

ESTTA Tracking number: **ESTTA1216967**

Filing date: **06/22/2022**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer information**

Name	Link Snacks, Inc.
Granted to date of previous extension	06/22/2022
Address	ONE SNACKFOOD LANE MINONG, WI 54859 UNITED STATES
Attorney information	TIMOTHY M. KENNY NORTON ROSE FULBRIGHT US LLP 98 SAN JACINTO BOULEVARD, SUITE 1100 AUSTIN, TX 78701 UNITED STATES Primary email: mnipdocket@nortonrosefulbright.com Secondary email(s): JackLinksTM@nortonrosefulbright.com 612-321-2800
Docket no.	LNKS.T0197US

**Applicant information**

Application no.	90695805	Publication date	02/22/2022
Opposition filing date	06/22/2022	Opposition period ends	06/22/2022
Applicant	Sunflower Hills, Inc. SUITE 600 9401 INDIAN CREEK PARKWAY OVERLAND PARK, KS 66210 UNITED STATES		

**Goods/services affected by opposition**

Class 029. First Use: Jul 15, 2016 First Use In Commerce: Jul 15, 2016  
All goods and services in the class are opposed, namely: Snack mix consisting of processed seeds; Snack mix consisting primarily of processed nuts, and also including SESAME CHIPS

**Grounds for opposition**


Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

**Marks cited by opposer as basis for opposition**

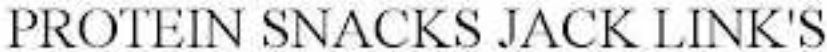
U.S. registration no.	2147622	Application date	03/19/1997
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Register	Principal		
Registration date	03/31/1998	Foreign priority date	NONE
Word mark	JACK LINK'S		
Design mark			
Description of mark	NONE		
Goods/services	Class 029. First use: First Use: May 1985 First Use In Commerce: May 1985 meat snacks [and pickles]		

U.S. registration no.	3466151	Application date	08/17/2007
Register	Principal		
Registration date	07/15/2008	Foreign priority date	NONE
Word mark	JACKPACK!		
Design mark			
Description of mark	NONE		
Goods/services	Class 029. First use: First Use: 2005 First Use In Commerce: 2005 Meat snacks		

U.S. registration no.	5152754	Application date	10/07/2014
Register	Principal		
Registration date	02/28/2017	Foreign priority date	NONE
Word mark	JACK LINK'S		
Design mark			
Description of mark	The mark consists of the words "JACK LINK'S" in white and grey shadowed letters with red trim and a red steer head design within a rectangular design with decorative borders with black background and a red interior border with the edges of the rectangular design in a shadowing grey with a thin white border separating the black background from the grey shadowing border.		
Goods/services	Class 029. First use: First Use: Apr 19, 2015 First Use In Commerce: Apr 19, 2015		

	Food products, namely, jerky, food package combinations consisting primarily ofmeat, cheese, and pretzels, pickled sausages, dry smoked beef jerky, packaged meats; meat snacks; processed meat; sausages; pepperoni; beef jerky chew
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U.S. registration no.	5697564	Application date	04/23/2015
Register	Principal		
Registration date	03/12/2019	Foreign priority date	NONE
Word mark	PROTEIN SNACKS JACK LINK'S		
Design mark			
Description of mark	NONE		
Goods/services	Class 029. First use: First Use: Oct 2014 First Use In Commerce: Oct 2014 Meat snacks		

U.S. registration no.	5210675	Application date	11/20/2014
Register	Principal		
Registration date	05/23/2017	Foreign priority date	NONE
Word mark	PROTEIN SNACKS JACK LINK'S		
Design mark			
Description of mark	The mark consists of the words "PROTEIN SNACKS" in red above the words "JACK LINK'S" in white and grey shadowed letters with red trim and a red steer head design over a rectangular design with decorative borders with black background anda red interior border with the edges ofthe rectangular design in a shadowing grey with a thin white border separating the black background from the grey showing border.		
Goods/services	Class 029. First use: First Use: Apr 19, 2015 First Use In Commerce: Apr 19, 2015 Food products, namely, jerky, food package combinations consisting primarily ofmeat, cheese, and pretzels, pickled sausages, dry smoked beef jerky, packaged meats, meat snacks; processed meat; sausages; pepperoni; beef jerky chew		

