

To: I Johnson, Ian(watzhottguyana@gmail.com)
Subject: U.S. Trademark Application Serial No. 97119526 - WATZHOTT GUYANA
Sent: August 28, 2022 01:23:35 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[screenshot-www-merriam-webster-com-dictionary-Guyana-16617049990181](#)
[screenshot-en-wikipedia-org-wiki-Music_of_Guyana-16617055922421](#)
[screenshot-en-academic-com-dic-nsf-enwiki-495420-16617070988601](#)

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

U.S. Application Serial No. 97119526

Mark: WATZHOTT GUYANA

Correspondence Address:

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BROOKLYN NY 11203 UNITED STATES

Applicant: I Johnson, Ian

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 28, 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:

- Refusal- Mark Differs on Drawing and Specimen- Option to Amend Drawing
- Disclaimer Requirement
- Identification of Services Requirement

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.

However, applicant must respond to the following refusal and requirements:

REFUSAL: MARK DIFFERS ON DRAWING AND SPECIMEN

Mark shown on drawing does not match mark on specimen. Registration is refused because the specimen does not show the mark in the drawing in use in commerce in International Class 038, which is required in the application or amendment to allege use. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a), 1301.04(g)(i). The mark appearing on the specimen and in the drawing must match; that is, the mark in the drawing “must be a substantially exact representation of the mark” on the specimen. *See* 37 C.F.R. §2.51(a)-(b); TMEP §807.12(a).

In this case, the specimen displays the mark as "WATZ HOTT GUYANA". However, the drawing displays the mark as "WATZHOTT GUYANA". The mark on the specimen does not match the mark in the drawing because the mark in the drawing displays the term "WATZHOTT" as a unitary term without spacing between the two terms ("WATZ and HOTT"), and the mark on the specimen is displays this as two separate terms: "WATZ HOTT". Applicant has thus failed to provide the required evidence of use of the mark in commerce. *See* TMEP §807.12(a).

Response options. Applicant may respond to this refusal by satisfying one of the following:

(1) **Submit a new drawing of the mark** that shows the mark on the specimen and, if appropriate, an amendment of the description and/or color claim that agrees with the new drawing. *See* 37 C.F.R. §2.72(a)-(b). The following amended description is suggested, if accurate: "**WATZ HOTT GUYANA**" in standard characters. Applicant may amend the mark in the drawing to match the mark on the specimen but may not make any other changes or amendments that would materially alter the drawing of the mark. *See* 37 C.F.R. §2.72(a)-(b); TMEP §807.14.

(2) **Submit a different specimen** (a verified “[substitute](#)” [specimen](#)) for each applicable international class that (a) shows the mark in the drawing in actual use in commerce for the goods and/or services in the application or amendment to allege use, and (b) was in actual use in commerce at least as early as the filing date of the application or prior to the filing of an amendment to allege use.

Examples of specimens.

Specimens for services must show a direct association between the mark and the services and include: (1) copies of advertising and marketing material, (2) a photograph of business signage or billboards, or (3) materials showing the mark in the sale, rendering, or

advertising of the services. *See* 37 C.F.R. §2.56(b)(1), (c); TMEP §1301.04(a), (h)(iv)(C).

Any webpage printout or screenshot submitted as a specimen must include the webpage's URL and the date it was accessed or printed on the specimen itself, within the TEAS form that submits the specimen, or in a verified statement under 37 C.F.R. §2.20 or 28 U.S.C. §1746 in a later-filed response. *See* 37 C.F.R. §2.56(c); TMEP §§904.03(i), 1301.04(a).

For more information about drawings and instructions on how to satisfy these response options using the online Trademark Electronic Application System (TEAS) form, see the [Drawing webpage](#).

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration.

Applicant must respond to the requirements set forth below:

DISCLAIMER OF DESCRIPTIVE WORDING REQUIRED

Applicant must disclaim the wording "GUYANA" because it is merely descriptive of a subject, quality, characteristic or feature of applicant's broadcast services and/or geographically descriptive of the origin of the services. *See* 15 U.S.C. §1052(e)(1), 15 U.S.C. §1052(e)(2) ; *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).

The attached evidence from the Merriam-Webster dictionary shows this wording refers to "*a country in northern South America on the Atlantic coast*". Applicant's services are "*audio and video broadcasting services over the Internet in the field of music*" which is broad enough to encompass music from Guyana or Guyanese-style music. See attached entry from Wikipedia describing that "*The music of Guyana encompasses a range of musical styles and genres that draw from various influences including: Indian, Latino-Hispanic, European, African, Chinese, and Amerindian music*" and entry about *Music of Guyana*. Thus, the wording merely describes that applicant broadcasts Guyanese-style music, and the term is thus merely descriptive of the subject-matter or style of music, or primarily geographically descriptive of the origin of applicant's music broadcast services, i.e., music from Guyana. *See* 15 U.S.C. §1052(e)(2);

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

No claim is made to the exclusive right to use "GUYANA" 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](#).

