A New Chapter for Trademark Searching at the USPTO

The electronic trademark search database is being upgraded

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November 13, 2023



The United States Patent and Trademark Office (USPTO) has announced the retirement of the Trademark Electronic Search System (TESS) effective November 30, 2023, to be replaced by an innovative new trademark search system to better meet the needs of the trademark community.

TESS is a database maintained by the USPTO that enables users to search for and retrieve information related to registered trademarks and prior pending trademark applications. It is a valuable tool for individuals, businesses, and attorneys involved in the trademark registration process, and it is free. However, a common complaint over the years is that the interface for TESS is not intuitive and the requirement for using Boolean operators to customize a search with very strict format requirements can be overwhelming.

When seeking to identify or register a new trademark, an important step that should be taken is to access TESS to conduct searches on existing trademark registrations to ensure that the proposed mark for their goods or services is unique and not likely to be confused with pre-existing registered trademarks. TESS is an essential resource for those navigating the trademark registration process, helping make informed decisions about the availability and registrability of a particular trademark.

With the retirement of TESS, the USPTO is transitioning to a new cloud-based search system to enhance the search experience and adapt to evolving needs in the trademark community. A beta version of the new system is available prior to the November 30th transition.

Before the end of the month, users are encouraged to utilize the beta version of the USPTO's innovative cloud-based search system. According to the USPTO, some of the key features in the new system are as follows:

- Provides a contemporary and more reliable search experience.
- Presents a simplified search interface while catering to the complex searching needs of advanced users.
- Demonstrates adaptability to the evolving requirements of the trademark community.

For additional details on the newly introduced system, which is yet to be named, interested parties can refer to the USPTO's blog for comprehensive information. For additional information on the trademark registration process, please reach out to attorney Sean Detweiler.