Type search term in lowercase letters.
 - CM:/trademark/





- Pattern matching searching
 - Allows you to efficiently execute searches that include alternate spellings.
 - CAT → cat or kat or qat or ccat or ckat or cqat, etc.





- Signal the system to pattern match.
 - Surround letters with square brackets.
 - Use quantifiers to search for multiple instances of a character.

Common vowel searches		
Search a or e or i or o or u or y	[aeiouy]	
Search 0-1 vowels	[aeiouy]{0,1}	
Search 1-2 vowels	[aeiouy]{1,2}	



Common phonetic equivalent combinations		
Sound	Example	Pattern match term
Hard K	Cat; kite; fox	[ckqx] or [ckqx]{1,2}
Soft S	Soup; scene; zen	[scz] or [scz]{1,2}
F/PH	Fun; phonics	[fph] or [fph]{1,2}
J/G	Genius, jeans	d{0,1}[gj]
TION	Action, fashion	[scth]{0,3}[aeiou]{1,2}n
Long I/E	Sigh, lye	[iey]{1,2}



Advanced techniques

- Common search strategy
 - Conduct an alternative spelling search.
 - rabit or raabbit or rabet or rabbet, etc.
- Example
 - CM:/ra{1,2}b{1,2}[aeiouy]t/



Discussion topic

Advanced techniques: truncation and wildcards



Truncation and wildcards

Wildcards

- Allow you to efficiently broaden your search.
 - External truncation.
 - CAT → kittycat or catamaran
 - Internal truncation.
 - CAT → capture or crater





Truncation and wildcards

Wildcard	Explanation
	Match any character (excluding space) exactly one instance
.{0,n}	Match any character (excluding space) 0 to n instances
*	Repeat the preceding character 0+ times
.*	Match any character (excluding space) 0 or more instances (internal)
.*	Match any character (excluding space) 0 or more instances (external truncation)



Advanced techniques

- Common search strategy
 - Conduct pattern matching with truncation.
 - rrrabit or rabbitt or fastrabet or rabbetfood, etc.
- Examples
 - CM:/.*ra{1,2}b{1,2}[aeiouy]t.*/



Discussion topic

Advanced techniques: basic operators and groupings



Basic operators and groupings

Operators

- Connect two or more search statements.
- Must be in UPPERCASE letters.
 - AND
 - OR
 - AND NOT





Basic operators and groupings

Groupings

- A space is treated as OR.
 - Except when the space is between forward slashes.
 - CM:/.*hip hop.*/ will not find any marks.
 - CM:(/.*hip.*/ /.*hop.*/) will find HIP marks or HOP marks.
- Search statements inside of parentheses are performed first.



Basic operators and groupings

Operators	Explanation	Examples
AND	Includes only results that meet additional search statements	CM:/.*d[oa]g.*/ AND DS:food
OR	Includes results that meet one of multiple search statements	IC:009 OR IC:016
space		CM:(/.*hip.*/ /.*hop.*/)
AND NOT	Excludes results of identified search statements	GS:/toy.*/ AND NOT GS:/pet.*/
()	Groups together search statements to be modified by field or operator	IC:(009 a b 200)
		(1 AND 2) OR 4

Advanced techniques

- Common search strategy
 - Conduct combined term search.
 - Registered "rabbit" trademarks.
- Example
 - CM:/.*ra{1,2}b{1,2}[aeiouy]t.*/ AND RG:*



Discussion topic

Advanced techniques: knowledge checks



Which field code returns the most comprehensive number of trademarks in the new search system?

• WM:

• CM:

• WP:

• [BI,TI]





Which search string returns more ZEBRA trademark results?

- CM:/[sz]ebr.*/
- CM:(/zebr.*/ OR /sebr.*/)
- No difference





Which search string returns more PLEAD trademark results?

- CM:/pl[aeiy]{1,3}d/
- CM:/pl[aeiy]{1,3}d.*/
- CM:/.*pl[aeiy]{1,3}d.*/





Which search string returns more HAMMOCK trademark results?

- CM:/.*h[aeiouy]{1,2}m{1,2}[aeiouy][ckqx].*/
- CM:/.*h[aeiouy]{1,2}mm[aeiouy][ckqx].*/
- CM:/.*h[aeiouy]{1,2}m{2}[aeiouy][ckqx].*/





Which search string returns more DOG trademark results?

- CM:/.*dog.*/
- CM:/.*d[aou]{1,2}[hw]{0,1}g.*/
- CM:/.*dog.*/ OR CM:/.*dawg.*/ OR CM:/.*dahg.*/



Which search string returns CAN'T trademark results?

- CM:/.*[ckq]a{1,2}n{1,2} t.*/
- CM:/.*[ckq]a{1,2}n{1,2}.t.*/
- No difference



Discussion topic

Review

- Tips for simple search strings
 - Field tags precede search term.
 - Field tags must be in all caps.
 - Field tags must be followed by a colon.
 - Search terms must be in lowercase.





Review

- Tips for advanced search strings
 - Search terms go between two forward slashes.
 - Pattern match by placing letters inside brackets.
 - Request a single character by inserting a period.
 - Request infinite characters by inserting a period and asterisk ("dot star").

