



State of Hawaii
Department of Commerce and Consumer Affairs
Business Registration Division
335 Merchant Street, Room 201
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BusinessRegistrations.com

Nonrefundable
Service Mark Registration Filing Fee: \$50.00
Expedited Review Fee: \$20.00

APPLICATION FOR REGISTRATION OF A SERVICE MARK IN HAWAII

(Section 482, Hawaii Revised Statutes)

PLEASE TYPE OR PRINT LEGIBLY IN BLACK INK. Attachments to this form may be used, if necessary.

The undersigned, for the purpose of registering a service mark under the laws of the State of Hawaii, do hereby execute this application for registration:

1. Registration is (select one): ☐ New OR ☐ A Renewal (Certificate No.)

2. 2a. The applicant is (select one):

☐ An Entity

Entity Name

State, Province, or Country of Formation/Incorporation/Organization

File Number (if the entity is registered in Hawaii)

☐ An Individual

First Name

Last Name

2b. The entity applicant is a/an (select one):

☐ Corporation

☐ Partnership

☐ Limited Liability Company

☐ Limited Liability Partnership

☐ Unincorporated Association

☐ Other (explain):

3. The complete business address of the applicant is:

Country

Address (Number and Street)

Address Line 2 (optional)

City

State

Zip Code

4.	The service mark is specifically described as: <div data-bbox="199 247 1487 667" style="border: 1px solid black; height: 200px; margin-top: 10px;"></div>
5.	The service mark is being used in connection with the following services: <div data-bbox="199 758 1487 1062" style="border: 1px solid black; height: 145px; margin-top: 10px;"></div>
6.	The mode or manner in which the service mark is used in connection with the services listed under Item 5 is: <div data-bbox="199 1157 1487 1461" style="border: 1px solid black; height: 145px; margin-top: 10px;"></div>
7.	The classification of this service mark is: (Only one classification per application is allowed. See FORM T-3-INSTR (instructions) for more information.) <div data-bbox="199 1577 1487 1633" style="border: 1px solid black; height: 27px; margin-top: 10px;"></div>
8.	The date this mark was first used anywhere: <div data-bbox="708 1713 993 1770" style="border: 1px solid black; display: inline-block; width: 176px; height: 27px; vertical-align: middle;"></div> MM/DD/YYYY
9.	The date this mark was first used in Hawaii: <div data-bbox="701 1854 987 1911" style="border: 1px solid black; display: inline-block; width: 176px; height: 27px; vertical-align: middle;"></div> MM/DD/YYYY

I certify under the penalties set forth in Section 482-51, Hawaii Revised Statutes, that (select one):

☐ I am the applicant OR ☐ I am the of the entity applicant

(Office Held)

named in the foregoing application, that the applicant is the owner of the mark, that I am authorized to sign this application, and to the best of my knowledge and belief, the mark has been, and is still in use, that no other person has registered, either federally or in this state, or has the right to use the mark, either in identical form thereof or in such near resemblance thereto as to be likely, when applied to the services of the other person, to cause confusion, to cause mistake, or to deceive, and that the above statements are true and correct.

Signed this day of , .

(Type/Print Name)

(Signature)

See FORM T-2-INSTR for instructions on preparing and filing this form.

(DEPARTMENTAL USE ONLY)

CERTIFICATE OF REGISTRATION OF SERVICE MARK

Certificate of Registration No.

In accordance with the provisions of Chapter 482, Hawaii Revised Statutes, this Certificate of Registration is issued to secure the aforesaid applicant the use of said SERVICE MARK throughout the State of Hawaii for the term of five years from

to .

STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

REGISTRATION OF A SERVICE
MARK WITH THE DEPARTMENT
DOES NOT GRANT YOU OWNERSHIP
OF THE SERVICE MARK.

