



Steps to do Trademark Image Search in the U.S.PTO Website

Last Updated on November 14th, 2019



When it comes to protecting a brand, securing the trademarks and logos is something that appears at the top of our mind. Before we register our Logo and Trademarks it is important to ensure right at the beginning that the mark is available for use and we are not infringing on someone else's intellectual properties. Here comes the importance of a full logo search or a trademark image search that will help us determine if we are investing right.

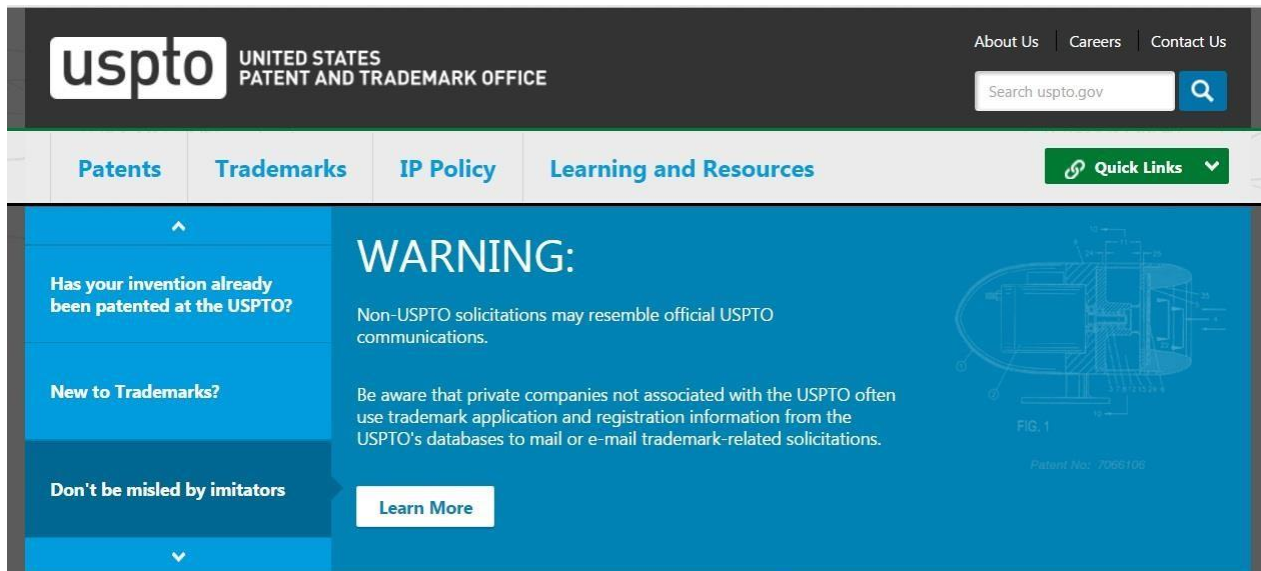


Let's assume we are intending to acquire a Logo to the right which is a "**Key with heads of circular, oval or lobed shape**". Assuming the fact that we wish to protect this logo in the United States, "**The Trademark Electronic Search System**" is the first trademark and logo search database that appears in our mind. The Trademark Electronic Search System, also called TESS is one of the most preferred trademark search databases we use these days.

In the rest part of this article, we will understand the mechanics of doing a logo search on the U.S.P.T.O database and the journey of a complete trademark image search or logo search starts with navigating the [U.S.P.T.O](#) website.

