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# Intellectual Property: Should You File Trademark Applications On Your Own?

*Seattle Business*

Lane Powell Attorneys Fran Jagla and Tiffany Scott Connors co-authored an article in Seattle Business magazine's October 2015 issue titled "Intellectual Property: Should You File Trademark Applications On Your Own?" In the article, Jagla and Connors discussed the pros and cons of individuals filing their own trademark applications without the benefit of experienced legal counsel.

The real question is: "Should you file an application without the benefit of counsel?" The "official" legal opinion on this is "it depends." Before considering filing your own application, you must know the rules regarding filing and be able to answer the pertinent filing questions. For example, how do you complete an application, how do you properly identify your goods and services, what does a Section 1(b) or "intent-to-use" application mean compared to a "use-based" application and how do you determine the date of first use? The answers to these questions may not always be straightforward. The U.S. Patent and Trademark Office has a listing of acceptable goods and services in the Acceptable Identification of Goods and Services Manual. But what if your goods or services do not appear in the listing? How do you know what type of goods yours comes closest to? Getting this question wrong can mean a denial of your application without any refund of the filing fees.