



# TRADEMARK

## Activity Book

**Trademark legend:** Big Mac and the design of a smiling box with arch handles are registered trademarks of McDonald's Corporation; Whopper is a registered trademark of Burger King Corporation; Adidas is a registered trademark of Adidas AG; Reebok is a registered trademark of Reebok International Limited; Kleenex is a registered trademark of Kimberly-Clark Worldwide, Inc.; Puffs, Crest, Ivory, and the design of a man's head and bowtie, is a registered trademark of The Procter & Gamble Company; Baskin-Robbins is a registered trademark of BR IP Holder LLC; Ben & Jerry's is a registered trademark of Ben & Jerry's Homemade, Inc.; Band-aid is a registered trademark of Johnson & Johnson; Curad is a registered trademark of Medline Industries, Inc.; Colgate is a registered trademark of Colgate-Palmolive Company; Nike is a registered trademark of Nike, Inc.; Barbie and Fisher-Price are registered trademarks of Mattel, Inc.; Pepsi is a registered trademark of PepsiCo, Inc.; Doritos is a registered trademark of Frito-Lay North America, Inc.; Xbox 360 and the design of a flag within a circle are registered trademarks of Microsoft Corporation; Oreo is a registered trademark of Kraft Foods Global Brands LLC; Cheerios is a registered trademark of General Mills IP Holdings I, LLC; Chapstick is a registered trademark of Wyeth LLC; Ford is a registered trademark of Ford Motor Company; Gap is a registered trademark of Gap (Apparel), LLC; Toys "R" Us is a registered trademark of Geoffrey, LLC; the color canary yellow used over the entire surface of stationery notes and Post-It are registered trademarks of 3M Company; the sound mark for the Looney Tunes theme song and Harry Potter are registered trademarks of Warner Bros. Entertainment Inc.; the shape of a hand-held game machine controller is a registered trademark of Nintendo of America Inc.; the motion of the car door when opened is a registered trademark of Lamborghini Holdings; the scent of apple cider, peppermint, vanilla, peach, lavender, or grapefruit for file folders are registered trademarks of The Smead Manufacturing Company; Kellogg's, Toucan Sam, and the design of an elf are trademarks of Kellogg North America Company; Tropicana is a registered trademark of Tropicana Products, Inc.; Thomas & Friends is a registered trademark of Gullane (Thomas) Limited; Skippy is a registered trademark of Conopco, Inc.; Smucker's is a registered trademark of The J. M. Smucker Company; Mead is a registered trademark of Mead Products, LLC; Schwinn is a registered trademark of Pacific Direct, LLC; Dell is a registered trademark of Dell Inc.; Chef Boyardee is a registered trademark of Conagra Brands, Inc.; Mr. Bubble is a registered trademark of The Village Company, LLC; Pillsbury and Doughboy are registered trademarks of The Pillsbury Company, LLC; Superman is a registered trademark of DC Comics; The Cat in the Hat is a registered trademark of Dr. Seuss Enterprises, L.P.; Jelly Belly is a registered trademark of Jelly Belly Candy Company; Hershey's Kisses and its configuration are registered trademarks of Hershey Chocolate & Confectionery Corporation; Curious George is a registered trademark of Houghton Mifflin Harcourt Publishing Company; Nickelodeon is a registered trademark of Viacom International Inc.; Crayola is a registered trademark of Crayola Properties, Inc.; the fanciful representation of a girl is a registered trademark of Morton Salt, Inc.; Taco Bell and the design of a bell are registered trademarks of Taco Bell Corp.; Gerber and the representation of a baby's head is a registered trademark of Societe Des Produits Nestle, S.A.; Green Giant and Green Giant and design and Sprout are registered trademarks of General Mills Marketing, Inc.; UPS and the color brown is a registered trademark of the United Parcel Service of America, Inc.; Burberry and the check design are registered trademarks of Burberry Limited; the design of an upright, open red umbrella with the handle turned to the left is a registered trademark of The Travelers Indemnity Company; the color orange as applied to caps is a registered trademark of Elmer's Investments LLC; the configuration of a bottle and Coca-Cola are registered trademarks of The Coca-Cola Company; the yellow border applied to travel magazine covers and National Geographic are registered trademarks of National Geographic Society; the configuration of round mouse ears attached to a beanie and Mickey Mouse are registered trademarks of Disney Enterprises, Inc. Idaho is a registered certification mark of State of Idaho Potato Commission; the design of a pen behind a man with a ball-shaped head is a registered trademark of BIC Corporation; the design of a rabbit is a registered trademark of General Mills IP Holdings II, LLC; the design of a hat-wearing man is a registered trademark of The Quaker Oats Company; the design of a tuna wearing glasses is a registered trademark of Starkist Co.; the design of a fish wearing sunglasses is a registered trademark of Pepperidge Farm, Incorporated; the design of "S" in a circle is a registered trademark of Safeway Inc.; the design of a greyhound is a registered trademark of National Insurance and Indemnity Corporation; the design of a triangular swirl is a registered certification mark of Woolmark Americas, Inc., DBA The Woolmark Company; and the design of a cow flowers is a registered trademark of IBE Business Enterprise AG.

