

DATE: [Insert Date]

TO:

[Client Name]

[Client Address]

[City, State, Zip Code]

RE: State Trademark Availability Opinion - "[Insert Trademark Name]"

Dear [Client Name],

Pursuant to your request, I have conducted a review and search regarding the availability of the following mark for state-level registration and use in the State of [Insert State]:

MARK: [Insert Mark Name]

GOODS/SERVICES: [Insert Description]

1. Scope of Search

The search was limited to the records of the [Insert State Agency, e.g., Secretary of State] trademark database and business entity registry. This search does not include federal USPTO records or common law rights in other jurisdictions.

2. Search Results

[Option A: No direct conflicts were found.]

[Option B: The following similar marks/entities were identified: List Results]

3. Legal Opinion

Based on the results above, it is my professional opinion that:

- **Availability:** The mark appears to be [Available / Unavailable / Available with Risks] for registration in this state.
- **Distinctiveness:** The mark is considered [Fanciful / Arbitrary / Suggestive / Descriptive] and therefore [High / Moderate / Low] in strength.

4. Risk Assessment

[Insert specific risks regarding likelihood of confusion with existing state businesses or prior pending applications.]

5. Conclusion and Recommendations

I recommend [Proceeding with the application / Modifying the mark / Conducting further research]. Please note that state registration offers protection only within the borders of [Insert State] and does not provide the same breadth of protection as a federal registration.

This opinion is based on the data available as of [Insert Date] and is not a guarantee of registration.

Sincerely,

[Your Name/Signature]

[Firm Name]

[Contact Information]