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

#### **Subpart A—General Information**

##### **§ 7.1 Definitions of terms as used in this part.**

(a) *the Act* means the Trademark Act of 1946, 60 Stat. 427, as amended, codified in 15 U.S.C. 1051 *et seq.*

(b) *Subsequent designation* means a request for extension of protection of an international registration to a Contracting Party made after the International Bureau registers the mark.

(c) The acronym *TEAS* means the Trademark Electronic Application

System available on-line through the Office's Web site at: [www.uspto.gov](http://www.uspto.gov).

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

(e) All references to sections in this part refer to 37 Code of Federal Regulations, except as otherwise stated.

##### **§ 7.2 [Reserved]**

##### **§ 7.3 Correspondence must be in English.**

International applications and registrations, requests for extension of protection and all other related correspondence with the Office must be in English. The Office will not process correspondence that is in a language other than English.

##### **§ 7.4 Receipt of correspondence.**

Correspondence relating to international applications and registrations and requests for extension of protection submitted through TEAS will be accorded the date and time on which the complete transmission is received in the Office based on Eastern Time. Eastern Time means eastern standard time or eastern daylight time, as appropriate.

##### **§ 7.5 [Reserved]**

##### **§ 7.6 Schedule of U.S. process fees.**

(a) The Office requires the following process fees:

(1) For certifying an international application based on a single basic application or registration, per class—\$100.00

(2) For certifying an international application based on more than one basic application or registration, per class—\$150.00

(3) For transmitting a subsequent designation under § 7.21—\$100.00

(4) For transmitting a request to record an assignment or restriction, or release of a restriction, under § 7.23 or § 7.24—\$100.00

(5) For filing a notice of replacement under § 7.28, per class—\$100.00

(6) For filing an affidavit under § 71 of the Act, per class—\$100.00

(7) Surcharge for filing an affidavit under § 71 of the Act during the grace period, per class—\$100.00

(b) The fees required in paragraph (a) of this section must be paid in U.S. dollars at the time of submission of the requested action. See § 2.207 of this chapter for acceptable forms of payment and § 2.208 of this chapter for payments using a deposit account established in the Office.

##### **§ 7.7 Payments of fees to International Bureau.**

(a) The following fees may be paid either directly to the International Bureau or through the Office:

- (1) International application fees;
- (2) Subsequent designation fees; and
- (3) Recording fee for an assignment of an international registration under § 7.23.

(b) The fees in paragraph (a) of this section may be paid as follows:

(1)(i) Directly to the International Bureau by debit to a current account with the International Bureau. In this case, an applicant or holder's submission to the Office must include the International Bureau account number; or

(ii) Directly to the International Bureau using any other acceptable method of payment. In this case, an applicant or holder's submission to the Office must include the International Bureau receipt number for payment of the fees; or

(2) Through the Office. Fees paid through the Office must be paid in U.S. dollars at the time of submission. See § 2.207 of this chapter for acceptable forms of payment and § 2.208 of this chapter for payments using a deposit account established in the Office.

(c) The International Bureau fee calculator may be viewed on the Web site of the World Intellectual Property Organization, currently available at: <http://www.wipo.int/madrid/en/>.

#### **Subpart B—International Application Originating From the United States**

##### **§ 7.11 Requirements for international application originating from the United States.**

(a) The Office will grant a date of receipt to an international application that is submitted through TEAS and contains all of the following:

(1) The filing date and serial number of the basic application and/or the registration date and registration number of the basic registration;

(2) The name of the international applicant that is identical to the name of the applicant or registrant as it appears in the basic application or basic registration and applicant's current address;

(3) A reproduction of the mark that is the same as the mark in the basic application and/or registration and meets the requirements of § 2.52 of this chapter. If the mark in the basic application and/or registration is depicted in black and white and the basic application or registration does not include a color claim, the reproduction of the mark in the international application must be black and white. If the mark in the basic application or registration is depicted in black and white and includes a color claim, the international application