

Form 903—Instructions
(Assignment of a Trade or Service Mark)

The attached form is designed to meet minimal statutory filing requirements pursuant to the relevant code provisions. *The form and the information provided are not substitutes for the advice and services of an attorney.*

General Information

A trademark or service mark registered in Texas is assignable with the goodwill of the business in which the mark is used, or with that part of the goodwill of the business connected with the use of, and symbolized by, the mark. The assignment of registered marks is accomplished under the authority of section 16.061, Texas Business and Commerce Code. An assignment may be made only by a duly executed written instrument.

Assignment Void if not Recorded. The assignment of a registered mark registered is void against a purchaser who purchases the mark for valuable consideration after the assignment is made and without notice of it unless the assignment is recorded by the secretary of state:

- (1) not later than the 90th day after the date of the assignment; or
- (2) before the mark is purchased.

Effect of Assignment. When an assignment is properly filed, the secretary of state will issue a certificate of registration in the assignee's name for the remainder of the mark's registration period or last renewal. *If the assignment cannot be filed before the registration term expires, a new application for registration must be made.*

Instructions for Assignment Form

Type or print in black ink in English, subject to the provisions of 1 Texas Administrative Code Chapter 93. Use of the assignment form is recommended, but not mandatory.

Item 1: *Name of Assignor.* The assignor should be the registrant of record. If the assignor is not the registrant of record, additional filings may be required before the assignment may be recorded and filed.

Item 2: *Business Address.* Provide the business address of the assignor.

Item 3: The description of the mark, registration number, and original date of registration may be obtained from the original Certificate of Registration.

Item 4: *Name of Assignee.* The assignee should be the person to whom the assignor will assign all right, title and interest in and to the mark and its registration, together with the goodwill of the business with which the mark is used, or that part of the goodwill connected with the use of, and symbolized by, the mark. If the assignee is an individual sole proprietor doing business under an assumed name ("d/b/a"), provide the individual's name, followed by the assumed name of the business. If the assignee is a general partnership or joint venture, provide the name of the partnership or joint venture. If the assignee is an organized entity, such as a corporation, limited liability company, or limited partnership, provide the legal name of the organized entity as shown in its formation document (e.g., ABC Business Company, Inc.).

- Item 5:** *Business Address.* Provide the business address of the assignee.
- Item 6:** If the assignee named in Item 4 is a corporation, limited liability company, limited partnership, general partnership, or other business entity, identify the type of business organization and the state under whose laws the entity was incorporated or organized.
- Item 7:** If the assignee is organized as a general or limited partnership, provide the names of all general partners.
- Signature** The assignor named in Item 1 must sign and date the application. An application made by a business entity must be signed by an authorized person. The application must be signed and acknowledged before a notary public or other person authorized to administer oaths.
- Fee:** The assignment fee (\$25) may be paid by personal check, money order, LegalEase debit card, cashier's check, or American Express, Discover, MasterCard, or Visa credit card. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.
- Submission:** Submit your assignment and filing fee of \$25:
- by mail to the Secretary of State, PO Box 13697, Austin, Texas 78711-3697;
 - by fax with credit card information (Form 807) to (512) 463-5709; or
 - by delivery to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701.
- On filing, we will return a Certificate of Registration for the remainder of the term of registration. The secretary of state will send correspondence regarding the assignment to the submitter address provided in the cover letter, envelope, or enclosed check.

This is a sample form and is promulgated by the secretary of state to obtain the minimum information required for recording an assignment. No such "standard form" can meet the requirements of all transactions. A copy of an originally executed assignment document may be submitted for recording. The information required for recordation may be provided in a cover letter. It is advisable to seek the assistance of legal counsel in preparing any legal document. *The secretary of state makes no warranties, express or implied, regarding the use of this form.*

Revised 09/12

Submit to:
 Secretary of State
 PO Box 13697
 Austin, TX 78711-3697
 512 463-9760
 FAX: 512 463-5709
Assignment Fee: \$25



Assignment of a Trade or Service Mark

1. Assignor:			
2. Business Address of Assignor:			
City:	State:	Zip Code:	Country:
3. Mark: _____			
Registration No: _____		Original Date of Registration: _____	
4. Assignee:			
5. Business Address of Assignee:			
City:	State:	Zip Code:	Country:
6. Business Structure of Assignee (check one and complete)			
<input type="checkbox"/> Corporation (State of Incorporation): _____		<input type="checkbox"/> General Partnership (State of Organization): _____	
<input type="checkbox"/> Limited Liability Company (State of Organization): _____		<input type="checkbox"/> Sole Proprietor	
<input type="checkbox"/> Limited Partnership (State of Organization): _____		<input type="checkbox"/> Other (Describe): _____	
7. Names of General Partners if Assignee is a Partnership (attach additional sheet if necessary)			

Assignor assigns to Assignee all right, title and interest in and to the above referenced mark and its registration, together with the goodwill of the business with which the mark is used, or that part of the goodwill connected with the use of, and symbolized by, the mark.

SIGNATURE AND ACKNOWLEDGEMENT

Date

Signature of Assignor

Name and Title of Officer, Partner or
Other Authorized Person

TO BE COMPLETED BY A NOTARY PUBLIC:

STATE OF _____)

COUNTY OF _____)

Before me, _____, on this day personally appeared
(insert the name and title of the officer)
_____, known to me (or proved to me on oath of _____

or through _____) to be the person whose name is subscribed to
(description of identity card or other document)
the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and
considerations therein expressed.

Given under my hand and seal of office this _____ day of _____, _____
(year)

(seal)

NOTARY PUBLIC SIGNATURE