**DISCLAIMER:** References to particular trademarks, service marks, products, services, companies, and/or organizations appearing in this book are for illustrative and educational purposes only and do not constitute or imply endorsement by the U.S. Government, the U.S. Department of Commerce, the U.S. Patent and Trademark Office, or any other federal agency.

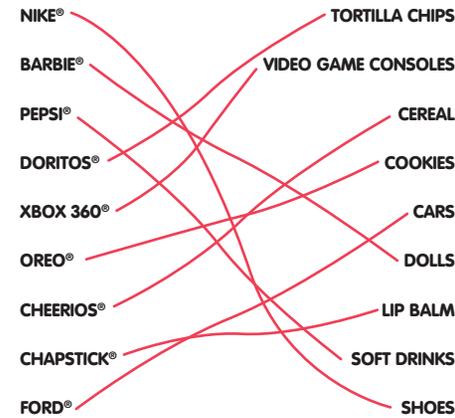


600 Dulany Street  
Alexandria, VA 22314  
[www.uspto.gov](http://www.uspto.gov)  
October 2012



# Answers

## Page 3:



**Page 9:** Doughboy-A, Superman-D, The Cat in the Hat-C, Toucan Sam-B, Jelly Belly-A, Curious George-D

**Page 11:** 1-A, 2-C, 3-B, 4-A

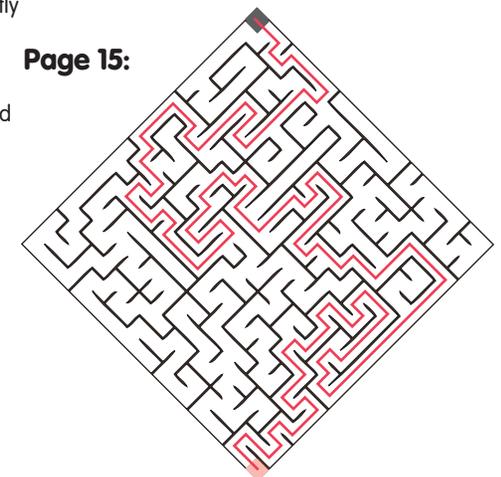
**Page 12-13:** 1-A, 2-YES, 3-TRUE, 4-A, 5-YES, 6-C, 7-the goods of the owner, 8-TRUE, 9-C, 10-®, 11-E, 12-YES, 13-TRUE, 14-D, 15-TRUE, 16-C

