

Services

Intellectual Property
Trademarks

Major Changes Ahead: New USPTO Trademark Filing Fees and Procedures

Significant changes are coming to the United States Patent and Trademark Office (USPTO) on Saturday, January 18 with regards to trademark filing fees and procedures. These changes aim to improve the trademark application process by encouraging operational efficiency and streamlining filing behaviors.

Increased filing fees

Base Applications - \$350 per class

The two different types of trademark applications that we have been using, the reduced fee TEAS Plus application and the TEAS Standard application, will no longer be available. Instead, there will be a single Base Application form in the United States. The Base Application will carry a *minimum application fee* of \$350 per class. To qualify for this minimum fee, applications must meet specific requirements, including using approved identifications from the USPTO's ID Manual and not exceeding 1,000 characters in the description of goods and services per class.

Custom goods/services description - \$200 per class

Applications using free-form text for identifying the goods and services, rather than selecting from the USPTO's approved list, will incur this fee. This applies even if the goods or services are listed in the approved manual but entered in a free-form manner. Additionally, the fee will be applied across all applied-for classes, even for classes where the USPTO's approved list was used.

Large amount of goods/services - \$200 per class

Applications containing a goods or services description that exceed 1,000 characters in any class will incur this fee for each additional group of 1,000 characters.

Madrid Protocol - \$600 per class

All applications filed as an extension of protection of an International Registration are subject to a \$600 flat fee per class – an increase of \$100.

Other filings

Increased fees for other routine filings are as follows:

Declarations of Use (Sections 8 or 71): \$325 per class (increase of \$100)

Renewal (Section 9): \$325 per class (increase of \$25)

Incontestability (Section 15): \$250 per class (increase of \$50)

All Allegations of Use: \$150 per class (increase of \$50)

Letter of Protest: \$150 (increase of \$100)

Petition to Revive: \$250 (increase of \$100)

Petition to the Director: \$400 (increase of \$150)

Additional “non-compliance” fees

Insufficient information - \$100 surcharge per class

Applications that do not meet all base application requirements *at the time of filing* will incur this fee. It is crucial to ensure all necessary information is provided at the time of filing to avoid this surcharge. There are **19** circumstances that could result in this surcharge, including:

submitting an unsigned application

failing to provide the applicant’s domicile address

not initially including translations or transliterations of foreign wording

neglecting specimens or first-use date requirements on use-based applications

misclassifying the goods and services [identification-related deficiencies may sometimes incur the custom goods/services fee of \$200 instead]

These surcharges will not apply to applications filed under the Madrid Protocol.

New filing platform: Trademark Center

New applications will be prepared and submitted using the USPTO's Trademark Center, available at trademarkcenter.uspto.gov. This change does not apply to Madrid Protocol extensions of protection.

Contact us

We understand that these changes may impact your trademark filing strategies. Our team is here to assist you in navigating these updates and ensuring your applications meet the new requirements. If you have any questions about the USPTO changes or how they may affect your trademark filings, please contact your Husch Blackwell attorney.