Attachments	86980071#TMSN.png( bytes ) 86607641#TMSN.png( bytes ) 90695805 - JACK SNAK Notice of Opposition and Exhibit.pdf(488773 bytes )
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Signature	/Timothy M. Kenny/
Name	TIMOTHY M. KENNY
Date	06/22/2022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 90/695,805  
For the Mark: JACK'SNAK  
By: Sunflower Hills, Inc.  
Filed: May 07, 2021  
Published in the *Official Gazette*: Feb. 22, 2022

LINK SNACKS, INC.,

Opposer,

v.

SUNFLOWER HILLS, INC.,

Applicant.

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Opposer, Link Snacks, Inc. (hereinafter "Link Snacks"), a Wisconsin corporation having a business address of 1 Snack Food Lane, Minong, WI 54859, believes that it will be damaged by registration of Application Serial No. 90/695,805 (the "Application") and hereby opposes the Application on the grounds of priority, likelihood of confusion, and dilution pursuant to 15 U.S.C. §§ 1052(d), 1063, and 1125(c).

As grounds for opposition, Link Snacks alleges the following:

1. Since 1985, Link Snacks, d/b/a Jack Link's, has led the meat snack industry, offering jerky products made with 100% beef, turkey, chicken, and pork. Over time, Link Snacks' offerings have expanded from its inaugural product—Jack Link's Original Kippered Beef Steak—to include Jerky, Sticks, Steak Strips & Bars, Sausages, Lunch Box Snacks, Cold Crafted Snacks, Jerky Pounders, and Drink Mixes.

2. Link Snacks currently sells its products in thousands of convenience, grocery, and other retail stores nationwide, through online grocers, and through its own website at www.jacklinks.com. In its fiscal year 2021, Link Snacks had significant revenues in the U.S. and around the world.

3. Since at least as early as 1985, Link Snacks has continuously, extensively, and exclusively used the Jack Link’s name and the JACK LINK’S mark, and various other marks comprised of or incorporating “JACK LINK’S” (collectively, “the “JACK LINK’S Marks”), in connection with meat snacks. Since then, Link Snacks’ use of the JACK LINK’S Marks has expanded to cover a large number and wide variety of snacks sold throughout the U.S.

4. In accordance with federal law, Link Snacks has registered the following JACK LINK’S Marks, among others, on the Principal Register of the United States Patent and Trademark Office:

<b>MARK</b>	<b>REG. NO.</b>	<b>SERVICES</b>	<b>ISSUE DATE</b>
JACK LINK’S	2,147,622	<b>Class 29:</b> meat snacks [and pickles]	March 31, 1998
JACKPACK!	3,466,151	<b>Class 29:</b> Meat snacks	July 15, 2008
JACK LINK’S & Design (Steer Logo)	5,152,754	<b>Class 29:</b> Food products, namely, jerky, food package combinations consisting primarily of meat, cheese, and pretzels, pickled sausages, dry smoked beef jerky, packaged meats; meat snacks; processed meat; sausages; pepperoni; beef jerky chew	February 28, 2017

<b>MARK</b>	<b>REG. NO.</b>	<b>SERVICES</b>	<b>ISSUE DATE</b>
PROTEIN SNACKS JACK LINK'S	5,697,564	<b>Class 29:</b> Meat snacks	March 12, 2019
PROTEIN SNACKS JACK LINK'S & Design (Steer Logo)	5,210,675	<b>Class 29:</b> Food products, namely, jerky, food package combinations consisting primarily of meat, cheese, and pretzels, pickled sausages, dry smoked beef jerky, packaged meats, meat snacks; processed meat; sausages; pepperoni; beef jerky chew	May 23, 2017

5. Registration No. 2,147,622 is valid.

6. Registration No. 2,147,622 is subsisting.

7. Registration No. 2,147,622 is incontestable pursuant to Section 15 of the Lanham Act,

15 U.S.C. § 1065.

8. Registration No. 3,466,151 is valid.

9. Registration No. 3,466,151 is subsisting.

10. Registration No. 3,466,151 is incontestable pursuant to Section 15 of the Lanham Act,

15 U.S.C. § 1065.

11. Registration No. 5,152,754 is valid.

12. Registration No. 5,152,754 is subsisting.

13. Registration No. 5,697,564 is valid.

14. Registration No. 5,697,564 is subsisting.

15. Registration No. 5,210,675 is valid.

16. Registration No. 5,210,675 is subsisting.

17. Copies of the Registration Certificates for these registrations are incorporated by reference and attached hereto as **Exhibit A**.

