

## EDITOR'S INTRODUCTION 2025 Edition

This book covers the basics of trademark law to help manage day-to-day legal issues where special trademark counsel is not necessary. It covers topics such as how to register a trademark, rules on trademarks in bankruptcy, tax, and antitrust law, and whether general comprehensive commercial insurance will cover the cost of defense for suits related to trademark or advertising problems. The publication also addresses trademark selection, registration, maintenance and infringement, trade dress, false advertising, federal trademark dilution, trademarks on the Internet, trademark licenses and assignments, international aspects of trademarks, and trademark enforcement.

### **Highlights of the 2025 edition include:**

- *Significant changes in Trademark Application Fees.* Effective January 18, 2025, there is a new trademark application and services fee structure designed to increase revenues for the USPTO and incentivize greater care in providing all required information and use of the USPTO ID Manual. *See* Section 6:11, *supra*.

- *Dewberry Group, Inc. v. Dewberry Engineers, Inc.* Writ of Certiorari granted June 24, 2024. The U.S. Supreme Court held: “In awarding the “defendant’s profits” to the prevailing plaintiff in a trademark infringement suit under the Lanham Act, § 1117(a), a court can award only profits ascribable to the “defendant” itself. And the term “defendant” bears its usual legal meaning: the party against whom relief or recovery is sought—here, Dewberry Group. The Engineers chose not to add the Group’s affiliates as defendants. Accordingly, the affiliates’ profits are not the (statutorily disgorgable) “defendant’s profits” as ordinarily understood.”<sup>1</sup> U.S. Supreme Court vacated judgment of Court of Appeals and remanded the case for further proceedings consistent with the opinion. The Dewberry decision is a limited to the facts at hand for the issue on appeal.

Since the lower court ruling did not rely on a provision in § 1117(a) that provides: “If the court shall find that the amount of the recovery based on profits is either inadequate or excessive

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<sup>1</sup> *Dewberry Group, Inc. v Dewberry Engineering, Inc.*, 145 S.Ct. 681, U.S., Feb. 26, 2025.

the court may in its discretion enter judgment for such sum as the court shall find to be just, according to the circumstances of the case. Such sum in either of the above circumstances shall constitute compensation and not a penalty,”<sup>2</sup> the U.S. Supreme Court did not rule on whether plaintiff could have recovered financial gain by defendant’s affiliates.

- *Transition from Trademark Electronic Application System (TEAS) to Trademark Center as Filing System.* USPTO has transitioned from TEAS to the Trademark Center in 2024 for filings with the USPTO. Public must use the Trademark Center website for filings.<sup>3</sup> The transition was made to update the technology of the USPTO filing system. The November 2024 update to USPTO deletes references to TEAS and substitutes references to trademark filing system.

- *New USPTO Security Authentication.* USPTO announced on February 18, 2025, that it was adopting multifactor authentication process to access USPTO online accounts. The new security measure becomes effective on May 1, 2025. Effective May 1, 2025, the USPTO also announced that users of USPTO online site “. . . can no longer use text messages (SMS) or phone calls to verify your identity when you log into your USPTO.gov account. If you missed the deadline, you could still use email to verify your account. Information on other options, including mobile authenticators, are available on our webpage. For assistance or questions, call the USPTO Contact Center (UCC) at 800-786-9199 (toll free) or 571-272-1000 (local). You can email UCC at [usptoinfo@uspto.gov](mailto:usptoinfo@uspto.gov).”<sup>4</sup>

The USPTO announcement for new security protocol follows:

“New multifactor authentication options provide more secure access to USPTO systems

Transition happening on May 1, 2025

February 18, 2025

As part of our efforts to ensure the security of customer information and our IT systems, we’re moving to more secure multifactor authentication methods to access systems that require logging into a USPTO.gov account. These mechanisms give our customers a more secure way to verify their identity when accessing USPTO system accounts and provide increased protection

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<sup>2</sup> 15 U.S.C.A. § 1117(a).

<sup>3</sup> Trademark Center at: <https://trademarkcenter.uspto.gov/>

<sup>4</sup> Announcement, Trademark Center, USPTO, 2025, view at URL <https://trademarkcenter.uspto.gov/>

against phishing attacks that can trick people into providing sensitive information, downloading malware, or being exposed to other forms of cybercrime.

We're phasing out authentication methods that rely on Short Messaging Service (SMS) text messages and telephony (voice calls) as second factors by May 1, 2025.