## Page 14:



**Page 6:** 1-McDonald's Corporation-Reg. No. 1653279-Restaurant services, 2-Safeway Inc.-Reg. No. 0722393-Retail grocery services, 3-The Procter & Gamble Company-Reg. No. 2583848-Snack foods, namely, potato chips and potato crisps, 4-The Quaker Oats Company-Reg. No. 1602597-Processed grains and cereals; wheat germ; hominy grits; flour; grain-based snack bars; grain cakes; snacks and cakes made primarily of processed grains and cereals; mixes for making pancakes and waffles; table syrup, 5-Woolmark Americas, Inc DBA The Woolmark Company-Reg. No. 0790140-Products made wholly or predominantly of wool, intended for ultimate consumers, 6-Starkist Co.-Reg. No. 1260124-Canned Fish, 7-IBE Business Enterprise AG-Reg. No. 0405706-Cottage cheese, butter, ice cream, and fresh milk, 8-Pepperidge Farm, Incorporated-Reg. No. 2176927-Snacks, namely, crackers, 9-BIC Corporation-Reg. No. 2094992-Writing instruments, namely, pens, pencils, markers and highlighting markers; and correction fluid for type and ink, 10-Kellogg North America Company-Reg. No. 1105259-Biscuits, cookies, crackers, unfilled ice cream cones, 11-National Insurance and Indemnity Corporation-Reg. No. 0886509-Transportation services, namely, arrangement of tours and transportation of passengers and goods, 12-General Mills IP II, LLC-Reg. No. 1686612-Breakfast cereal

## Page 15:



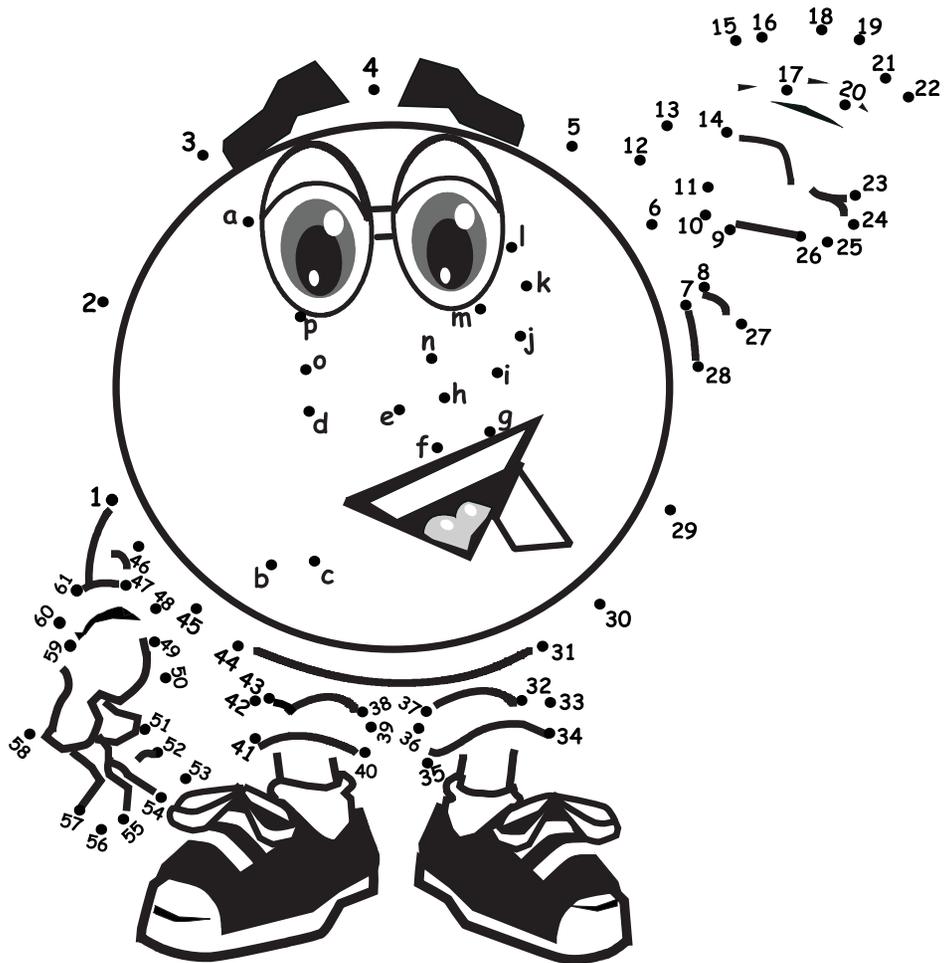
Hi!  
My name is T. Markey,  
the trademark mascot.

I am in the shape of a circle  
with a letter "R" inside because this  
symbolizes that a trademark is registered.  
You see trademarks every day being used  
with all types of products and services.

Let's go on a journey to learn  
more about trademarks.



# CONNECT THE DOTS



# What is a Trademark?

A trademark is a brand name. Think of the name of your favorite cereal or shoes. Trademarks identify the source (maker or provider) of products and services.

