

To: Wu, Gang(withdancao@gmail.com)
Subject: U.S. Trademark Application Serial No. 97119906 - OCSONIC
Sent: August 24, 2022 05:00:21 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[2900587](#)
[3268924](#)

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

U.S. Application Serial No. 97119906

Mark: OCSONIC

Correspondence Address:

WU, GANG
135 ABALONE
IRVINE CA 92620 UNITED STATES

Applicant: Wu, Gang

Reference/Docket No. N/A

Correspondence Email Address: withdancao@gmail.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 24, 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:

- Domicile Address
- Identification of Goods
- Mark Significance

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.

DOMICILE ADDRESS

Applicant must clarify its U.S. domicile address or appoint a qualified U.S.-licensed attorney. TMEP §601.01(b); *see* 37 C.F.R. §§2.11(b), 2.61(b). Clarification is required because an applicant whose domicile is located outside of the United States or its territories must be represented at the USPTO by an attorney who is an active member in good standing of the bar of the highest court of a U.S. state or territory. 37 C.F.R. §2.11(a); TMEP §601.01(a). U.S.-domiciled applicants, however, are not required to be represented. TMEP §601.01(b).

A domicile address must identify either (1) the permanent legal place of residence, which is the place an individual applicant resides and intends to be the applicant's principal home; or (2) the principal place of business, which is the juristic applicant's headquarters where its senior executives or officers ordinarily direct and control the entity's activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §803.05(a).

In this case, the application record lists applicant as an individual of China and specifies a U.S. street address as applicant's domicile. It is unclear from the record whether the U.S. street address provided is the place applicant resides and intends to be applicant's principal home.

Response options. Applicant must (1) provide documentation to support the referenced U.S. street address or (2) appoint a U.S.-licensed attorney qualified to practice under 37 C.F.R. §11.14 as its representative, before the application may proceed to registration. 37 C.F.R. §§2.11(b), 2.61(b); TMEP §601.01(b). See [Hiring a U.S.-licensed trademark attorney](#) for more information.

To provide documentation supporting applicant's U.S. domicile. Applicant must provide documentation showing the name and listed domicile address of the individual, for example one of the following: (1) a current, valid signed rental, lease, or mortgage agreement; (2) a current, valid homeowner's, renter's, or motor vehicle insurance policy; or (3) a computer-generated bill issued by a utility company dated no earlier than 60 days before the application filing date. TMEP §601.01(b); *see* 37 C.F.R. §§2.11(b), 2.61(b). Submitted documentation must show the name, listed domicile address, and the date of the document but should redact other personal and financial information.

To provide this documentation, open the correct Trademark Electronic Application System (TEAS) response form and enter the serial number, answer "yes" to question 3, and on the "Additional Statement(s)" page, below the "Miscellaneous Statement" field, click the button below the text box to attach documentation to support the U.S. street address.

To appoint a U.S.-licensed attorney in this application, applicant should submit a completed TEAS

[Change Address or Representation](#) form. The newly-appointed attorney must submit a TEAS [Response to Examining Attorney Office Action](#) form indicating that an appointment of attorney has been made and address all other refusals or requirements in this action, if any. Alternatively, if applicant retains an attorney before filing the response, the attorney can respond to this Office action by using the appropriate TEAS response form and provide his or her attorney information in the form and sign it as applicant's attorney. *See* 37 C.F.R. §2.17(b)(1)(ii); TMEP §604.01.

IDENTIFICATION OF GOODS

The wording "HDMI" in the identification of goods is a registered mark not owned by applicant; accordingly, applicant must amend the identification to delete this wording and, if not already included in the identification, provide the common commercial or generic name of the goods. TMEP §1402.09; *see* 37 C.F.R. §2.32(a)(6); *Camloc Fastener Corp. v. Grant*, 119 USPQ 264, 264 n.1 (TTAB 1958). *See* attached U.S. Registration No(s). 3268924 and 2900587.

Identifications of goods should generally be comprised of generic everyday wording for the goods, and exclude proprietary or potentially-proprietary wording, such as a registered term. *See* TMEP §§1402.01, 1402.09. The misspelling or phonetic equivalent of a registered mark should similarly be excluded, unless it is the common name of the goods. TMEP §1402.09. A registered mark indicates origin in one particular party and so may not be used to identify goods that originate in a party other than that registrant. TMEP §1402.09 (citing *Camloc Fastener Corp. v. Grant*, 119 USPQ at 264 n.1).

