

**WAC 434-12-025 Document and specimen standards for trademark filing.** (1) Specimens submitted in support of a trademark filing must:

(a) Be of sufficient quality, size and clarity to allow the division to create and maintain an accurate digital image of the specimen; and

(b) Demonstrate that the trademark is in use in commerce; preliminary design artwork is not acceptable.

(c) Be in pdf (portable document format), if filing online.

(2) Specimens submitted in support of a trademark reservation:

(a) Must be of sufficient quality, size and clarity to allow the division to create and maintain an accurate digital image of the specimen; and

(b) May be in the form of preliminary design artwork so long as the design clearly describes the trademark to be reserved; and

(c) Must be in pdf format, if filing online.

(3) Corporations division staff may reject submissions based on the following criteria:

(a) Application is incomplete;

(b) Application is in pencil or unable to be scanned as a readable image;

(c) Trademark is not distinguishable from another on file in the secretary's office by comparing:

(i) Similarity or dissimilarity of marks in their entireties to appearance; or

(ii) Similarity or dissimilarity of goods and services classifications.

[Statutory Authority: RCW 19.77.115. WSR 16-01-191, § 434-12-025, filed 12/23/15, effective 1/23/16; WSR 15-22-044, § 434-12-025, filed 10/29/15, effective 1/1/16. Statutory Authority: RCW 23B.01.200(2), 24.03.007, [24.03.]008, 25.15.007, 19.09.020(15), [19.09].315, 19.77.115, and 43.07.170. WSR 04-04-018, § 434-12-025, filed 1/23/04, effective 2/23/04.]