

15 U.S. Code § 1141h

Examination of and opposition to request for extension of protection; notification of refusal

(a) Examination and opposition

- (1) A request for extension of protection described in section 1141f(a) of this title shall be examined as an application for registration on the Principal Register under this chapter, and if on such examination it appears that the applicant is entitled to extension of protection under this subchapter, the Director shall cause the mark to be published in the Official Gazette of the United States Patent and Trademark Office.
- (2) Subject to the provisions of subsection (c), a request for extension of protection under this subchapter shall be subject to opposition under section 1063 of this title.
- (3) Extension of protection shall not be refused on the ground that the mark has not been used in commerce.
- (4) Extension of protection shall be refused to any mark not registrable on the Principal Register.

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