Dated: _____

(Director of Commerce and Consumer Affairs)



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INSTRUCTIONS AND INFORMATION FOR PREPARING AND FILING AN APPLICATION FOR REGISTRATION OF A SERVICE MARK IN HAWAII

Section [482](#), Hawaii Revised Statutes (HRS)

Application must be typewritten or printed in **black ink** and must be **legible**. Attachments may be used, if necessary, and must be typed or printed in **black ink** on 8.5" x 11" white bond paper, single-sided. The application must be signed accordingly as follows: if the applicant is an **individual**, by the applicant; for a **corporation**, by an authorized officer of the corporation; for a general or limited **partnership**, by a general partner; for a **limited liability company**, by a manager of a manager-managed company or by a member of a member-managed company; for a foreign limited liability company, by a person who is authorized or required to sign a record under the laws of its jurisdiction of organization; and for a **limited liability partnership**, by a partner. The signature must be in **black ink**. Submit application together with the appropriate fee(s). The Certificate of Registration of Service Mark will be issued when the Application for Registration of a Service Mark in Hawaii is filed in compliance with Chapter [482](#), HRS.

Registration of a service mark with the department does not grant you ownership of the service mark. Ownership of a service mark is acquired by adoption and bona fide use of the service mark in the ordinary course of trade.

- Item 1. Indicate whether the service mark to be registered is a new registration, or a renewal of an existing registration. For a renewal, state the Certificate of Registration number. The registration of a service mark may be renewed for successive periods of five years by filing a renewal application within six months prior to the expiration of the current term. Refer to Section [482-25](#), HRS, for more information.
- Item 2. 2a. Indicate whether the applicant is an entity OR an individual. If the applicant is an entity, state the entity name, and state, province, or country of formation, incorporation, or organization and if the entity is registered in Hawaii, provide the file number. If the applicant is an individual, state the individual's first name and last name.
2b. If the applicant is an entity, indicate whether the applicant is a corporation, a partnership, a limited liability company, a limited liability partnership, an unincorporated association, or "other." If "other" is indicated, please provide an explanation.
- Item 3. State the complete business address of the applicant.
- Item 4. State the complete service mark to be registered.
If the service mark consists of a word or words **without** a specific design, the same must be typed or printed and one (1) specimen of the service mark per class of goods showing the mark as actually used on or in connection with such services should be filed with the application.
If the service mark consists of a word or words **with** a symbol or design, a complete description must be typed or printed. One (1) exact copy of the service mark and one (1) specimen of the service mark per class of goods showing the mark as actually used on or in connection with such services should also be filed with the application. See ADDITIONAL INFORMATION FOR THE REGISTRATION OF SERVICE MARKS on page 3, below, for more information about specimens.

Continued on next page.

- Item 5. State the classification of this service mark. Only one classification number can be stated on the application. A separate application and fee are required for each classification desired. See Section [482-29](#), HRS. Service mark classifications 35 to 45 are for services. See SERVICE MARK CLASSIFICATIONS on page 3, below, for a detailed list of acceptable classification of services, and other information from the United States Patent and Trademark Office (USPTO).
- Item 6. State the services in connection with which the service mark is used. The services must fall within the classification listed in Item 6.
- Item 7. State the mode or manner in which the service mark is used on or in connection with the services listed in Item 7.
- Item 8. State the date (MM/DD/YYYY) the mark was first used anywhere by the applicant or a predecessor in interest.
- Item 9. State the date (MM/DD/YYYY) the mark was first used in Hawaii by the applicant or a predecessor in interest.

Filing Fees: The fee for filing an Application for Registration of a Service Mark in Hawaii is **\$50.00** and is not refundable. The fee for filing the Application for Registration of a Service Mark in Hawaii for a renewal is \$50.00 and is not refundable. Optional: the fee for one certified copy is \$10.00; the fee for expedited review is \$20.00. Payments made by cash, check, or credit card are accepted. Make checks payable to DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS. Dishonored Check Fee is \$25.00.

Additional information for the registration of service marks can be found on the next page.

For any questions, call (808) 586-2727 or email breg@dcca.hawaii.gov.

NOTICE: THIS MATERIAL CAN BE MADE AVAILABLE FOR INDIVIDUALS WITH SPECIAL NEEDS. PLEASE CALL THE BUSINESS REGISTRATION DIVISION SECRETARY AT (808) 586-2744 TO SUBMIT YOUR REQUEST.

