



Department of Revenue and Taxation
Government of Guam

Filling Out and Submitting Application/Renewal Form for Guam Trademark and Service Mark (Guam Registration)

Detach and read these instructions before completing this form.
Make sure all applicable spaces have been filled in before you submit this form.

This application form is to be used for a Territory of Guam local registration or renewal of a trademark and/or service mark. Protection of local trademark/service mark rights under provisions of Guam law does not extend to any other jurisdiction outside of Guam.

LINE-BY-LINE INSTRUCTIONS

(Please type or print using black ink)

1. MARK

Please fill in mark to be registered. A trademark is any word, name, symbol or device or any combination thereof adopted and used by a person to identify goods and distinguish them from the goods of others. Service marks may also be registered under this Chapter, with the primary difference being in distinguishment of services.

2. NAME AND ADDRESS OF APPLICANT

Please fill in name and address exactly as they should appear on the Guam Certificate of Registration.

3. APPLYING PARTY

Please indicate by checking the appropriate box whether the party applying for registration or renewal of trademark/service mark is the applicant applying on own behalf, or attorney or authorized agent applying on behalf of the applicant, and follow respective instructions.

4. POWER OF ATTORNEY OR AUTHORIZATION OF AGENT (Must be answered if attorney in fact or authorized agent is applying on behalf of applicant)

Please indicate whether a Power of Attorney or Authorization of Agent is being submitted with this application or if one has been previously submitted by checking the appropriate box and supplying any requested information.

Please also indicate if all correspondence concerning application is to be directed to applicant stated in Space 2, or to attorney in fact or authorized agent, and provide name and mailing address.

Pursuant to §20405(a) and (b), Ch. 20, Title 5, GCA, when other than the sole and original proprietor or authorized user of a trademark or service mark applies for registration of the same, documentary evidence must be furnished prior to the granting of the registration or renewal requested unless previously supplied to the Director of Revenue and Taxation.

Such documentation may include either of the following:

(a) Power of Attorney (Must name specific attorney and/or law firm)

(b) Authorization of Agent (Must name specific agent)

Note: Any limits stated or implied on either of the above documents may respectively limit scope of transactions to be carried out by attorney or agent on behalf of the sole and original proprietor or authorized user of the trademark and/or service mark.

5. APPLICANT'S ENTITY TYPE

Please indicate whether application is being made by an individual, partnership, corporation or other type of entity, and supply any requested information.

6. TYPE OF REGISTRATION

Please indicate whether application is for a trademark registration, a service mark registration or both, by placing a checkmark in the appropriate boxes.

7. GOODS AND/OR SERVICES

Please indicate the specific goods and/or services which the trademark/service mark is to be used for. SPECIFIC GOODS AND/OR SERVICES MUST BE ENTERED.

8. BASIS FOR APPLICATION

Please check appropriate box on whether registration of trademark/

service mark is based on present usage in commerce transactions or a reservation based on a bona fide intention to use the trademark/service mark in commerce, and supply any requested information. ONLY ONE BOX MAY BE CHECKED. PLEASE ATTACH THREE (3) SPECIMENS OF THE MARK BEING REGISTERED OR RESERVED.

Please note that in accordance with §20411, Ch. 20, Title 5, GCA, a reservation of trademark/service mark may be revoked by the Director of Revenue and Taxation for non-use after three-hundred sixty-five (365) consecutive days. IF A RESERVATION OF TRADEMARK/SERVICE MARK IS GRANTED, APPLICANT MUST NOTIFY AND PROVIDE EVIDENCE TO THE DEPARTMENT OF REVENUE AND TAXATION IN THE EVENT RESERVED TRADEMARK/SERVICE MARK IS USED WITHIN THREE-HUNDRED SIXTY-FIVE (365) DAY PERIOD FROM DATE OF REGISTRATION ON GUAM CERTIFICATE OF REGISTRATION. An Amendment to Registration form, also available from the Department of Revenue and Taxation, must be filled out and submitted, providing date of first use of trademark/service mark in commerce.

