

How to Do a Trademark Image Search in the U.S.PTO Website Last Updated on October 18<sup>th</sup>, 2019



When it comes to protecting a brand, securing the trademarks and logos is something that appears at the top of our mind. Before we register our Logo and Trademarks it is important to ensure right at the beginning that the mark is available for use and we are not infringing on someone else's intellectual properties. Here comes the importance of a full logo search or a trademark image search that will help us determine if we are investing right.



or lobed shape". Assuming the fact that we wish to protect this logo in the United States, "The Trademark Electronic Search System" is the first trademark and logo search database that appears in our mind. The Trademark Electronic Search System, also called TESS is one of the most preferred trademark search databases we use these days.

In the rest part of this article, we will understand the mechanics of doing a logo search on the U.S.P.T.O database and the journey of a complete trademark image search or logo search starts with navigating the <u>U.S.P.T.O</u> website.

### Step 1: Navigate to the U.S.P.T.O website

Navigating to the United States Patent and Trademark Office is the first step that should be done while conducting a logo search.



# Step 2: Select the "Trademarks Tab" and "Searching Trademarks Drop-down" menu

Once you are there on the Home Page of U.S.PTO, you can find 4 different tabs placed on the horizontal menu, these are **Patents**, **Trademarks**, **IP Policy**, **Learning**, **and Resources**. Select the **"Trademark"** Tab from the horizontal menu and click **"SearchingTrademarks"** drop-down option.



Step 3: Click on the 'Trademark Electronic Search System' title appearing at the bottom

Once we click the above-mentioned drop-down menu, we will land-up onto a page where we can find a text title **"Trademark Electronic Search System (TESS)"** at the bottom, clicking that text title we can enter into the main **Trademark Electronic Search System** database. The image below will depict the same.



## Step 4: Refer to the USPTO's Design Search Code Manual

This is the fourth and one of the most important steps in the overall logo search process wherein we refer to the USPTO's "<u>Design Search Code Manual</u>" to determine the search code to which the intended mark belongs.

The USPTO assigns all marks containing design figurative elements a 6-digit numerical code(s) for searching purposes. The Design Search Code Manual **indexes the categories, divisions, and sections** that make up these codes. For example, a five-pointed star would be coded in category 01 (celestial bodies, natural phenomena, and geographical maps), division 01 (stars, comets) and section 03 (stars with five points), resulting in a complete design code of 01.01.03. Links to the Design Search Code Manual are located in either the Structured or Free Form search options.



#### Trademarks > Trademark Electronic Search System (TESS)

Welcome to the **Trademark Electronic Search System (TESS)**. This search engine allows you to search the USPTO's database of registered trademarks and prior pending applications to find narks that may prevent registration due to a **likelihood of confusion** refusal.

NARNING: Before conducting your search, you must understand the following: (1) what the database includes; (2) how to construct a complete search; and (3) how to interpret the search results. Dick TESS TIPS for detailed information on these and other important search topics.

Select A Search Option
Basic Word Mark Search (New User) This option cannot be used to search design marks.
Word and/or Design Mark Search (Structured) This option is used to search word and/or design marks. NOTE: You must first use the Design Search Code Manual to look up the relevant Design Codes
Word and/or Design Mark Search/Free Form) This option allows you by ostruct word and/or using searches using Boolean logic and multiple search fields. NOTE: You must first use the design Search Code Manual for yok up the relevant Design Codes.
Additional Search Options

Additional Search Options	
Browse Dictionary (Browse Dictionary) This option browses all fields in the database unless you limit to a particular field. Results are returned in a dictionary-style (aphrabetic) format.	
Search OG Publication Date or Registration Date (Search OG) This option searches the Official Gazette for marks published or registered on a particular date.	

Logout Please logout when you are done to release system resources allocated for you.

Determining the Design Search Code Manual is important when it comes to doing an effective and comprehensive logo search.

