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PTO-2312

Approved for use through 12/31/2024. OMB 0651-0086

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Petition for Expungement or Reexamination form

TEAS - Version 8.0

GENERAL FORM INFORMATION:

- **TIMEOUT WARNING:** You're required to log back in after 30 minutes of [inactivity](#). This ensures the USPTO complies with [mandatory federal information security standards](#) and protects user information. After 25 minutes of inactivity, you will be prompted to continue your session. If you do not continue within 5 minutes, the session will end, you will be logged out of your USPTO.gov account, and you will lose any unsaved data in the form. Please have all of your information ready before you start.
- **DO NOT USE YOUR BROWSER BACK/FORWARD BUTTONS:** Use only the navigation buttons at the bottom of each page.
- **REQUIRED FIELDS:** All have an **ASTERISK (*)**, and the form will not validate if these fields are not filled-out.
- **SUPPORTED BROWSERS:** Internet Explorer is not supported browsers for use with this form. Customers must use an alternative browser such as Google Chrome, Edge, Firefox or Safari when accessing the Petition for Expungement or Reexamination form.

TO ACCESS THE PETITION FORM:

STEP 1: Use this form for filing a petition for expungement or reexamination. Confirm that the mark you are filing against is registered using the [Trademark Status & Document Retrieval system \(TSDR\)](#).

STEP 2: ENTER REGISTRATION NUMBER BELOW OR ACCESS PREVIOUSLY FILLED-OUT/SAVED

* [Registration Number](#):

(Do not enter registration number if you are accessing your saved form.)

OR

To upload a previously saved form file, first review the [TEAS Help instructions for accessing previously saved data](#) and then use the "Browse/Choose File..." button below to access the form file saved on your computer. **WARNING: Failure to follow the TEAS Help instructions will result in the inability to edit your data.**

Do **NOT** upload or attach any other file(s) (for example, a specimen) using the button below. You must upload other attachments within the proper section of the actual form, after answering "Yes" to the appropriate wizard question(s) on the next page.

CONTACT:

i For **general trademark information or help navigating the forms**, email TrademarkAssistanceCenter@uspto.gov, or telephone 1-800-786-9199 (press 1).

If you need help resolving **technical glitches**, email TEAS@uspto.gov. Please include in your email your phone number, serial or registration number, and a screenshot of any error message you may have received.

Tips:

Use the **Continue** button at the bottom of each page to move through the form. Fill out all fields for which information is known. Fields with a * symbol are mandatory and must be completed.

Choose a signature method for signing the form on the Signature Page.

Review the data you entered by accessing the Input Table on the Validation Page. Confirm that all information is displayed properly. Return to the appropriate section of the form and make any needed corrections before submission of the petition.

Click on the **Pay/Submit button** at the bottom of the Validation Page and provide the payment required (if any) to submit the form. When successful you will be navigated to a confirmation screen.

An email acknowledging receipt of the submission (a filing receipt) will be sent to the Primary Email Address for Correspondence.

Status Check:

- The status of the filing is available in the [Trademark Status & Document Retrieval System \(TSDR\)](#) 72 hours after filing.

Registration Number

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Mark	
Owner/Holder Information	Email Address :
Primary Email Address for Correspondence Warning: This is the email address currently of record in the USPTO database. If it is not the email address of either the appointed attorney, if any, otherwise the owner, it must be updated.	
Secondary Email Address(es) for (Courtesy Copies)	

STEP 3. REVIEW ALL QUESTIONS BELOW AND SELECT THE APPROPRIATE RADIO BUTTON. At least one answer must be "Yes" or your response will be **blank**.

This petition requests institution of an ex parte proceeding to cancel a registration of a mark, in whole or in part, on one or both of the following basis:

- Expungement: The mark is registered under sections 1, 44, or 66 of the Act and has never been used in commerce on or in connection with some or all of the goods and/or services recited in the registration.

Reexamination: The mark is registered under section 1 of the Act and was not in use in commerce on or in connection with some or all of the goods and/or services recited in the registration on or before the relevant date.

1. Is a [U.S.-licensed attorney](#) filing this form?

Foreign-domiciled petitioners must have a U.S.-licensed attorney represent them before the USPTO in any application-or registration-related filing. [Information about hiring a U.S.-licensed attorney](#) can be found on the USPTO website.

Yes No

STEP 4: ACCESS ACTUAL PETITION FORM.

Click on the "Continue" button below to access the petition form for entering your information.