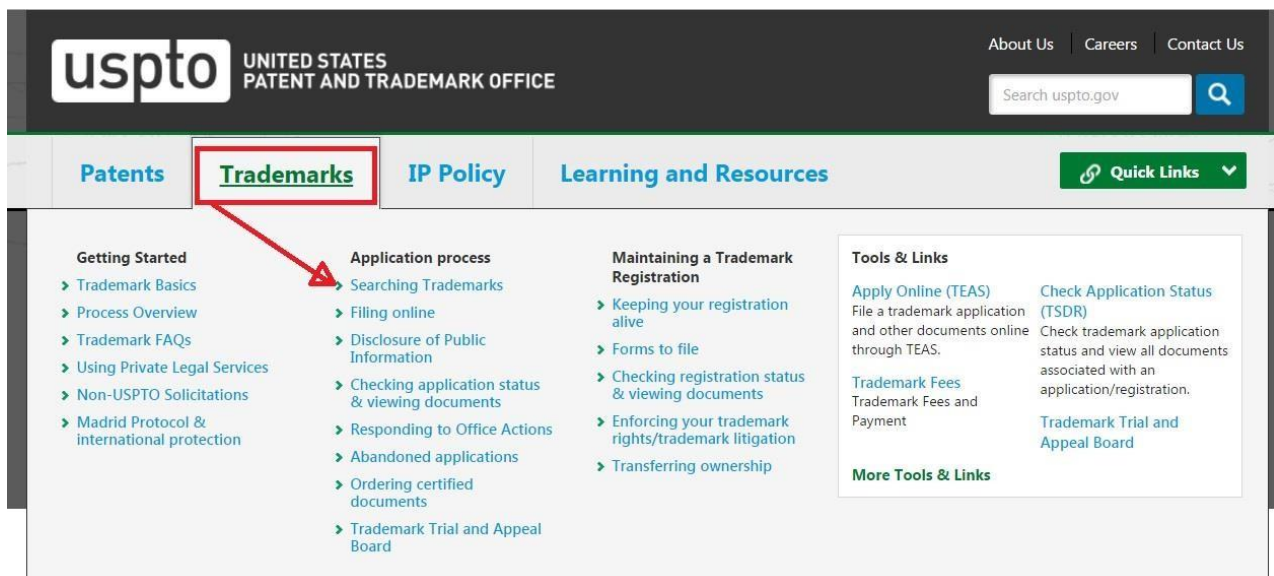
Step 1: Navigate to the U.S.P.T.O website

Navigating to the United States Patent and Trademark Office is the first step that should be done while conducting a logo search.



Step 2: Select the "Trademarks Tab" and "Searching Trademarks Drop-down" menu

Once you are there on the Home Page of U.S.PTO, you can find 4 different tabs placed on the horizontal menu, these are **Patents**, **Trademarks**, **IP Policy**, **Learning**, and **Resources**. Select the "Trademark" Tab from the horizontal menu and click "Searching Trademarks" drop-down option.



Step 3: Click on the 'Trademark Electronic Search System' title appearing at the bottom

Once we click the above-mentioned drop-down menu, we will land-up onto a page where we can find a text title **“Trademark Electronic Search System (TESS)”** at the bottom, clicking that text title we can enter into the main **Trademark Electronic Search System** database. The image below will depict the same.

Application process

Searching Trademarks

Filing online

Disclosure of Public Information

Checking application status & viewing documents

Responding to Office Actions

Abandoned applications

Ordering certified documents

Trademark Trial and Appeal Board

Although not required prior to filing an application, you are encouraged to search the USPTO's trademark database to see if any mark has already been registered or applied for that is similar to your mark **and** used on related products or for related services. If your search yields a mark that you think might conflict with your mark, you should then check status to see if the application or registration is still "live," since any "dead" mark cannot be used to block a new application.

A complete search is one that will uncover all similar marks, not just those that are identical. In this regard, searching for trademark availability is not the same as searching to register a domain name. A domain name search may focus on exact or "dead on" hits, with no consideration given to similar names or use with related products and services. Basically, a domain address is either available or it is not. The trademark process, on the other hand, is more complex. As part of the overall examination process, the USPTO will search its database to determine whether registration must be refused because a similar mark is already registered for related products or services (i.e., even identical marks may co-exist if used on goods or services not considered to be related in any way). Please note that the USPTO does **not** offer advisory opinions on the availability of a mark prior to filing of an actual application.

For more information about conducting a clearance search, please watch the news broadcast-style video titled "Searching" (video #3 in the [Trademark Information Network \(TMIN\) series](#)).

Depending on what trademark material you are looking for, there are a number of different areas to perform a Search:

Trademark Electronic Search System (TESS)

Use [Trademark Electronic Search System \(TESS\)](#) to conduct a free online search of the USPTO database. TESS provides access to text and images of registered marks, and marks in pending and abandoned applications. The USPTO cannot provide guidance as to how you should search, beyond the HELP provided within the TESS site.

Search Trademarks

Step 4: Refer to the USPTO's Design Search Code Manual

This is the fourth and one of the most important steps in the overall logo search process wherein we refer to the USPTO's [“Design Search Code Manual”](#) to determine the search code to which the intended mark belongs.

The USPTO assigns all marks containing design figurative elements a 6-digit numerical code(s) for searching purposes. The Design Search Code Manual **indexes the categories, divisions, and sections** that make up these codes. For example, a five-pointed star would be coded in category 01 (celestial bodies, natural phenomena, and geographical maps), division 01 (stars, comets) and section 03 (stars with five points), resulting in a complete design code of 01.01.03. Links to the Design Search Code Manual are located in either the Structured or Free Form search options.

