



no “fees or forms” required for inclusion of native american tribal insignias in uspto database

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The U.S. Patent and Trademark Office (USPTO) tribal insignia trademark program allows Native American tribes to include tribal insignias in the USPTO's database at no charge. The USPTO's waiver of application fees is intended to foster adequate protections for Native American tribes' intellectual property and cultural heritage.

The tribal insignia database has been a component of the Trademark Electronic Search System (TESS), a larger database maintained by the USPTO, for over 20 years. When the USPTO examines trademark applications to determine whether the proposed trademark is likely to be confused with another mark on the trademark registry, it compares the applied-for marks against those on TESS. While Native American tribes are not legally required to submit their official tribal insignias to the database, doing so provides a protective benefit, as trademarks on the database may bar the registration of other confusingly similar marks.

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practice areas

intellectual property