

## 13.3.2: Four Types of Trademarks

### Learning Objectives

After completing this section, you will be able to

- Identify the four types of trademarks.
- Compare differences between types of trademarks.

### Can I Trademark That?

Before reading this section, please watch the overview video below covering the four types of trademarks and what they are used for, the subject matter of trademarks, and why trademarks are important—not just to their owners, but even more so, to the general public.

The term “trademark” is usually used to describe any of the four types of marks that can be registered with the U.S. Patent and Trademark Office. The two primary types of marks are **trademarks** and **service marks**. The two other marks—**certification marks** and **collective marks**—occur much less frequently and must meet different requirements for registration.<sup>x</sup>

### Trademarks

Trademarks identify *products*—i.e., physical goods and commodities—that are either manufactured, produced, grown, or that exist naturally. A trademark is a word, name, symbol, or device—or combination of these—used to identify and distinguish the source of that product. Examples of trademarks include the Nike “Swoosh” symbol, the arched “M” for McDonalds, and the apple symbol with a small curved bite taken out of it for Apple Computer.

### Service Marks

Service marks are exactly the same in principle as trademarks except that these words, names, symbols, or devices identify and distinguish the source of a *service*. Examples of service marks include the sleek silver greyhound dog on Greyhound buses, and United Parcel Service’s brown shield emblazoned with the bold yellow letters “UPS.”

### Certification Marks

A certification mark is any word, phrase, symbol, or design—or a combination of any of these—owned by one party that certifies the goods and services of others when they meet certain standards or requirements.<sup>xi</sup> A certification mark identifies either the nature of a product or service—for example, that it meets the quality standards needed to receive the “Good Housekeeping Seal of Approval”—or the **origin** of products or services, as in the certification mark “Washington State” given to apples grown in that state.

### Collective Marks

Collective marks come in one of two varieties: collective trademarks and service marks, and collective membership marks. A collective trade or service mark is any word, phrase, symbol, or design that is owned by a cooperative, association, collective group, or organization and is used by its members to indicate the source of goods or services.<sup>xii</sup> An example of a collective trademark is the “Girl Scouts” mark seen on cookies every February, or the designation “CPA” to identify the services provided by a Certified Public Accountant.

A collective membership mark, by contrast, is used to indicate that a person is a member of some organization, such as a trade union or an association like the Rotary Club, but is not used to identify the source of goods and services.

### Footnotes

- <sup>x</sup>United States Patent and Trademark Office. (2012, May 24). Trademarks. Retrieved from <http://www.uspto.gov/inventors/trademarks.jsp>
- <sup>xi</sup>United States Patent and Trademark Office. (2012, March 09). *What Is a Collective Membership Mark?*. Retrieved from [http://www.uspto.gov/faq/trademarks.jsp#\\_Toc275426676](http://www.uspto.gov/faq/trademarks.jsp#_Toc275426676)
- <sup>xii</sup>United States Patent and Trademark Office. (2012, March 09). Frequently Asked Questions About Trademarks. Retrieved from <http://www.uspto.gov/faq/trademarks.jsp>

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