

Filing of a National Application in the US based on Use*

Hynak & Associates is pleased to provide you with an innovative fee solution for the filing and prosecution of a US Trademark Application. We are providing a cap for your expenses. This fee structure allows you to know the maximum amount of monies that your client will spend for the filing and prosecution of a US Trademark application.

Filing of a National Application in the US

Our fee for filing a one class application in the US is \$335.00 plus the US Patent and Trademark Office (USPTO) fee. Our fee for an additional class in the same application is \$170.00 plus the USPTO fee.

The following are included in our fixed fee for filing a single class application based on use:

- Preparation of the trademark application.
- Filing the application electronically. (Additional fees apply for a paper filing)
- Creation and opening of a file.
- Monthly status checks and reports sent periodically as agreed upon.
- Transmittal of the Notice of Publication.
- Transmittal of Requests for Extension of Time to file a Notice of Opposition. This is limited to a maximum of four requests up to 120 days.

We will respond to Office Actions at our hourly rate of \$295 per hour. However, our fees will NOT EXCEED \$1600 US dollars. For each additional class beyond the first class in the same application, our additional fee for each additional class(es) will not exceed \$295 per each additional class.

This cap on our fees applies only to:

- **Responses to all Office Actions** issued by the USPTO Examining Attorney

The following are **NOT** included in either our fixed fee to file the application or in our cap on our fees to respond to Office Actions:

- US Patent & Trademark Office Fees
- Notice of Appeal from a Final Decision
- Notice of Opposition
- Notice of Cancellation
- Transmittal of Certificate of Registration

*These fees also apply to applications claiming priority based on a Home Country application or registration.

Maximum Fees for US Applications Based on Use

Maximum Fees for Filing and Responses

This cap on our fees **only** applies to the total hourly rate charge for prosecution and is in addition to the fixed fee charge of \$335 to file the application. Therefore, you will not pay more than \$1935 for a single class application for Hynak & Associates P.C. to file and respond to Office Actions under the limitations set forth above. These fees do not include the USPTO fees.

Our Fees will not Increase

Our hourly rate will not increase during the prosecution of the application. If an application becomes the subject of an opposition or other legal proceeding, fees will be determined by current rates.

Obtaining the Trademark Registration Certificate

Obtaining the Trademark Registration Certificate and docketing for Section 8 and Renewal requirements and sending said Registration Certificate by courier is \$100.00 and is invoiced when the Registration Certificate is sent.

These fees must be paid in advance of the work being performed. All monies must be paid to Hynak & Associates Trust Account.

Federal Search & Opinion

Prior to filing a US Application it is recommended that at least a Federal Search be conducted and an opinion rendered. Our flat fee for conducting a Federal Search for a word mark and providing an opinion on use and registrability is \$380.00. Fees for design marks will be provided upon request.

In addition, we obtain full federal, state and common law trademark searches. Our opinion for a full search is based on our hourly rate.

Hourly Rate

Our hourly rate for legal services is \$295.00

All fees are due and payable in US Dollars.

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Filing of a National Application in the US based on Intent to Use

Hynak & Associates is pleased to provide you with an innovative fee solution for the filing and prosecution of a US Trademark Application. We are providing a cap for your expenses. This fee structure allows you to know the maximum amount of monies that your client will spend for the filing and prosecution of a US Trademark application.

Filing of a National Application in the US

Our fee for filing a one class application in the US is \$335.00 plus the US Patent and Trademark Office (USPTO) fee. Our fee for an additional class in the same application is \$170.00 plus the USPTO fee.

The following are included in our fixed fee for filing a single class application based on use:

- Preparation of the trademark application.
- Filing the application electronically. (Additional fees apply for a paper filing)
- Creation and opening of a file.
- Monthly status checks and reports sent periodically as agreed upon.
- Transmittal of the Notice of Publication.
- Transmittal of Requests for Extension of Time to file a Notice of Opposition. This is limited to a maximum of four requests up to 120 days.

We will respond to Office Actions at our hourly rate of \$295 per hour. However, our fees will NOT EXCEED \$1600 US dollars. For each additional class beyond the first class in the same application, our additional fee for each additional class(es) will not exceed \$295 per each additional class.

This cap on our fees applies only to:

- **Responses to all Office Actions** issued by the USPTO Examining Attorney

The following are **NOT** included in either our fixed fee to file the application or in our cap on our fees to respond to Office Actions:

- US Patent & Trademark Office Fees
- Filing an Extension of Time to file an SOU
- Filing a Statement of Use
- Notice of Appeal from a Final Decision
- Notice of Opposition
- Notice of Cancellation
- Transmittal of Certificate of Registration

Filing a Statement of Use or an Extension to File a Statement of Use

Our fee for filing a Statement of Use or an Extension to File a Statement of Use is \$165 per class per Extension of SOU, plus the USPTO fee.

Maximum Fees for US Applications Based on Intent to Use

Maximum Fees for Filing and Responses

This cap on our fees **only** applies to the total hourly rate charge for prosecution and is in addition to the fixed fee charge of \$335 to file the application. Therefore, you will not pay more than \$1935 for a single class application for Hynak & Associates P.C. to file and respond to Office Actions under the limitations set forth above. These fees do not include the USPTO fees.

Maximum Fees for Filing of SOU or Extensions

Since the number of Extensions to file an SOU is dependant upon the applicant, our fee is based on the requirements of the applicant. Our fee for filing the maximum number of Extensions and the SOU will not exceed \$990, for a single class application. These fees do not include the USPTO fees.

Our Fees will not Increase

Our hourly rate will not increase during the prosecution of the application. If an application becomes the subject of an opposition or other legal proceeding, fees will be determined by current rates.

Obtaining the Trademark Registration Certificate

Obtaining the Trademark Registration Certificate and docketing for Section 8 and Renewal requirements and sending said Registration Certificate by courier is \$100.00 and is invoiced when the Registration Certificate is sent.

These fees must be paid in advance of the work being performed. All monies must be paid to Hynak & Associates Trust Account.

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