

**Introduction to the November 2024 Edition,
September 2025 Update**

**PRACTITIONER'S TRADEMARK MANUAL
OF EXAMINING PROCEDURE**

Please note that this September 2025 Update consists of two soft-bound volumes. For ease of handling, the materials in this shipment may ship in more than one box.

Among the more notable changes and additions included in this update are those regarding the following topics:

- Retirement of TEAS Forms and Launch of Trademark Center. Effective January 18, 2025, TEAS Plus and TEAS Standard applications are retired and replaced by the Trademark Center. The Trademark Center uses a new fee structure that includes additional surcharges for insufficient information, etc. (Practice Tips: §§ 103, 301, 301.01(b), 801, 819);
- Background information concerning implementation of domicile address & U.S. counsel requirements. (Practice Tips: §§ 803.05(a), 819.01(b));
- Use by Employee Inures to Employer. (Practice Tip: § 806.01(a));
- Lack of Bona Fide Intent—*Tequila Cuadra v. Manufacturera de Botas Cuadra*, 2025 U.S.P.Q.2d 729 (TTAB 2025) (Practice Tip: § 806.01(b));
- Analogous Use Doctrine Clarified—*Laverne J. Andrusiek v. Cosmic Crusaders LLC*, 2024 U.S.P.Q.2d 21 (TTAB 2024) (Practice Tip: § 901.02);
- Functionality and Design Refusals—*In re Shibumi Shade, Inc.* (May 13, 2025) (Practice Tip: §§ 1202.02(a)(v), 1202.02(a)(v)(A));
- Generic Color Marks—*In re PT Medisafe Technologies*, 134 F.4th 1368 (Fed. Cir. 2025) (Practice Tip: § 1202.05);
- Famous Mark Must Be Famous in U.S.—*Hard Rock Cafe Licensing Corp. v. Elsea*, 48 U.S.P.Q.2d 1400 (TTAB 1998) (Practice Tip: § 1207.01(d)(ix));
- First Amendment & Living Person's Name—*Vidal v. Elster*, 2024 U.S.P.Q.2d 1083 (U.S. 2024) (Practice Tip: § 1206.01);
- Acquired Distinctiveness, Copying is Probative—*Jason Scott Collection, Inc. v. Trendily Furniture*, 68 F.4th 1203 (9th Cir. 2023); *DayCab Co. v. Prairie Tech., LLC*, 67 F.4th 837 (6th Cir. 2023) (Practice Tips: §§ 1212.03, 1212.06(e)).