If you're using SMS text messages or voice calls as a second factor, you must set up an alternate mechanism before May 1 to avoid impacts to your service. There are several multifactor authentication methods available, and you can find information and guidance to choose or update your method on the USPTO website. You must download, install, and configure your chosen method on your device.

Please note: If you use email as a second factor to authenticate your account, that option remains available.

For assistance or questions, please call the USPTO Contact Center at 800-786-9199 (toll free) or 571-272-1000 (local).<sup>5</sup>

### **Artificial Intelligence Guidance**

*White House AI Strategy Initiative in 2025.* On January 14, 2025, and prior to the Trump Administration assuming power, the U.S. Patent and Trademark Office announced a new Artificial Intelligence (AI) strategy. The public announcement for this initiative stated: "We have a responsibility to promote, empower, and protect innovation," said Derrick Brent, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the USPTO. "Developing a strategy to unleash the power of AI while mitigating risks provides a framework to advance innovation and intellectual property."

The strategy aimed to achieve the USPTO's AI vision and mission through five focus areas which include:

- Advance the development of IP policies that promote inclusive AI innovation and creativity.
- Build best-in-class AI capabilities by investing in computational infrastructure, data resources, and business-driven product development.
- Promote the responsible use of AI within the USPTO and across the broader innovation ecosystem.
- Develop AI expertise within the USPTO's workforce.
- Collaborate with other U.S. government agencies, international partners, and the public on shared AI priorities.

The USPTO and our sister agencies within the Department of Commerce, as well as the U.S. Copyright Office, are providing

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<sup>5</sup> USPTO Press Release: New multifactor authentication options provide more secure access to USPTO systems, Feb. 18, 2025, view at URL <https://www.uspto.gov/about-us/news-updates/new-multifactor-authentication-options-provide-more-secure-access-uspto>.

critical guidance and recommendations to advance AI-driven innovation and creativity. In 2022, the USPTO created the AI and Emerging Technology (ET) Partnership, which has worked closely with the AI/ET community to gather public feedback through a series of sessions on topics related to AI and innovation, biotech, and intellectual property (IP) policy. Since its 2022 launch, more than 6,000 stakeholders have engaged with us on these critical issues. In addition, the USPTO collaborates across government to advance American leadership in AI by promoting innovation and competition as set forth in the Biden-Harris Administration's landmark October 2023 AI Executive Order [Executive Order 14110 of October 30, 2023 ("Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence")].<sup>6</sup>

The Trump Administration vacated President Biden's October 2023 AI Executive Order No. 14110 on January 23, 2025 and President Trump issued Executive Order No. 14179: Removing Barriers to American Leadership in Artificial Intelligence, January 23, 2025. President Trump's AI strategy is focused more on the U.S. being a leader in AI with less emphasis on regulatory guardrails. One commentator noted about the probable changes from the early January 2025 announced AI strategy: "In January 2025, the USPTO released a new Artificial Intelligence Strategy (AI Strategy).[3] The AI Strategy focused on the development of inclusive, best-in-class, responsible and collaborative AI innovation and policies. Many of the focus areas and action plans in it directly related to provisions of former President Joe Biden's now revoked Executive Order on AI. The USPTO has removed the AI Strategy from its website, and says it is currently under review to "reflect the AI policies of the White House, Department of Commerce, and the USPTO." [4] Some focus areas of the previously published report, such as building best-in-class AI capabilities and developing AI expertise within the USPTO's workforce, likely still align with the new Executive Order based on the current administration's history of promoting the adoption of AI in federal agencies and seeking to establish the United States as a leader in AI innovation.[5] However, other focus areas which would likely be seen as a barriers to innovation (e.g., mandatory reporting, safeguards on information, etc.) may be revised or replaced in light of the new Executive Order."<sup>7</sup>

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<sup>6</sup> USPTO announces new Artificial Intelligence Strategy to empower responsible implementation of innovation, Jan. 14, 2025, view at URL: <https://www.uspto.gov/subscription-center/2025/uspto-announces-new-artificial-intelligence-strategy-empower-responsible>

<sup>7</sup> New Executive Orders Signal Shift in U.S. Artificial Intelligence and Science Policy, by Camille Baird, Dinsmore & Shohl LLP Legal Alerts, March 14, 2025, view at URL: <https://www.dinsmore.com/publications/new-executive-orders-signal-shift-in-u-s-artificial-intelligence-and-science-policy/> Footnotes in quote:

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President Trump also issued Executive Order 14177, which established President's Council of Advisors on Science and Technology in order "to unite the brightest minds from academia, industry, and government to guide our Nation through this critical moment by charting a path forward for American leadership in science and technology." Membership of the new council consists of 24 members, consisting of AI and technology advisors of the President and "remaining members shall be distinguished individuals and representatives from sectors outside of the Federal Government appointed by the President. These non-federal members shall have diverse perspectives and expertise in science, technology, education, and innovation."<sup>8</sup>

The Functions of the council will be: "The PCAST shall advise the President on matters involving science, technology, education, and innovation policy. The Council shall also provide the President with scientific and technical information that is needed to inform public policy relating to the American economy, the American worker, national and homeland security, and other topics.

