

MARK

STATE OF MAINE

APPLICATION FOR REGISTRATION

<p>_____</p> <p>Deputy Secretary of State</p> <hr/> <p>A True Copy When Attested By Signature</p> <p>_____</p> <p>Deputy Secretary of State</p>
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Pursuant to 10 MRSA §1522, the undersigned hereby applies to the Secretary of State of Maine to register the following mark:

CAREFULLY READ ALL OF THE INSTRUCTIONS BEFORE YOU COMPLETE THIS FORM.

A. DATES OF FIRST USE: (to the best of the applicant's knowledge and belief)

- 1. Date of first use anywhere: _____
- 2. Date of first use in Maine by applicant or predecessor in business: _____

If predecessor, list name and address under which mark was last used:

B. 1. TEXT - list word(s) to be protected, if any (if none, so indicate):

2. FEATURES - describe in detail the design to be protected, if any (if none, so indicate):

C. TYPE OF MARK and CLASS NUMBER: _____

D. DESCRIBE goods manufactured or sold **and/or** the service that is provided:

DESCRIBE manner in which mark is applied to the goods or used to promote their sale **and/or** the manner in which the mark is used in connection with the service:

Attach additional pages, if necessary.

E. I, _____ believe
(Print/Type Name and Capacity)

("Myself", Firm, Association or Corporate Name)

to be the owner of the accompanying mark and that "no other person to the best of my knowledge and belief has the right to use the mark in this state as a mark or as a trade name or as a corporate name either in the identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods or services of the other person, to cause confusion or to cause mistake or to deceive." (10 MRSA §1522.2.D)

Signature of Applicant (Individual, Corporate or Association Officer)

(Mailing Address, City, State and Zip Code)

F. Applicant is a (an) individual general partnership limited partnership corporation
 association union other _____
(Explain)

If a corporation, limited partnership, limited liability company or limited liability partnership, the jurisdiction (state) of incorporation/organization is _____ and the date of incorporation/organization in its jurisdiction is _____

G. Date of this application _____

You **MUST** submit **THREE** (3) samples of the **mark text and/or design** with this application. If the mark is to be protected in color, all the samples must be in the appropriate colors. **NOTE:** Samples may be 3 of the same item, i.e. business cards, letterhead, etc.

The execution of an application containing false statements that one does not believe to be true is punishable as a Class D crime according to the Maine Criminal Code, 17-A MSEA §453, "Unsworn Falsification".

Please remit your payment made payable to the Secretary of State.

**SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE,
101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101**

Filer Contact Cover Letter

To: Department of the Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101

Tel. (207) 624-7752

Name of Entity (s):

List type of filing(s) enclosed (i.e. Articles of Incorporation, Articles of Merger, Articles of Amendment, Certificate of Correction, etc.) Attach additional pages as needed.

Special handling request(s): (check all that apply)

- Hold for pick up
 Expedited filing - 24 hour service (\$50 additional filing fee per entity, per service)
 Expedited filing - Immediate service (\$100 additional filing fee per entity, per service)

Total filing fee(s) enclosed: \$ _____

Contact Information – questions regarding the above filing(s), please call or email: (failure to provide a contact name and telephone number or email address will result in the return of the erroneous filing (s) by the Secretary of State's office)

(Name of contact person) (Daytime telephone number)

(Email address)

The enclosed filing(s) and fee(s) are submitted for filing. Please return the attested copy to the following address:

(Name of attested recipient)

(Firm or Company)

(Mailing Address)

(City, State & Zip)

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR REGISTRATION OF A MARK

Be sure to read Chapter 280 (Rules for Marks Registered Under Title 10, Chapter 301-A) for restrictions on what you can file and review the list of class numbers for marks (goods and services). The mark may consist of one or more words, or a design or a combination of both words and a design.

The proper fee for filing is **\$60.00** for one class **plus** \$10.00 for each additional class.

You **MUST** submit **THREE** (3) samples of the **mark text and/or design** with this application. If the mark is to be protected in color, all the samples must be in the appropriate colors. **NOTE:** Samples may be 3 of the same item, i.e. business cards, letterhead, etc.

