

To: KORNHEISL, NORA(info@dehazskincare.com)
Subject: U.S. Trademark Application Serial No. 97120436 - MELISA+FE
Sent: August 23, 2022 11:23:32 AM EDT
Sent As: tmng.notices@uspto.gov

Attachments

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

U.S. Application Serial No. 97120436

Mark: MELISA+FE

Correspondence Address:

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Applicant: KORNHEISL, NORA

Reference/Docket No. N/A

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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

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.

SEARCH OF USPTO DATABASE OF MARKS

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 Goods

The identification of goods is indefinite and must be clarified to further specify the nature of the goods. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant must amend the identification to specify the common commercial or generic name of the goods. *See* TMEP §1402.01. If the goods have no common commercial or generic name, applicant must describe the product, its main purpose, and its intended uses. *See id.*

Applicant has classified “*clothing*” in International Class 003; however, the proper classification is International Class 025. Therefore, applicant may respond by (1) adding International Class 025 to the application and reclassifying these goods in the proper international class, (2) deleting “*clothing*” from the application, or (3) deleting the remainder of the items in the identification and reclassifying the specified goods in the proper international class. *See* 37 C.F.R. §§2.86(a), 6.1; TMEP §§1403.02 *et seq.* If applicant adds one or more international classes to the application, applicant must comply with the multiple-class requirements specified in this Office action.

Applicant must clarify the wording “*accessories*” because it is indefinite and too broad. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03. This wording is indefinite because it does not make clear what the goods are. Further, this wording could identify goods in more than one international class. *See* examples of proper classification below.

Applicant may substitute the following wording, if accurate:

Class 003: *Skincare products, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., NON-MEDICATED SKIN CARE PREPARATIONS); Beauty Products, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., BEAUTY CARE COSMETICS, NON-MEDICATED BEAUTY SOAP); Petcare Products, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., NON-MEDICATED GROOMING PREPARATIONS FOR PETS); Aromatherapy Products, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., NON-MEDICATED SKIN CREAMS WITH ESSENTIAL OILS FOR USE IN AROMATHERAPY); Home Aromatherapy, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., AROMATHERAPY SPRAYS COMPRISED OF ESSENTIAL OILS, INCENSE); Household Cleaning Products, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., CLEANING PREPARATIONS); Hair Care Products, NAMELY, _____ (SPECIFY CLASS 003 ITEMS, e.g., HAIR CARE PREPARATIONS); Natural Fragrances*

Class 014: *ACCESSORIES, NAMELY, _____ (SPECIFY CLASS 014 ACCESSORIES, e.g., JEWELRY, WATCHES)*

Class 018: *ACCESSORIES, NAMELY, _____ (SPECIFY CLASS 018 ACCESSORIES, e.g., HANDBAGS, WALLETs, DUFFEL BAGS)*

Class 025: *CLOTHING, NAMELY, _____ (SPECIFY PARTICULAR ITEMS OF CLOTHING, e.g., PANTS, SHIRTS, JACKETS, HATS)*

Applicant’s goods and/or services may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP

§1402.06. Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods and/or services or add goods and/or services not found or encompassed by those in the original application or as acceptably amended. *See* TMEP §1402.06(a)-(b). The scope of the goods and/or services sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification. TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods and/or services will further limit scope, and once goods and/or services are deleted, they are not permitted to be reinserted. TMEP §1402.07(e).

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.

Requirements for Combined Applications – 1(a)

The application references goods based on use in commerce in more than one international class; therefore, applicant must satisfy all the requirements below for each international class:

- (1) **List the goods and/or services by their international class number** in consecutive numerical order, starting with the lowest numbered class (for example, International Class 3: perfume; International Class 18: cosmetic bags sold empty).
- (2) **Submit a filing fee for each international class** not covered by the fee(s) already paid (view the [USPTO's current fee schedule](#)). Specifically, the application identifies goods based on use in commerce that are classified in at least 4 classes; however, applicant submitted a fee(s) sufficient for only 1 class. Applicant must either (a) submit the filing fees for the classes not covered by the submitted fees or (b) restrict the application to the number of classes covered by the fees already paid.
- (3) **Submit verified dates of first use of the mark** anywhere and in commerce **for each international class**. [See more information about verified dates of use.](#)
- (4) **Submit a specimen for each international class**. The current specimen is acceptable for class 003; and applicant needs a specimen for classes 014, 018 and 025. [See more information about specimens.](#)

Examples of specimens. Specimens for goods include a photograph of (1) the actual goods bearing the mark; (2) an actual container, packaging, tag or label for the goods bearing the mark; or (3) a point-of-sale display showing the mark directly associated with the goods. *See* 37 C.F.R. §2.56(b)(1), (c); TMEP §904.03(a)-(m). A webpage specimen submitted as a display associated with the goods must show the mark in association with a picture or textual description of the goods and include information necessary for ordering the goods. TMEP §904.03(i); *see* 37 C.F.R. §2.56(b)(1), (c).

Any webpage printout or screenshot submitted as a specimen must include the webpage's URL and the date it was accessed or printed on the specimen itself, within the TEAS form that submits the specimen, or in a verified statement under 37 C.F.R. §2.20 or 28 U.S.C. §1746 in a later-filed response. *See* 37 C.F.R. §2.56(c); TMEP §§904.03(i), 1301.04(a).

(5) **Submit a verified statement** that “The specimen was in use in commerce on or in connection with the goods listed in the application at least as early as the filing date of the application.” [See more information about verification.](#)

See 37 C.F.R. §2.86(a); TMEP §§1403.01, 1403.02(c).

For an overview of the requirements for a Section 1(a) multiple-class application and how to satisfy the requirements online using the Trademark Electronic Application System (TEAS) form, see the [Multiple-class Application webpage](#).

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. 97120436

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: Christina Sobral

Statistics for Case 97120436						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97120436[sn]	1	0	0	0	0:00
2	*m{"ie"}l{"iy"}{"Sz"1:2}a*[bi,ti]not dead [ld]	175	0	175	175	0:03
3	("fe" "f e")[bi,ti]not dead [ld]	571	0	0	0	0:02
4	2 and 3	1	0	1	1	0:01
5	*{"Fh"}{"iey"}*[bi,ti]not dead [ld]	1207395	0	0	0	0:18
6	2 and 5	46	0	46	46	0:26

Session started 08/23/2022 9:01 am

Session ended 08/23/2022 9:11 am

Total search duration 50.00

Session duration 10 minutes 8 seconds

Adjacency Level 1

Near Level 1