9. REGISTRATION CATEGORY

Please check appropriate box as to whether application is for First Registration/Reservation or Renewal of Guam Certificate of Registration.

For Renewal, please also provide the respective Guam Certificate of Registration No. for due processing.

10. DECLARATION

Please fill in name of applicant and check appropriate box indicating whether applicant is either the sole and original proprietor or the authorized user of the trademark/service mark being registered. Applicant or authorized representative must sign the Declaration and have it notarized. Please also refer to the next section, SUBMITTING APPLICATION FORM, for further instructions in regard to Declarations.

SUBMITTING APPLICATION FORM

TO RECEIVE A FILING DATE, THE APPLICATION MUST BE COMPLETED AND SIGNED BY THE APPLICANT AND SUBMITTED ALONG WITH:

1. The prescribed fee for First Registrations, Renewals or Reservations: One-hundred dollars (\$100) for each trademark; one-hundred dollars (\$100) for each service mark; if application is for both trademark and service mark, application fee for each must be included. Checks must be made payable to the TREASURER OF GUAM.

2. THREE (3) SPECIMENS (evidence) of the mark as used in commerce or being reserved for all goods/services listed in the application. All three specimens may be the same. Examples of good specimens include: (a) clean copy showing the mark which is placed on the goods, (b) drawings or other medium which may be photocopied or scanned.

3. An APPLICATION WITH DECLARATION (this form) - The application must be signed in order for the application to receive a filing date. Only the applicant or an authorized representative may sign the declaration.

4. Power of Attorney or Authorization of Agent, if required. Please refer to item 4 of previous section in regard to such documents.

SEND APPLICATION FORM, FEE, SPECIMENS AND OTHER REQUIRED DOCUMENTS TO:

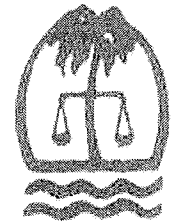
Department of Revenue and Taxation
Government of Guam
1240 Route 16 (Price Smart Building)
Barrigada Heights, Guam U.S.A. 96920

For additional information, please contact the General Licensing and Registration Branch at Tel: 1 (671) 635-1826/28 or 29 and Fax: 1 (671) 633-2643.

Note: Incomplete applications will be returned to applicant.



**DIPATTAMENTON KONTRIBUSION YAN ADU'ANA
DEPARTMENT OF REVENUE AND TAXATION**



**GOBETNON GUAHAN
GOVERNMENT OF GUAM**

GUAM TRADEMARK AND SERVICE MARK APPLICATION/RENEWAL FORM <i>(Guam Registration)</i> WITH DECLARATION	1. MARK (Word(s) and/or Design):
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2. NAME AND ADDRESS OF APPLICANT

APPLICANT'S NAME (Display name exactly as it should appear on Guam Certificate of Registration):

APPLICANT'S MAILING ADDRESS (Display address exactly as it should appear on Guam Certificate of Registration):

3. APPLYING PARTY

Applicant applying on own behalf (Please skip to Space 5)

Attorney or Authorized Agent applying on behalf of applicant (Please proceed to Space 4)

4. POWER OF ATTORNEY OR AUTHORIZATION OF AGENT (Must be answered by attorney in fact or authorized agent)

Power of Attorney or Authorization of Agent required pursuant to §20405 (a) and (b), Ch. 20, Title 5, GCA, when other than sole and original proprietor or authorized user of trademark/service mark is applying for registration or renewal. *Note: Any limits stated or implied may respectively limit scope of transactions to be carried out by attorney in fact or agent.*

Submitted With This Application

Submitted Previously *Date Submitted:*

Please direct all correspondence to applicant stated in Space 2

Please direct all correspondence to attorney in fact or authorized agent (State name and address):

5. APPLICANT'S ENTITY TYPE (Check one and supply any requested information)

Individual

Partnership - State where organized (Country, if appropriate):
Names of General Partners:

Corporation – State place of incorporation:

Other (Specify Nature of Entity and Domicile):

6. TYPE OF REGISTRATION

Trademark

Service Mark

Note: You may check both Trademark and Service Mark if applying for both.

