



Step-by-Step Guide to Registering a Certification Mark in the United States

A certification mark is a type of trademark used to indicate that goods or services meet certain standards, characteristics, or qualities, such as geographic origin or manufacturing method.

Registering a certification mark with the U.S. Patent and Trademark Office (USPTO) follows many of the same procedures as a standard trademark application, but certification marks—especially geographic certification marks—include additional legal and evidentiary requirements.

All applications must be filed electronically through the [USPTO Trademark Center](#) (available since January 2025).

General guidance on filing a federal trademark as well as the specific procedures for registering a certification mark is available through USPTO online resources.

- [USPTO Webinar, Federal Trademark Filing: Overview](#) (2025)
- [Pre-Filing Checklist for Your Trademark Application](#)
- [Trademark Manual of Examining Procedure](#)
- [Trademark Search System](#)
- [Certification Mark Applications](#)
- [Geographical Indications](#)

1) Prepare the Mark and Drawing Format¹

Before filing, the mark must be clearly defined, and its visual appearance must be specified through an appropriate drawing format. The drawing determines exactly what is legally protected.

- Standard character drawing—protects the wording alone, regardless of stylization, font, size, or color.

¹ TMEP 1306.02(6); [USPTO Webpage, Drawing of your trademark](#)

- Special form drawing—protects the wording plus any design elements, such as a logo, lettering style, or specific graphic features.

2) Owner Representation²

The owner of a certification mark is the certifying organization, which establishes and enforces the standards for use of the mark. The owner may be a partnership, joint venture, corporation, association, cooperative, or an individual business.

- The applicant must state the owner’s legal form (e.g., cooperation, partnership, association, etc.) immediately after the applicant’s name.
- The owner must (1) establish and enforce certification standards, and (2) control how authorized third parties use the mark.
- Unlike a standard trademark, the owner of a certification mark does not use it on their own goods or services; instead, other parties may use it to show that their products or services meet the certification standards.³
- The owner must prevent unauthorized use that could cause confusion or misrepresentation.

3) Establish the Filing Basis

When applying, the applicant must choose one of two filing bases: (1) use in commerce, if the mark is already in use in the marketplace, or (2) intent to use, if the mark is not yet in use but the applicant intends to begin using it and will later submit proof of use.

a. Use-in-Commerce Filing Basis⁴

The applicant must provide:

- A certification statement⁵—describes the characteristics, standards, or features the mark certifies so the public clearly understands its meaning and scope.
 - For geographic certification marks, the statement must clearly identify the geographic area and additional qualities or standards being certified.
- Certification standards⁶—a copy of the governing standards that determine whether others may use the mark on their goods or services.
- Applicant non-use declaration⁷—confirms the certifier does not produce or market the certified goods/services, except to promote the certification program or certified products.

² TMEP 803.03

³ TMEP 1306.01(a)

⁴ TMEP 1306.02(a)(i)

⁵ TMEP 1306.03(a)

⁶ TMEP 1306.03(b)

⁷ TMEP 1306.03(c)

- First use dates by an authorized user⁸
 - First use anywhere—first use of the mark with goods or services
 - First use in commerce—first use in commerce regulated by Congress (interstate or international)
- Specimen⁹—showing how an authorized user uses the mark in real commerce, such as on labels, packaging, or advertising.
- Verified Statements¹⁰—confirming that:
 - The applicant owns the mark
 - The mark is in use in commerce
 - The applicant exercises legitimate control over its use
 - No unauthorized parties use the mark
 - The specimen reflects authorized use in commerce, and
 - All information and statements in the application are true

b. Intent-to-Use Filing Basis¹¹

A certifying organization may file on an intent-to-use basis if it can submit:

- A certification statement (as described above)
- Verified statements confirming:
 - The applicant has a bona fide intention and authority to exercise legitimate control over the mark,
 - No party other than authorized users has the right to use the mark, and
 - All statements in the application are accurate.

After examination and publication, if no oppositions are filed, the USPTO issues a Notice of Allowance (NOA). The mark will not register until the applicant files a Statement of Use (SOU), which must include:

- A declaration that the mark is in use in commerce,
- Confirmation of legitimate control by the certifier,
- Dates of first use (anywhere and in commerce)
- The filing fee, and
- A specimen showing actual certification use by authorized users.

4) Identify the Goods or Services¹²

Certification mark applications must clearly describe the goods or services for which certification is provided by using clear, industry-appropriate language to ensure an accurate and understandable description. The applicant may consult the [Trademark Identification](#)

⁸ TMEP 1306.02(a)(i)(A)

⁹ TMEP 1306.02(a)(i)(B)

¹⁰ USPTO Webpage, Verified Statement

¹¹ TMEP 1306.02(a)(ii)

¹² TMEP 1306.02(c)

[Manual](#) to select acceptable identifications. Choosing terms from the manual ensures compliance and may avoid delays or extra fees.

5) Create a myUSPTO Account

Filing requires an active [myUSPTO account](#), which provides access to the Trademark Center, enables electronic filing, and allows monitoring and management of the application throughout the process.

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This material is provided as part of a partnership with the National Agricultural Law Center and is based upon work supported by the National Agricultural Library, Agricultural Research Service, U.S. Department of Agriculture.

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