(b) The PCAST shall meet regularly and shall:

(i) respond to requests from the President or the Co-Chairs for information, analysis, evaluation, or advice;

(ii) solicit information and ideas from a broad range of stakeholders, including the research community; the private sector; universities; national laboratories; State, local, and Tribal governments; foundations; and nonprofit organizations;

(iii) serve as the advisory committee identified in section 101(b) of the High-Performance Computing Act of 1991 (Public Law 102-194), as amended (15 U.S.C. 5511(b)), in which capacity the PCAST shall be known as the President's Innovation and Technology Advisory Committee; and

(iv) serve as the advisory panel identified in section 4 of the 21st Century Nanotechnology Research and Development Act (Public Law 108-153), as amended (15 U.S.C. 7503), in which capacity the PCAST shall be known as the National Nanotechnology Advisory Panel.

(c) The PCAST shall provide advice from the non-Federal sector to the National Science and Technology Council (NSTC) in response to requests from the NSTC."<sup>9</sup>

U.S. Patent and Trademark Office (USPTO) Guidance on Artificial Intelligence (AI). On April 11, 2024, the USPTO issued

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[3] <https://web.archive.org/web/20250114161229/https://www.uspto.gov/sites/default/files/documents/uspto-ai-strategy.pdf>

[4] <https://www.uspto.gov/initiatives/artificial-intelligence/ai-strategy>;

[5] <https://trumpwhitehouse.archives.gov/ai/executive-order-ai/>

<sup>8</sup> President Trump Executive Order 14117, Jan. 23, 2025, view at URL <https://www.govinfo.gov/app/details/DCPD-202500168>.

<sup>9</sup> President Trump Executive Order 14117, Jan. 23, 2025, view at URL <https://>

guidance on the use of AI in the practice before the USPTO. The guidance was issued “to inform practitioners and the public of the important issues that patent and trademark professionals, innovators, and entrepreneurs must navigate while using Artificial Intelligence (AI) in matters before the USPTO. The USPTO recognizes the possibility that AI will be used to prepare and prosecute patent and trademark applications, as well as other filings before the Office including filings submitted to the Patent Trial and Appeal Board (PTAB) and Trademark Trial and Appeal Board (TTAB). While the USPTO is committed to maximizing AI’s benefits and seeing them distributed broadly across society, the USPTO recognizes the need, through technical mitigations and human governance, to cabin the risks arising from the use of AI in practice before the USPTO. At this time, based on the USPTO’s engagement with stakeholders through the USPTO’s AI and Emerging Technologies (ET) Partnership (AI/ET Partnership) and a review of existing rules, the USPTO has determined that existing rules protect the USPTO’s ecosystem against such potential perils. This guidance reminds individuals involved in proceedings before the USPTO of the pertinent rules and policies, helps inform those same individuals of the risks associated with the use of AI systems, and provides suggestions to mitigate those risks. The USPTO will continue to engage with the public, including through the AI/ET Partnership, as the use of AI advances and evolves.”

**Case Law:**

*U.S. Supreme Court Limits Application of Rogers v. Grimaldi test (“Rogers test”).* The two-prong test known as the “Rogers test” for determining trademark infringement is summarized as:

First, the Court must determine whether the work at issue is “expressive”—that is, does the work “communicat[e] ideas or express[ ] points of view.”

Second, if the work is expressive, then the plaintiff must show that the defendant’s use of the trademark either (i) is not *artistically relevant* to the work, or (ii) is *explicitly misleading* to consumers as to the source or content of the work.”<sup>10</sup> See *Rogers v. Grimaldi*, 875 F.2d 994 (2d Cir. 1989).

The Rogers test is applied differently among the federal circuits. On June 8, 2023, the U.S. Supreme Court in *VIP*

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[www.govinfo.gov/app/details/DCPD-202500168](https://www.govinfo.gov/app/details/DCPD-202500168).