Trademarks are usually words, designs, or a combination of words and a design. Other types of trademarks include colors, sounds, scents, and the way a product looks!

Intellectual Property is something you create. It includes trademarks, copyrights, patents, and trade secrets. Trademarks identify the source of products and services. Copyrights protect original artistic and literary works, like plays or books. Patents protect inventions, like the light bulb or mp3 player. Trade secrets protect confidential information, such as the secret formula for producing a beverage. A person or company may own some or all of these types of intellectual property.

This book focuses on the many types of trademarks.



## Understand the Difference

# Trademark vs. Generic Name

A **Trademark** is the brand name for the product or service of a particular person or company.

The **Generic Name** is the common word for all products or services of the same type.

For example:

**BIG MAC**® and **WHOPPER**® are brand names;  
**hamburger** is the generic name.

**ADIDAS**® and **REEBOK**® are brand names;  
**sneakers** and **athletic shoes** are the generic names.

**KLEENEX**® and **PUFFS**® are brand names;  
**facial tissue** is the generic name.

**BASKIN-ROBBINS**® and **BEN & JERRY'S**® are brand names;  
**ice cream store** is the generic name of the service.

**BAND-AID**® and **CURAD**® are brand names;  
**adhesive bandages** is the generic name.



Help T. Markey find his way to file a trademark on the Trademark Electronic Application System (TEAS).



# WORD SEARCH

H F E R S W A K A R I R B E A  
 F W L V C E F Q N D W O I I T  
 T K O N J P R S D R X F V T L  
 M F B C C G O V T B S F R U K  
 K W M P Y U F C I J M A G T W  
 X N Y M N A P H B C D C X H S  
 L B S D Z N F A I E E R P I C  
 L N B J O N U R M Q C M B A E  
 R E G I S T R A T I O N A T N  
 Y S T I L D R C O L O R L R T  
 P O H L S K R T V Y E M I U K  
 M X Q A G E E E O U W J W H L  
 U P J O P O D R C O X T B M C  
 C I R E N E G S D R O W P L Q  
 U F X U C G D H G D U V M G I

Find the following words:

- |            |              |
|------------|--------------|
| CHARACTERS | COLOR        |
| DESIGN     | GENERIC      |
| MOTION     | REGISTRATION |
| SCENT      | SERVICE MARK |
| SHAPE      | SOUND        |
| SYMBOL     | TRADEMARK    |
|            | WORD         |



# Matching Game

Directions:

Match each registered trademark with its product.

For example: **Colgate®** and **Toothpaste**.