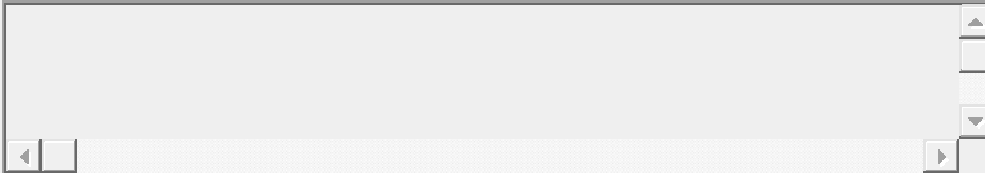
[Grounds for Petition](#)

Provide the following information:

- Elements of reasonable investigation of nonuse conducted
- For each source of information relied upon, a description of how and when the searches were conducted and what the searches disclosed

- Factual statement of the basis for cancellation

Instructions: Enter explanatory statements here. Documents containing the grounds for the petition must be uploaded in the attachments section below.



Attachments

Click on the "Attach Evidence" button below to select the file from your computer. Visit the USPTO's website for information on acceptable file sizes and formats.

Instructions: Attach ONLY supporting evidence here, not your entire petition. Each portion of this form serves a specific purpose for data processing reasons. Failure to follow this instruction will cause significant delays in the processing and review of your filing.

* 0 file(s) attached

CLASSIFICATION AND LISTING OF GOODS/SERVICES/COLLECTIVE MEMBERSHIP ORGANIZATION

Instructions: Delete items from the listing of goods/services/nature of the collective membership organization that are **not** the subject of this petition.

Check this box to indicate that the **entire** registration is the subject of the petition.

Enter information for the Class

International Class:

Class Description here:

Petitioner Information

The **Mailing Address** entered on this page is publicly viewable in the USPTO's [TSDR](#) database and is presumed to be the petitioner's Domicile Address unless a separate one is provided.

*** Petitioner Name**

[If an individual, use the following format: Last Name, First Name Middle Initial or Name, if applicable]

Internal Address

*** [Mailing Address](#)**

(Entered address is publicly viewable in the USPTO's [TSDR](#) database. This address must be capable of receiving mail and may be your street address, a P.O. box, or a "care of" address.)

NOTE: You must limit your entry here, and for all remaining fields within this overall section, to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.

*** City**

NOTE: You must limit your entry here to no more than 40 characters.

*** State**

(Required for U.S. owners/holders only)

NOTE: You must include as part of the "City" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

*** Country/Region/Jurisdiction/U.S. Territory**

*** Zip/Postal Code**

(Required for U.S. and

certain international addresses)

Domicile Address

(Entered address is not publicly viewable in the USPTO's [TSDR](#) database unless it is the same as the mailing address. If your mailing address is not your domicile, you must enter the number, street, city, state, country or U.S. territory, and if applicable, zip/postal code of your **domicile** address. In most cases, a P.O. box, "care of" address, or similar variation is not acceptable as a domicile address.)

Uncheck this box if the domicile address and mailing address of the trademark owner/holder are NOT the same. Fields for entering the domicile address will appear.

Phone Number

Fax Number

*** Email Address**

Confirm that the email address is correct before continuing. The petitioner email address is not publicly viewable in the USPTO's [TSDR](#) database.

The petitioner is required to provide an email address and keep that address current with the USPTO. If the petitioner is represented by a U.S.-licensed attorney, only the attorney's email address will be used for correspondence by the USPTO.

NOTE: The petitioner or the petitioner's attorney acknowledges that he or she is solely responsible for receiving USPTO emails. Additionally, the petitioner or the petitioner's attorney is responsible for periodically checking the status of the petition using the [Trademark Status & Document Retrieval \(TSDR\)](#) system. USPTO notices and office actions issued for this petition can be viewed online using [TSDR](#). The USPTO is not responsible for any failure to receive a USPTO-issued email due to the receiver's security or anti-spam software, or any problems with the receiver's email system.

ATTORNEY INFORMATION

*** Attorney Name**

Firm Name

**Docket/Reference
Number**

NOTE: You must limit your entry here to no more than 12 characters.

*** Year of Admission**

*** U.S.**

State/Commonwealth/Territory

*** Bar Membership**

*** Membership Number**

You must enter "N/A" or a membership/registration number if your U.S. state, commonwealth, or territory issues one. This number is not viewable in TSDR.

You must limit your entry here to no more than 40 alphanumeric characters.

*** The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.**

**Other Appointed
Attorney(s)**

**Recognized
Canadian
Attorney/Agent**

Internal Address

*** Street Address**

NOTE: You must limit your entry here, and for all remaining fields within this overall section (except City, see *below*), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.

*** City**

NOTE: You must limit your entry here to no more than 40 characters.

