

**To:** Shakila Miller-Brewer([contact@smillerlawfirm.com](mailto:contact@smillerlawfirm.com))  
**Subject:** U.S. Trademark Application Serial No. 97119494 - FINESSE YOUR HUSTLE  
**Sent:** August 24, 2022 07:35:06 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.** 97119494

**Mark:** FINESSE YOUR HUSTLE

**Correspondence Address:**

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HOUSTON TX 77057 UNITED STATES

**Applicant:** David Simes

**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 24, 2022

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**SEARCH OF USPTO DATABASE OF MARKS**

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.

## SUMMARY OF ISSUES:

- Identification of Services

## IDENTIFICATION OF SERVICES

The wording "Entertainment services, namely, an ongoing multimedia program featuring multimedia entertainment content distributed via various platforms across multiple forms of transmission media; Entertainment services, namely, providing podcasts in the field of entertainment content; Entertainment services, namely, providing video podcasts in the field of entertainment content" in the identification of services is indefinite and must be clarified because the field of the services has not been identified with adequate specificity. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01.

Applicant may substitute the following wording, if accurate:

Class 41: Entertainment services, namely, an ongoing multimedia program featuring multimedia entertainment content **in the field of [further clarify field of content, e.g., comedy]** distributed via various platforms across multiple forms of transmission media; Videotape production; Entertainment services, namely, providing podcasts in the field of **[further clarify field of content, e.g., comedy]** entertainment content; Entertainment services, namely, providing video podcasts in the field of **[further clarify field of content, e.g., comedy]** entertainment content; Production of podcasts

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

## PARTIAL ABANDONMENT ADVISORY

If applicant does not timely respond to this Office action, the following services will be deleted from the application:

Class 41: Entertainment services, namely, an ongoing multimedia program featuring multimedia entertainment content distributed via various platforms across multiple forms of transmission media; Entertainment services, namely, providing podcasts in the field of entertainment content; Entertainment services, namely, providing video podcasts in the field of entertainment content

*See* 37 C.F.R. §2.65(a); TMEP §718.02(a).

In such case, the application will then proceed with the following services only:

Class 41: Videotape production; Production of podcasts

See TMEP §718.02(a).

## QUESTIONS

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 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 24, 2022 for  
**U.S. Trademark Application Serial No. 97119494**

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.

# Note To The File

Serial Number: 97119494

Date: 08/24/2022 7:31 am

Created by: Andrew Crowder-Schaefer

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## Searched

- Google
- OneLook

Statistics for Case 97119494						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97119494[sn]	1	0	1	1	0:00
2	(*f{v}{ "n":2}{v}{ "szc"}* *ph{v}{ "n":2}{v}{ "scz"}*)[bi,ti] not dead[ld]	3727	0	0	0	0:04
3	(*y{v0:2}r* ur)[bi,ti] not dead[ld]	65084	0	0	0	0:04
4	*h{v}{ "sz":2}{ "t":2}l*[bi,ti] not dead[ld]	1586	0	0	0	0:02
5	2 and 3 and 4	2	0	2	2	0:02
6	2 and (3 4)	77	0	77	77	0:02
7	3 and 4	49	0	49	49	0:01
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11	10 and "009"[cc]	357	0	357	357	0:02
12	10 and "041"[cc]	328	0	328	328	0:01
13	*hu{ "sz":2}{ "t":2}l*[bi,ti] not dead[ld]	1170	0	0	0	0:00
14	13 and "009"[cc]	574	0	574	574	0:00
15	13 and "041"[cc]	540	0	540	540	0:00
16	*finesse*[bi,ti] and *your*[bi,ti] and *hustle*[bi,ti]	3	1	2	2	0:00
17	"david"[on] and "simes"[on]	8	7	1	1	0:02

Session started 08/24/2022 7:03 am

Session ended 08/24/2022 7:21 am

Total search duration 23.00

Session duration 18 minutes 21 seconds

Adjacency Level 1

Near Level 1