

To: Matthew D Kissner(matt@kissnerlaw.com)
Subject: U.S. Trademark Application Serial No. 97119035 - DISCOVER SOMETHING DIFFERENT
Sent: August 23, 2022 05:53:48 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. 97119035

Mark: DISCOVER SOMETHING DIFFERENT

Correspondence Address:

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LOS ANGELES CA 90036 UNITED STATES

Applicant: Raya App, Inc.

Reference/Docket No. N/A

Correspondence Email Address: matt@kissnerlaw.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.

SEARCH OF OFFICE DATABASE - NO CONFLICTING MARKS FOUND

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

SUMMARY OF ISSUES:

Amendment to the Identification of Services Required

Multiple-Class Application Requirements

AMENDMENT TO THE IDENTIFICATION OF SERVICES REQUIRED

Applicant must clarify the wording “Internet based social networking, introduction, professional connection, and dating services” in the identification of services in International Class 45 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 services in more than one international class. For example, "on-line professional networking services" are in International Class 35 and "Internet based social networking, introduction, and dating services" are in International Class 45.

Applicant may adopt the following amended identification of services, if accurate:

Class 9 - Downloadable software in the nature of a mobile application for uploading, posting, showing, displaying, sharing, and discussing electronic media or data and the transmission of messages, photos, videos and data among users concerning social gatherings, making acquaintances, friendship, professional networking, dating, and long-term relationships

Class 35 - **On-line professional networking services**

Class 45 - Dating services; **Internet based social networking, introduction, and dating services**

ADVISORY: SCOPE OF ORIGINAL IDENTIFICATION

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.

Applicant should note the following additional requirements.

MULTIPLE-CLASS APPLICATION REQUIREMENTS

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(s) already paid (view the [USPTO's current fee schedule](#)). The application identifies goods and/or services that are classified in at least 3 classes; however, applicant submitted a fee(s) sufficient for only 2 class(es). 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).

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](#).

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.

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

ASSISTANCE

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 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.

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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. 97119035

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.

Statistics for Case 97119035						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97119035[sn]	1	0	1	1	0:00
2	"Raya App"[on]	4	2	2	2	0:00
3	*d{v:2}{ "sz" }{ "qxck":2 }{ v:2 }v*[bi,ti] not dead[ld]	2448	0	0	0	0:01
4	*s{v:2}{ "m":2 }th{v:2}{ "n":2 }g*[bi,ti] not dead[ld]	7	0	0	0	0:01
5	*s{v:2}{ "m":2 }{ v0:1 }th{v:2}{ "n":2 }g*[bi,ti] not dead[ld]	943	0	0	0	0:01
6	*d{v:2}{ "fhp":2 }{ v0:1 }r*[bi,ti] not dead[ld]	4989	0	0	0	0:02
7	3 and 5	2	0	2	2	0:01
8	3 and 6	22	0	22	22	0:02
9	5 and 6	15	0	15	15	0:02
10	3 and "009"[cc]	1838	0	0	0	0:01
11	3 and "045"[cc]	1736	0	0	0	0:01
12	5 and "009"[cc]	480	0	480	480	0:01
13	6 and "009"[cc]	2597	0	0	0	0:01
14	5 and "045"[cc] not 12	115	0	115	115	0:02
15	6 and "045"[cc]	2538	0	0	0	0:01
16	3 and ("009" a b "200")[ic]	349	0	349	349	0:01
17	3 and ("045" a b "200")[ic] not 16	109	0	109	109	0:01
18	6 and ("009" a b "200")[ic]	486	0	486	486	0:02
19	6 and ("045" a b "200")[ic] not 18	175	0	175	175	0:02
20	*discover*[bi,ti] not dead[ld]	2434	0	0	0	0:01
21	20 and "009"[cc] not (16 17)	1424	0	0	0	0:02
22	20 and "045"[cc] not (16 17)	1446	0	0	0	0:02
23	*discover*[bi,ti] not dead[ld] and "009"[cc] not (16 17)	1422	0	0	0	0:02
24	*discover*[bi,ti] not dead[ld] and "045"[cc] not (16 17)	1445	0	0	0	0:01
25	discover[bi,ti] not dead[ld] and "009"[cc] not (16 17)	598	0	0	0	P/0:04
26	discover[bi,ti] not dead[ld] and "045"[cc] not (16 17)	635	0	0	0	P/0:03
27	*different*[bi,ti] not dead[ld]	1049	0	0	0	0:01
28	27 and "009"[cc] not (18 19)	447	0	447	447	0:05
29	27 and "045"[cc] not (18 19 28)	128	0	128	128	0:09

Session started 08/23/2022 1:23 pm

Session ended 08/23/2022 3:19 pm

Total search duration 53.00

Session duration 1 hours 55 minutes 33 seconds

Adjacency Level 1

Near Level 1