

resubmission of fees returned pursuant to this paragraph.

■ 11. Amend § 1.26 by revising paragraph (a) to read as follows:

#### § 1.26 Refunds.

(a) The Director may refund any fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee, such as when a party desires to withdraw a patent filing for which the fee was paid, including an application, an appeal, or a request for an oral hearing, will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts. If a party paying a fee or requesting a refund does not provide the banking information necessary for making refunds by electronic funds transfer (31 U.S.C. 3332 and 31 CFR part 208), or instruct the Office that refunds are to be credited to a deposit account, the Director may require such information, or use the banking information on the payment instrument to make a refund. Any refund of a fee paid by credit card will be by a credit to the credit card account to which the fee was charged.

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## PART 2—RULES OF PRACTICE IN TRADEMARK CASES

■ 12. The authority citation for 37 CFR Part 2 is revised to read as follows:

**Authority:** 15 U.S.C. 1123; 35 U.S.C. 2, unless otherwise noted.

#### § 2.1 [Removed and Reserved]

■ 13. Remove and reserve § 2.1.

■ 14. Amend § 2.2 to add new paragraphs (c) through (f).

#### § 2.2 Definitions.

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(c) *Director* as used in this chapter, except for part 10, means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(d) *Federal holiday within the District of Columbia* means any day, except Saturdays and Sundays, when the United States Patent and Trademark Office is officially closed for business for the entire day.

(e) The term *Office* means the United States Patent and Trademark Office.

(f) The acronym *TEAS* means the Trademark Electronic Application System, available online at <http://www.uspto.gov>.

■ 15. Amend § 2.6 by adding new paragraphs (b)(12) and (b)(13), to read as follows:

#### § 2.6 Trademark fees.

\* \* \* \* \*

(b) \* \* \*  
(12) For processing each payment refused (including a check returned “unpaid”) or charged back by a financial institution—\$50.00

(13) Deposit accounts:

(i) For establishing a deposit account—\$10.00

(ii) Service charge for each month when the balance at the end of the month is below \$1,000—\$25.00

■ 16. Revise § 2.123(f)(2) to read as follows:

#### § 2.123 Trial testimony in inter partes cases.

\* \* \* \* \*

(f) \* \* \*  
(2) If any of the foregoing requirements in paragraph (f)(1) of this section are waived, the certificate shall so state. The officer shall sign the certificate and affix thereto his seal of office, if he has such a seal. Unless waived on the record by an agreement, he shall then securely seal in an envelope all the evidence, notices, and paper exhibits, inscribe upon the envelope a certificate giving the number and title of the case, the name of each witness, and the date of sealing. The officer or the party taking the deposition, or its attorney or other authorized representative, shall then promptly forward the package to the address set out in § 2.190. If the weight or bulk of an exhibit shall exclude it from the envelope, it shall, unless waived on the record by agreement of all parties, be authenticated by the officer and transmitted by the officer or the party taking the deposition, or its attorney or other authorized representative, in a separate package marked and addressed as provided in this section.

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■ 17. Immediately after § 2.186, add the following new center heading to read as follows:

#### General Information and Correspondence in Trademark Cases

■ 18. Add §§ 2.188 through 2.198 to read as follows:

#### § 2.188 [Reserved]

#### § 2.189 [Reserved]

#### § 2.190 Addresses for trademark correspondence with the United States Patent and Trademark Office.

(a) *Trademark correspondence—in general.* All trademark-related documents filed on paper, except documents sent to the Assignment Services Division for recordation and

requests for copies of trademark documents, should be addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202–3514.

(b) *Electronic trademark documents.* An applicant may transmit a trademark document through TEAS, at <http://www.uspto.gov>.

(c) *Trademark assignments.* Requests to record documents in the Assignment Services Division may be filed through the Office's web site, at <http://www.uspto.gov>. Paper documents and cover sheets to be recorded in the Assignment Services Division should be addressed to: Mail Stop Assignment Recordation Services, Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313–1450. See § 3.27 of this chapter.

(d) *Requests for copies of trademark documents.* Copies of trademark documents can be ordered through the Office's web site at [www.uspto.gov](http://www.uspto.gov). Paper requests for certified or uncertified copies of trademark documents should be addressed to: Mail Stop Document Services, Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313–1450.

#### § 2.191 Business to be transacted in writing.

All business with the Office should be transacted in writing. The personal appearance of applicants or their representatives at the Office is unnecessary. The action of the Office will be based exclusively on the written record. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt. The Office encourages parties to file documents through TEAS wherever possible.

#### § 2.192 Business to be conducted with decorum and courtesy.

Trademark applicants, registrants, and parties to proceedings before the Trademark Trial and Appeal Board and their attorneys or agents are required to conduct their business with decorum and courtesy. Documents presented in violation of this requirement will be submitted to the Director and will be returned by the Director's direct order. Complaints against trademark examining attorneys and other employees must be made in correspondence separate from other documents.

#### § 2.193 Trademark correspondence and signature requirements.

(a) Since each file must be complete in itself, a separate copy of every