THE FOLLOWING ARE ADDITIONAL INSTRUCTIONS FOR COMPLETING THE FORM.

A. DATES OF FIRST USE:

1. Even if exact date is unknown, please give at least a month or season along with the year. **(Date cannot be in the future)**
2. Date of first use in Maine, same as above. The date of first use in Maine can be the same as the date of first use anywhere, however, it can not be prior to the date of first use anywhere. If there was no predecessor, put N/A on the next line.

B. DESCRIPTION OF TEXT AND FEATURES

List the text and/or provide in your own choice of words a full description of any design or logo. The better your description is, the better your protection will be. **DO NOT** simply refer to the attached samples for either the text or the design.

C. TYPES OF MARKS:

Trademark - a mark applied to goods the applicant manufactures or sells.

Service Mark - a mark used in connection with the services the applicant provides.

Combined Service/Trademark - a mark applied to goods **and** used in connection with services provided by the applicant.

Certification Mark - a mark used by one or more persons other than the owners to certify the characteristics of goods and services provided by others.

Collective Mark - a mark used by members of a collective organization in connection with goods or services to indicate membership.

CLASS NUMBERS:

Classes 1-35 pertain to marks applied to goods manufactured or sold.

Classes 36-43 pertain to marks used in connection with services provided.

If you have a **combined service/trademark** you **must** choose at least two class numbers, at least one number from 1 to 35 and at least one number from 36 to 43.

D. MANNER OF USE:

Some examples of manner of use are: labels on the product, containers for the goods, business cards and newspaper ads for a particular service.

E. NAME, ADDRESS AND CAPACITY OF APPLICANT:

Type or print the name of the person signing. If the applicant is a corporation, the person signing must be an officer of the corporation and must provide a corporate title. If the applicant is a type of entity other than a corporation, the person signing must provide a capacity which empowers him or her to sign on its behalf. The applicant must sign the application and add the mailing address, city, state and zip code.

F. TYPE OF APPLICANT:

Check the box that applies to you. If you check "other", be sure to explain who (what type of entity) the applicant is. If the applicant is a corporation, limited partnership, limited liability company or limited liability partnership, please add the state of incorporation/organization and the date of incorporation/organization.

G. DATE OF APPLICATION:

Provide the date (month, day and year) on which the application was completed and signed. The date the application was executed may be the same as the date of use anywhere and the date of use in Maine, however, it **cannot** be a date in the future.

PLEASE NOTE: This office does not give legal advice, however, a corporate examiner is always available to assist you in completing any of our forms.

Please remit your payment made payable to the Secretary of State.

**Submit the completed form to: CORPORATE EXAMINING SECTION, SECRETARY OF STATE,
101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101
TEL. (207) 624-7752**