<sup>10</sup> Supreme Court Sharply Limits Applicability of Rogers v. Grimaldi Test for Trademark Infringement, by Anthony J. Dreyer, Shay Dvoretzky, Jordan Feirman and Chad Williams, Skadden Arps Slate Meagher and Flom, LLP, Skadden Publication, June 8, 2023, view at URL: <https://www.skadden.com/insights/publications/2023/06/supreme-court-sharply-limits-applicability>

Products LLC v Jack Daniel's Properties Inc. rejected the argument that the First Amendment protected a parody of Jack Daniel's brand and limited the scope of the Rogers test by holding in a unanimous decision. VIP Products produced a dog chew toy, labelled "Bad Spaniels," that looked like Jack Daniel's iconic whiskey bottle. The U.S. Supreme Court specifically held that: "Rogers test 'kicks in when a suit involves solely "non-trademark uses of [a] mark—that is, where the trademark is not being used to indicate the source or origin" of a product, but only to convey a different kind of message.'" 221 F.Supp.2d, at 414. When, instead, the use is "at least in part" for "source identification"—when the defendant may be "trading on the good will of the trademark owner to market its own goods"—*Rogers* has no proper role. 221 F.Supp.2d, at 414–415. And that is so, the court continued, even if the defendant is *also* "making an expressive comment," including a parody of a different product. *Id.*, at 415. The defendant is still "mak[ing] trademark use of another's mark," and must meet an infringement claim on the usual battleground of "likelihood of confusion." *Id.*, at 416."<sup>11</sup> See § 12:30, *infra*.

The U.S. Supreme Court noted that the Ninth Circuit erred on the claim of dilution of mark in VIP Products LLC v. Jack Daniel's Properties, Inc.: "Recall that the Ninth Circuit dismissed that claim based on one of the Lanham Act's "[e]xclusions" from dilution liability—for "[a]ny noncommercial use of a mark." § 1125(c)(3)(C); see *supra* at 1586-1587. On the court's view, the "use of a mark may be 'noncommercial' even if used to sell a product." 953 F.3d, at 1176 (internal quotation marks omitted). And VIP's use is so, the court continued, because it "parodies" and "convey[s] a humorous message" about Jack Daniel's. *Id.*, at 1175-1176. We need not express a view on the first step of that reasoning because we think the second step wrong. However wide the scope of the "noncommercial use" exclusion, it cannot include, as the Ninth Circuit thought, every parody or humorous commentary. . . . To begin to see why, consider the scope of another of the Lanham Act's exclusions—this one for "[a]ny fair use." As described earlier, the "fair use" exclusion specifically covers uses "parodying, criticizing, or commenting upon" a famous mark owner. § 1125(c)(3)(A)(ii); see *supra*, at 1584-1585. But not in every circumstance. Critically, the fair-use exclusion has its own exclusion: It does not apply when the use is "as a designation of source for the person's own goods or services." § 1125(c)(3)(A). In that event, no parody, criticism, or commentary will rescue the alleged dilutor. It will be subject to liability regardless. . . . The problem with the Ninth Circuit's approach

<sup>11</sup> Jack Daniel's Props., Inc. v. VIP Prods. LLC, 599 U.S. 140, 156, 143 S. Ct. 1578, 1589, 216 L. Ed. 2d 161 (2023).

is that it reverses that statutorily directed result, as this case illustrates. Given the fair-use provision's carve-out, parody (and criticism and commentary, humorous or otherwise) is exempt from liability only if not used to designate source. Whereas on the Ninth Circuit's view, parody (and so forth) is exempt always—regardless of whether it designates source. The expansive view of the “noncommercial use” exclusion effectively nullifies Congress's express limit on the fair-use exclusion for parody, etc. Just consider how the Ninth Circuit's construction played out here. The District Court had rightly concluded that because VIP used the challenged marks as source identifiers, it could not benefit from the fair-use exclusion for parody. See App. to Pet. for Cert. 105a; *supra*. The Ninth Circuit took no issue with that ruling. But it shielded VIP's parodic uses anyway. In doing so, the court negated Congress's judgment about when—and when not—parody (and criticism and commentary) is excluded from dilution liability.<sup>12</sup>

The U.S. Supreme Court remanded the case to determine if the “Bad Spaniels” trademark and trade dress caused confusion with Jack Daniel's Properties' trademarks and trade dress.