In addition, the identification of goods is indefinite and must be clarified because the exact nature of the nature of goods is not made clear to sufficiently identify those goods under the Office's standards for identifications. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Such specificity of identifications provides public notice and enables the USPTO to reach informed judgments concerning likelihood of confusion under the Trademark Act. Applicant must amend the identification to specify the common commercial or generic name of the goods. *See* TMEP §1402.01. If the goods have no common commercial or generic name, applicant must describe the product, its main purpose, and its intended uses. *See id.*

Applicant must also correct the punctuation in the identification to clarify the individual items in the list of goods. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01(a). Proper punctuation in identifications is necessary to delineate explicitly each product or service within a list and to avoid ambiguity. Commas, semicolons, and apostrophes are the only punctuation that should be used in an identification of goods and/or services. TMEP §1402.01(a). An applicant should *not* use colons, periods, exclamation points, and question marks in an identification. *Id.* In addition, applicants should not use symbols in the identification such as asterisks (*), at symbols (@), or carets. *Id.*

In general, **commas** should be used in an identification (1) to separate a series of related items identified within a particular category of goods or services, (2) before and after "namely," and (3) between each item in a list of goods or services following "namely" (e.g., personal care products, namely, body lotion, bar soap, shampoo). *Id.* **Semicolons** generally should be used to separate a series of distinct categories of goods or services within an international class (e.g., personal care products, namely, body lotion; deodorizers for pets; glass cleaners). *Id.*

Applicant may substitute the following wording, if accurate:

International Class 009: {specify exact Class 09 type of adapter, e.g., electrical} adapter; {specify exact Class 09 type of charger, e.g., battery} charger; high

definition multimedia interface cable

Applicant should note that the above language in bold font indicates the examining attorney's suggestions, and the braces indicate where applicant must insert specific types of goods. The braces should not appear in the amended identification; only the specific goods indicated, as inserted by applicant. Applicant need not amend its identification other than where specified by bold font.

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

EXPLANATION OF MARK'S SIGNIFICANCE REQUIRED

To permit proper examination of the application, applicant must clarify whether wording in the mark has any particular significance, as follows:

- (1) **Industry significance.** Explain whether the wording "OCSONIC" in the mark has any meaning or significance in the trade or industry in which applicant's goods are manufactured or provided, any meaning or significance as applied to applicant's goods, or if such wording is a term of art within applicant's industry.
- (2) **Geographical significance.** Explain whether this wording identifies a geographic place.
- (3) **Foreign language.** Explain whether this wording has any meaning in a foreign language. If so, submit an English translation of the foreign wording in a mark.

The format for an English translation: **"The English translation of "OCSONIC" in the mark is "{specify meaning}"**.

The format for when there is no English translation or meaning of the transliteration: **"The wording "OCSONIC" has no meaning in a foreign language.**

See 37 C.F.R. §§2.32(a)(9)-(a)(10), 2.61(b); TMEP §§809-809.03, 814. If the wording has no significance and is not a term of art in the relevant trade or industry or as used with applicant's goods, and does not have any geographical or meaning in a foreign language, or any other significance, applicant must provide a statement to that effect. *See* 37 C.F.R. §2.61(b); TMEP §814.

To respond to the above requirement for information, open the appropriate Trademark Electronic Application System (TEAS) response form and enter the serial number, answer "yes" to question 3, and on the "Additional Statement(s)" page in either the "Significance of Wording, Letter(s), or Numeral(s)" text box(es) and/or the "Miscellaneous Statement" text box(es), enter the information and/or explain documentation being submitted with such information and attach it by clicking the button below the text box.

Applicant has a duty to respond directly and completely to this requirement for information. *See In re*

Ocean Tech., Inc., 2019 USPQ2d 450686, at *2 (TTAB 2019) (citing *In re AOP LLC*, 107 USPQ2d 1644, 1651 (TTAB 2013)); TMEP §814. Failure to comply with a requirement for information is an independent ground for refusing registration. *In re SICPA Holding SA*, 2021 USPQ2d 613, at *6 (TTAB 2021) (citing *In re Cheezwhse.com, Inc.*, 85 USPQ2d 1917, 1919 (TTAB 2008); *In re DTI P'ship LLP*, 67 USPQ2d 1699, 1701-02 (TTAB 2003); TMEP §814).

NO COMMUNICATION

Until applicant establishes its U.S. domicile, the assigned trademark examining attorney may not communicate with applicant by phone or email about this Office action or the application. *See* 37 C.F.R. §§2.11(a), 2.18(a)(1)-(2); TMEP §709.02, .04. If applicant appoints a qualified U.S.-licensed attorney, the USPTO will communicate only with that attorney and not the applicant. *See* 37 C.F.R. §2.18(a)(2); TMEP §609.01.

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

/Salima Oestreicher/
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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.

