

To: Sean F. Mellino(Trademarks@walterhav.com)
Subject: U.S. Trademark Application Serial No. 97119475 - HOMESTEAD GROW SYSTEMS - 70044-076US2
Sent: August 23, 2022 04:33:54 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[screenshot-www-macmillandictionary-com-dictionary-american-system-16612817636261](#)

**United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application**

U.S. Application Serial No. 97119475

Mark: HOMESTEAD GROW SYSTEMS

Correspondence Address:

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CLEVELAND OH 44114 UNITED STATES

Applicant: ETi Solid State Lighting Inc.

Reference/Docket No. 70044-076US2

Correspondence Email Address: Trademarks@walterhav.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

PLEASE NOTE: Please call or email the assigned trademark examining attorney to resolve the issues in this Office action. Although the USPTO does not accept emails as responses to Office actions, communication by phone or email is permissible to agree to proposed amendments to the

application that will immediately place the application in condition for publication, registration, or suspension. *See* 37 C.F.R. §2.62(c); TMEP §707.

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 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.

However, before the mark can be published for opposition, the applicant must address the following.

Disclaimer

Applicant must disclaim the wording “GROW SYSTEMS” because it is merely descriptive of an ingredient, quality, characteristic, function, feature, purpose, or use of applicant’s goods. *See* 15 U.S.C. §1052(e)(1); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

Specifically, based on the applicant's own identification of goods, the applicant's goods are GROW light for use in SYSTEMS for growing plants. See attached dictionary definition for "system." Thus, the wording merely describes applicant’s goods.

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use “GROW SYSTEMS” apart from the mark as shown.

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

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.](#)

/Julie Watson/
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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.

Search Macmillan Dictionary

**system** DEFINITIONS AND SYNONYMS ★★★

NOUN US /ˈsɪstəm/

WORD FORMS

DEFINITIONS 3

1 COUNTABLE a set of connected things that work together for a particular purpose*a central heating system**I decided to install a security system to prevent any break-ins.**the capital's inadequate public transportation system*

Collocations and examples

Verbs frequently used with system

build

design

develop

...

Explore Collocations →

What are red words? →

OTHER ENTRIES FOR THIS WORD

ABO system NOUN

end system NOUN

list system NOUN

open system NOUN

system disk NOUN

binary system NOUN

[more dictionary definitions](#)

Share this entry



Synonyms and related words

Collections, stores and sets of things

agglomeration arsenal


assemblage ...

[Explore Thesaurus →](#)

1a a set of organs, tubes, etc. in your body that work together

cardiovascular/circulatory system: *First, check that the circulatory system is working properly.*

Synonyms and related words



1b a set of pieces of equipment or computer programs that work together

a new computer system

The magazine is produced using a desktop publishing system.


system requirements (=the type of software, hardware, and the amount of memory needed to operate a program): *The system requirements for this program are listed below.*

Synonyms and related words

NOW STREAMING
HBOMAX [SIGN UP NOW](#)
PLANS START AT \$9.99/MONTH

QUIZZES

VOCABULARY QUIZ: TRENDING WORDS OF 2020



[Take the quiz now →](#)

2 COUNTABLE/UNCOUNTABLE: a method of organizing or doing things

a legal/educational/political system

a two-party/multiparty system

the criminal justice system

system for: *They are introducing a very sophisticated system for delivering information.*

system of: *a democratic system of government*

system to: *There is simply no system to the way Joshua works.*

Collocations and examples



Synonyms and related words



2a the system rules that decide how a society, country, or organization should operate and that cannot be changed even though they seem unfair to you

You can't beat the system.

Synonyms and related words



3 your body considered as a set of connected organs, tubes, etc.

Lack of sleep can be hard on the system.

Synonyms and related words



PHRASES

all systems go
get someone/something out of your system

SEE ALSO

immune system

American definition and synonyms of **system** from the online English dictionary from Macmillan Education.
This is the American English definition of **system**. View British English definition of **system**.
Change your default dictionary to British English.
View the pronunciation for **system**.

THE SAURUS

TRENDING WORDS

SYNONYMS OF THE MONTH

NB

45.8%

lay the blame / responsibility
(for something) on

NEW

for

-6.6%

take on


12.7%

put off

-3.5%

Discover →

gift



present
token
largesse

surprise
package
treat

Browse more →

CONTACT
PRIVACY
COOKIES SETTINGS
COOKIES POLICY
TERMS AND CONDITIONS
FAQ
INDEX

ABOUT
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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. 97119475

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: Julie Watson

Statistics for Case 97119475						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97119464[sn]	1	0	1	1	0:00
2	*ho\$1m*[bi,ti]	80370	0	0	0	0:01
3	*{"sz"}te\$1d*[bi,ti]	12975	0	0	0	0:01
4	2 and 3	743	0	0	0	0:01
5	4 not dead[ld]	274	0	274	274	0:01
6	5 and gro[bi,ti]	0	0	0	0	0:01
7	5 and *gro*[bi,ti]	6	0	6	6	0:01
8	5 and "011"[ic]	8	0	8	8	0:01
9	5 and "021"[ic]	13	0	13	13	0:01
10	5 and (plants or planter or planters or grow or growing)[gs]	8	0	8	8	0:01
11	((050310 and 050325) or 070104)[dc]	17833	0	2	4	0:01
12	(260108 and 260103)[dc]	1135	0	1	5	0:00
13	(050310 and 050325)[dc]	1219	0	0	0	0:00
14	070104[dc]	16625	0	0	0	0:00
15	((010105 and 010106) or 010504)[dc]	10742	0	0	0	0:00
16	12 and 13 and 14 and 15	0	0	0	0	0:00
17	(12 and 13) or (12 and 14) or (12 and 15) or (13 and 14) or (13 and 15) or (14 and 15)	143	0	1	65	0:01

Session started 08/23/2022 3:14 pm

Session ended 08/23/2022 3:37 pm

Total search duration 11.00

Session duration 23 minutes 18 seconds

Adjacency Level 1

Near Level 1

Note To The File

Serial Number: 97119475
Date: 08/23/2022 2:47 pm
Created by: Julie Watson

HOMESTEAD GROW SYSTEMS

<https://www.etissl.com/>