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	100	IADLE OF CATEGORIES	
	01	Celestial bodies, natural phenomena, geographical maps This category includes objects that appear in the sky, including clouds, stars, moons, sun, planets and constellation. Additionally, designs associated with weather conditions such as rainbows, lightning, and snowflakes are found here. Maps of co continents are also in 01.	untries and
	02	Human beings This category includes representations of men, women and children regardless of the activity they are engaged in or how they are dressed. Stylized humans, those in caricature form, stick figures and parts of the human body are also in this category	jory.
	03	Animals This category includes most animals except mythological animals found here include mammals, birds, kiw kiw bird fish metiles and inserts. Prehistoric animals, stylized animals and animals with human attributes are also coded in ca	teapry 03
	04	Supernatural beings, mythological or legendary beings, fantastical beings or unidentifiable beings This category includes beings works a devile, argels, legendans, wriches, and super hereos. Designs that are part human and part animal and mythological animals such as unicorns and Pegasus are in this category. Plants, objects or geometric	al figures
	05	that represent humans or animals are also in category 04. Plants	
	06	This category includes almost every type of plant such as flowers, trees, leaves, vegetables, and fruits. Also, decorations made from plants are in this category.	
	08	overnery This category includes mountains, lakes, waterfalls, beaches, forests and islands. Also, desert scenery and urban scenery such as skylines and street scenes fall within category 00.	
	07	Dwellings, buildings, monuments, stadiums, fountains, structural works and building materials This category includes almost any structure that is built by man. All dwellings from jobos to silvs/serverse are in 07. Interior and exterior portions of buildings along with building materials such as bricks, wood and cinderblocks are in this category.	
	08	Foodstuff	
	09	Testiles during in duces goods into all er endure soit intera, dany products, and univer goods. It does no include not and vegetadoes. Testiles, folloning, haadware, footwar and rewing accessories	
	10	Ins category inclues ai types of counting items and itemie goods such as towes, outrains, sineets and categoria, also sewing products such as zippers, patterns, and sewing machines can be round in uk. Tobacco, moker's materials, fans, toiliet articles; medical devices and apparatus including tablets, capsules or powders	
		This category includes most tobacco products and medical devices as well as products in tablet or capsule form. Grooming aids such as razors, toothbrushes, and make up products are in this category. You will also find non-motorized fans, canes unbreling in category (in category	s and
	11	Household utensits	. 11
	12	Turnitive and plumbing fixtures	
	13	This category includes all types of home and office furniture. Plumbing instrume such as sinks, bathfubs and tollets are found in category 12. Lighting, cooking, heating, cooking or terificipation equipment	
	14	This category includes lighting goods such as torches, candies, table lamps and flashbulbs. Stoves, refrigerators, toasters and air conditioners are also in category 13. Hardware, fools and laidfeirer, non-motorized and reality till implements twee and locks.	
	11	This category includes all types of hardware, power tools and hand tools, Cates, wires, valves, hammers, locks, and keys can be found in category 14. Additionally, non-motorized agricultural goods such as pitchforks, plows and rakes are in foun	d here.
	15	Machines and parts thereof, including industrial agricultural, home and office machines; electrical equipment This category includes all types of machines such as generators, conveyor beits, vacuum cleaners and vending machines. Office machinery such as computers, photocopiers, and cash registers can be found in category 15. Wheels and bearings in this category	are also in
	16	Telecommunications, sound recording or reproduction equipment; photography, cinematography and optics This category includes goods in the telecommunications and sound recording industries such as antennas, telephones, microphones, tape players, radios and televisions. Goods that are used for cinematography such as cameras and optical equip	ment,

Now let's come to the main part of logo search wherein we will have to define the components of our logo. In this case, we have "Keys with heads of circular, oval or lobed shape" and we need to find the exact class where keys with heads of circular, oval or lobed shape belong to. In the first instance, it seems prudent to search Class 14 (Hardware, tools, and ladders; non- motorized agricultural implements; keys and locks). See the below image:

