

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	97118892
LAW OFFICE ASSIGNED	LAW OFFICE 118
MARK SECTION	
MARK	mark
LITERAL ELEMENT	TIME MACHINE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
OWNER SECTION (current)	
NAME	805 Enterprises, LLC
INTERNAL ADDRESS	#47-135
MAILING ADDRESS	20929 Ventura Blvd
CITY	Woodland Hills
STATE	California
ZIP/POSTAL CODE	91364
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
EMAIL	XXXX
OWNER SECTION (proposed)	
NAME	805 Enterprises, LLC
INTERNAL ADDRESS	Ste. 350
MAILING ADDRESS	1901 Newport Blvd
CITY	Costa Mesa
STATE	California
ZIP/POSTAL CODE	92627
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	034
DESCRIPTION	
Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; Tobacco	

jars; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	034
TRACKED TEXT DESCRIPTION	
Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; Tobacco jars; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes	
FINAL DESCRIPTION	
Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes	
WEBPAGE URL	None Provided
WEBPAGE DATE OF ACCESS	None Provided
FILING BASIS	Section 1(b)
CORRESPONDENCE INFORMATION (current)	
NAME	TODD WINTER
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	twinter@winterllp.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	wlei@winterllp.com
DOCKET/REFERENCE NUMBER	AMD
CORRESPONDENCE INFORMATION (proposed)	
NAME	Todd Winter
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	twinter@winterllp.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	wlei@winterllp.com
DOCKET/REFERENCE NUMBER	AMD
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Huan Lei/
SIGNATORY'S NAME	Huan Lei
SIGNATORY'S POSITION	Associate Attorney, WINTER LLP, CA Bar Member
SIGNATORY'S PHONE NUMBER	949-999-2058
DATE SIGNED	08/23/2022
ROLE OF AUTHORIZED SIGNATORY	Authorized U.S.-Licensed Attorney
SIGNATURE METHOD	Signed directly within the form
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Aug 23 18:51:28 ET 2022
TEAS STAMP	USPTO/ROA-XXXX:XXX:XXXX:X XXX:XXXX:XXXX:XXXX:XXXX-2 0220823185128384986-97118 892-80071fe36674ed518b848 165676fab78455f59fa0f9a9 71a1c1543e6972c2c69d-N/A-

PTO- 1957

Approved for use through 11/30/2023. OMB 0651-0050

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **97118892** TIME MACHINE(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/97118892/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following:

Current:

Class 034 for Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; Tobacco jars; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* The applicant believes the applicant is entitled to use the mark in commerce on or in connection with the goods or services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date. ***For a collective trademark, collective service mark, collective membership mark, or certification mark application:*** The applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date. ***For a certification mark application:*** The applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; ~~Tobacco jars~~; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes

Class 034 for Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* The applicant believes the applicant is entitled to use the mark in commerce on or in connection with the goods or services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date. ***For a collective trademark, collective service mark, collective membership mark, or certification mark application:*** The applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date. ***For a certification mark application:*** The applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Webpage URL: None Provided

Webpage Date of Access: None Provided

OWNER AND/OR ENTITY INFORMATION

Applicant proposes to amend the following:

Current: 805 Enterprises, LLC, a limited liability company legally organized under the laws of California, having an address of

#47-135 20929 Ventura Blvd

Woodland Hills, California 91364
United States
Email Address: XXXX

Proposed: 805 Enterprises, LLC, a limited liability company legally organized under the laws of California, having an address of
Ste. 350
1901 Newport Blvd
Costa Mesa, California 92627
United States
Email Address: XXXX

Correspondence Information (current):

TODD WINTER
PRIMARY EMAIL FOR CORRESPONDENCE: twinter@winterllp.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): wlei@winterllp.com

The docket/reference number is AMD.

Correspondence Information (proposed):

Todd Winter
PRIMARY EMAIL FOR CORRESPONDENCE: twinter@winterllp.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): wlei@winterllp.com

The docket/reference number is AMD.