CM:/.*trad.m[aeiouy]rk.*/



Wildcard	Explanation	Examples
*	Repeats the preceding character 0+ times	/cat*/ matches ca, cat, catt, cattt, but not cats
?	Repeats the preceding character 0-1 times	/fis?t/ matches fit and fist
+	Repeats the preceding character 1+ times	/com+/ matches com, comm, and commm
()	Forms a group treated as a single character	/abc(def)/ matches <i>abc</i> and <i>abcdef</i> , but not <i>abcd</i>

Operator	Explanation	Examples
" "	Matches an exact term	ON:"nike inc" returns all marks owned by Nike Inc.
		Does not return owners with just <i>nike</i> in the name
[TO]	Designates a range	RD:[2020-01-01 TO 2020-12-31] returns all marks with a registration date in 2020
~	Returns words in a certain proximity	CM:"zebra star"~3 returns zebra star, star zebra, and zebra on a star
		Does not return zebra on a rocket to the stars

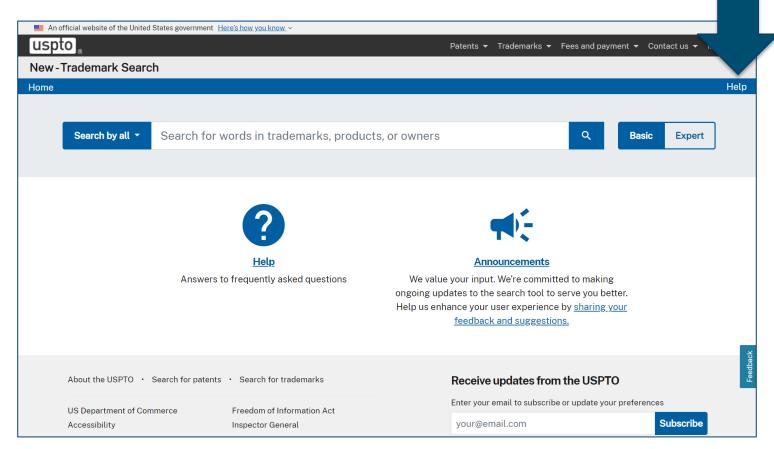
Operator	Explanation	Examples
	Acts as the OR operator	
	Matches a character or string on the left side or the right side of the bar	/abc xyz/ matches <i>abc</i> or <i>xyz</i>
[]	Acts as the AND NOT operator by negating the characters or string in the brackets	/[^abc]/ matches characters except <i>a</i> , <i>b</i> , or <i>c</i>
[^]	Matches any character that's not listed inside the brackets	/[^a-c]/ matches characters except <i>a</i> , <i>b</i> , or <i>c</i>

Operator	Explanation	Examples
	Allows you to search a reserved character such as:	
\	.?+* {}[]()"\/#@&<>>~-:;	/disney\+/ matches <i>disney</i> +
	Matches any character to the right of the backslash	
	Allows you to search a reserved character such as:	
[]	.?+* {}[]()"\/#@&<>>~-:;	/disney[+]/ matches <i>disney</i> +
	Matches any character inside the brackets	

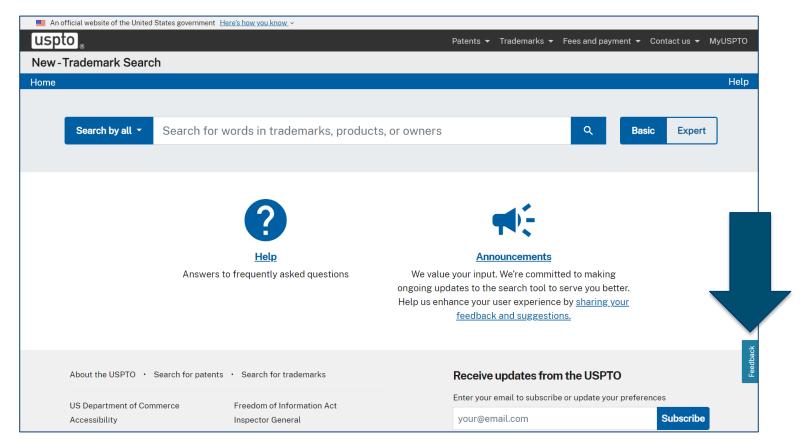
Search query	Search string
Find all marks owned by Acme filed in 2023	OW:acme AND FD:[20230101 TO *]
Find all marks owned by Acme registered in 2023	OW:acme AND RD:[20230101 TO *]
Find all pending applications	SN:* AND NOT RN:*
Find all marks published for opposition, but not registered	(SN:* AND PO:true) AND NOT RN:*
Find all registrations	RN:*
Find a record by application serial number	SN:XXXXXXX
Find a record by registration number	RN:XXXXXXX
Find a specific attorney, Jane Smith	AT:"Jane Smith"

Discussion topic

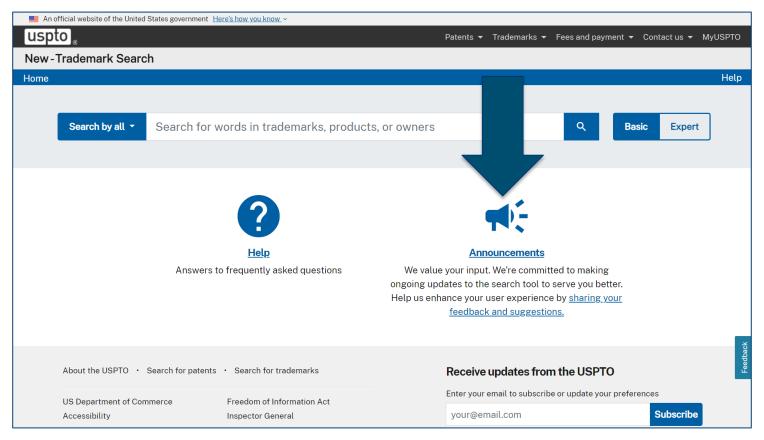














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