
15 U.S. Code § 1051

Application for registration; verification

(a) Application for use of trademark

- (1) The owner of a trademark used in commerce may request registration of its trademark on the principal register hereby established by paying the prescribed fee and filing in the Patent and Trademark Office an application and a verified statement, in such form as may be prescribed by the Director, and such number of specimens or facsimiles of the mark as used as may be required by the Director.
- (2) The application shall include specification of the applicant's domicile and citizenship, the date of the applicant's first use of the mark, the date of the applicant's first use of the mark in commerce, the goods in connection with which the mark is used, and a drawing of the mark.
- (3) The statement shall be verified by the applicant and specify that—
- (A) the person making the verification believes that he or she, or the juristic person in whose behalf he or she makes the verification, to be the owner of the mark sought to be registered;
 - (B) to the best of the verifier's knowledge and belief, the facts recited in the application are accurate;
 - (C) the mark is in use in commerce; and
 - (D) to the best of the verifier's knowledge and belief, no other person has the right to use such mark in commerce either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods of such other person, to cause confusion, or to cause mistake, or to deceive, except that, in the case of every application claiming concurrent use, the applicant shall—
 - (i) state exceptions to the claim of exclusive use; and
 - (ii) shall ^[1]specify, to the extent of the verifier's knowledge—
 - (I) any concurrent use by others;
 - (II) the goods on or in connection with which and the areas in which each concurrent use exists;
 - (III) the periods of each use; and
 - (IV) the goods and area for which the applicant desires registration.
- (4) The applicant shall comply with such rules or regulations as may be prescribed by the Director. The Director shall promulgate rules prescribing the requirements for the application and for obtaining a filing date herein.

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)