18. The JACK LINK'S Marks are inherently distinctive as applied to the Link Snacks' goods and services and serve to identify and indicate the source of Link Snacks' goods and services to the consuming public.

19. Link Snacks has developed a substantial amount of goodwill in the JACK LINK'S Marks. The Marks are well-known and respected by customers and consumers and represent Link Snacks' commitment to providing them with high-quality goods and services.

20. Link Snacks has significantly invested in advertising, using, promoting, and developing public awareness in its JACK LINK'S Marks and the JACK LINK'S Marks have significant market penetration and recognition.

21. As a result of Link Snacks' longtime use and promotion of the JACK LINK'S Marks over 30 years, the JACK LINK'S Marks have a high degree of distinctiveness and serve to identify Link Snacks, to distinguish Link Snacks and its products and services from those of other businesses, and to distinguish the source or origin of Link Snacks' products and services.

22. As a result of these efforts by Link Snacks, the relevant customers and consumers throughout the United States widely recognize and associate the JACK LINK'S Marks with Link Snacks and its products and services.

23. As a result of Link Snacks' extensive use and promotion of the JACK LINK'S Marks, Link Snacks has acquired valuable common law rights in the JACK LINK'S Marks.

24. As a result of the long use and extensive promotion of the JACK LINK'S Marks, the JACK LINK'S Marks have become and are famous in the United States.

25. Link Snacks has actively enforced its trademark rights in the JACK LINK'S Marks.



26. On May 7, 2021, Applicant filed a trademark application for JACK'SNAK in connection with "Snack mix consisting of processed seeds; Snack mix consisting primarily of processed nuts, and also including SESAME CHIPS" in Class 29.

27. The Application for Applicant's alleged JACK'SNAK mark was published for opposition in the *Official Gazette* on February 22, 2022.

28. On March 24, 2022, Link Snacks timely filed the First 90-Day Request for Extension of Time to Oppose the Applications for Good Cause, which was granted by the Trademark Trial and Appeal Board.

29. Link Snacks has trademark priority for the JACK LINK'S Marks over Applicant's alleged JACK'SNAK mark.

30. Link Snacks' rights in the JACK LINK'S Marks are superior to any rights Applicant may have or claim in the alleged JACK'SNAK mark that is the subject of the Application.

31. Applicant's Application contains a date of first use of July 15, 2016.

32. In contrast, Link Snacks has continuously used the JACK LINK'S Marks since at least as early as 1985. This was long before the filing date of Applicant's application or any first use date that Applicant may claim.

33. Link Snacks' rights in and use of the JACK LINK'S Marks is long prior to Applicant's filing of the above-identified Application, Applicant's actual use of the alleged mark that is the subject of the Application, or any date upon which Applicant can claim priority.

34. The JACK LINK'S Marks became famous prior to the priority date for Applicant's application to register Applicant's mark and before Applicant's alleged date of first use of the mark.

35. The JACK LINK'S Marks are strong.

36. The JACK LINK'S Marks are conceptually strong.
37. Through over 30 years of use, advertising, and promotion, and widespread market penetration, the JACK LINK'S Marks are strong in the market.
38. The alleged JACK'SNAK mark that Applicant seeks to register is confusing similar in appearance to the JACK LINK'S Marks.
39. The dominant portion of the JACK LINK'S Marks, "JACK," is identical to the dominant portion of the alleged JACK'SNAK mark, "JACK," that Applicant seeks to register.
40. The alleged JACK'SNAK mark that Applicant seeks to register is confusingly similar in commercial impression to the JACK LINK'S Marks.
41. The goods and services identified by Applicant in the Application are the same, similar, related and/or within the zone of natural expansion of the goods and services identified and offered in connection with the JACK LINK'S Marks.
42. The Application for the alleged JACK'SNAK Mark and some of Link Snacks' registrations for the JACK LINK'S Marks fall in the same international trademark class, namely, International Class 29.
43. On information and belief, Applicant's goods and services offered in connection with the alleged JACK'SNAK mark, and Link Snacks's goods and services offered in connection with the JACK LINK'S Marks, are promoted in the same channels of trade to the same customers or class of customers.
44. The alleged JACK'SNAK mark that Applicant seeks to register so resembles the JACK LINK'S Marks as to be likely, when used on or in connection with Applicant's services, to cause confusion, or to cause mistake, or to deceive.

