



**GUINN GUIDES**  
**GUIDELINES FOR PROPER**  
**TRADEMARK & SERVICE MARK USE**

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# GUINN GUIDES

Your trademark is an important business asset used to identify your products or services and distinguish them from those of your competitors. You must carefully protect your trademark(s) or they may become lost. Trademarks can become lost for many reasons including improper use, the mark has become generic, or the owner failed to police its mark. Many of today's commonly used terms were once trademarks which were lost. Some well-known trademarks which were lost due to the marks becoming generic through general and improper use include escalator, kerosene, corn flakes, linoleum, nylon, dry ice, cellophane, and shredded wheat.

If your trademark becomes generic, anyone can use it because the word or symbol no longer identifies to the public that the product was made, sold or supplied by you. Loss of a trademark not only denies consumers the opportunity to identify the preferred brands and repeat satisfactory purchases, it also destroys your investment in your assets.

The following guidelines should be used in your advertising, literature, displays, packaging, labels, and correspondence. They will help to ensure that your trademark will be properly honored and will not become generic.

## GUIDELINES FOR PROPER TRADEMARK/SERVICE MARK USE

- i. A trademark or service mark should be used as a proper adjective and be distinguished from other words in print. They should be either “CAPITALIZED” completely, used with “Initial Caps” within quotes, or, at the very least, with “Initial Caps.” Other alternatives to set the mark apart include using italics, bold face, or different color type from the rest of the text. For example: KLEENEX tissues; “Kleenex tissues;” Kleenex tissue; Kleenex; or Kleenex.
- ii. Use a generic term after the trademark at least once in each written communication, if at all possible. For example, “Kleenex” tissues or “Kodak” cameras. Additional emphasis can be given to the trademarks by using the word “brand” after the mark. For example “Scotch” brand transparent tape.
- iii. Use the proper trademark notice at least once in all of your packaging, printed materials and advertising.  
  
“®” or Reg. U.S. Pat. & Tm. Off. (if the mark is registered in the U.S. Patent and Trademark Office);  
  
TM (for trademark) or SM (for service mark) for marks that are either registered with a State Trademark Office or are not registered; or  
  
An asterisk (\*) and footnote that the mark is either “Reg. U.S. Pat. & Tm. Off.” or if the mark is not registered, “A Trademark of X Company.”
- iv. Do not pluralize singular marks. Since trademarks are not nouns, they should not be used in the plural form. Instead, pluralize the common nouns that they describe, e.g., two “Coke” soft drinks is correct, while two “Cokes” is incorrect.
- v. Trademarks that end in “s” may be used with singular or plural nouns. Do not remove the “s” to singularize these marks.
- vi. Trademarks should not be used in the possessive form, unless the trademark itself is possessive. For example, McDonald’s restaurants or JOHNSON’S baby shampoo.
- vii. Never use a trademark as a verb. For example, do not say “Xerox this for me.” Instead, say “Make Xerox photocopies of this for me.”
- viii. Do not confuse your trademark with trade names, which are corporate or business names. Trade names are proper nouns and it is not appropriate to use a trademark symbol with them. For example, a “®” would not be used after the word “Reebok” when using the full corporate name “Reebok International.”