*** State**

(Required for U.S. addresses)

NOTE: You must include as part of the "City" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

*** Country/Region/Jurisdiction/U.S. Territory**

*** Zip/Postal Code**

(Required for U.S. and certain international addresses)

Phone Number

Fax Number

*** Email Address**

NOTE: The appointed attorney acknowledges that he or she is solely responsible for receiving USPTO emails. USPTO notices issued in connection with this petition can be viewed online using the [Trademark Status & Document Retrieval \(TSDR\)](#). The USPTO is not responsible for any failure to receive a USPTO-issued email due to the receiver's security or anti-spam software, or any problems with the receiver's email system.

CORRESPONDENCE INFORMATION

To make changes to the **Primary Email Address for Correspondence** below, either
(1) return to the Owner Information section (if no attorney has been appointed) and enter the change, or
(2) use the Attorney Information section of the form to enter the change (if an attorney has been appointed).

Name

Primary Email Address for Correspondence:

**Email
Address**

Secondary Email Address(es) (Courtesy Copies):

Enter up to 4 addresses, separated by either a **semicolon** or a **comma**. These addresses will be used only for receiving a copy of the filing receipt and will not be stored in the USPTO database.

Fee Information

<u>Number of Classes</u>	1
Petition for Expungement/Reexamination Fee per class	\$400
<u>Total Fee Due</u>	\$400

DECLARATION SIGNATURE

When facts are to be proved on petition, the petitioner must submit proof in the form of statements verified with a declaration signed by someone with firsthand knowledge of the facts. Trademark Rule 2.146(c).

Click to choose ONE [signature method](#):

Sign electronically [directly](#) on this petition form Email [Text Form](#) to second party for electronic signature [Handwritten pen-and-ink signature](#)

NOTE: To electronically sign this document, enter any alpha/numeric characters (letters/numbers) of **your choosing**, preceded and followed by the forward slash (/) symbol. Most signatories enter their name between the two forward slashes; examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the submission resulting therefrom, declares that the facts set forth above are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

* [Signature](#)

Examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/.

NOTE: Must be personally signed by the individual listed in the Signatory's Name field. [37 C.F.R. §2.193\(a\)](#).

The person signing may not enter someone else's signature.

* [Date Signed](#)

(MM/DD/YYYY)

* [Signatory's Name](#)

*** Signatory's Position**

NOTE: Limit your entry to no more than 150 characters (the storage limit for this field in the USPTO database).

Enter appropriate title or nature of relationship to the petitioner.

If the signer is

- A **petitioner**, enter "petitioner."

- A **business entity** authorized signatory, enter official title; e.g., "President" (if a corporation), "General Partner" (if a partnership), or "Principal" (if a limited liability company).

- A U.S.-licensed **attorney**, enter "Attorney" and specify at least one state bar admission, e.g., "Attorney of record, New York Bar member." Also, if the signing attorney is from the same U.S. firm as the attorney of record, but was not listed in the original filing and is not otherwise of record, also include law firm name, e.g., Associate Attorney, Smith, Jones & Davis, Virginia Bar member.

Signatory's Phone Number

PETITION SIGNATURE

Click to choose ONE signature method:



Sign electronically directly on this petition form



Email Text Form to second party for electronic signature

NOTE: Although a possible combination as selected on the form, the following signing method must NOT be used: declaration signed directly and petition signed through the email text form approach.

NOTE: To electronically sign this document, enter any alpha/numeric characters (letters/numbers) of **your choosing**, preceded and followed by the forward slash (/) symbol. Most signatories enter their name between the two forward slashes; examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/.

*You **must** click *one* of the three buttons below to confirm that you are legally authorized to sign this form based on the trademark rules governing representation of others before the USPTO.

If you have a U.S.-licensed attorney representing you in this matter, only your attorney can sign this petition.

Petitioner who is not represented by an attorney (pro se): I hereby confirm that

- **I am not represented** by an attorney in this matter, and am either: (1) the petitioner(s); or (2) a person or person(s) with legal authority to bind the petitioner(s); and
- If I had previously been represented by an attorney in this matter, either I revoked their power of attorney by filing a signed revocation with the USPTO or the USPTO has granted this attorney's withdrawal request.

ADVISORY: Click the above first button *only* if you are the petitioner(s) or legally authorized to bind the petitioner(s); such as an officer of the petitioner corporation or association, or a general partner of the petitioner partnership.

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 petitioner'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 petitioner in this matter:
 - the petitioner 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 petitioner has filed a power of attorney appointing me in this matter; or
 - the petitioner's appointed U.S.-licensed attorney has filed a power of attorney appointing me as an associate attorney in this matter.

Authorized Canadian Trademark Attorney/Agent: I hereby confirm that

- An authorized U.S.-licensed attorney has been appointed to represent the petitioner;
- 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).