	TABLE OF CATEGORIES
01	Celestial bodies, natural phenomena, geographical maps This category includes objects that appear in the sky, including clouds, stars, moons, sun, planets and constellation. Additionally, designs associated with weather conditions such as rainbows, lightning, and snowflakes are found here. Maps of countries and continents are also in 01.
02	Human beings This category includes representations of men, women and children regardless of the activity they are engaged in or how they are dressed. Stylized humans, those in caricature form, stick figures and parts of the human body are also in this category.
03	Animals This category includes most animals, except mythological animals. Animals found here include mammals, birds, kiwi, kiwi bird, fish, reptiles and insects. Prehistoric animals, stylized animals and animals with human attributes are also coded in category 03.
04	Supernatural beings, mythological or legendary beings, fantastical beings or unidentifiable beings This category includes beings such as devils, angels, leprechauns, witches, and super heroes. Designs that are part human and part animal and mythological animals such as unicoms and Peqasus are in this category. Plants, objects or geometrical figures that represent humans or animals are also in category 04.
05	Plants This category includes almost every type of plant such as flowers, trees, leaves, vegetables, and fruits. Also, decorations made from plants are in this category.
06	Scenery This category includes mountains, lakes, waterfalls, beaches, forests and islands. Also, desert scenery and urban scenery such as skylines and street scenes fall within category 06.
07	Dwellings, buildings, monuments, stadiums, fountains, structural works and building materials This category includes almost any structure that is built by man. All dwellings from igloos to skyscrapers are in 07. Interior and exterior portions of buildings along with building materials such as bricks, wood and cinderblocks are in this category.
08	Foodstuff This category includes goods that are edible such as meat, dairy products, sandwiches, and baked goods. It does not include fruits and vegetables.
09	Textiles, clothing, headwear, footwear and sewing accessories This category includes all types of clothing items and textile goods such as towels, curtains, sheets and carpeting. Also sewing products such as zippers, patterns, and sewing machines can be found in 09.
10	Tobacco, smokers' materials; fans; toilet articles; medical devices and apparatus including tablets, capsules or powders This category includes most tobacco products and medical devices as well as products in tablet or capsule form. Grooming aids such as razors, toothbrushes, and make up products are in this category. You will also find non-motorized fans, canes and umbrellas in category 10.
11	Household utensils This category includes most items that would be found in a household kitchen, including cutlery, cookware, beverage ware and electric or non-electric kitchen appliances. Other household utensils such as irons, brooms and plungers are in category 11.
12	Furniture and plumbing fixtures This category includes all types of home and office furniture. Plumbing fixtures such as sinks, bathtubs and toilets are found in category 12.
13	Lighting, cooking, heating, cooling or refrigeration equipment
14	Hardware, tools and ladders; non-motorized agricultural implements; keys and locks This category includes all types of hardware, power tools and hand tools. Cables, wires, valves, hammers, locks, and keys can be found in category 14. Additionally, non-motorized agricultural goods such as pitchforks, plows and rakes are in found here.
15	Machines and parts thereol, including industrial agricultural, home and office machines; electrical equipment This category includes all types of machines such as generators, conveyor belts, vacuum cleaners and vending machines. Office machinery such as computers, photocopiers, and cash registers can be found in category 15. Wheels and bearings are also in this category.
16	Telecommunications, sound recording or reproduction equipment; photography, cinematography and optics This category includes goods in the telecommunications and sound recording industries such as antennas, telephones, microphones, tape players, radios and televisions. Goods that are used for cinematography such as cameras and optical equipment, including eyeglasses and telescopes are in category 16.

"Keys with heads of circular, oval or lobed shape" are coded in category 14, division 11, sections 1 to 9. Section 2 (Keys of some other shape) could be the most relevant for our search.

	United States Patent and Trademark Office
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Trademark Home	exember of Alpha. Browse Bottom Help
CATEGO	DRY 14: HARDWARE, TOOLS AND LADDERS; NON-MOTORIZED AGRICULTURAL IMPLEMENTS; KEYS AND LOCKS

TABLE OF DIVISIONS IN CATEGORY 14

Keys for locks; locks	14.11
Ladders	14.09
Non-motorized agricultural or horticultural implements	14.07
Tools (hand and power)	14.05
Small hardware articles, springs	14.03
Tubes, cables, heavy hardware articles	14.01

14 HARDWARE, TOOLS AND LADDERS; NON-MOTORIZED AGRICULTURAL IMPLEMENTS; KEYS AND LOCKS

### 14.01 Tubes, cables, heavy hardware articles

14.01.01 Tubes, pipes, pipe fittings

### So, let's pick the 14.11.02 code and search it on the TESS database.

TESS was last updated on Tue May 31 03:20:50 EDT 2016

/iew Search History: ▼ Records Returned: 100 ▼		Plurals: Yes V Quick The	
Search Term: 14.11.02 AND 02.11.01	Field:	Design Code	Operator OR
Search Term:	Field:	ALL 🔹	
Submit Query Clear Query   Logout Please logout when you are done to release	e system resc	urces allocated for you.	
	DG TOP	HELP	

Mind that, here we have searched the **"Structured Search Form Option"** and the fields that we used was **"Design Code".** Below are the results.



Unfortunately, our intended mark is too similar to already existing logos and thus, we will have to abandon the idea.

Contact us on: info@thetrademarksearchcompany.com

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