



Trademarking

What to expect on the road to your
trademark TM



What does the trademark registration process look like?

Welcome to the Trademark Journey!

At Business Law Group, we guide you through each step of securing your trademark. Here's a simple overview of what to expect.

1. Pick Your Perfect Name or Logo

- Choosing a strong trademark is key:
- Unique & Memorable: The more unique, the better.
- Avoid Confusion: Make sure no one else is using something similar.
- Avoid Descriptive Terms: Trademarks that merely describe your goods or services (e.g., "Cold Ice Cream" for ice cream) are often refused by the USPTO. The more descriptive the name, the harder it is to register and protect.

We Help You Search: We conduct a professional clearance search to spot any conflicts before filing.

2. Filing Your Application

Once your name or logo is ready:

- We prepare and file your application with the U.S. Patent & Trademark Office (USPTO).
- Include details about your business and how you use your trademark.

3. Review by USPTO (3-4 months)

A government attorney examines your application:

- Confirms legal requirements are met.
- Checks for conflicts with other trademarks.
- If any issues arise (called "Office Actions"), we respond on your behalf.

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4. Public Review (30 days)

- Your trademark is published for public notice:
- Others can object if they believe your trademark conflicts with theirs.
- If no one objects, you move forward to registration.

5. Registration!

Once approved:

- You receive your official federal trademark registration.
- You can now use the ® symbol to show your trademark is federally protected.

6. Supplemental Register (For Descriptive Marks)

If your trademark is descriptive but still capable of acquiring distinctiveness, it may be registered on the Supplemental Register:

- Provides limited protection and can block others from registering confusingly similar marks.
- After five years of continuous use, your mark may become eligible for the Principal Register with stronger rights.
- We will advise you if this is the best option for your specific situation.

7. Keeping Your Trademark Active

Trademarks need some upkeep:

- Simple renewals after 5 years and then every 10 years.
- If separately engaged - we send you reminders when it's time to renew.

You should monitor for others who may try to use something similar.

BEWARE OF COMMON TRADEMARK SCAMS

After you file your trademark application or receive your registration, you may start receiving official-looking mail or emails that appear to come from government agencies or trademark offices. These notices often request payment for things like "registration in international databases," "publication fees," or "maintenance services." Many of these are scams or unofficial solicitations designed to confuse trademark owners into paying unnecessary or inflated fees.

These scams occur because trademark applications and registrations are part of a public database. Scammers monitor new filings and registrations, then target business owners who may be unfamiliar with the process. The official government agency in the United States is the United States Patent and Trademark Office (USPTO) — any official correspondence will always come directly from them or from your attorney.

If you ever receive questionable correspondence, forward it to us before taking any action. Our team at Business Law Group will verify whether it's legitimate and protect you from unnecessary expenses or fraud.

A Word of Caution About Trademark Mills

In recent years, many low-cost online services—often called “**trademark mills**”—have advertised heavily, promising quick and easy trademark registration at very low prices. While these services may seem appealing, they often provide **minimal legal advice and little to no personalized review** of your specific situation.

Trademark mills typically rely on automated filing systems and non-attorney staff. They do not conduct comprehensive searches for conflicting marks, do not offer strategic advice on filing bases or proper descriptions of goods and services, and may not alert you to problems that could cause your application to be refused. Worse, many clients who use trademark mills end up paying much more in the long run to fix avoidable mistakes, respond to refusals, or defend their trademark after problems arise.

Your trademark represents your brand, reputation, and the long-term value of your business. Proper trademark protection requires careful strategy, legal expertise, and ongoing guidance that only an experienced trademark attorney can provide. At Business Law Group, we work directly with you to craft a customized filing strategy, avoid costly pitfalls, and ensure your brand receives the strongest protection possible from day one.

LET'S GET YOUR TM



Amanda Butler, Esq

Amanda Butler, Esq. is the founder of Business Law Group and a nationally ranked business attorney with nearly 15 years of experience advising entrepreneurs, business owners, and creative professionals. Known as *The Entrepreneur's Lawyer*, Amanda brings real-world business experience, legal expertise, and an entrepreneurial mindset to help her clients make fearless, educated decisions.

In trademark law, Amanda's approach is simple: protect your brand early, avoid costly mistakes, and build legal leverage to

help your business grow with confidence. She has guided hundreds of entrepreneurs—restaurateurs, CEOs, artists, breweries, boutique hotels, and family-owned businesses—through complex legal issues, including securing trademark protection that ensures their business name, logo, and reputation stay exclusively theirs.

Amanda believes that a strong legal foundation is the secret to long-term business success. Her trademark practice focuses not only on securing your mark but also on helping you monitor, enforce, and maintain your brand protection over time—so you stay focused on growing your business.

Beyond the office, Amanda regularly speaks and teaches on business and intellectual property law topics, sharing insights gained from her own entrepreneurial journey. She is also the host of a YouTube channel where she breaks down legal lessons from real-life lawsuits, helping business owners learn how to proactively protect their intellectual property.