Print: Wed Aug 24 2022

78120480

(1) TYPED DRAWING

HDMI

Mark Punctuated

HDMI

Translation

Goods/Services

- IC 035. US 100 101 102.G & S: association services, namely, promoting the development and adoption of a voluntary digital interface specification that provides an interoperable method of connecting computer and communications hardware, consumer electronics devices, components, and peripherals. FIRST USE: 20040708. FIRST USE IN COMMERCE: 20040708

Mark Drawing Code

(1) TYPED DRAWING

Design Code

Serial Number

78120480

Filing Date

20020409

Current Filing Basis

1A

Original Filing Basis

1B

Publication for Opposition Date

20021119

Registration Number

2900587

Date Registered

20041102

Owner

(REGISTRANT) HDMI LICENSING L.L.C. CORPORATION DELAWARE 2115 O'Nel Drive Suite 202 San Jose CALIFORNIA 95131 (LAST LISTED OWNER) HDMI LICENSING ADMINISTRATOR, INC. CORPORATION DELAWARE 550 S. Winchester Blvd., Suite 515 San Jose CALIFORNIA 95128

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

SERVICE MARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record
Sherri L. Eastley

(1) TYPED DRAWING

HDMI

Mark Punctuated

HDMI

Translation

Goods/Services

- IC 009. US 021 023 026 036 038.G & S: Integrated circuits and semiconductors; computer software for use as an interface between audio/video sources and audio/video repeater devices; computer software for use as an interface between audio/video sources and audio/video monitors; computer software interface for use in connecting, controlling and networking a wide variety of computer and communications hardware, consumer electronic devices, components, and peripherals; connectors, cables, and components thereof; computer hardware, hardware components, namely computer monitors, and peripherals; communications hardware, hardware components, namely cable modems, Internet gateways, multimedia switches, and peripherals; consumer electronics devices, namely, cable, satellite and terrestrial digital set-top boxes, DVD players and recorders, digital VHS players and recorders, personal video recorders, cable boxes, audio/video receivers, integrated televisions, and television monitors. FIRST USE: 20021200. FIRST USE IN COMMERCE: 20021200

Mark Drawing Code

(1) TYPED DRAWING

Design Code

Serial Number

78120477

Filing Date

20020409

Current Filing Basis

1A

Original Filing Basis

1B

Publication for Opposition Date

20040511

Registration Number

3268924

Date Registered

20070724

Owner

(REGISTRANT) HDMI LICENSING, L.L.C. CORPORATION DELAWARE 2115 O'Nel Drive Suite 202 San Jose CALIFORNIA 95131 (LAST LISTED OWNER) HDMI LICENSING ADMINISTRATOR, INC. CORPORATION DELAWARE 550 S. Winchester Blvd., Suite 515 San Jose CALIFORNIA 95128

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

Sherri L. Eastley

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. 97119906

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: 97119906

OCSONIC

Date: 08/24/2022 3:56 pm

Created by: Salima Oestreicher

Searched

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Checked

- Translation

User: Salima Oestreicher

Statistics for Case 97119906						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97119906[sn]	1	0	0	0	0:00
2	*{"ckqxs"1:2}{ "sz"1:2}{v1:2}{ "n"1:2}{ "iey" 1:2}{ "ckqx"1:2}*[bi,ti] not dead[ld]	77	0	77	77	0:14
3	*{"ckqxs"1:2}o{v0:1}{ "n"1:2}{ "iey"1:2}{ "c kqx"1:2}*[bi,ti] not dead[ld]	13241	0	0	0	0:15
4	*o{"ckqxs"1:2}o{v0:1}{ "n"1:2}{ "iey"1:2}{ " ckqx"1:2}*[bi,ti] not dead[ld]	258	0	258	258	0:01
5	*{"sz"1:2}o{v0:1}{ "n"1:2}{ "iey"1:2}{ "ckqx" 1:2}*[bi,ti] not dead[ld]	1639	0	0	0	0:15
6	("O C" *OC*)[bi,ti] not dead[ld]	108389	0	0	0	0:01
7	5 and 6	14	0	14	14	0:13
8	*o{"ckq"1:2}*[bi,ti] not dead[ld]	153408	0	0	0	0:02
9	8 and 5	17	0	17	17	0:14
10	5 and ("009")[cc]	1034	0	0	0	0:13
11	5 and ("042" a b "200")[ic]	135	0	135	135	0:14
12	5 and ("009" a b "200")[ic]	555	0	0	0	0:38
13	5 and ("035" a b "200")[ic]	93	0	93	93	0:23
14	*{"sz"1:2}o{v0:1}{ "n"1:2}{ "iey"1:2}{ "ckqx" 1:2}[bi,ti] not dead[ld]	1362	0	0	0	0:13
15	14 and ("009" a b "200")[ic]	458	0	458	458	0:14
16	15 not (13 11)	402	0	402	402	0:29
17	*ocsonic*[bi,ti]	1	0	1	1	0:00

Session started 08/24/2022 3:39 pm

Session ended 08/24/2022 3:54 pm

Total search duration 219.00

Session duration 15 minutes 9 seconds

Adjacency Level 1

Near Level 1