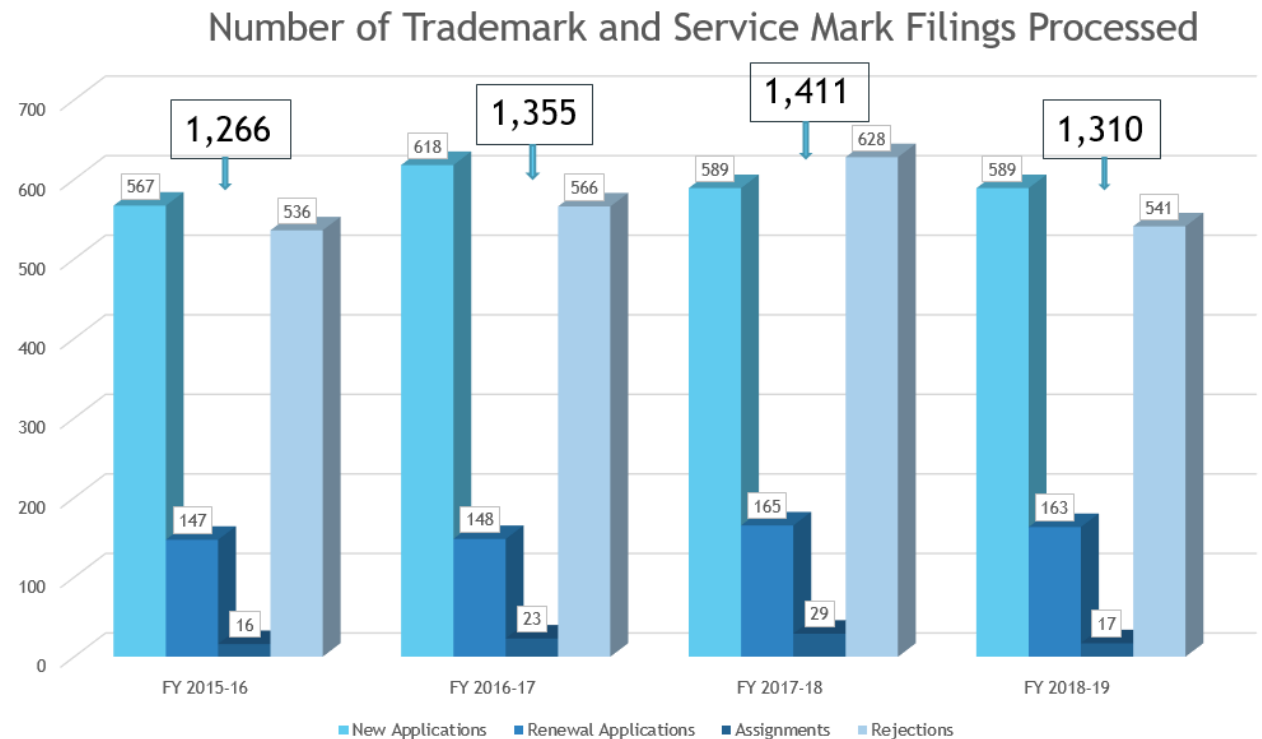


Number of Trademark and Service Mark Filings Processed (FY 2015-16 – FY 2018-19)⁶²

Renewal - Trademark and service mark registrations are in effect for a five year period and may be renewed at any time in the six months prior to expiration of the mark. To renew registration of a trademark or service mark, an applicant completes the same application as when the applicant initially registered the mark. The main difference is that the fee for a renewal is \$5.00 per application.

Assignment - A mark that has been registered with the Secretary of State’s Office may be assigned with the good will of the business in which the mark is used or with that part of the good will of the business connected with the use of and symbolized by the mark. The applicant for an assignment completes an assignment application providing information regarding the mark and its new owner and submits it along with specimens and a copy of the agreement transferring ownership of the mark to the assignee. The Secretary of State’s Office issues a new certificate for the remainder of the term of the registration to the assignee. The fee for an assignment is \$3.00.

Rejection - The Secretary of State will reject an application for registration of a mark if it does not include the information required on the application or if it: (a) is immoral, deceptive, or scandalous; (b) disparages or falsely suggests a connection with a person, institution, belief, or national symbol; (c) consists of or includes the flag, coat of arms, or insignia of the United States, a state or municipality, or a foreign nation; or (d) consists of or includes a name, signature, or portrait of a living individual without consent. If the Secretary of State’s Office finally refuses registration of a mark, the applicant may appeal the decision to the circuit court of Richland County in accordance with the Administrative Procedures Act. No appeals have been filed during the years included in the Program Evaluation Report



⁶² S.C. House of Representatives, House Legislative Oversight Committee, “Agency Presentation – Charities and Trademarks (October 28, 2019),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Secretary of State, Office of the,” and under “Meetings,” [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/SecretaryofState/SoS%20presentation%20-%20Charities%20and%20Trademarks%20\(10.28.19\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/SecretaryofState/SoS%20presentation%20-%20Charities%20and%20Trademarks%20(10.28.19).pdf) (accessed November 27, 2019), slide 133-135 and 137. Hereinafter “Charities Presentation.”