45. Purchasers and prospective purchasers are likely to falsely believe that the goods and services of Applicant sold in connection with the alleged JACK'SNAK mark are sponsored, endorsed, or approved by Link Snacks, or are in some way affiliated, connected, or associated with Link Snacks. Registration of the Application should therefore be refused under 15 U.S.C. §1052(d).

46. The alleged JACK'SNAK mark that Applicant seeks to register would be a source of damage to Link Snacks because Applicant's JACK'SNAK mark so resembles the JACK LINK'S Marks as to be likely, when used on or in connection with Applicant's goods, to dilute the distinctive quality of JACK LINK'S Marks, in violation of 15 U.S.C. § 1125(c).

47. The alleged JACK'SNAK mark that Applicant seeks to register would be a source of damage to Link Snacks because purchasers are likely to attribute the source or sponsorship of Applicant's goods to Link Snacks.

48. Registration of the alleged JACK'SNAK mark would be a source of damage to Link Snacks because Applicant's mark so resembles the JACK LINK'S Marks as to create confusion, mistake, and/or deception. Persons familiar with the JACK LINK'S Marks are likely to erroneously believe that Applicant's services are offered by Link Snacks or are authorized, licensed, endorsed, or sponsored by Link Snacks, and registration of Applicant's mark would be inconsistent with Link Snacks' rights in the JACK LINK'S Marks.

49. Registration of the alleged JACK'SNAK mark would be a source of damage to Link Snacks because it would prevent Link Snacks from using or registering its JACK LINK'S Marks in connection with services that are within Link Snacks's zone of natural expansion.

50. Registration of Applicant's alleged JACK'SNAK mark would be a source of damage to Link Snacks because it would enable Applicant to trade on and receive the benefit of the goodwill

in the JACK LINK'S Marks, which Link Snacks has built up at great labor and expense over many years.

51. Registration of Applicant's alleged JACK'SNAK mark would be a source of damage to Link Snacks, as it would confer upon Applicant various statutory presumptions to which it is not entitled in view of Link Snacks' long prior use of the JACK LINK'S Marks.

WHEREFORE, Link Snacks requests that registration of Application Serial No. 90/695,805 for JACK'SNAK be denied in its entirety and this opposition be sustained under 15 U.S.C. §§ 1052(d), 1063, and 1125(c).

The filing fee in the amount of \$600.00 as required by 37 C.F.R. § 2.6(a)(17) is submitted herewith. The Commissioner of Trademarks is authorized to draw on the deposit account of Norton Rose Fulbright US LLP, Account No. 50-1212/LNKS.T0005/TMK, in the event that anything prevents the successful completion of electronic payment of the filing fee.

Dated: June 22, 2022

Respectfully submitted,

NORTON ROSE FULBRIGHT US LLP

*s/Timothy M. Kenny*

Timothy M. Kenny

Nathaniel W. Mannebach

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**ATTORNEYS FOR PETITIONER  
LINK SNACKS, INC.**

# EXHIBIT A

Int. Cl.: 29

Prior U.S. Cl.: 46

Reg. No. 2,147,622

**United States Patent and Trademark Office**

Registered Mar. 31, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**JACK LINK'S**

LINK SNACKS, INC. (WISCONSIN CORPORATION)  
ONE SNACKFOOD LANE  
P.O. BOX 397  
MINONG, WI 54859

OWNER OF U.S. REG. NOS. 1,872,666,  
1,887,316, AND 1,910,274.

"JACK LINK" IS THE NAME OF A LIVING  
INDIVIDUAL WHOSE CONSENT IS OF  
RECORD.