U.S. Supreme Court confirms Territorial Limits of Lanham Act. In *Abitron v. Hetric*, U.S. Supreme Court held that 15 U.S.C. § 1114(1)(a) and § 1125(a)(1) of Lanham Act do not reach foreign infringement claims, only domestic ones. The Supreme Court's opinion starts with a reminder about the jurisdictional limits of U.S. laws: “It is a ‘longstanding principle of American law “that legislation of Congress, unless a contrary intent appears, is meant to apply only within the territorial jurisdiction of the United States.”” See § 21:6.

Ninth Circuit: Federal Courts can Adjudicate Trademark Applications when a Registered Trademark is Involved. In *BBK Tobacco & Foods LLP v. Central Coast Agriculture, Inc.*, the Ninth Circuit affirmed the grant of summary judgment for plaintiffs to vacate trademark applications that allegedly violated a registered mark and held that federal courts have the authority to adjudicate trademark applications under § 1119 of the Lanham Act if a registered mark is involved.

First Amendment and Living Person Provision under Section 2(c) of Lanham Act. In *Vidal v. Elster*, U.S. Supreme Court heard oral arguments in a case involving rejection by USPTO of the application for the mark “Trump Too Small” on grounds that Section 2(c) of Lanham Act (15 U.S.C. § 1052(c)) requires written consent of a living person. Mark applicant appealed on a First Amendment argument. The question before the Supreme Court

<sup>12</sup> *Jack Daniel's Props., Inc. v. VIP Prods. LLC*, 599 U.S. 140, 161–62, 143 S. Ct. 1578, 1592, 216 L. Ed. 2d 161 (2023)

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is: “Does the refusal to register a trademark under 15 U.S.C. § 1052(c) when the mark contains criticism of a government official or public figure violate the Free Speech Clause of the First Amendment?” In June 13, 2024, the U.S. Supreme Court unanimously rejected the Free Speech Clause of the First Amendment argument of the Mark applicant: “Our decision today is narrow. We do not set forth a comprehensive framework for judging whether all content-based but viewpoint-neutral trademark restrictions are constitutional. Nor do we suggest that an equivalent history and tradition is required to uphold every content-based trademark restriction. We hold only that history and tradition establish that the particular restriction before us, the names clause in § 1052(c), does not violate the First Amendment. Although an occasion may arise when history and tradition cannot alone answer whether a trademark restriction violates the First Amendment, that occasion is not today. In a future case, we can address the “distinct question” whether “a viewpoint-neutral, content-based trademark restriction” is constitutional without “such a historical pedigree.” Post, at 1 (opinion of KAVANAUGH, J.). The judgment of the Court of Appeals is REVERSED.”

The Supreme Court in *Vidal* explained further that:

This Court has twice concluded that trademark restrictions that discriminate based on viewpoint violate the First Amendment. See *Matal v. Tam*, 582 U. S. 218; *Iancu v. Brunetti*, 588 U.S. 388. Because the names clause does not single out a trademark ‘based on the specific motivating ideology or the opinion or perspective of the speaker,’ *Reed*, 576 U. S., at 168, it does not facially discriminate against any viewpoint. But a law that does not facially discriminate based on viewpoint may still be found to discriminate based on view-point in its practical operation. See *Sorrell v. IMS Health Inc.*, 564 U. S. 552, 565. Elster suggests that is the case here because obtaining consent for a trademark under the names clause is easier if it flatters rather than mocks a subject. But there are many reasons why a person may wish to withhold consent to register a trademark bearing his name. . . . Although the names clause is not viewpoint based, it is content based because ‘it applies to particular speech because of the topic discussed or the idea or message expressed,’ *Reed*, 576 U. S., at 163—i.e., it turns on whether the proposed trademark contains a person’s name. Thus, the Court confronts a situation not addressed in *Tam* and *Brunetti*. Pp. 3-6. . . . (b) Although a content-based regulation of speech is presumptively unconstitutional, this Court has not decided whether heightened scrutiny extends to a content-based—but viewpoint-neutral—trademark restriction. Several features of trademark counsel against a per se rule of applying heightened scrutiny in such cases. Most importantly, trademark rights have always coexisted with the First Amendment, and the inherently content-based nature of trademark law has never been a cause for constitutional concern.

One commentator noted about the Supreme Court decision in *Vidal*: “. . .the Court relied heavily on history and tradition dating to English common law that prohibited registering a trademark that contained another person’s name. Under English law, selling a product under another person’s name could constitute actionable fraud. The tradition against using another person’s name in trade continued throughout American history. Justice Thomas outlined that by 1911, federal trademark law permitted trademarks that contained a person’s name, but only when the name was that of the applicant. This history and tradition were sufficient for the majority to conclude—without announcing a test to analyze similar provisions in the future—that the names clause does not violate the First Amendment.”

