

**To:** Mathew D. Brownfield([mbrownfield@gkhpc.com](mailto:mbrownfield@gkhpc.com))  
**Subject:** U.S. Trademark Application Serial No. 97119976 - COWDANCE  
**Sent:** August 23, 2022 02:25:27 PM 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.** 97119976

**Mark:** COWDANCE

**Correspondence Address:**

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**Applicant:** Dorsett, Charles J.

**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.

**Summary of Issues**

- Identification of Goods Requires Amendment

### **Search of Office Records**

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.

### **Identification of Goods Requires Amendment**

Applicant submitted the following identification of goods with the application:

#### **International Class 13**

Leather goods, namely, holsters and pistol holsters

#### **International Class 18**

**Leather goods, namely, bags, purses, tote bags, book bags, wallets, handbags, backpacks, belts, sleigh bells**

#### **International Class 25**

Costumes for use in role-playing, in the amusement industry and for historical reenactments;  
**historical costumes**

The above **bolded** wording in the identification of goods requires amendment because it does not identify the goods with enough specificity to make clear the scope of the goods offered by applicant. Further, the wording could identify goods in more than one international class and is thus overbroad. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03.

Therefore, the identification of goods as submitted with the application requires the following amendments.

### **International Class 18**

The wording "Leather goods, namely, bags, purses, tote bags, book bags, wallets, handbags, backpacks, belts, sleigh bells" is indefinite as written because the nature of the goods is unclear. The wording could also be used to describe goods in multiple international classes and is thus overbroad. For example, "motorcycle bags, namely, saddle bags" are in Class 12 while "hip bags" are in Class 18.

### **International Class 25**

The wording "historical costumes" is indefinite as written because the nature of the goods is unclear. Applicant must use additional wording to clarify the nature of the goods.

Applicant may adopt the following identification of goods, if accurate:

### International Class 13

Leather goods, namely, holsters and pistol holsters

### International Class 15

**musical instruments, namely,** sleigh bells

### International Class 18

Leather goods, namely, **travel bags**, purses, tote bags, book bags, wallets, handbags, backpacks, **leather shoulder belts**

### International Class 25

Costumes for use in role-playing, in the amusement industry and for historical reenactments; **adult dress-up costumes in the nature of historical figures**

### International Class 28

**Christmas tree ornaments, namely,** sleigh bells

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

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 5 classes; however, applicant submitted a fee(s) sufficient for only 3 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](#).

### **Comments**

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. 97119976**

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:mfaucette \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	N/A	0	0	0:01	97119976
02	16	0	16	15	0:01	*{"ckq"}owd*[bi,ti] and live[lid]
03	3431	N/A	0	0	0:01	*{"ckq"}ow*[bi,ti] and live[lid]
04	10315	N/A	0	0	0:02	*dan*[bi,ti] and live[lid]
05	6	0	6	6	0:01	3 and 4
06	111970	N/A	0	0	0:02	*da*[bi,ti] and live[lid]
07	73	0	64	58	0:01	3 and 6

Session started 8/23/2022 1:57:15 PM  
Session finished 8/23/2022 2:01:25 PM  
Total search duration 0 minutes 9 seconds  
Session duration 4 minutes 10 seconds  
Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 97119976