File Your Trademark Applications Sooner Rather Than Later

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The United States Patent & Trademark Office (USPTO) is falling behind in their review of trademark applications. Since the end of 2018, the average time between an application for trademark registration being filed and the Examining Attorney reviewing the application and issuing a first action indicating whether the mark is allowable has hovered between 2.5 months and 3.5 months. However, in 2021, that time to first action has almost doubled!

The USPTO has recently hired 47 Examining Attorneys and has committed to hiring 100 more in 2022 to handle this growing backlog. However, it takes time to hire and train new examiners, which means this backlog will continue to grow in the near term.

If you are considering applying for a trademark registration any time soon, and want to have a first indication as to whether it may run into issues during examination within the next 7 to 9 months (or possibly longer), then the time to file is now.

Please contact Sean Detweiler at sdetweiler@morse.law or tmservices@morse.law with any questions or to start the trademark application process today.