### **Regulatory Developments:**

- **Implementing USPTO Guidelines for Sanctioning/Suspending Improper Applications.** Under new guidelines implemented in 2023 as part of the Trademark Modernization Act of 2020, the Commissioner of USPTO can launch an investigation of any “. . . suspicious submissions, and any related submissions, to determine whether they (1) appear to violate the USPTO rules and/or the USPTO website’s Terms of Use, and (2) are part of an improper filing scheme.” See PTO Docket No. PTO-T-2021-0055, view at URL: [federalregister.gov/d/2021-28536](https://www.federalregister.gov/d/2021-28536), Jan. 1, 2022.
- **TESS Replaced—USPTO New Web-Based Trademark Search System.** Announced on September 18, 2023, and implemented as of November 30, 2023, the U.S. Patent and Trademark Office rolled out its new search system: “This new, cloud-based search system will replace our current system (Trademark Electronic Search System, or TESS) to make searching for trademark registrations and/or applications easier—a necessary step for any aspiring or current business owner looking to protect their brand. Our new system provides users with a stronger industry-standard search syntax and offers both a simplified, basic search interface as well as a more advanced search interface for more complex searching.” The USPTO guidance on using its system is at URL: <https://www.uspto.gov/trademarks/search>. One commentator noted and lamented that the new system did not have the “bibliographic” page for each trademark record.

The URL for the new trademark filing system (including training assistance) (“Trademark Center”) is at:

- <https://www.uspto.gov/trademarks/apply/trademark-center>.

According to the USPTO: “We designed Trademark Center with valuable feedback from attorneys, paralegals, entrepreneurs, and business owners. Features of the system include:

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- Mobile-friendly design
- A new, guided user interface
- Drafts that automatically save every 60 seconds
- Status tracking in a new filing docket
- Transparent application costs that update as you go
- Prompts to complete commonly omitted information, like name consent, translation, and transliteration
- Improved character limits
  - Street address fields have a 250-character limit (40 characters in TEAS)
  - City address fields have a 40-character limit (22 characters in TEAS)
  - Docket number fields have a 25-character limit (12 characters in TEAS)

With respect to the TEAS, USPTO notes: “Although the Trademark Electronic Application System (TEAS) has served us well for more than 25 years, the technology is now outdated and difficult to maintain. Developing Trademark Center has allowed us to address those issues, and also supports the USPTO’s strategic goal to develop modern IT infrastructure and applications. . . . Over the next few years, we’ll gradually transition all forms from TEAS and TEAS International (TEASi) to Trademark Center. . . . You have the option to apply to register your trademark in either Trademark Center or TEAS until early January 2025. The cost to file remains the same in both systems.”

Assignment Center Replaced the Electronic Patent Assignment System (EPAS) and Electronic Trademark Assignment System (ETAS). As of February 5, 2024, an online USPTO Assignment Center fully replaced the Electronic Patent Assignment System (EPAS) and Electronic Trademark Assignment System (ETAS) for processing all patent and trademark reassignment requests and the “Assignment Center provides a one-stop-shop to submit patent or trademark assignment orders, which allow patent or trademark owners to transfer ownership or change the owner’s name on a pending or granted patent application or trademark registration. The user-friendly system guides customers through each step of the reassignment process and provides a central location to track your submitted application’s status.”

New Examination Guide for Domicile Addresses. In August 2023, the USPTO issued a new Examination Procedure for Reviewing Domicile Addresses, Guide 3-23.

Proposed Trademark Application Fees Changes. On March 26, 2024, the USPTO proposed to change its trademark application fees. An overview of the proposed fee changes can be seen at URL: <https://www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting>.

Updated Nice Classification. USPTO issued:

. . .classification changes to the Nice Classification adopted by the contracting parties to the Nice Agreement, an international treaty recognized by over 90 countries. The Nice Classification simplifies and streamlines the drafting of goods and services in trademark applications for customers around the world. This rule modifies the class heading for Class 3 to align the English class heading with the French class heading. These changes are included in the Nice Classification (12th ed., ver. 2024), which takes effect on January 1, 2024. These changes will also be available in the USPTO's ID Manual on January 1, 2024.

See: USPTO Docket No. PTO-T-2023-0032, 88 FR 50767.