

**To:** Dmitri Dubograev([info@legal-counsels.com](mailto:info@legal-counsels.com))  
**Subject:** U.S. Trademark Application Serial No. 97118530 - HELPWIRE  
**Sent:** August 23, 2022 09:42:31 AM 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.** 97118530

**Mark:** HELPWIRE

**Correspondence Address:**

Dmitri Dubograev  
901 N. PITT STREET, STE 325  
ALEXANDRIA VA 22314 UNITED STATES

**Applicant:** HELPWIRE

**Reference/Docket No.** N/A

**Correspondence Email Address:** [info@legal-counsels.com](mailto:info@legal-counsels.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. 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 Results**

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

## Summary of Issues

Request to Change Applicant Name--No Assignment Filed/Recorded  
Definite Identification of Goods and Services Requirement

### Request to Change Applicant Name--No Assignment Filed/Recorded

Applicant has requested that the applicant name in the application be amended; however, applicant has not provided or recorded in the USPTO database ownership transfer documentation or any other documentation showing transfer of title. Therefore, the request to amend the applicant name is denied until applicant establishes clear chain of title to the new party. 37 C.F.R. §2.61(b); TMEP §814.

If the application was filed by the owner and the original applicant has since changed its name or transferred ownership of the mark to another entity, the new owner must file documentation to establish its current ownership of the application by satisfying one of the following:

(1) The new owner must (a) record an assignment, name change, or other documentation affecting title with the USPTO's Assignment Recordation Branch showing a clear chain of title to the mark in the new owner; and (b) promptly notify the trademark examining attorney that the documentation has been recorded.; *OR*

(2) The new owner must file either (a) a written statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20, explaining in detail the chain of title to the new owner; or (b) documentation showing transfer of title to the new owner. However, the registration will not issue in the name of the new owner without recording chain of title documentation with the USPTO and notifying the trademark examining attorney, as specified in (1) above.

TMEP §502.01; *see* 15 U.S.C. §1060; 37 C.F.R. §§2.193(e)(1), 3.73(b)(1); TMEP §502.02(a).

Assignments and other documents affecting title [may be filed electronically](#). There is a fee for recording ownership changes. 37 C.F.R. §§2.6(b)(6), 3.41(a); TMEP §503.03(d). Recording an assignment or other ownership transfer document does not constitute a response to an Office action. TMEP §503.01(d). Applicant must still file a separate response to this Office action. *See id.*

If the application was filed by the owner and there is an inadvertent error in the applicant's name, such as a minor typographical error or misspelling, or the name identifies a party that did not exist as of the application filing date, the application may be amended to correct the applicant's name. TMEP §1201.02(c). In either case, applicant should include in the amendment request the reason for the correction (such as "ABC Corporation did not exist as of the filing date of the application," or "Company" was inadvertently omitted from the applicant's name in the application). *Id.*

### Definite Identification of Goods and Services Requirement

The identification of services in Class 38 is accepted.

Wording in the identification of goods and services is (1) indefinite and must be clarified, (2) overbroad in that it encompasses goods/services in more than one international classification and/or (3) misclassified. *See* TMEP §1402.01. Please see suggested identification below for specific wording that requires clarification and/or reclassification. Please note that bolded wording/punctuation indicates a suggested addition(s)/amendment(s) to applicant's current identification to make it definite. In addition, please note that the bracketed entries below require applicant to insert information.

Applicant may substitute the following wording, if accurate:

Class 09: Downloadable software for connecting computer network users and remote technical support specialists, providing remote technical support, maintaining and operating computer systems, connecting remotely to computers or computer networks, remote monitoring and analysis of computer systems and devices, searching the contents of computers and computer networks by remote control; downloadable software for remote monitoring and analysis of computer systems; **downloadable computer programs for searching the contents of computers, computer networks, USB/COM and mobile devices by remote control and accessing data stored thereon and transferring data to other devices**; downloadable software for connecting remotely to USB/COM and mobile devices, remote monitoring and analysis of USB/COM and mobile devices, and searching the contents of USB/COM and mobile devices by remote control; providing information and consultation in the fields of **remote computer access regarding [specify, e.g., access to local area computer networks]**

Class 42: Providing online non-downloadable software for connecting computer network users and remote technical support specialists, providing remote technical support, maintaining and operating computer systems, connecting remotely to computers or computer networks, remote monitoring and analysis of computer systems, and searching the contents of computers, computer networks, USB/COM and mobile devices by remote control and accessing data stored thereon and transferring data to other devices; design, development, and testing of computer software; computer software development in the field of mobile, desktop, and web applications; providing information and consultation in the fields of computer technology, software development, **and remote computer access regarding [specify, e.g., remote computer backup services, monitoring computer systems by remote access to ensure proper functioning]**; providing online non-downloadable software for connecting remotely to USB/COM and mobile devices, remote monitoring and analysis of USB/COM and mobile devices, and searching the contents of USB/COM and mobile devices by remote control

#### Additions to Identification Not Permitted

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.

*To expedite prosecution of this trademark application, when amending the identification as required above, the Office strongly encourages the applicant to select pre-approved wording contained within this manual that accurately describes the goods and/or services therein. Failure to do so may result in delay.*

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

/William Verhosek/  
William Verhosek  
Trademark Examining Attorney  
Law Office 114  
(571) 272-9464  
william.verhosek@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. 97118530**

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: William Verhosek

Statistics for Case 97118530						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97118530[sn]	1	0	1	1	0:00
2	helpwire[ow]	1	0	1	1	0:00
3	"electronic team inc"[ow]	4	0	4	4	0:01
4	*help*[bi,ti] and live[ld]	3398	0	0	0	0:01
5	*w{"iy"}r*[bi,ti] and live[ld]	3516	0	0	0	0:01
6	4 and 5	4	0	4	4	0:00
7	4 and "009"[cc]	2070	0	0	0	0:00
8	5 and "009"[cc]	2462	0	0	0	0:01
9	(help helps)[bi,ti] and live[ld]	1707	0	0	0	0:01
10	9 and "009"[cc]	1070	0	0	0	0:01
11	9 and ("009" A B "200")[ic]	190	0	190	190	0:02
12	9 and ("035" A B "200")[ic]	392	0	392	392	0:02
13	9 and ("038" A B "200")[ic]	26	0	26	26	0:01
14	9 and ("042" A B "200")[ic]	217	0	217	217	0:02
15	(wire wires)[bi,ti] and live[ld]	1432	0	0	0	0:02
16	15 and "009"[cc]	1011	0	0	0	0:01
17	15 and ("009" A B "200")[ic]	447	0	447	447	0:01
18	15 and ("035" A B "200")[ic]	211	0	211	211	0:02
19	15 and ("038" A B "200")[ic]	88	0	88	88	0:01
20	15 and ("042" A B "200")[ic]	226	0	226	226	0:01

Session started 08/23/2022 8:58 am

Session ended 08/23/2022 9:19 am

Total search duration 21.00

Session duration 20 minutes 53 seconds

Adjacency Level 1

Near Level 1