Trademarks > Trademark Electronic Search System (TESS)

Welcome to the **Trademark Electronic Search System (TESS)**. This search engine allows you to search the USPTO's database of registered trademarks and prior pending applications to find marks that may prevent registration due to a **likelihood of confusion** refusal.

WARNING: Before conducting your search, you must understand the following: (1) what the database includes; (2) how to construct a complete search; and (3) how to interpret the search results. Click **TESS TIPS** for detailed information on these and other important search topics.

[HELP](#) [News!](#)

Select A Search Option
<p>▶ Basic Word Mark Search (New User) This option cannot be used to search design marks.</p>
<p>▶ Word and/or Design Mark Search (Structured) This option is used to search word and/or design marks. NOTE: You must first use the Design Search Code Manual to look up the relevant Design Codes.</p>
<p>▶ Word and/or Design Mark Search (Free Form) This option allows you to construct word and/or design searches using Boolean logic and multiple search fields. NOTE: You must first use the Design Search Code Manual to look up the relevant Design Codes.</p>

Additional Search Options
<p>▶ Browse Dictionary (Browse Dictionary) This option browses all fields in the database unless you limit to a particular field. Results are returned in a dictionary-style (alphabetic) format.</p>
<p>▶ Search OG Publication Date or Registration Date (Search OG) This option searches the Official Gazette for marks published or registered on a particular date.</p>

[Logout](#) Please logout when you are done to release system resources allocated for you.

Determining the Design Search Code Manual is important when it comes to doing an effective and comprehensive logo search.

Trademarks > USPTO Design Search Code Manual

USPTO Design Search Code Manual

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 GENERAL GUIDELINES
 DESIGN SEARCH CODE
 KEYWORD SEARCH
 APPENDIX - 2007 DESIGN CODE UPDATES
 ALPHABETICAL INDEX

TABLE OF CATEGORIES

01	Celestial bodies, natural phenomena, geographical maps This category includes objects that appear in the sky, including clouds, stars, moons, sun, planets and constellation. Additionally, designs associated with weather conditions such as rainbows, lightning, and snowflakes are found here. Maps of countries and continents are also in 01.
02	Human beings This category includes representations of men, women and children regardless of the activity they are engaged in or how they are dressed. Stylized humans, those in caricature form, stock figures and parts of the human body are also in this category.
03	Animals This category includes most animals, except mythological animals. Animals found here include mammals, birds, kiwi, kiwi bird, fish, reptiles and insects. Prehistoric animals, stylized animals and animals with human attributes are also coded in category 03.
04	Supernatural beings, mythological or legendary beings, fantastical beings or unidentifiable beings This category includes beings such as devils, angels, leprechauns, witches, and super heroes. Designs that are part human and part animal and mythological animals such as unicorns and Pegasus are in this category. Plants, objects or geometrical figures that represent humans or animals are also in category 04.
05	Plants This category includes almost every type of plant such as flowers, trees, leaves, vegetables, and fruits. Also, decorations made from plants are in this category.
06	Scenery This category includes mountains, lakes, waterfalls, beaches, forests and islands. Also, desert scenery and urban scenery such as skylines and street scenes fall within category 06.
07	Dwellings, buildings, monuments, stadiums, fountains, structural works and building materials This category includes almost any structure that is built by man. All dwellings from igloos to skyscrapers are in 07. Interior and exterior portions of buildings along with building materials such as bricks, wood and cinderblocks are in this category.
08	Foodstuff This category includes goods that are edible such as meat, dairy products, sandwiches, and baked goods. It does not include fruits and vegetables.
09	Textiles, clothing, headwear, footwear and sewing accessories This category includes all types of clothing items and textile goods such as towels, curtains, sheets and carpeting. Also sewing products such as zippers, patterns, and sewing machines can be found in 09.
10	Tobacco, smokers' materials; fans; toilet articles; medical devices and apparatus including tablets, capsules or powders This category includes most tobacco products and medical devices as well as products in tablet or capsule form. Grooming aids such as razors, toothbrushes, and make up products are in this category. You will also find non-motorized fans, canes and umbrellas in category 10.
11	Household utensils This category includes most items that would be found in a household kitchen, including cutlery, cookware, beverage ware and electric or non-electric kitchen appliances. Other household utensils such as irons, brooms and plungers are in category 11.
12	Furniture and plumbing fixtures This category includes all types of home and office furniture. Plumbing fixtures such as sinks, bathtubs and toilets are found in category 12.
13	Lighting, cooking, heating, cooling or refrigeration equipment This category includes lighting goods such as torches, candles, table lamps and flashbuds. Stoves, refrigerators, toasters and air conditioners are also in category 13.
14	Hardware, tools and ladders; non-motorized agricultural implements; keys and locks This category includes all types of hardware, power tools and hand tools. Cables, wires, valves, hammers, locks, and keys can be found in category 14. Additionally, non-motorized agricultural goods such as pitchforks, plows and rakes are in found here.
15	Machines and parts thereof, including industrial agricultural, home and office machines; electrical equipment This category includes all types of machines such as generators, conveyor belts, vacuum cleaners and vending machines. Office machinery such as computers, photocopiers, and cash registers can be found in category 15. Wheels and bearings are also in this category.
16	Telecommunications, sound recording or reproduction equipment; photography, cinematography and optics This category includes goods in the telecommunications and sound recording industries such as antennas, telephones, microphones, tape players, radios and televisions. Goods that are used for cinematography such as cameras and optical equipment.