A "disclaimer" is a statement in the application record that an applicant does not claim exclusive rights to an unregistrable component of the mark. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 979-80, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213. A disclaimer does not physically remove the disclaimed matter from the mark or otherwise affect the appearance of the mark. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d at 979, 144 USPQ2d at 433; TMEP §1213.

IDENTIFICATION OF SERVICES

The wording "*Audio and video broadcasting services over the Internet in the field of... and product promotions and sales*" in the identification of services for International Class 038 must be clarified

because it is too broad and could include product promotion services classified in International Class 035. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03. Applicant must clarify that "product promotions and sales" are subject-matter fields of the audio and video broadcast services in Class 038 and not separable product promotion services. As the specimen of use does not indicate that applicant provides separable product promotion services, the examining attorney has not suggested wording in Class 035.

Applicant may substitute the following wording, if accurate:

International Class 038: "Audio and video broadcasting services over the Internet in the *fields* of music, ~~and~~ product promotions, and sales."

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

RESPONSE

Response guidelines.

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.

For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see "[Responding to Office Actions](#)" and the informational [video "Response to Office Action"](#) for more information and tips on responding.

Because of the legal technicalities and strict deadlines of the trademark application process, applicant is encouraged to hire a private attorney who specializes in trademark matters to assist in this process. The assigned trademark examining attorney can provide only limited assistance explaining the content of an Office action and the application process. USPTO staff cannot provide legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06. [See Hiring a U.S.-licensed trademark attorney](#) for more information.

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

/Lee-Anne Berns/
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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.



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Word

Guy·ana | \ ɡī-ˈa-nə \

variants: *or formerly* **British Guiana**

Definition of Guyana

country in northern South America on the Atlantic coast; a republic within the Commonwealth of Nations since 1970 capital Georgetown *area* 83,000 square miles (214,969 square kilometers), *population* 740,700

Other Words from Guyana

Guyanese \ ɡī-ə-ˈnēz \ , -ˈnēs \ *adjective or noun*

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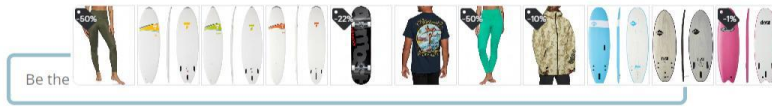
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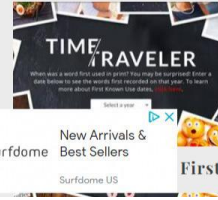
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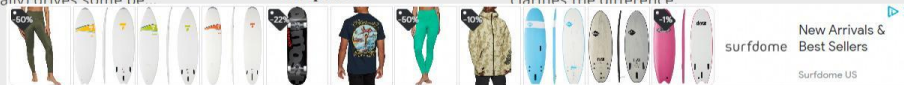
Lay vs. Lie

Editor Emily Brewster clarifies the difference.



Hot Mess

"The public is a hot mess"



WORD GAMES



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Music of Guyana

From Wikipedia, the free encyclopedia

The **music of Guyana** encompasses a range of musical styles and genres that draw from various influences including: Indian, Latino-Hispanic, European, African, Chinese, and Amerindian music. Popular Guyanese performers include: *Terry Gajraj*, *Eddy Grant*, Dave Martins & the Tradewinds^[1] (Johnny Braff, Ivor Lynch & Sammy Baksh), *Aubrey Cummings*, and Nicky Porter.^[2] The Guyana Music Festival has proven to be influential on the Guyana music scene.^[3]

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History [edit]

Earliest recorded musical interactions were mainly related to the missionary-driven spread of Christianity in the New World. Moravian missionaries used music used hymns to reach the *Kalina* people in the area of *Berbice*. Slaves brought to the region via the *Atlantic slave trade* contributed African influences from a wide array of different cultures, although music and dance was also utilized to promote fitness in slaves by their sellers. After emancipation, the period in which the British sought to bring indentured labor into the colonies introduced musical traditions of India, as well as Portugal and other countries.^[2]

When the colonies of Demerara, Essequibo, and Berbice were merged into *British Guiana*, colonial power and upper class culture "exerted substantial influence" over music styles of the time. Military bands for parades and ceremonial purpose reflected British sovereignty. Classical music, religious music, or folk songs of Britain were also popular among the ruling class. In the late19th century, there was "a tendency import artists" as a show of "Victorian culture of respectability".^[2]