ADVISORY: Foreign attorneys (other than authorized Canadian attorneys/agents) may not sign responses and are prohibited from representing a trademark petitioner before the USPTO in trademark matters.

NOTE: If more than one petitioner, **ALL** must sign the overall petition.

<p>* <u>Signature</u></p>	<input type="text"/> Examples of acceptable "signatures" include: /john doe/; /jd/; or /123-4567/. NOTE: Must be personally signed by the individual listed in the Signatory's Name field. 37 C.F.R. §2.193(a) . The person signing may not enter someone else's signature.	<p>* <u>Date Signed</u></p>	<input type="text"/> (MM/DD/YYYY)
<p>* <u>Signatory's Name</u></p>	<input type="text"/>		
<p>* <u>Signatory's Position</u></p>	<input type="text"/> NOTE: Limit your entry to no more than 150 characters (the storage limit for this field in the USPTO database). Enter appropriate title or nature of relationship to the petitioner. If the signer is - A petitioner , enter "petitioner." - A business entity authorized signatory, enter official title; e.g., "President" (if a corporation), "General Partner" (if a partnership), or "Principal" (if a limited liability company). - A U.S.-licensed attorney , enter "Attorney" and specify at least one state bar admission, e.g., "Attorney of record, New York Bar member." Also, if the signing attorney is from the same U.S. firm as the attorney of record, but was not listed in the original filing and is not otherwise of record, also include law firm name, e.g., Associate Attorney, Smith, Jones & Davis, Virginia Bar member.		

[Signatory's Phone Number](#)

Petition for Expungement or Reexamination form

Validation Page

On **Fri Nov 12 14:39:35 ET 2021** you completed all mandatory fields and successfully validated the form. It has NOT been filed to the USPTO at this point. Please complete all steps below to submit the form.

■ **STEP 1:** Review the data in various formats, by clicking on the phrases under Petition Data. Use the print function within your browser to print these pages for your own records.

NOTE: It is important that you review this information for accuracy and completeness now. Corrections after submission may not be permissible, thereby possibly affecting your legal rights.

WARNING: After submission of this form, some characters may be displayed in a manner different from what was originally entered because various USPTO systems cannot display/print certain characters. The USPTO will convert any problematic character(s) to the closest acceptable equivalent(s). Visit the USPTO's website for a [complete table highlighting which characters will be converted](#).

Petition Data

■ Input

■ Evidence

■ Mark

■ XML File

■ Textform

■ **STEP 2:**

If there are no errors and you are ready to file, confirm the **Primary Email Address for Correspondence**, displayed below. To make changes to this email address, use the navigation buttons below to return to the appropriate page in the form and update either the attorney's email address, if appointed, or the petitioner's email address. **Courtesy copies** are also permitted for receiving a copy of the filing receipt for this form. Enter up to four email address(es) below, separated by commas or semi-colons.

After you submit the form, the USPTO will send a filing receipt to the following email address(es):

Primary Email Address for Correspondence:

Secondary Email Address(es) (Courtesy Copies):

■ **STEP 3:** To download and save the form data, click on the [Save Form](#) button at the bottom of this page. The information will be saved to your local drive. To begin the submission process with saved data, you must open a new form, and click on the "Browse/Choose File" button displayed on the initial form wizard page. Clicking on the "Continue" button at the bottom of that first page will then properly open the saved version of your form.

■ **STEP 4:** Read and check the following:

Important Notice:

Please note that:

1. I am aware that this petition, to be considered "complete," should address all required information and, in addition, not consist only of a signature.
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 online 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 protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its online database and in copies of the application or registration record.

3. Be aware that private companies **not** associated with the USPTO often use trademark application and registration information from the USPTO's databases to [mail or email trademark-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 **Pay/Submit** button.

■ **STEP 5:** If you are ready to file:

Click on the Submit button at the bottom of this page to complete the filing process.

WARNING: After clicking the button, you can **NOT** return to the form to modify the data. If you are not prepared to complete the process now, you should select the "Save Form" option and then complete the Submit process later.

FEE PAYMENT (if required): Screens for entering payment information will follow after clicking the Submit button. Following successful entry of the payment information, you can complete the submission to the USPTO.

You must complete the payment process within 30 minutes of accessing the payment screen.

A complete transaction will result in a screen that says **SUCCESS!** Within 24 hours, an email acknowledgment will also be sent. If you are not prepared to complete the process now, you should select the "Save Form" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction.

WARNING: Fee payments by credit card may not be made from 2 a.m. to 6 a.m. Sunday, Eastern Time. If you are attempting to file during that specific period, you must use either (1) the deposit account or electronic funds transfer payment method ; or (2) the "Save Form" option to save your form, and then complete the Pay/Submit process later for a credit card payment .