

Title:

What Are Trademarks?

Word Count:

411

Summary:

Different companies, products and services have different trademarks but they are all aimed at creating a distinct symbol that will identify that particular product or company. The use of trademarks has legal implications and it is protected by the common law as well as Federal laws.

A trademark owner is entitled to the exclusive use of the trademark in the product specifically intended to be identified by the trademark or to other related product which he owns.

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Keywords:

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Article Body:

Different companies, products and services have different trademarks but they are all aimed at creating a distinct symbol that will identify that particular product or company. The use of trademarks has legal implications and it is protected by the common law as well as Federal laws.

A trademark owner is entitled to the exclusive use of the trademark in the product specifically intended to be identified by the trademark or to other related product which he owns.

The trademark user and owner can register his trademark with the Patent Office. Any trademark can be registered for as long as it is not own by anyone and that the entity seeking its registration is already using or is planning to use the trademark in the future. However, unregistered trademarks are still protected under the common law as long as the owner can establish his use of the trademark.

A trademark can be a word or combination of words or symbols that differentiates a certain products from the others. Trademarks are different from patents and copyrights in the sense that a copyright is geared towards the protection of

original works of art including music or literary works while a patent is geared towards the protection of an invention.

Why should individuals or companies register their trademarks if these are already protected by law even if they are unregistered? Registration of trademarks is encouraged because the fact of registration serves as legal and practical notice to the public that it is already being used and owned by another. The owner can also sue another entity in Federal Court, for using a registered trademark. Such registration can also be used as a basis for registering the same trademark in other countries.

Anyone can already use the trademarks sign "TM: or the service mark "SM" even if the marks have not yet been registered.

However, the Federal symbol of registration can only be used after the mark has been registered with the United States Patent and Trademark Office.

Registration of trademarks or service marks can be done through the internet. After submitting the form online, the registrant can expect an immediate reply or issuance of an initial receipt from the Trademark Office. Applications can also be delivered to the Trademark Office.

The registration process is actually easy and self explanatory that there is no need to hire a lawyer. You must however comply with all the requirements for registration for a quick processing of your application.