7. GOODS AND/OR SERVICES

Applicant requests registration of the trademark/service mark shown in attached specimens in the Guam Registry of Trademarks established by §20405, Ch. 20, Title 5, GCA for the following goods/services **(SPECIFIC GOODS AND/OR SERVICES MUST BE INSERTED HERE):**

8. BASIS FOR APPLICATION (Check box which applies, **but never both (a) and (b)**, and supply requested information related to each box checked)

(a) Applicant is using the mark in commerce on or in connection with the identified goods/services in this application (§20405(b), Ch. 20, Title 5, GCA). *(Please attach THREE (3) SPECIMENS of the mark)*

- Date of first use of trademark/service mark in commerce:
- Specify manner or mode of use of mark on or in connection with the goods/services (for example, trademark will be applied to labels, service mark will be used in advertisements).

(b) Applicant has a bona fide intention to use the trademark/service mark in commerce or in connection with the identified goods/services in this application (§20405(a), Ch. 20, Title 5, GCA). Please note that in accordance with §20411, Ch. 20, Title 5, GCA, such registration of trademark/service mark may be revoked by the Director of Revenue and Taxation for non-use after three-hundred sixty-five (365) consecutive days. **IF SUCH REGISTRATION IS GRANTED, APPLICANT MUST NOTIFY AND PROVIDE EVIDENCE TO THE DEPARTMENT OF REVENUE AND TAXATION IN THE EVENT RESERVED TRADEMARK/SERVICE MARK IS USED WITHIN THREE-HUNDRED SIXTY-FIVE (365) DAY PERIOD FROM DATE OF REGISTRATION ON GUAM CERTIFICATE OF REGISTRATION.** *Please refer to the instructions attached at the beginning of this form. (Please attach THREE (3) SPECIMENS of the mark)*

- Specify manner or mode of use of mark on or in connection with the goods/services (for example, trademark will be applied to labels, service mark will be used in advertisements).

9. REGISTRATION CATEGORY

First Registration/Reservation

Renewal *Guam Certificate of Registration No. to be renewed:*

10. DECLARATION

NAME OF APPLICANT: _____

The undersigned applicant or *authorized* representative of the applicant, hereby declares and states under penalty of perjury under the laws of the United States and of Guam, that the applicant is in fact the

sole and original proprietor or

authorized user

of the described trademark/service mark stated in this application, and that all of the other information contained herein is true and correct.

DATE

SIGNATURE

TELEPHONE NUMBER

PRINT OR TYPE NAME AND POSITION

"In and for the Island of Guam } ss

County of _____

On this _____ day of _____, 2006, Before me a Notary Public in and for Guam, U.S.A. personally appeared: _____
acknowledged to me that (He) (She) (They) executed the same.

IN WITNESS WHEREOF, I have hereunto set my set my hand and affixed by OFFICIAL SEAL the day and year first above written.

By: _____

Official Signature and Seal of Notary

Notes: As stated in §20405(a) and (b), Ch. 20, Title 5, GCA, Declaration must be certified by applicant. In addition, pursuant to §20408 (a) and (b) of the aforementioned code, anyone giving false information on application is subject to penalties under the law.

Protection of local trademark/service mark rights under provisions of Guam law does not extend to any other jurisdiction outside of Guam.

For Department of Revenue and Taxation Internal Use Only:

Application Complete *Filing Date:* _____ *Filing Control No.:* _____

Application Incomplete *Needed Document(s):* _____

Application Returned *Date Sent To Applicant:* _____

Document Control No.: _____

Reason(s): _____

Application: Accepted Rejected *Date Letter of Rejection Sent:* _____

Document Control No.: _____

Guam Registration No.: _____

Guam Registration Date: _____

Guam Expiration Date: _____

If rejected, state reason(s): _____

SEND APPLICATION FORM, FEE, SPECIMENS AND OTHER REQUIRED DOCUMENTS TO:

**Department of Revenue and Taxation
Government of Guam**

Note: Incomplete applications will be returned to applicant.