

# STATE OF MONTANA

Prepare, sign and submit an ORIGINAL AND COPY with fee.

This is the minimum information required.

(This space for use by the Secretary of State only)

APPLICATION for REGISTRATION of MARK  
(Trademark - Service Mark)



**MAIL:** **BOB BROWN**  
Secretary of State  
P.O. Box 202801  
Helena, MT 59620-2801

**PHONE:** ☎(406)444-3665  
**FAX:** (406)444-3976  
**WEB SITE:** [www.state.mt.us/sos](http://www.state.mt.us/sos)

Form: TM-1  
Filing Fee: \$20.00

Priority Filing Add \$20.00

Please be advised that the Business Services Bureau of the Montana Secretary of State will process your business documents within 10 working days of initial receipt. During this period if it is determined that your document does not meet statutory requirements, a letter outlining the deficiencies will be returned to the original submitter. If the document is complete and correct, the document will be filed and an acknowledgment copy showing completion returned to the original submitter.

For the purpose of registering a mark in the State of Montana, according to the provision of 30-13-311, MCA, the undersigned submits the following statements of fact to the Secretary of State:

1. The essential feature (name) of the mark to be registered is: \_\_\_\_\_  
and attached hereto is a specimen, facsimile or drawing of the mark. (Attach in the space below or, if on another sheet, attach to this form.)
  
2. The general description of the goods or services with which the mark is used is: \_\_\_\_\_  
the class of such goods and services is \_\_\_\_\_ (Example: 2-FF, Sec. 30-13-331, MCA. See reverse for class numbers.  
*One class per application.*)
  
3. The applicant has heretofore adopted and used the mark and the *month, day and year* the mark was first used by the applicant or predecessor anywhere is \_\_\_\_\_ and the *month, day year* of the first use in the State of Montana is \_\_\_\_\_
  
4. The mode or manner in which the mark issued in connection with the goods and services is: \_\_\_\_\_
  
5. The name of the applicant is \_\_\_\_\_
  
6. The business address of the applicant, including street and number, if any, and city or town and state, is: \_\_\_\_\_
  
7. The applicant is:
  - An individual (complete affidavit on back)
  - A corporation organized and existing under the laws of: \_\_\_\_\_  
under the name of \_\_\_\_\_
  - A partnership or association (list names and addresses of partners) \_\_\_\_\_
  - Other - (please identify) \_\_\_\_\_

(Complete appropriate affidavit on reverse side.)

## COMPLETE THE ONE AFFIDAVIT THAT APPLIES

### \*Affidavit if applicant is an individual

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the applicant  
(Name of Applicant)

herein (doing business as \_\_\_\_\_);  
that I have read the foregoing application ; that the facts set out therein are true; that the applicant is the sole owner of the mark sought to be registered and have the right to the use of the same; that no other person has the right to such use in this state, either in identical form or in such near resemblance thereto as may be calculated to deceive or might be mistaken for; and that the description and facsimile filed herewith is true and correct; and under the penalties of false swearing I execute this document this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

X \_\_\_\_\_  
Signature of Applicant

### \*Affidavit if applicant is a partnership, corporation, LLC, LLP or other

I, \_\_\_\_\_, being first duly sworn, depose and say that I am \_\_\_\_\_  
(Name of officer/partner/other) (President, Vice President, Secretary or Partner)

of \_\_\_\_\_, the applicant herein, and make this affidavit in its behalf; that I have read the  
(complete name of applicant)

foregoing application; that the facts set out therein are true; that the applicant is the sole owner of the mark sought to be registered and has the right to the use same; that the same is still currently in use; that no other person has the right to such use in this State, either in identical form or in such near resemblance thereto as may be calculated to deceive or might be mistaken for it; that the description or facsimile filed herewith is true and correct; and under the penalties of false swearing I executed this document this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

X \_\_\_\_\_  
Signature of Officer/Partner/Other

**CLASSES:** To assist you in completing item 2, the State Statute regarding classes is reprinted for your reference.

**30-13-331. Classification.** (1) The following general classes of goods and services are established for convenience of administration of this part. This classification does not limit or extend the applicant's or registrant's rights. A single application for registration of a mark may include any or all goods or services comprised in a single class with regard to which the mark is actually being used. **However, in no event may a single application include goods or services that fall within different classes of goods or services.**

(2) The classes of trademarks are as follows:

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|--|--|
| (a) raw or partly prepared materials;                        | (ff) furniture and upholstery;                               |
| (b) receptacles;   | (gg) glassware;  |
| (c) baggage, animal equipments, portfolios, and pocketbooks; | (hh) heating, lighting, and ventilating apparatus;           |
| (d) abrasive and polishing materials;                        | (ii) belting, hose, machinery packing, and nonmetallic tires |
| (e) adhesives;   | (jj) musical instruments and supplies;                       |
| (f) chemicals and chemical compositions;                     | (kk) paper and stationery;                                   |
| (g) cordage;   | (ll) prints and publications;                                |
| (h) smokers' articles, not including tobacco products;       | (mm) clothing;   |
| (i) explosives, firearms, equipment, and projectiles;        | (nn) fancy goods, furnishings and notions;                   |
| (j) fertilizers;   | (oo) canes, parasols, and umbrellas;                         |
| (k) inks and inking materials;                               | (pp) knitted, netted, and textile fabrics and substitutes;   |
| (l) construction materials;                                  | (qq) thread and yarn;  |
| (m) hardware and plumbing and steamfitting supplies;         | (rr) dental, medical, and surgical appliances;               |
| (n) metals and metal casting and forgings;                   | (ss) soft drinks and carbonated waters;                      |
| (o) oils and greases;  | (tt) food and ingredients of foods;                          |
| (p) paints and painters' materials;                          | (uu) wines;  |
| (q) tobacco products;  | (vv) malt beverages and liquors;                             |
| (r) medicines and pharmaceutical preparations;               | (ww) distilled alcoholic liquors;                            |
| (s) vehicles;  | (xx) merchandise not otherwise classified;                   |
| (t) linoleum and oil cloth;                                  | (yy) cosmetics and toilet preparations;                      |
| (u) electrical apparatus, machines, and supplies;            | (zz) detergents and soaps.                                   |
| (v) games, toys, and sporting goods;                         |  |
| (w) cutlery, machinery, and tools, and parts thereof;        | (3) <u>The classes of service marks are as follows:</u>      |
| (x) laundry appliances and machines;                         | (a) miscellaneous;   |
| (y) locks and safes;   | (b) advertising and business;                                |
| (z) measuring and scientific appliances;                     | (c) insurance and financial;                                 |
| (aa) horological instruments;                                | (d) construction and repair;                                 |
| (bb) jewelry and precious metal ware;                        | (e) communications;  |
| (cc) brooms, brushes, and dusters;                           | (f) transportation and storage;                              |
| (dd) crockery, earthenware, and porcelain;                   | (g) material treatment;                                      |
| (ee) filters and refrigerators;                              | (h) education and entertainment.                             |