

**To:** Matthew A. Newboles([mnewboles@stetinalaw.com](mailto:mnewboles@stetinalaw.com))  
**Subject:** U.S. Trademark Application Serial No. 97120180 - RECIPAWSITY - ADOPT-002T  
**Sent:** August 23, 2022 12:35:03 PM EDT  
**Sent As:** [tmng.notices@uspto.gov](mailto:tmng.notices@uspto.gov)

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**Attachments**

**United States Patent and Trademark Office (USPTO)  
Office Action (Official Letter) About Applicant's Trademark Application**

**U.S. Application Serial No.** 97120180

**Mark:** RECIPAWSITY

**Correspondence Address:**

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ALISO VIEJO CA 92656 UNITED STATES

**Applicant:** Adoptimize, LLC

**Reference/Docket No.** ADOPT-002T

**Correspondence Email Address:** [mnewboles@stetinalaw.com](mailto:mnewboles@stetinalaw.com)

**NONFINAL OFFICE ACTION**

**The USPTO must receive applicant's response to this letter within six months of the issue date below or the application will be [abandoned](#).** Respond using the Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

**Issue date:** August 23, 2022

**Introduction**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

## **Summary of Issues**

- Search Results - No Conflicting Marks Found
- Identification and Classification of Services – Amendment Required
- Response Guidelines

## **Search Results - No Conflicting Marks Found**

The trademark examining attorney has searched the USPTO database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

## **Identification and Classification of Services – Amendment Required**

The identification of services is indefinite and must be clarified because it does not state that applicant provides any type of service. Specifically, applicant applied for "charitable fundraising activities to support animal shelters and facilitate adoption of sheltered animals," but did not state what applicant does relative to such activities, e.g., provide, organize, etc. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01.

Additionally, the services are classified incorrectly, as charitable fundraising services are classified in International Class 36. Applicant must amend the application to classify the services in International Class 36. *See* 37 C.F.R. §§2.32(a)(7), 2.85; TMEP §§1401.02(a), 1401.03(b).

Applicant may substitute the following wording, if accurate:

- International Class 36: "**Charitable foundation services, namely, providing** fundraising activities to support animal shelters and facilitate adoption of sheltered animals."

Applicant may amend the identification to clarify or limit the services, but not to broaden or expand the services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and/or services may not later be reinserted. *See* TMEP §1402.07(e).

If applicant adopts the suggested amendment of the identification of services, then applicant must amend the classification to International Class 36. *See* 37 C.F.R. §§2.32(a)(7), 2.85; TMEP §§805, 1401.

Classification of goods and services is a purely administrative matter within the sole discretion of the USPTO. *See In re Faucher Indus. Inc.*, 107 USPQ2d 1355, 1357 (TTAB 2013) (quoting *In re Tee-Pak, Inc.*, 164 USPQ 88, 89 (TTAB 1969)).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [\*U.S. Acceptable Identification of Goods and Services Manual\*](#). *See* TMEP §1402.04.

## **Response Guidelines**

For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see “[Responding to Office Actions](#)” and the informational [video “Response to Office Action”](#) for more information and tips on responding.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

**How to respond.** [Click to file a response to this nonfinal Office action.](#)

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## RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to [abandon](#).** The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS maintenance or [unforeseen circumstances](#) could affect an applicant’s ability to timely respond.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

## United States Patent and Trademark Office (USPTO)

### USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued  
on August 23, 2022 for  
**U.S. Trademark Application Serial No. 97120180**

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action in order to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response period. Otherwise, your application will be **[abandoned](#)**. See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO **[website](#)**, the application process, the status of your application, and whether there are outstanding deadlines to the **[Trademark Assistance Center \(TAC\)](#)**.

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

### GENERAL GUIDANCE

- **[Check the status](#) of your application periodically** in the **[Trademark Status & Document Retrieval \(TSDR\)](#)** database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. And all official USPTO correspondence will only be emailed from the domain “@uspto.gov.” Verify the correspondence originated from us by using your Serial Number in our database, **[TSDR](#)**, to confirm that it appears under the “Documents” tab, or contact the **[Trademark Assistance Center](#)**.

- **Hiring a U.S.-licensed attorney.** If you do not have an attorney and are not required to have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.

User: Ian Krussman

Statistics for Case 97120180						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97120180[sn]	1	0	1	1	0:00
2	*recipawsity*[bi,ti] not dead[ld]	1	0	1	1	0:01
3	*re{"scz":2}{v}p{"r"0:1}{ "ao"}{"w"0:1}{ "scz":2}{v}t{"iey"}*[bi,ti] not dead[ld]	32	0	32	32	0:00
4	*re{"scz":2}{v}p{"r"0:1}{ "ao"}{"w"0:1}{ "sczkq"}*[bi,ti] not dead[ld]	57	0	57	57	0:00
5	*paw*[bi,ti] not dead[ld]	3530	0	0	0	0:01
6	4 and 5	1	0	1	1	0:00
7	5 and "036"[cc]	1254	0	0	0	0:00
8	5 and ("035" "036" A B "200" "041" "044" "045")[ic]	1096	0	0	0	0:01
9	5 and ("035" "036" A B "200" "041" "044")[ic]	999	0	0	0	0:01
10	5 and ("035" "036" A B "200" "044")[ic]	771	0	771	771	0:01

Session started 08/23/2022 11:00 am

Session ended 08/23/2022 11:25 am

Total search duration 5.00

Session duration 24 minutes 46 seconds

Adjacency Level 1

Near Level 1