In marginalized groups, laws were enacted to suppress music, as it was connected to revolts. Nonetheless, music reflecting other cultures flourished within communities such as African-derived music in villages of former slaves and Indian traditions maintained in villages occupied by those under and post-indenture. The British Guiana Militia Band, formed mainly to deal with the unpopularity stemmed from involvement in the Angel Gabriel Riots, served both functions of promoting British Imperialism as well as an apprenticeship program for musicians of the *Portuguese Guyanese* and *Afro-Guyanese* working class. Other musical events of the working-class included "practices", a paid-entry dance hall. Genres reflected a mix of African, Irish, and Scottish music traditions and instruments.^[2]

Contrary to the Christian-derived music of the colonial elite, *bhajans* were important to Indo-Guyanese music. Tan singing and folk music accompanied by *tassa* drums followed instruments such as the harmonium, sitar, tabla, dholak and dhantal. Hindi has given way to English and Caribbean creole languages giving rise to fusion styles such as *chutney*, which flourished mostly in Trinidad and Tobago during its early years as Guyanese media outlets greatly restrained Indian culture in the 1970s and 80s. In the 90s, just as calypso was developing into *Soca*, chutney also took on more regional influences such as using the *steelpan* and electronic instruments.^[4]

Calypso music, common among *Afro-Caribbean* communities, has also been an outlet for criticizing the government or addressing other social issues. Guyana has annual calypso competitions.^[5]

Music education [edit]

Guyana is home to many unique music traditions, but music has tended to receive little support in schools. Music studies are offered as part of teacher training at *Cyril Potter College of Education*, and a fledgling National School of Music was opened in 2012.^[6]

Prominent musicians [edit]

El Sadiek & De Sugar Cake Girls from Guyana was a unique formation of entertainers, singers, dancers, musicians including the Sugar Cake Girls - Fiona, Sarah and Kamla. The diversity of El Sadiek music repertoire of Filmi, Chutney, Soca, Reggae, Hip Hop, and Soul music. El Sadiek lead keyboard player, Shabana, is the only female Indian keyboard player in Guyana and perhaps the Caribbean. El Sadiek also includes the singer Kerida who Chutney and Filmi beats. Other talented lead singers were Sheik and Dj Poopsie.^[7]

Guyanese-born musicians who developed their musical careers abroad include *Mad Professor* (Neil Fraser). Fraser created Ariwa Records in 1979 and became a central figure in the UK dub scene as a prolific producer of dub and an originator of the "Lovers Rock" genre in the early 1980s.

See also [edit]

- Shanto
- Music of the Caribbean
- Guyanese music in the United Kingdom
- Georgetown Seawall Bandstand
- Guyana Defence Force Band Corps

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- ↑ Saywack, Rajendra (1999). "From Caroni gyal to Calcutta woman: A history of East Indian chutney music in the Caribbean" *Thomas Hunter College Black & Puerto Rican Studies Department*. Archived from the original on 2000-08-23. Retrieved 2021-03-08.
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- ↑ "The Sugar Cake Girls - What sweetness" *indocaribbeanworld.com*. indocaribbeanworld.com. Archived from the original on September 16, 2016. Retrieved November 23, 2016.

Further reading [edit]

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- "The African Folk Music Tradition from Guyana: A Discourse and Performance". Brown Bag Colloquium Series 2003–2004.
- Seals, Ray. "The Making of Popular Guyanese Music"

<div><div></div><div>V • T • E</div></div>	Music of South America	[hide]
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Categories: Guyanese music		

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Music of Guyana



Music of Guyana

The **music of Guyana** is a mix of Indian, African, European and Amerindian elements. Important American, Caribbean, Brazilian and other Latin musical styles are popular. Popular Guyanese performers include Terry Gajraj, Mark Holder, [Eddy Grant](#), Dave Martins & the Tradewinds, (Johnny Braff, Ivor Lynch & Sammy Baksh) [Aubrey Cummings](#) and Nicky Porter. The Guyana Music Festival has proven an influential part of the scene.

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Genres

Popular music

The first half of the 20th century saw a number of popular Guyanese dance bands, including the BG Musicians Band, Harry Banks Orchestra, Al Seales & His Washboard Swing Orchestra, Bert Rogers & His Aristocrats Dance Orchestra and the Carnival Orchestra. By the 1960s, these big bands with brass and horns, woodwinds and

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Orchestra and Mr. Gouveia's Orchestra. By the 1960s, these big bands with prominent horns, woodwinds and other instruments became less popular in favor of a wave of string bands. These included [The Rockets](#), Bumble & the Saints, Sid & the Slickers, Bing Serrao & the Ramblers, Combo 7, Rhythmaires, [Dominators](#), Curtis MG's, Rudy & the Roosters, Yoruba Singers, Little Jones, Mischievous Guys, Cannonballs, and the Telstars.

The Rockets led by Michael Bacchus and lead singer Johnny Braff along with Bumble & the Saints, led by Colin



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Guys, Rhythmaires, Rudy and the Roosters, Sid and the Slickers, Telstars, and the Yoruba Singers.

