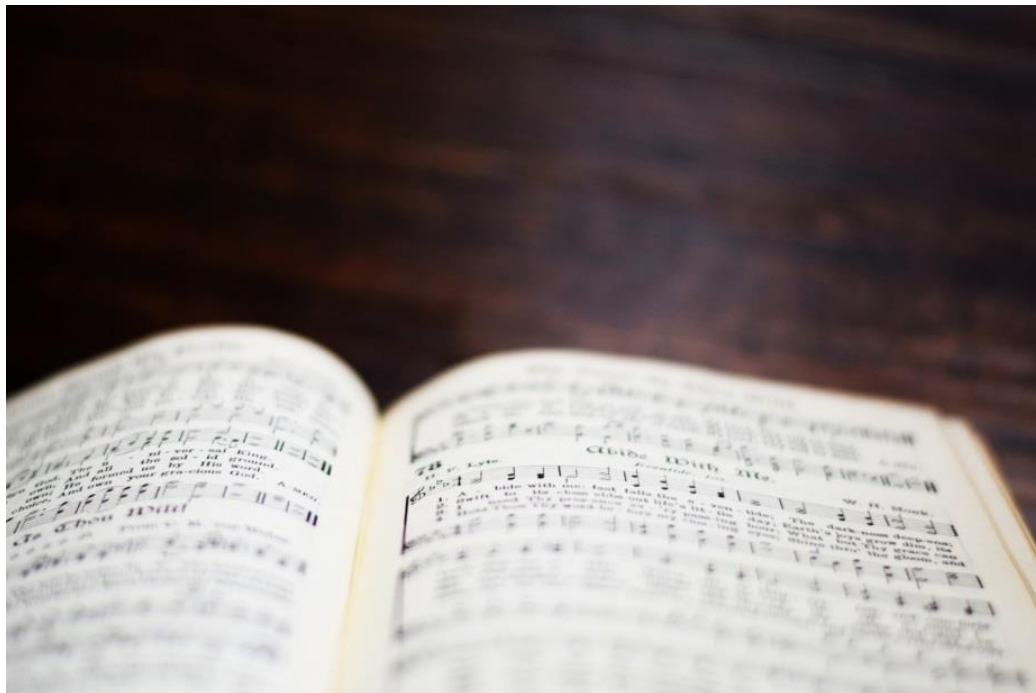# THE TRADEMARK SEARCH COMPANY

A Complete Guide for TESS

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Trademark Electronic Search System or TESS, is a search system of **USPTO** trademark applications. It includes submitted, registered i.e. LIVE as well as abandoned (DEAD) trademark applications. Before filing a trademark application it is a pretty much wise decision if you go for a thorough search into the databases. This allows you to determine whether you should proceed with the current trademark or not. It eventually saves your time and expenditure on the procedures of the trademark application.

The USPTO maintains the TESS database by updating and maintaining up to 3 million federal applications from the past 3 decades. But, there are no applications made before 1984.

Features of TESS

There are a few features that make TESS an incredible search engine for Trademark related search. Here we are highlighting those features:

- The interface of TESS allows even a layman to easily perform a clearance search. By clearance search we mean, searching conflicting marks with the current trademark.
- It allows you to search trademarks based on their various elements. These elements are searchable pieces of information. Design search Codes and Classes help perform an effective clearance search. An effective search is broad enough to find all the conflicting trademarks and narrow enough for evaluation of a manageable number of trademarks.
- You can also narrow down the search results to a number of relevant trademarks. For this, you need to select various basic and advanced search tools to your benefit.

The procedure of TESS Search:

TESS allows a step-by-step comprehensive search of the **USPTO database** for registered and pending trademark applications. Here is the procedure of how you can conduct a trademark search in the database.

(Step 1) Visit the Home Page:

To reach the **TESS** search engine visit the USPTO portal or directly type TESS on a search engine and visit the home page of TESS. This is how it looks like-

Figure 1- TESS Homepage

(Step 2) Options of Search:

TESS allows three types of search options:

- **Basic Word Mark Search (New User):** this system allows you to perform a search based on words in the mark, serial and registration number and/or the owner's name. It is suitable for you if you are new to TESS as it is the most basic search option.
- **Word and/or Design Mark Search (Structured):** if you are a novice TESS user then this system is suitable for you. It provides more advanced features as compared to the basic word mark search. It comes with an added advantage of constructing your own format of search criteria.
- **Word and/or Design Mark Search (Free Form):** expert TESS users use this system of search and it is the most efficient search option. It gives you the advantage of conducting a personalized search.

(Step 3) Add Relevant Details:

As per the information that you have about the trademark. There are many basic and advanced functions like AND/OR help you to find more than one term. Moreover, you can conduct specific searches with 'Result Must Contain'. Also, there are many advanced options like NOT, SAME, XOR or WITH for more specific results.

Benefits and Limitations of TESS:

This system comes up with various benefits of conducting a trademark search and at the same time, it has certain limitations to it.

Advantages:

- TESS is the official search engine of the USPTO database. It has the database of trademarks from the past 3 decades and covers both active and inactive trademarks.
- The search engine has a user-friendly interface and provides different types of searching options for both basic and advanced search.
- It so provides additional search options such as Browse Dictionary and Search OG options. The Browse Dictionary option lets you search all the fields in the database unless specified. While the Search OG searches the Official Gazette for marks registered or published on a particular date.
- It comes with instructions for both basic and advanced search procedures.

Limitations:

- It doesn't cover all the trademarks i.e. TESS searches only the USPTO database. There might be another mark that your mark may infringe upon in some other database.
- It can become a time-consuming task for an amateur conducting a trademark search. But once you master over it then there is nothing like it.
- The clearance search doesn't guarantee your trademark registration as a mark needs to meet various criteria put forth by the patent office (**USPTO**).

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