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

SIGNATURE(S)

Response Signature

Signature: /Huan Lei/ Date: 08/23/2022
Signatory's Name: Huan Lei
Signatory's Position: Associate Attorney, WINTER LLP, CA Bar Member

Signatory's Phone Number: 949-999-2058 Signature method: Signed directly within the form

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: TODD WINTER
WINTER LLP
STE. 350

1901 NEWPORT BLVD.
COSTA MESA, California 92627
Mailing Address: Todd Winter
WINTER LLP
STE. 350
1901 NEWPORT BLVD.
COSTA MESA, California 92627

Serial Number: 97118892
Internet Transmission Date: Tue Aug 23 18:51:28 ET 2022
TEAS Stamp: USPTO/ROA-XXXX:XXX:XXXX:XXXX:XXXX:XXXX:X
XXX:XXXX-20220823185128384986-97118892-8
0071fe36674ed518b848165676efab78455f59fa

0f9a971a1c1543e6972c2c69d-N/A-N/A-202208
23184850812473

To: Todd Winter(twinter@winterllp.com)
Subject: U.S. Trademark Application Serial No. 97118892 - TIME MACHINE - AMD
Sent: August 23, 2022 08:48:12 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. 97118892

Mark: TIME MACHINE

Correspondence Address:

TODD WINTER
WINTER LLP
1901 NEWPORT BLVD.
STE. 350
COSTA MESA CA 92627 UNITED STATES

Applicant: 805 Enterprises, LLC

Reference/Docket No. AMD

Correspondence Email Address: twinter@winterllp.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

The referenced application has been reviewed by the assigned trademark examining attorney.

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.

Applicant must respond timely and completely to the issue(s) below to enable further prosecution of the application. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Identification of the goods

Applicant is advised that the **bolded** wording is not acceptable because it's a duplicate and must be deleted.

Further guidance for the amendment of the identification is embedded or provided below, as appropriate. Applicant may adopt any or all of the suggestions so long as they are accurate. If applicant does not adopt a suggestion, then applicant must amend the identification so that it is as specific as the suggestions or the language found in the U.S. Acceptable Identification of Goods and Services Manual.

The current identification of the goods is:

International Class 034: Absorbent paper for tobacco pipes; Ashtrays; Lighters for smokers; Match Boxes; herbs for smoking; tobacco jars; Tobacco grinders; **Tobacco jars**; Matches; Match holders; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes

Applicant's goods 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 or add goods 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 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 will further limit scope, and once goods 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.

Domicile--Commercial Mail Receiving Agency Address of record

Applicant must clarify its domicile street address because the domicile address of record is for a third-party commercial mail receiving agency and does not appear to be applicant's permanent legal place of residence or principal place of business. *See* 37 C.F.R. §§2.11(b), 2.189; TMEP §601.01(b)(1). A domicile address must identify either (1) the permanent legal place of residence, which is the place an individual applicant resides and intends to be the applicant's principal home; or (2) the principal place of business, which is the juristic applicant's headquarters where its senior executives or officers ordinarily direct and control the entity's activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §803.05(a).

Applications must include an applicant's domicile address because such domicile determines whether an applicant is required to have a U.S.-licensed attorney represent it before the USPTO. *See* 37 C.F.R.

§§2.11(a), 2.32(a)(2); TMEP §§601, 803.05. An applicant whose domicile is located outside of the United States or its territories must be represented at the USPTO by an attorney who is an active member in good standing of the bar of the highest court of a U.S. state or territory. 37 C.F.R. §2.11(a); TMEP §601.01(a).

In this case, the application lists applicant as a juristic entity and specifies applicant's domicile address as follows: 20929 Ventura Blvd Woodland Hills CALIFORNIA 91364. This address has been identified as a commercial mail receiving agency by the U.S. Postal Service Coding Accuracy Support System (CASS) and thus does not appear to be applicant's headquarters where its senior executives or officers ordinarily direct and control the entity's activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §601.01(b)(1). A commercial mail receiving agency is a private business that accepts mail from the U.S. Postal Service on behalf of third parties.

