

## Study Shows Hiring an Attorney Gives You a Better Chance of Registering Your Trademark

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Preparing a trademark application to the United States Patent and Trademark Office? A recent study shows that hiring an experienced trademark attorney to guide you through the process can give you a much better chance of filing a successful application.

In "Do Trademark Lawyers Matter?" University of North Carolina School of Law faculty members Jon McClanahan and Deborah Gerhardt studied applications filed from 1985 to 2010 to determine whether having a trademark attorney makes a difference in getting your application approved by the USPTO. The study concluded that yes, in fact, it does.

The researchers found that 82 percent of applications submitted by attorneys were published by the USPTO, meaning the applications received preliminary approval for registration. Trademark applications filed by non-attorneys, on the other hand, only had a 60 percent publication approval rate. "These data suggest that the presence of a lawyer made a meaningful difference," the researchers wrote.

The majority of trademark applications analyzed were either filed by an experienced trademark attorney or by non-attorney applicants with no trademark filing experience. The study found that the inexperienced, non-attorney applicants' chances for registration would have increased by 50 percent if they had used an attorney to file their application.

>> For more information on trademark registration, please contact Kimberly Berger.

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