**COLGATE®**

**TOOTHPASTE**

**NIKE®**

**TORTILLA CHIPS**

**BARBIE®**

**VIDEO GAME CONSOLES**

**PEPSI®**

**CEREAL**

**DORITOS®**

**COOKIES**

**XBOX 360®**

**CARS**

**OREO®**

**DOLLS**

**CHEERIOS®**

**LIP BALM**

**CHAPSTICK®**

**SOFT DRINKS**

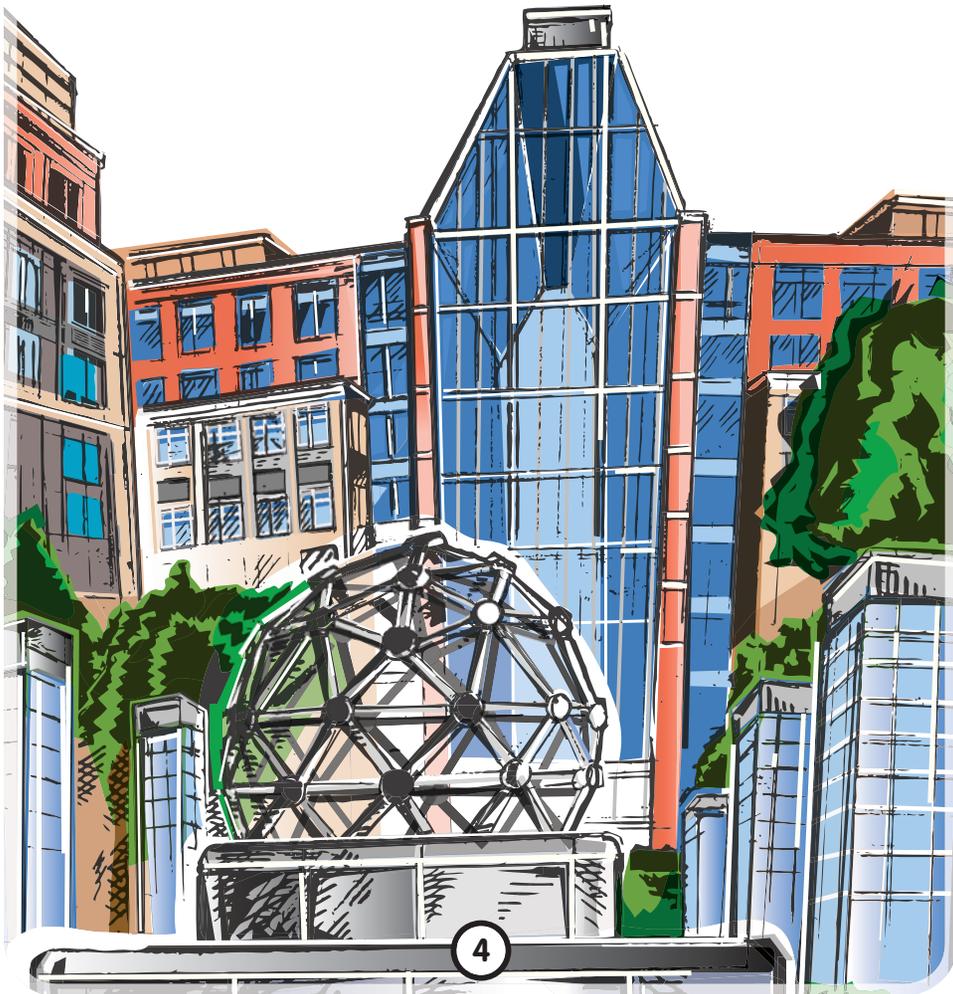
**FORD®**

**SHOES**

# The Role of the U.S. Patent and Trademark Office



- The mission of the United States Patent and Trademark Office is to examine and register trademarks. The Office is located in Alexandria, Virginia, close to Washington, D.C.
- Once you get a registration, you have the right to use the ® symbol next to your trademark. A trademark can last as long as the owner keeps using it!



9. What color as applied to caps of product containers is a registered trademark for glue?  
a. white  
b. blue  
c. orange  
d. black  
e. red
10. Which of the following indicates that a trademark is registered? (check one)  
\_\_\_\_\_ TM  
\_\_\_\_\_ ®
11. Intellectual Property includes:  
a. trademarks  
b. copyrights  
c. patents  
d. trade secrets  
e. all of the above
12. Can you get a trademark registration for a sound?  
\_\_\_\_\_ YES  
\_\_\_\_\_ NO
13. The shape of the Coca-Cola® bottle is a registered trademark.  
\_\_\_\_\_ TRUE  
\_\_\_\_\_ FALSE
14. National Geographic® features a registered trademark for the following color appearing on the border of its magazines:  
a. blue  
b. red  
c. green  
d. yellow  
e. none of the above
15. The stylized design of Mickey Mouse® ears is a registered trademark.  
\_\_\_\_\_ TRUE  
\_\_\_\_\_ FALSE
16. The following name of a state is a registered certification mark for potatoes:  
a. Montana  
b. Massachusetts  
c. Idaho  
d. Florida  
e. none of the above

# TRIVIA GAME

## TEST YOUR KNOWLEDGE WITH THIS TRIVIA GAME!

- For which color does UPS® own a trademark?  
a. brown  
b. pink  
c. red  
d. white  
e. blue
- When you open up a Burberry® raincoat, is the check design you see a registered trademark?  
\_\_\_\_\_ YES  
\_\_\_\_\_ NO
- Product design and product packaging are types of trade dress.  
\_\_\_\_\_ TRUE  
\_\_\_\_\_ FALSE
- Bridgestone Corporation's trademarks identify tires, rims, wheels and other parts of a:  
a. car  
b. desk  
c. bed  
d. computer  
e. lamp
- Is the shape of Hershey's Kisses® chocolate a registered trademark?  
\_\_\_\_\_ YES  
\_\_\_\_\_ NO
- What type of services does the design of a red umbrella identify?  
a. babysitting services  
b. laundry services  
c. insurance services  
d. restaurant services  
e. none of the above
- A registered trademark identifies the following: (check one)  
\_\_\_\_\_ the goods of the owner  
\_\_\_\_\_ copies or fakes made by someone else
- A trademark can last indefinitely.  
\_\_\_\_\_ TRUE  
\_\_\_\_\_ FALSE