Shanto

[Shanto](#) is a form of Guyanese music, related to both [calypso](#) and [mento](#). It became a major part of early popular music through its use in Guyanese vaudeville shows; songs are topical and light-hearted, often accompanied by a guitar.

Calypso

[Calypso](#) is especially popular in Guyana, which was imported from [Trinidad](#). Calypso is satirical and lyrically-oriented, often played during celebrations like [Mashramani](#), while [chutney](#) is played and performed at private events, usually with lyrics in English and/or Hindi.

Indo-Caribbean

[Indian music](#) arrived with immigrants from South Asia. This originally included folk music played with [dholak](#), [tabla](#), [sitar](#), [harmonium](#) and [dholak](#), later including [tassa](#) drums. Music was mostly [Hindu](#) songs called [bhajans](#), as well as [film](#). The tan singing style is unique to the Indian community in Guyana and Suriname.

Popular Indo-Caribbean music began with the Surinamese star [Ramdev Chaitoe](#) in the late 1950s with his album, *The Star Melodies of Ramdev Chaitoe*, and accelerated with that country's [Dropati](#) and, later, [Trinidad's Sunda Popo](#). It was not until the late 1970s, however, that Neisha Benjamin, the first major Indo-Guyanese performer, began releasing hits like "O'Manlinga". She often addressed political issues, like the socialist policies which was perceived as oppression of the Indian community because of the restriction of flour and dall(splitpeas)by [Forbes Burnham](#)'s of the [People's National Congress](#)in reality these policies were hard against all Guyanese. Neisha was mainly a singer of love songs.




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usually has accents on the first and third beat in each bar.

Reggae song lyrics deal with many subjects, including religion, love, sex, peace, relationships, poverty, injustice and other social and political issues.

Songs

- Song of Guyana's Children
- The teacup river

all over the world

http://en.wikipedia.org/wiki/User:Macushi/Macushi_Songs

Musicians

Sammy Baksh and Former Lineup

Sammy Baksh was known to be one of the famous Guyanese proponents of Rock-Reggae fusion music. He is highly regarded for his song dated from the 80's titled,"To Be Lonely". One member within his lineup was a guitarist named Azad Mohamed who toured across Guyana with Sammy Baksh. Baksh, as well as Mohamed are currently working on new music in hopes of revitalizing their earlier years as musicians. Sammy Baksh can be seen with former guitarist, Azad Mohamed, here: [1]

Here is Sammy doing at show at York College, Queens recently: [Sammy Baksh](#)

Guy Marco I http://en.wikipedia.org/wiki/User:Macushi/Macushi_Songs



- Guyanese music in the United Kingdom

http://en.wikipedia.org/wiki/User:Macushi/Macushi_Songs

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Music of the Lesser Antilles — The music of the Lesser Antilles encompasses the music of this chain portion of the West Indies. Lesser Antilean music is part of the broader category of Caribbean music; m

Guyana — Guyanese /guy euh neez , nees /, n., adj. /guy an euh, ah neuh/, n. an independent republic protectorate; gained independence 1966; member of the Commonwealth of Nations. 706,116; 82,978 sq




Guyana — <p></p> <p></p> Introduction ::Guyana <p></p> Background: <p></p> Originally a Dutch colony British possession. The abolition of slavery led to black ... *The World Factbook*

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United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on August 28, 2022 for
U.S. Trademark Application Serial No. 97119526

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: Lee-Anne Berns

Statistics for Case 97119526						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	*wat*[bi,ti]not dead[ld]	15449	0	0	0	0:01
2	*what*[bi,ti]not dead[ld]	5156	0	0	0	0:01
3	*hot*[bi,ti]not dead[ld]	15271	0	0	0	0:01
4	1 and 3	126	0	126	126	0:01
5	1 and 2	63	0	63	63	0:01
6	*watz*[bi,ti]not dead[ld]	10	0	10	10	0:01
7	*whatz*[bi,ti]not dead[ld]	9	0	9	9	0:01
8	*wats*[bi,ti]not dead[ld]	232	0	4	4	0:02
9	*whats*[bi,ti]not dead[ld]	1370	0	0	0	0:01
10	8 and *hot*[bi,ti]not dead[ld]	1	0	1	1	0:00
11	9 and *hot*[bi,ti]not dead[ld]	9	0	9	9	0:00
12	*guyan*[bi,ti]not dead[ld]	22	0	0	0	0:01
13	*g{v}y{v}n*[bi,ti]not dead[ld]	114	0	0	0	0:01
14	*g{v}y{v}n*[bi,ti]not dead[ld]	114	0	113	113	0:01
15	*g{v}y{v}na*[bi,ti]not dead[ld]	14	0	14	14	0:00

Session started 08/28/2022 12:05 pm

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