

Get Ready: USPTO Trademark Fees Increase January 18, 2025

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The United States Patent and Trademark Office ("USPTO") recently issued a final rule adjusting certain trademark fees for United States trademark applications and registrations. Most aspects of the rule go into effect January 18, 2025, so practitioners and rights holders should be ready for the change and plan ahead to avoid unnecessary costs if possible.

Fee Changes

Unlike the across-the-board 7.5% fee increase issued on the patent side of the USPTO, the trademark fee increases are a bit more surgical, with different changes to 28 individual actions.

Notable changes include:

1. Introduction of a single base application

While applicants previously had the option to file a TEAS Plus or TEAS Standard application, the new system provides a single base application option for applications filed under Sections 1 (based on use or intent to use) and 44 (based on foreign registration). Depending on the complexity and completeness of applications, applicants may see additional fees.

2. Additional fees for use of free-form text

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Related Capabilities

- Trademark, Copyright + Advertising
- Intellectual Property Litigation

With the removal of the TEAS Standard application, applicants must now pay an additional \$200 per class to use a free-form text box for goods and services for Section 1 and 44 applications. Essentially, filing for any goods or services that cannot be found in the Trademark ID Manual will come with an automatic \$200/class fee, covering up to 1,000 text characters per class.

3. Additional fees for lengthy goods/services descriptions

Using the free-form text box for goods/services that exceed 1,000 text characters per class will now come with a \$200 surcharge per additional 1,000 characters. For example, a goods description reaching 2,500 characters will now come with an additional \$400 surcharge. This character limit does not apply when using standard goods/services from the Trademark ID Manual.

Notably Section 66 (WIPO) applications are not subject to the same types of surcharges for lengthy goods/services descriptions. Rather, the USPTO has merely increased the filing fee by \$100 per class. This change for WIPO applications goes into effect slightly later, on February 18, 2025.

Practical Implications

The main messaging from these changes is efficiency, efficiency, efficiency. Given the addition of various extra fees for lengthy or non-standard filing descriptions, applications missing basic information, and extra classes in general, applicants may be encouraged to “tighten up” filing strategies.

One way in which practitioners may be more economical long term is by using the USPTO’s TMID Manual entry suggestion tool. The USPTO accepts suggestions for entries into the Manual by emailing tmidsuggest@uspto.gov. For applicants who may re-use goods/services descriptions that do not appear in the TMID Manual, this may be an effective tool for avoiding the free-form text fee discussed above.

Summary of Important Changes

Fee Description	Current Fee	Fee as of 1/18/25	Fee Change	Notes
<i>Trademark Application Fees</i>				
Base application (Sections 1 and 44)	N/A	\$350, per class	New fee	TEAS Plus and TEAS Standard application filing options merged to single “base application” filing option.
Insufficient	N/A	\$100,	New fee	Surcharge will apply if

information in application (Sections 1 and 44)		per class		Section 1 or 44 application fails to satisfy any of the requirements under 37 CFR § 2.22(a)(1) - (19). These requirements are identical to the requirements for a valid TEAS Plus application under the current TEAS system, and the fee rate for the insufficient information surcharge is identical to the processing fee for failing to meet the requirements of a TEAS Plus application.
Use of free-form identification of goods/services (Sections 1 and 44)	N/A	\$200, per class	New fee	The Free-Form Text for Goods/Services Surcharge will apply for each class where the free-form text box is used instead of the ID Manual function within the electronic application.
<u>FREE-FORM TEXT IDs ONLY</u> Each additional group of 1,000 characters after the first 1,000	N/A	\$200, per class	New fee	<i>Applicants using the ID Manual function within the electronic application will not incur this surcharge.</i> · The USPTO defines characters as including punctuation and spaces. · This fee will not be applied to amended identifications that exceed the character limit in a response to an Office Action. · <i>Example:</i> if the identification language in a single class is 2,001 characters, then a \$400 surcharge is applied.
WIPO application/subsequ	\$500, per	\$600, per	↑\$100,	Goes into effect February 18, 2025.

ent designation (Section 66(a))	class	class	per class	
*(Effective February 18, 2025)				
TEAS Standard application	\$350, per class	N/A	<i>Discontin ued</i>	TEAS Standard application filing option discontinued.
TEAS Plus application	\$250, per class	N/A	<i>Discontin ued</i>	TEAS Plus application filing option discontinued.
Failing to meet TEAS Plus requirements	\$100, per class	N/A	<i>Discontin ued</i>	TEAS Plus application filing option discontinued.
<i>Statements of Use/Amendments to Allege Use</i>				
Amendment to Allege Use (AAU)	\$100, per class	\$150, per class	↑\$50, per class	
Statement of Use (SOU)	\$100, per class	\$150, per class	↑\$50, per class	
<i>Post Registration Maintenance/Renewal</i>				
Renewal (Section 9)	\$300, per class	\$325, per class	↑\$25, per class	
Declaration of Use (Sections 8 or 71)	\$225, per class	\$325, per class	↑\$100, per class	
Affidavit of Incontestability (Section 15)	\$200, per class	\$250, per class	↑\$50, per class	
Renewal fee filed at WIPO	\$300	\$325	↑\$25	Goes into effect February 18, 2025.
*(Effective				

February 18, 2025)				
<i>Miscellaneous Fees</i>				
Letters of Protest	\$50	\$150	↑\$100	
Petitions to the Director	\$250	\$400	↑\$150	
Petitions to Revive	\$150	\$250	↑\$100	

*This chart is for informational purposes only.