# Federal Trademark REGISTRATION

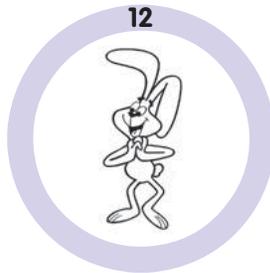
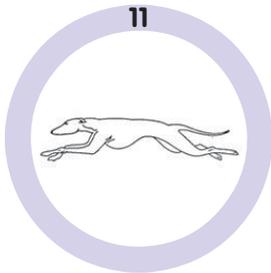
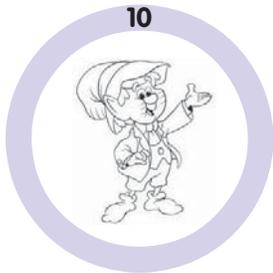
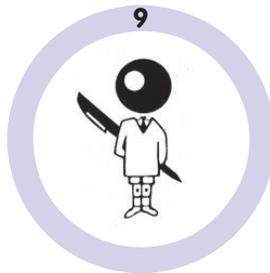
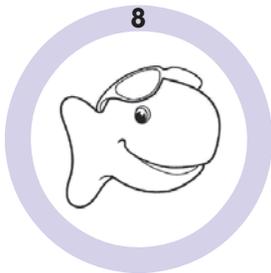
## The ® next to a brand name:

- tells you the trademark is protected by a federal registration issued by the United States Patent and Trademark Office
- gives notice to makers of similar products or services that they cannot use the same trademark for their products or services
- helps trademark owners stop fake or "counterfeit" products from being imported or sold

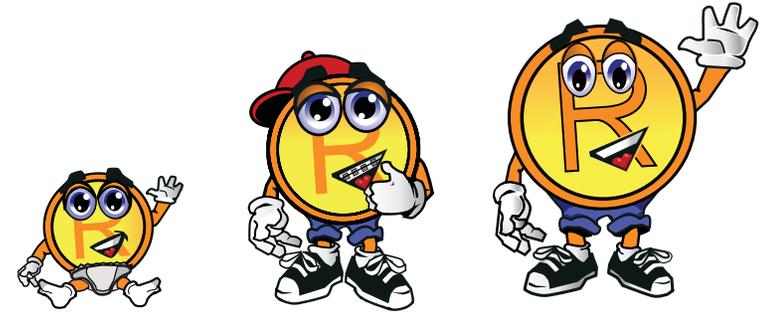


# TEST YOUR TRADEMARK IQ

How many of these trademarks can you identify?



6



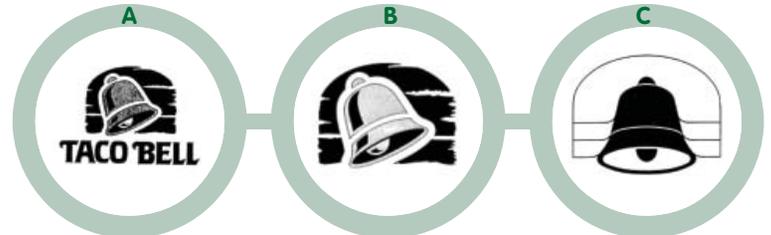
## EVOLUTION OF MARKS

Mark owners sometimes update or modernize their marks, but keep them recognizable.

Which came first?