**STATE OF MAINE
DIVISION OF CORPORATIONS
CLASS NUMBERS FOR MARKS**

GOODS

- (1)** Chemical products used in industry, science, photography, agriculture, horticulture, forestry; artificial and synthetic resins; plastics in the form of powders, liquids or pastes, for industrial use; natural and artificial manures; fire extinguishing compositions; tempering substances for preserving foodstuffs; tanning substances and adhesive substances used in industry;
- (2)** Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; coloring matters, dyestuffs; mordants; natural resins and metals in foil and powder form for painters and decorators;
- (3)** Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions and dentifrices;
- (4)** Industrial oils and greases, other than oils and fats and essential oils; lubricants; dust laying and absorbing compositions; fuels, including motor spirit and illuminants and candles, tapers, night lights and wicks;
- (5)** Pharmaceutical, veterinary and sanitary substances; infants' and invalids' foods; plasters, material for bandaging; material for stopping teeth, dental wax, disinfectants and preparations for killing weeds and destroying vermin;
- (6)** Unwrought and partly wrought common metals and their alloys; anchors, anvils, bells, rolled and cast building materials; rails and other metallic materials for railway tracks; chains, except driving chains for vehicles; nonelectric cables and wires; locksmiths' work; metallic pipes and tubes; safes and cash boxes; steel balls; horseshoes; nails and screws; other goods in nonprecious metal not included in other classes and ores;
- (7)** Machines and machine tools; motors, except for land vehicles; machine couplings and belting, except for land vehicles; large size agricultural implements and incubators;
- (8)** Hand tools and instruments; cutlery, forks and spoons and side arms;
- (9)** Scientific, nautical, surveying and electrical apparatus and instruments, including wireless apparatus and instruments, photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision, lifesaving and teaching apparatus and instruments; coin or counterfreed apparatus; talking machines, cash registers; calculating machines and fire extinguishing apparatus;
- (10)** Surgical, medical, dental and veterinary instruments and apparatus, including artificial limbs, eyes and teeth;
- (11)** Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes;
- (12)** Vehicles and apparatus for locomotion by land, air or water;
- (13)** Firearms; ammunition and projectiles; explosive substances and fireworks;
- (14)** Precious metals and their alloys and goods in precious metals or coated therewith, except cutlery, forks and spoons and jewelry, precious stones, horological and other chronometric instruments;
- (15)** Musical instruments, other than talking machines and wireless apparatus;
- (16)** Paper, cardboard, articles of paper or of cardboard, not included in other classes; printed matter, newspapers and periodicals, books; bookbinding material; photographs; stationery, adhesive stationery materials; artists' materials; paint brushes; typewriters and office requisites, other than furniture; instructional and teaching material, other than apparatus; playing cards; printers' type and stereotype clichés;
- (17)** Gutta percha, india rubber, balata and substitutes, articles made from these substances and not included in other classes; plastics in the form of sheets, blocks and rods, being for use in manufacture; materials for packing, stopping or insulating; asbestos, mica and their products and nonmetallic hose pipes;
- (18)** Leather and imitations of leather, and articles made from these materials and not included in other classes; skins, hides; trunks and traveling bags, umbrellas, parasols and walking sticks and whips, harness and saddlery;
- (19)** Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthenware or cement; road-making materials; asphalt, pitch and bitumen; portable buildings; stone monuments and chimney pots;
- (20)** Furniture, mirrors, picture frames and articles, not included in other classes, of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, substitutes for all these materials or of plastics;

(21) Small domestic utensils and containers, not of precious metals, or coated therewith; combs and sponges; brushes, other than paint brushes; brushmaking materials; instruments and material for cleaning purposes, steel wool; unworked or semiworked glass, excluding glass used in building and glassware, porcelain and earthenware, not included in other classes;

(22) Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials, such as hair, kapok, feathers, seaweed and raw fibrous textile materials;

(23) Yarns and threads;

(24) Tissue piece goods; bed and table covers and textile articles not included in other classes;

(25) Clothing, including boots, shoes and slippers;

(26) Lace and embroidery, ribands and braid; buttons, press buttons, hooks and eyes, pins and needles and artificial flowers;

(27) Carpets, rugs, mats and matting; linoleums and other materials for covering existing floors and nontextile wall hangings;

(28) Games and playthings; gymnastic and sporting articles, except clothing and ornaments and decorations for Christmas trees;

(29) Meats, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves and pickles;

(30) Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour, and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking powder; salt, mustard, pepper, vinegar, sauces, spices and ice;

(31) Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; foodstuffs for animals and malt;

(32) Beer, ale and porter; mineral and aerated waters and other nonalcoholic drinks and syrups and other preparations for making beverages;

(33) Wines, spirits and liqueurs;

(34) Tobacco, raw or manufactured; smokers' articles and matches; and

(35) Merchandise not otherwise classified;

SERVICES

(36) Advertising and business;

(NOTE: Class #36 is meant for marks used by individuals or companies which offer advertising and business services to others. Promotion of your own goods or services should be listed in item D of the application in the section which begins "DESCRIBE manner in which mark is applied..." as an example of how the mark is used.)

(37) Insurance and financial;

(38) Construction and repair;

(39) Communication;

(40) Transportation and storage;

(41) Material treatment;

(42) Education and entertainment; and

(43) Services not otherwise classified.