

A NOTE ON THE PROPER USE OF TRADEMARKS

What's the purpose of the "TM" symbol or the "R" in a circle?

Many people like to put a "TM" (or "SM" for service mark) next to their mark to let the world know that they are claiming ownership of it. However, it is not legally necessary to provide this type of notice; the use of the mark itself is the act that confers ownership.

The "R" in a circle (®) is a different matter entirely. This notice should accompany a trademark after it has been registered with the U.S. Patent and Trademark Office (USPTO) or other national registration authority. Failure to put the notice on a registered trademark can greatly reduce the possibility of recovering significant damages if it later becomes necessary to file a lawsuit against an infringer.

IS THERE A RULE WITH RESPECT TO THE POSITIONING OF THE CIRCLED "R" SYMBOL?

Trademark notices, TM, SM and ®, if used in text, should directly follow the mark (either the word or logo). These symbols are often put in superscript (smaller, raised) form.

EXAMPLE: COCA-COLA®

MUST I USE THE TM OR ® SYMBOL EVERY TIME I USE A TRADEMARK?

The ™ or ® symbol need only appear in the first or most prominent mention of the mark. Omission of the ™ or ® symbol does not invalidate or compromise your rights in a trademark. Its purpose is to alert the public to your ownership of the mark, and it is one of the primary ways to affirmatively protect a mark.

HOW DO I USE THE TM OR ® SYMBOL IN COMPANY REPORTS OR DOCUMENTS?

The ™ or ® symbol should be referenced in the title of a document or report. Thereafter, it is unnecessary to repeat the symbol. A single reference to the trademark is sufficient in either its first use or most prominent use within the document. If trademark is used in sections of a document which may be published or distributed separately, the TM or R symbol should be used.

SHORT CUTS

In Microsoft Word - There are various ways to enter the main symbols used in business documents. Here are the shortcuts that work for most (if not all) versions of Word.

Registered Trademark symbol -- Ctrl+Alt+R

Trademark symbol -- Ctrl+Alt+T

More recent releases make use of AutoCorrect to give you another option. Typing the following characters will be converted to the right symbol.

Registered Trademark symbol -- (r)

Trademark symbol -- (tm)

There is no shortcut or symbol for the service mark. You need to type a capital SM and then manually superscript it.

Additionally, each of these can be inserted in WordPerfect by using the Insert – Symbols – Typographic keystrokes. All three are available in the menu.