Response options. Applicant must provide its domicile street address. *See* 37 C.F.R. §§2.32(a)(2), 2.189; TMEP §803.05. Alternatively, applicant may provide (1) documentation showing that the listed U.S. domicile address is, in fact, applicant's domicile, or (2) a detailed explanation supporting that applicant has no fixed physical address. *See* 37 C.F.R. §2.11(b); TMEP §§601.01(b)-(b)(1), 803.05.

If applicant amends the application to list a domicile street address located outside of the United States or its territories, applicant must appoint a U.S.-licensed attorney qualified under 37 C.F.R. §11.14 as its representative before the application may proceed to registration. *See* 37 C.F.R. §2.11(a); TMEP §601.01(a). *See* [Hiring a U.S.-licensed trademark attorney](#) for more information. However, if applicant establishes its domicile street address is located within the United States or its territories, applicant is not required to appoint a qualified U.S.-licensed attorney. *See* TMEP §601.01(b).

To provide applicant's domicile street address. After opening the correct Trademark Electronic Application System (TEAS) response form and entering the serial number, (1) answer "yes" to question 5 and click "Continue;" (2) on the "Owner Information" page, in the "Domicile Address" field, uncheck the box stating the domicile and mailing address are not the same; and (3) below the checkbox provide applicant's domicile street address. Applicant's domicile street address will be hidden from public view if it is entered into the "Domicile Address" field. However, any street address listed in the "Mailing Address" field will be publicly viewable.

To provide documentation to support a U.S. domicile address. Applicant should provide the most recent documentation showing that the address is the applicant's business headquarters, for example one of the following: (1) the most recent final annual or quarterly report or other similar report; or (2) a current, valid signed rental, lease, or mortgage agreement for office space. TMEP §601.01(b)-(b)(1); *see* 37 C.F.R. §2.11(b). Submitted documentation must show the name, listed domicile address, and the date of the document but should redact other personal and financial information.

To provide this documentation, open the correct TEAS response form and enter the serial number, answer "yes" to question 3, and on the "Additional Statement(s)" page, below the "Miscellaneous Statement" field, click the button below the text box to attach documentation to support the U.S. street address.

To provide a detailed explanation that applicant has no fixed physical address. If applicant has no physical headquarters where its senior executives or officers ordinarily direct and control the business (e.g., because the business is conducted virtually), applicant should state for the record that applicant has no fixed physical address and provide a detailed explanation of the circumstances.

To provide this explanation, open the correct TEAS response form and enter the serial number, answer “yes” to question 3, and on the “Additional Statement(s)” page, in the “Miscellaneous Statement” field, enter the referenced explanation in the text box.

Response guidelines

Applicant should include the following information on all correspondence with the Office: (1) the name and law office number of the trademark examining attorney, (2) the serial number and filing date of the application, (3) the date of issuance of this Office action, (4) applicant's name, address, telephone number and e-mail address (if applicable), and (5) the mark. 37 C.F.R. §2.194(b)(1); TMEP §302.03(a).

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end and the trademark will fail to register. See 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a); TMEP §§718.01, 718.02. Additionally, the USPTO will not refund the application filing fee, which is a required processing fee. See 37 C.F.R. §§2.6(a)(1)(i)-(iv), 2.209(a); TMEP §405.04.

When an application has abandoned for failure to respond to an Office action, an applicant may timely file a petition to revive the application, which, if granted, would allow the application to return to active status. See 37 C.F.R. §2.66; TMEP §1714. The petition must be filed within two months of the date of issuance of the notice of abandonment and may be filed online via the Trademark Electronic Application System (TEAS) with a \$100 fee. See 37 C.F.R. §§2.6(a)(15)(ii), 2.66(a)(1), (b)(1).

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

/K. Margaret Le/
K. Margaret Le
(571) 272-9456
margaret.le@uspto.gov

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. 97118892

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.