



u.s. trademark office fees increasing significantly on january 18, 2025: what it means for you

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MSK Client Alert

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The new year is bringing with it some major fee increases from the U.S. Patent & Trademark Office (USPTO) for certain key aspects for trademark filings and other trademark prosecution. Nearly all go into effect on January 18, 2025. Here are some major changes to know, and how they may affect your filing strategy in the United States:

- **New Trademark Applications.** Currently, the Trademark Office provides two application options for new filings: TEAS (\$350/class) and TEAS Plus (\$250/class). As of January 18, 2025, the TEAS and TEAS Plus Standard filing options will be retired and replaced by a unified electronic base application with a fee of \$350/class, **if you use a standard description** in the USPTO Identification Manual (much like the former TEAS Plus filing requirements) and **the examining attorney finds that the information provided is acceptable**. Additional fees may apply, including:
 - Use of the free-form identification text box costs \$200 per class. This applies to **all** classes even if only some classes in a multi-class application use the free-form box.
 - If the free-form description exceeds 1,000 characters in the class, there is an additional fee of \$200 per each group of additional 1,000 characters beyond the first 1,000 characters in that class. The fee is not charged if the standard identification language has a fill-in-the-blank field and the applicant makes a reasonable attempt to comply. The excess-character fee is assessed only at the time of filing, not during examination.
 - If the information supplied in the application is insufficient, there is an additional fee of \$100 per class.

attorneys

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practice areas

intellectual property
trademarks & brands



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- This rule also applies to direct filings claiming priority from foreign countries or those filing based on foreign countries in order to delay the use requirements (Section 44), but does not apply to applications filed from foreign countries via an International Registration via the Madrid Protocol (Section 66(a)). Applications under Section 66(a) will cost \$600 per class as of February 18, 2025. This means that applicants using Section 44 to file applications in the United States will need to make sure that their filings both fit within the standard descriptions while falling within the scope of the registration in the home country.
- **Maintenance Filings.** The costs to file a statement or amendment of use, declarations of use and incontestability, and renewals are all increasing slightly. Thankfully the increases are small enough to not make a material difference in your filing approach. After all, by the time you need to renew your registration, the fees may have changed. The fact that the increases are slight provides hope that maintaining the registration of your name, logo, slogan, or other trademark will be an easy “yes” as part of your business’s budgeting.

These changes make it more important to follow the USPTO’s recommendation and have a seasoned practitioner working with you to ensure you file strategically and with precision. Otherwise, the government costs relating to your filings may add up dramatically.

In recognition of these increases charged by the USPTO, MSK is not increasing its flat fees for legal services on its Schedule of Trademark Fees, through the end of 2025. For an updated Schedule of Trademark Fees with the new USPTO charges included, please reach out to your MSK contact or trademark@msk.com.