

**State of South Carolina
Assignment of a Trademark or Service Mark**

Assignment fee: \$3.00 per mark

1. Name of original Applicant: _____

2. Name of the new Applicant: _____

3. New Applicant's principal place of business address: _____

4. New Applicant's place of business address in SC, if any: _____

5. The new Applicant is:

(Entity type must match that noted in answer to question #1; for example, applicant John Smith would be "an individual or sole proprietor..."; ABC Company, Inc. would be "a corporation duly organized under the laws of the State of SC (or other state)".

an individual or sole proprietor

a corporation **OR** limited liability company duly organized under the laws of the State of _____

a partnership duly organized under the laws of the State of _____

Names of General Partners: _____

other _____

6. Describe the mark, including any literal and/or design elements if claimed (the mark as you describe it must be present on the specimens submitted): _____

7. Has the applicant, or any predecessor in interest, ever filed an application to register this mark or portions of this mark or a composite of this mark with the United States Patent and Trademark Office? YES **OR** NO

If you answered "YES", please provide the full particulars including the filing date, serial number and status of the application. If an application was finally refused registration or has otherwise not resulted in registration, please state the reason for this: _____

8. Please enclose three (3) original, identical specimens showing the mark as actually used in promoting the product, good, or service (for example, 3 identical brochures, **OR** 3 identical business cards, **OR** 3 identical photos of a T-shirt). The specimens must reflect the mark as described in answer to question #6 of this application.

The following specimens are acceptable for a service mark:

- 3 actual business cards or pieces of letterhead showing the mark in connection with the service; OR
- 3 identical photos of a sign; OR
- 3 original brochures about the service (including menus); OR
- 3 actual advertisements for the service (including advertisements from newspapers or magazines); OR
- 3 color print-outs of the mark used on the applicant's Website; OR
- 3 identical photographs that show the mark as used in advertising the service (example: a photograph of a billboard).

The following specimens are acceptable for a trademark:

- 3 identical photographs of the goods that shows use of the mark on the goods; OR
- 3 tags or labels for the goods; OR
- 3 containers for the goods; OR
- 3 identical photos of a display associated with the goods.

***Letterhead, business cards, or invoices ARE NOT acceptable specimens for a trademark.**

9. Please enclose a copy of the contract or document, or portion thereof, in which the original Applicant authorizes or provides for the assignment of the trademark or service mark described herein from the original Applicant to the new Applicant.

Declaration of Ownership

Applicant herewith declares that he/she has read the above and foregoing application and knows the contents thereof and that the facts set out herein are true and correct, that the three specimens of the mark submitted are true and correct, that the Applicant is the owner of the mark, and that the mark is in use. Additionally, to the knowledge of the person verifying this application, no other person has registered this mark either federally or in this State, or has the right to use this mark in its identical form or in near resemblance as to be likely, when applied to the goods or services of another person, to cause confusion or to cause mistake or to deceive.

Sworn to and subscribed before me

This _____ day of _____, _____.
day month year

Notary Public of South Carolina

My Commission Expires: _____

Signature

Name

Title

Telephone Number

Date

NOTE

THE ACCEPTANCE OF A TRADEMARK OR SERVICE MARK FOR REGISTRATION BY THE OFFICE OF THE SECRETARY OF STATE PROVIDES THE OWNER WITH A RIGHT TO USE SUCH MARK IN THE STATE OF SOUTH CAROLINA ON THE GOODS AND SERVICES IDENTIFIED IN THE REGISTRATION APPLICATION. HOWEVER, THE OFFICE OF THE SECRETARY OF STATE IS NOT REQUIRED TO SEARCH OTHER STATE OR FEDERAL REGISTRATIONS, INTERNET DOMAIN NAMES OR OTHER COMMON LAW (UNREGISTERED) USERS; THEREFORE, RIGHTS GRANTED BY THIS REGISTRATION MAY BE AFFECTED OR PREEMPTED BY PRIOR USE OR OTHER REGISTRATION OF THE MARK.

**Please mail your completed application, specimens, and payment to:
South Carolina Secretary of State's Office
Attn: Trademarks Division
1205 Pendleton Street, Suite 525
Columbia, SC 29201**