
15 U.S. Code § 1066a

Ex parte expungement

(a) Petition

Notwithstanding sections 1057(b) and 1072 of this title, and subsections (a) and (b) of section 1115 of this title, any person may file a petition to expunge a registration of a mark on the basis that the mark has never been used in commerce on or in connection with some or all of the goods or services recited in the registration.

(b) Contents of petition

A petition filed under subsection (a), together with any supporting documents, shall—

- (1) identify the registration that is the subject of the petition;
- (2) identify each good or service recited in the registration for which it is alleged that the mark has never been used in commerce;
- (3) include a verified statement that sets forth—
 - (A) the elements of the reasonable investigation the petitioner conducted to determine that the mark has never been used in commerce on or in connection with the goods and services identified in the petition;
and
 - (B) any additional facts that support the allegation that the mark has never been used in commerce on or in connection with the identified goods and services;
- (4) include any supporting evidence on which the petitioner relies; and
- (5) be accompanied by the fee prescribed by the Director.

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