

To: MAC LOGISTIC & SERVICES INC(ebarros@maclogistic.com)
Subject: U.S. Trademark Application Serial No. 97120516 - MAC LOGISTICS
Sent: August 24, 2022 04:07:29 PM 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. 97120516

Mark: MAC LOGISTICS

Correspondence Address:
MAC LOGISTIC & SERVICES INC
8228 NW 30TH TERRACE
DORAL FL 33122 UNITED STATES

Applicant: MAC LOGISTIC & SERVICES INC

Reference/Docket No. N/A

Correspondence Email Address: ebarros@maclogistic.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 24, 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

- Deferred Action on the Merits and Search
- Identification of Services – Amendment Required
- Advisory regarding Hiring a Trademark Attorney

Deferred Action on the Merits and Search

The trademark examining attorney will defer a review of the merits of the application and a search of the USPTO database of registered and pending marks for potentially conflicting marks until applicant responds to the issues raised in this Office action. TMEP §704.02.

Identification of Services – Amendment Required

Applicant must clarify the entire wording in the identification of services in International Class 39 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 services are. Further, this wording could identify goods and services in more than one international class.

Applicant may substitute the following wording, if accurate:

- International Class **6**: Storage **pallets of metal**
- International Class **7**: Storage **machinery, namely, a vertical hoist for raising and storing recreational equipment, sporting goods and household items elevated from ground level**
- International Class **9**: Distribution **transformers**
- International Class **11**: Storage **heaters**
- International Class **12**: **Truck bed storage organizers; Self-driving delivery robots**
- International Class **19**: **Non-metal storage sheds**
- International Class **20**: Storage **tanks, not of metal or masonry**
- International Class **28**: Storage **racks for athletic equipment**
- International Class **35**: **Freight logistics management, namely** third party logistics; **Freight logistics management, namely** fourth party logistics; Transportation **logistics services, namely, arranging the transportation of goods for others; Distribution of advertising material; Monitoring deliveries for business purposes**
- International Class **36**: **Financial customs brokerage services; Mutual fund distribution**
- International Class **38**: **Electronic delivery of images and photographs via a global computer network**
- International Class **39**: Freight forwarding; **Supply chain logistics and reverse logistics**

services, namely, storage, transportation and delivery of goods for others by air, rail, ship or truck; Delivery and storage of goods; Distribution of gas; Warehousing services, namely, storage, distribution, pick-up, and packing for shipment of documents, packages, raw materials, and other freight for others; Global transportation of freight for others by all available means

- International Class **41: Distribution of motion picture films**
- International Class **42: Electronic storage of files and documents; Transportation and traffic planning services**

If applicant adopts the suggested amendment of the identification of goods and services, then applicant must amend the classification to International Classes 6, 7, 9, 11, 12, 19, 20, 28, 35, 36, 38, 39, 41 and 42. *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)).

Applicant may amend the identification to clarify or limit the goods and/or services, but not to broaden or expand the goods and/or 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).

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.

Multiple Class Application Requirements for a Section 1(b) Application

The application identifies goods and/or services in more than one international class; therefore, applicant must satisfy all the requirements below for each international class based on Trademark Act Section 1(b):

- (1) **List the goods and/or services by their international class number** in consecutive numerical order, starting with the lowest numbered class.
- (2) **Submit a filing fee for each international class** not covered by the fee already paid (view the [USPTO's current fee schedule](#)). The application identifies goods and services that are classified in at least 14 classes; however, applicant submitted a fee sufficient for only 1 class. Applicant must either submit the filing fees for the classes not covered by the submitted fees or restrict the application to the number of classes covered by the fees already paid.

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

The fee for adding classes to a TEAS Standard application is \$350 per class. *See* 37 C.F.R. §2.6(a)(1)(iii). For more information about adding classes to an application, see the [Multiple-class Application webpage](#).

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

Advisory regarding Hiring a Trademark Attorney

Because of the legal technicalities and strict deadlines of the trademark application process, applicant is encouraged to hire a private attorney who specializes in trademark matters to assist in this process. The assigned trademark examining attorney can provide only limited assistance explaining the content of an Office action and the application process. USPTO staff cannot provide legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06. See [Hiring a U.S.-licensed trademark attorney](#) for more information.

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 24, 2022 for
U.S. Trademark Application Serial No. 97120516

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: Deborah Sterlin

| Statistics for Case 97120516 | | | | | | |
|---------------------------------|--|----------------|---------------|---------------------|-----------------------|---------------------------|
| # | Search | Total Marks | Dead Marks | Live Viewed Docs | Live Viewed Images | Status/Search Duration |
| 1 | 97120516[sn] | 1 | 0 | 1 | 1 | 0:00 |
| 2 | *m{"a"1:2>{"ckqx"1:2}*[bi,ti]not dead[ld] | 37746 | 0 | 0 | 0 | 0:01 |
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Session started 08/24/2022 1:28 pm

Session ended 08/24/2022 1:31 pm

Total search duration 4.00

Session duration 2 minutes 19 seconds

Adjacency Level 1

Near Level 1