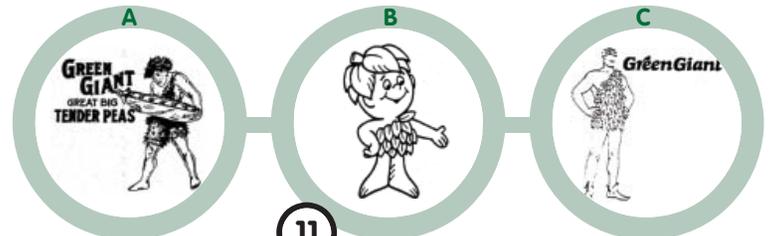
Which came first?



Which came first?



Which came first?



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## Did you know that one trademark can identify or be the brand name for more than just one thing?

### NICKELODEON®

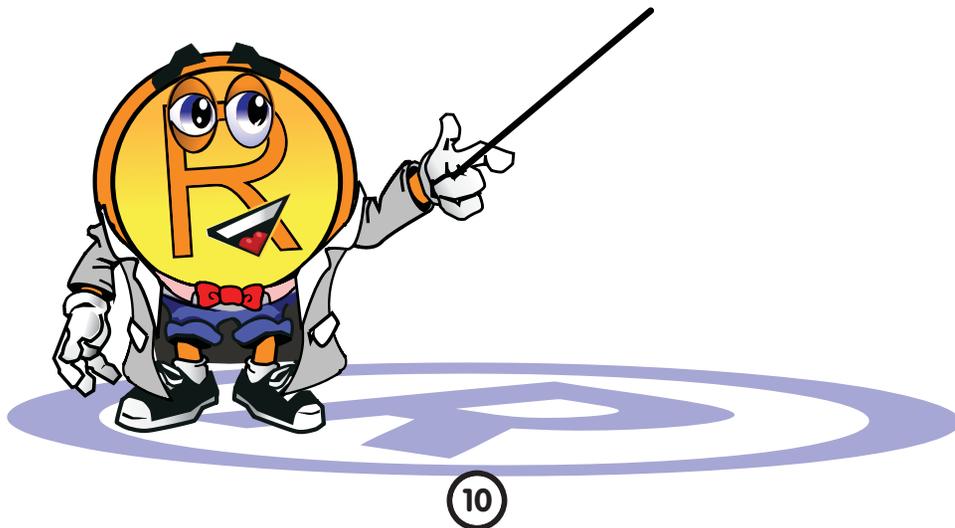
You may know this mark for children's television programming, but did you know it is also registered for the following?

- Cell phone services
- Knapsacks
- Towels, bed sheets, and pillow cases

### CRAYOLA®

You may know this mark for crayons, but did you know it is also registered for the following?