FOR: MEAT SNACKS AND PICKLES, IN  
CLASS 29 (U.S. CL. 46).

FIRST USE 5-0-1985; IN COMMERCE  
5-0-1985.

SER. NO. 75-259,898, FILED 3-19-1997.

ANGELA BISHOP WILSON, EXAMINING AT-  
TORNEY

**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 3,466,151**

**Registered July 15, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**

**JACKPACK!**

LINK SNACKS, INC. (WISCONSIN CORPORATION)  
ONE SNACKFOOD LANE  
MINONG, WI 54859

FOR: MEAT SNACKS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 0-0-2005; IN COMMERCE 0-0-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-258,324, FILED 8-17-2007.

MONIQUE MILLER, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office



**Reg. No. 5,152,754**

**Registered Feb. 28, 2017**

**Int. Cl.: 29**

**Trademark**

**Principal Register**

Link Snacks, Inc. (WISCONSIN CORPORATION)  
One Snackfood Lane, P.O. Box 397  
Minong, WI 54859

CLASS 29: Food products, namely, jerky, food package combinations consisting primarily of meat, cheese, and pretzels, pickled sausages, dry smoked beef jerky, packaged meats; meat snacks; processed meat; sausages; pepperoni; beef jerky chew

FIRST USE 4-19-2015; IN COMMERCE 4-19-2015

The color(s) red, white, grey and black is/are claimed as a feature of the mark.

The mark consists of the words "JACK LINK'S" in white and grey shadowed letters with red trim and a red steer head design within a rectangular design with decorative borders with black background and a red interior border with the edges of the rectangular design in a shadowing grey with a thin white border separating the black background from the grey showing border.

OWNER OF U.S. REG. NO. 2147622

The name "JACK LINK" identifies a living individual whose consent is of record.

SER. NO. 86-980,071, FILED 10-07-2014  
AMY C KEAN, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office



**REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

# United States of America

United States Patent and Trademark Office

## PROTEIN SNACKS JACK LINK'S

**Reg. No. 5,697,564**

Link Snacks, Inc. (WISCONSIN CORPORATION)  
One Snackfood Lane, P.o. Box 397  
Minong, WISCONSIN 54859

**Registered Mar. 12, 2019**

**Int. Cl.: 29**

CLASS 29: Meat snacks

**Trademark**

FIRST USE 10-00-2014; IN COMMERCE 10-00-2014

**Principal Register**

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 3276640, 1910274, 2147622

No claim is made to the exclusive right to use the following apart from the mark as shown:  
"PROTEIN SNACKS"

The name "JACK LINK" identifies a living individual whose consent is of record.

SER. NO. 86-607,641, FILED 04-23-2015



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

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**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

# United States of America

United States Patent and Trademark Office



**Reg. No. 5,210,675**

**Registered May 23, 2017**

**Int. Cl.: 29**

**Trademark**

**Principal Register**

Link Snacks, Inc. (WISCONSIN CORPORATION)  
One Snackfood Lane, P.O. Box 397  
Minong, WI 54859

CLASS 29: Food products, namely, jerky, food package combinations consisting primarily of meat, cheese, and pretzels, pickled sausages, dry smoked beef jerky, packaged meats, meat snacks; processed meat; sausages; pepperoni; beef jerky chew

FIRST USE 4-19-2015; IN COMMERCE 4-19-2015

The color(s) red, white, grey and black is/are claimed as a feature of the mark.

The mark consists of the words "PROTEIN SNACKS" in red above the words "JACK LINK'S" in white and grey shadowed letters with red trim and a red steer head design over a rectangular design with decorative borders with black background and a red interior border with the edges of the rectangular design in a shadowing grey with a thin white border separating the black background from the grey showing border.

OWNER OF U.S. REG. NO. 2147622

No claim is made to the exclusive right to use the following apart from the mark as shown: "PROTEIN SNACKS"

The name(s), portrait(s), and/or signature(s) shown in the mark identifies "JACK LINK", whose consent(s) to register is made of record.

SER. NO. 86-980,307, FILED 11-20-2014

KATHLEEN MARY VANSTON, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

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**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**