ALL BUSINESS REGISTRATION FILINGS ARE OPEN TO PUBLIC INSPECTION. (SECTION [92F-11](#), HRS)

ADDITIONAL INFORMATION FOR THE REGISTRATION OF SERVICE MARKS

Service Mark means any word, name, symbol, or device or any combination thereof used by a person, to identify and distinguish the services of one person, including a unique service, from the services of others, and to indicate the source of the services, even if that source is unknown. Titles, character names used by a person, and other distinctive features of radio or television programs may be registered as service marks notwithstanding that they, or the programs, may advertise the goods of the sponsor. See Section [482-1\(2\)](#), HRS.

Section [482-22](#), HRS, sets forth the minimum information required to be contained in an application for registration of a mark. Among those requirements is a statement that the applicant is the owner of the mark, the mark is in use, and to the knowledge of the person verifying the application, no other person has registered, either federally or in this State, or has the right to use, the mark either in the identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods or services of the other person, to cause confusion, to cause mistake, or to deceive.

Before filing an application, an applicant should verify that the mark is not presently in use or registered by another person. Ownership of a service mark is acquired by adoption and bona fide use of the service mark in the ordinary course of trade. When an application is filed, the Business Registration Division will conduct a search of registrations on record, for any registration that may be substantially the same or identical to the service mark being applied for.

SPECIMEN

A specimen is a sample of your mark as used in commerce. It is real-life evidence of how you are actually using your mark in the marketplace with the services in your application or registration maintenance filing. It's what consumers see when they are considering whether to purchase the services you provide in connection with your mark.

For services, a specimen shows the mark as actually used in commerce with your existing services in a way that directly associates the mark with the services. For example, a specimen could be an advertisement, brochure, website printout or other promotional material which shows your mark used for the services, business signs where the services are rendered showing your service mark, or a service vehicle showing your service mark.

A photograph, scanned copy, screen capture, printout, or other similar type of reproduction of the actual specimen that meets the requirements outlined above is acceptable. Refer to the United States Patent and Trademark Office (USPTO) [Specimens page](#) and [Specimens of Use for Service Marks](#) page for more information.

SERVICE MARK CLASSIFICATIONS

There are 45 classes, or categories, that cover all goods and services. Classes 1-34 are for goods, and **classes 35-45 are for services**. Each class can cover a wide range of goods or services.

Detailed classification information can be obtained from the [United States Patent and Trademark Office](#) (USPTO). Some of the resources available on the USPTO website include:

- [Get ready to search - classification and design search codes](#)
- The [Nice Classification](#) includes a list of goods and services and their classes (the "Alphabetical List") and a list of classes with explanatory notes.
- For expanded class details on what a class includes or does not include, see the [Trademark Manual of Examining Procedure](#) (TMEP). (<https://tmep.uspto.gov/RDMS/TMEP/current#/current/TMEP-1400d1e1.html>)
- Or use the USPTO's [Trademark ID Manual](#) to enter your search terms to search the ID master list.

Classes 35-45 are listed on the next page.

SERVICE MARK CLASSIFICATIONS

CLASS 35 (Advertising and business)

Advertising; business management, organization and administration; office functions.

CLASS 36 (Insurance and financial)

Financial, monetary and banking services; insurance services; real estate affairs.

CLASS 37 (Building construction and repair)

Construction services; installation and repair services; mining extraction, oil and gas drilling.

CLASS 38 (Telecommunications)

Telecommunications services.

CLASS 39 (Transportation and storage)

Transport; packaging and storage of goods; travel arrangement.

CLASS 40 (Treatment of materials)

Treatment of materials; recycling of waste and trash; air purification and treatment of water; printing services; food and drink preservation.

CLASS 41 (Education and entertainment)

Education; providing of training; entertainment; sporting and cultural activities.

CLASS 42 (Computer and scientific)

Scientific and technological services and research and design relating thereto; industrial analysis, industrial research and industrial design services; quality control and authentication services; design and development of computer hardware and software.

CLASS 43 (Hotels and restaurants)

Services for providing food and drink; temporary accommodation.

CLASS 44 (Medical, beauty and agricultural)

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, aquaculture, horticulture and forestry services.

CLASS 45 (Personal and legal)

Legal services; security services for the physical protection of tangible property and individuals; personal and social services rendered by others to meet the needs of individuals.