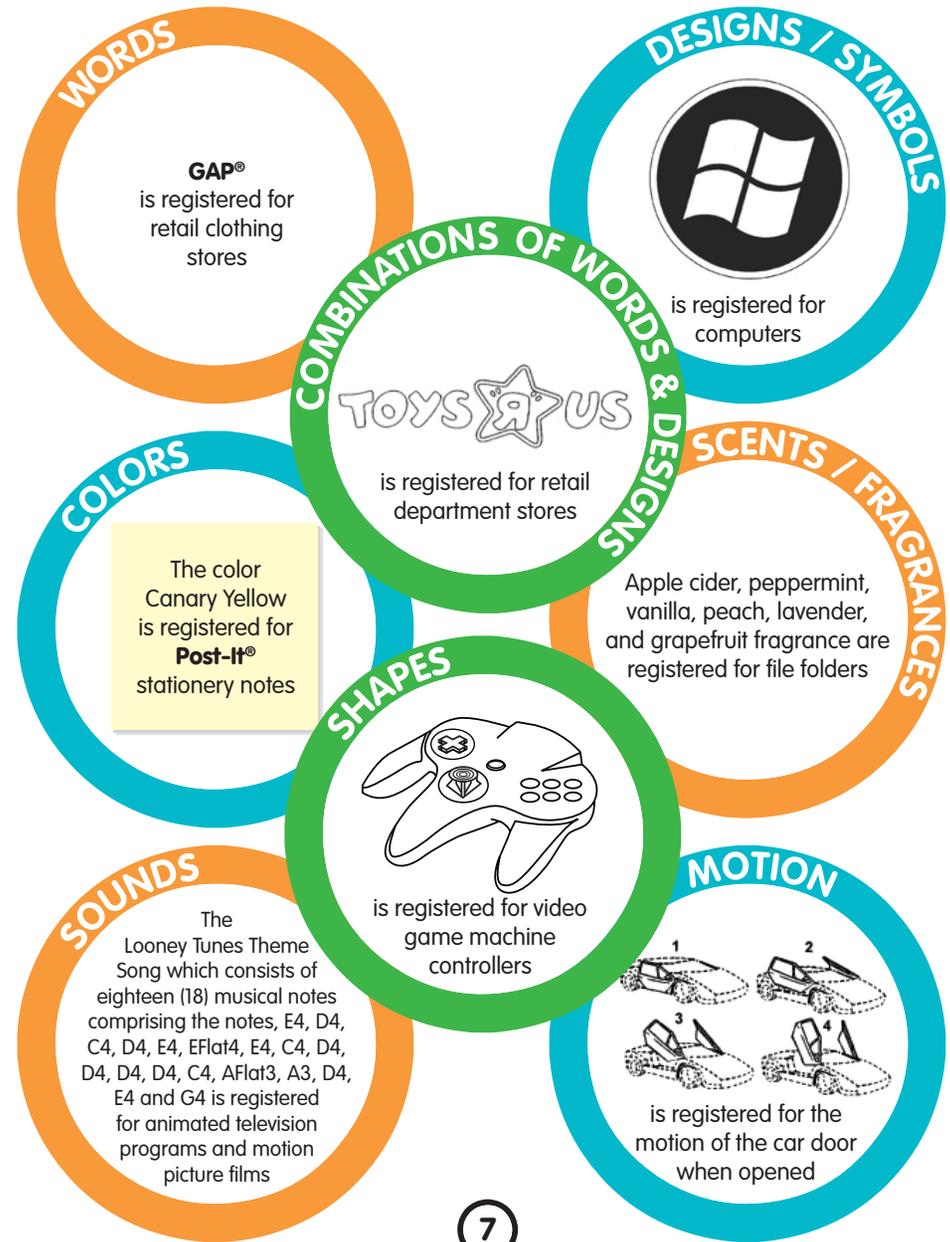
- Rulers and staplers
- Paints
- Candied fruit snacks



## TYPES OF TRADEMARKS

A trademark includes any word, name, symbol, device, or any combination, used in commerce to identify and distinguish the goods of one manufacturer or seller from goods manufactured or sold by others, and to indicate the source of the goods.

A service mark is the same as a trademark, except that it identifies and distinguishes the source of a service rather than a product.



# TRADEMARKS ARE EVERYWHERE

Everyday, from dawn to dusk, you may cross paths with hundreds or thousands of trademarks. Here are some examples:

## MORNING

**KELLOGG'S®** for breakfast cereal

**CREST®** for toothpaste

**IVORY®** for soap

**TROPICANA®** for orange juice

## DAY

**THOMAS & FRIENDS®** for lunch boxes

**SKIPPY®** for peanut butter

**SMUCKER'S®** for jellies

**MEAD®** for notebooks

**SCHWINN®** for bicycles

## NIGHT

**DELL®** for computers

**CHEF BOYARDEE®** for pasta dinners

**FISHER-PRICE®** for toys

**MR. BUBBLE®** for bubble bath and skin soap

**HARRY POTTER®** for books



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## CHARACTERS ARE TRADEMARKS TOO!

Let's play a game and make that **Character Connection!**

**DOUGHBOY®** is a registered trademark for

- a. refrigerated dough
- b. chewing gum
- c. computer games
- d. cars

**THE CAT IN THE HAT®** is a registered trademark for

- a. cat food
- b. bicycles
- c. books
- d. refrigerators

**JELLY BELLY®** is a registered trademark for

- a. candy
- b. shoes
- c. nail polish
- d. televisions



**SUPERMAN®** is a registered trademark for

- a. glue
- b. light bulbs
- c. hammers
- d. comic magazines

**TOUCAN SAM®** is a registered trademark for

- a. bird food
- b. cereal
- c. sandwich bread
- d. pet stores

**CURIOUS GEORGE®** is a registered trademark for

- a. mirrors
- b. toilet paper
- c. zoos
- d. plush toys

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