Now let's come to the main part of logo search wherein we will have to define the components of our logo. In this case, we have **“Keys with heads of circular, oval or lobed shape”** and we need to find the exact class where keys with heads of circular, oval or lobed shape belong to. In the first instance, it seems prudent to search **Class 14 (Hardware, tools, and ladders; non- motorized agricultural implements; keys and locks)**. See the below image:

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16	Telecommunications, sound recording or reproduction equipment; photography, cinematography and optics This category includes goods in the telecommunications and sound recording industries such as antennas, telephones, microphones, tape players, radios and televisions. Goods that are used for cinematography such as cameras and optical equipment, including eyeglasses and telescopes are in category 16.

“Keys with heads of circular, oval or lobed shape” are coded in **category 14, division 11, sections 1 to 9. Section 2** (Keys of some other shape) could be the most relevant for our search.



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CATEGORY 14: HARDWARE, TOOLS AND LADDERS; NON-MOTORIZED AGRICULTURAL IMPLEMENTS; KEYS AND LOCKS

TABLE OF DIVISIONS IN CATEGORY 14

Tubes, cables, heavy hardware articles	14.01
Small hardware articles, springs	14.03
Tools (hand and power)	14.05
Non-motorized agricultural or horticultural implements	14.07
Ladders	14.09
Keys for locks; locks	14.11

14 HARDWARE, TOOLS AND LADDERS; NON-MOTORIZED AGRICULTURAL IMPLEMENTS; KEYS AND LOCKS

14.01 Tubes, cables, heavy hardware articles

14.01.01 Tubes, pipes, pipe fittings

So, let's pick the 14.11.02 code and search it on the TESS database.

TESS was last updated on Tue May 31 03:20:50 EDT 2016

- TESS HOME
- NEW USER
- FREE FORM
- BROWSE DICT
- SEARCH OG
- BOTTOM
- HELP

WARNING: AFTER SEARCHING THE USPTO DATABASE, EVEN IF YOU THINK THE RESULTS ARE "O.K.," DO NOT ASSUME THAT YOUR MARK CAN BE REGISTERED AT THE USPTO. AFTER YOU FILE AN APPLICATION, THE USPTO MUST DO ITS OWN SEARCH AND OTHER REVIEW, AND MIGHT REFUSE TO REGISTER YOUR MARK.

View Search History:

Records Returned:

Plurals: *Quick Tip*

Search Term:

Field:

Operator

Search Term:

Field:

Please logout when you are done to release system resources allocated for you.

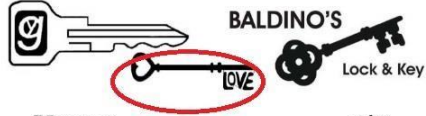
- TESS HOME
- NEW USER
- FREE FORM
- BROWSE DICT
- SEARCH OG
- TOP
- HELP

Mind that, here we have searched the "Structured Search Form Option" and the fields that we used was "Design Code". Below are the results.

14.11 Keys for DVD
14.12 Keys with heads of various, oval or shield shape



14.13 Keys of various other shapes



14.14 More than one key



14.15 Key rings, sets or related items



14.16 Locks and key holes, padlocks, combination locks



14.17 Miscellaneous, including handles, fobs and other, mechanical and key rings



4 Pages - Category 15

Unfortunately, our intended mark is too similar to already existing logos and thus, we will have to abandon the idea.

Contact us on: info@thetrademarkwatchcompany.com

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