
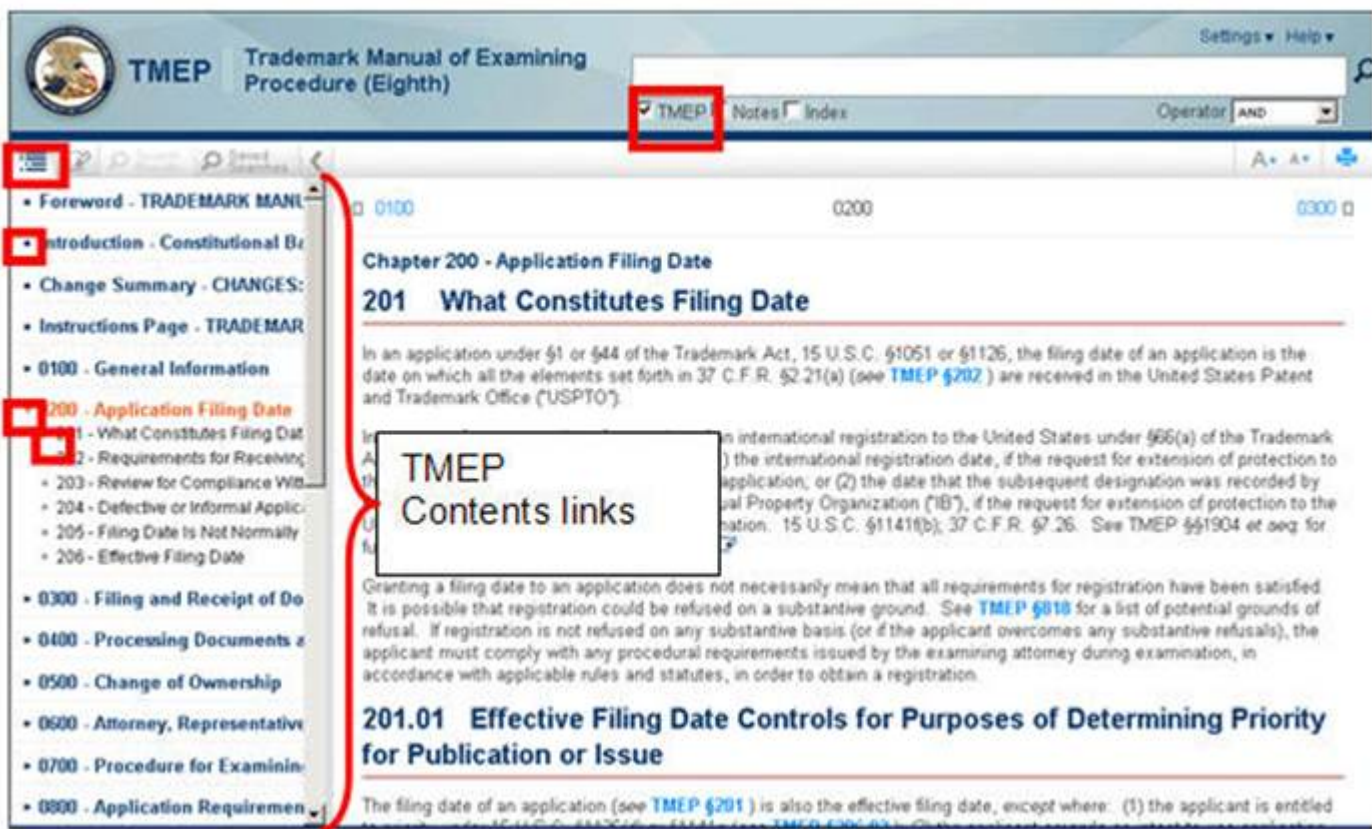


Browsing the TMEP Table of Contents

Browsing

- Ensure that the TMEP box is checked and the TMEP Contents tab  has been selected as the active tab on the left pane.
- Click a specific chapter/subsection
- Click the triangle bullet to expand the list of corresponding subsections.



The screenshot displays the TMEP (Trademark Manual of Examining Procedure) website interface. The top navigation bar includes the TMEP logo, the title "Trademark Manual of Examining Procedure (Eighth)", and a search bar. Below the search bar, there are tabs for "TMEP" (checked), "Notes", and "Index". The left sidebar contains a table of contents with various sections, including "Foreword - TRADEMARK MAN...", "Introduction - Constitutional B...", "Change Summary - CHANGES:", "Instructions Page - TRADEMAR...", "0100 - General Information", "200 - Application Filing Date", "0300 - Filing and Receipt of Do...", "0400 - Processing Documents z...", "0500 - Change of Ownership", "0600 - Attorney, Representative", "0700 - Procedure for Examinin...", and "0800 - Application Requiremen...". The main content area shows "Chapter 200 - Application Filing Date" and "201 What Constitutes Filing Date". A red box highlights the "TMEP Contents links" text in the main content area. A red arrow points from the "200 - Application Filing Date" section in the sidebar to the "TMEP Contents links" text in the main content area.

TMEP Contents links

	TOC Legend
■	A square bullet denotes the lowest section.
▶	A side triangle bullet denotes a further subdivision.
▼	A down triangle bullet lists the subdivisions.

Document Viewer

Settings Help

TMEP Trademark Manual of Examining Procedure (Eighth)

TMEP Notes Index

Operator AND

0100 0200 0300

Chapter 200 - Application Filing Date

201 What Constitutes Filing Date

In an application under §1 or §44 of the Trademark Act, 15 U.S.C. §1051 or §1126, the filing date of an application is the date on which all the elements set forth in 37 C.F.R. §2.21(a) (see [TMEP §202](#)) are received in the United States Patent and Trademark Office ("USPTO").

In a request for an extension of protection of an international registration to the United States under §66(a) of the Trademark Act, 15 U.S.C. §1141(a), the filing date is: (1) the international registration date, if the request for extension of protection to the United States is made in an international application; or (2) the date that the subsequent designation was recorded by the International Bureau of the World Intellectual Property Organization ("IB"), if the request for extension of protection to the United States is made in a subsequent designation. 15 U.S.C. §1141(b); 37 C.F.R. §7.26. See [TMEP §§1904 et seq.](#) for further information about §66(a) applications.

Granting a filing date to an application does not necessarily mean that all requirements for registration have been satisfied. It is possible that registration could be refused on a substantive ground. See [TMEP §818](#) for a list of potential grounds of refusal. If registration is not refused on any substantive basis (or if the applicant overcomes any substantive refusals), the applicant must comply with any procedural requirements issued by the examining attorney during examination, in accordance with applicable rules and statutes, in order to obtain a registration. [↗](#)

201.01 Effective Filing Date Controls for Purposes of Determining Priority for Publication or Issue

The filing date of an application (see [TMEP §201](#)) is also the effective filing date, except where: (1) the applicant is entitled to priority under 15 U.S.C. §1126(d) or §1141g (see [TMEP §206.02](#)); (2) the applicant amends an intent-to-use application filed under 15 U.S.C. §1051(b) to the Supplemental Register (see [TMEP §206.01](#)); or (3) the application was filed before November 16, 1989, the applicant had not used the mark in commerce for one year before the application filing date, and the applicant amends to the Supplemental Register on or after November 16, 1989 (see [TMEP §206.03](#)). The effective filing date is controlling for purposes of determining priority for publication or issue (see [TMEP §1208.01](#)) and constructive use priority (see [TMEP §201.02](#)). [↗](#)



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Increase or decrease font size.



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Access preceding and subsequent sections and/or chapters.