

To: Joseph M. Coleman(jmc@boatmanricci.com)
Subject: U.S. Trademark Application Serial No. 97120597 - CLEANSING ESSENTIALS
Sent: August 26, 2022 02:09:53 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[A MWD 1.jpg](#)
[A MWD 3.jpg](#)
[A MWD 2.jpg](#)
[HD Soap 1.jpg](#)
[Seek Spark Shine 1.jpg](#)
[Seek Spark Shine 2.jpg](#)
[Starflower Essentials 1.jpg](#)
[Thirteen Lune 1.jpg](#)
[Z Applicant 1.jpg](#)
[Z Applicant 2.jpg](#)
[Z Applicant 3.jpg](#)
[Z Applicant 4.jpg](#)

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

U.S. Application Serial No. 97120597

Mark: CLEANSING ESSENTIALS

Correspondence Address:

JOSEPH M. COLEMAN
BOATMAN RICCI
3021 AIRPORT PULLING RD. N. STE. 202
NAPLES FL 34105 UNITED STATES

Applicant: Cleansing Essentials LLC

Reference/Docket No. N/A

Correspondence Email Address: jmc@boatmanricci.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 26, 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.

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:

- Section 2(e)(1) Refusal - Merely Descriptive
- Advisory: Supplemental Register Option

SECTION 2(e)(1) REFUSAL - MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes a feature or characteristic of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose, or use of an applicant's goods and/or services. TMEP §1209.01(b); *see, e.g., In re TriVita, Inc.*, 783 F.3d 872, 874, 114 USPQ2d 1574, 1575 (Fed. Cir. 2015) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005) (citing *Estate of P.D. Beckwith, Inc. v. Comm'r of Patents*, 252 U.S. 538, 543 (1920)).

The determination of whether a mark is merely descriptive is made in relation to an applicant's goods and/or services, not in the abstract. *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1254, 103 USPQ2d 1753, 1757 (Fed. Cir. 2012); *In re The Chamber of Commerce of the U.S.*, 675 F.3d 1297, 1300, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012); TMEP §1209.01(b). "Whether consumers could guess what the product [or service] is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

Here, applicant has applied for the mark CLEANSING ESSENTIALS in standard characters for use in connection with "Body oils; Skin conditioners; Skin lotions; Bar soap; Bath soaps; Beauty soap; Body scrub; Body scrubs; Body cream soap; Cosmetic soaps; Cream soaps; Exfoliating scrubs for cosmetic purposes; Facial scrubs; Foot scrubs; Hand scrubs; Perfumed soap; Perfumed soaps; Shaving soaps; Skin soap" in Class 3. The attached evidence from Merriam-Webster dictionary shows that "cleanse" means to "clean" or "to rid of impurities by or as if by washing," "essential" means "something basic," and "essential oil" means "any of a class of volatile oils that give plants their

characteristic odors and are used especially in perfumes and flavorings, and for aromatherapy." Moreover, the attached evidence from HD Soap, Seek Spark Shine, Starflower Essentials, and Thirteen Lune shows that the wording "cleansing" and "essential" or "essentials" is often used in connection with similar goods to mean that the goods are used for cleaning and are made with essential oils. Thus, the wording merely describes a feature or characteristic of applicant's goods because applicant's goods are used for cleaning and are made with essential oils. In fact, the attached evidence from applicant's website states that applicant's skincare line "includes soaps handcrafted with **essential** oils" and applicant's face oil "will **cleanse**, treat, and naturally moisturize your skin." (Emphasis added). Therefore, applicant's goods are, in fact, used for cleansing and are made with essential oils.

Generally, if the individual components of a mark retain their descriptive meaning in relation to the goods and/or services, the combination results in a composite mark that is itself descriptive and not registrable. *In re Fat Boys Water Sports LLC*, 118 USPQ2d 1511, 1516 (TTAB 2016) (citing *In re Tower Tech, Inc.*, 64 USPQ2d 1314, 1317-18 (TTAB 2002)); TMEP §1209.03(d); *see, e.g., DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1255, 103 USPQ2d 1753, 1758 (Fed. Cir. 2012) (holding SNAP SIMPLY SAFER merely descriptive for various medical devices, such as hypodermic, aspiration, and injection needles and syringes); *In re Fallon*, 2020 USPQ2d 11249, at *12 (TTAB 2020) (holding THERMAL MATRIX merely descriptive of a heat-responsive, malleable liner that is an integral component of an oral dental appliance).

Only where the combination of descriptive terms creates a unitary mark with a unique, incongruous, or otherwise nondescriptive meaning in relation to the goods and/or services is the combined mark registrable. *See In re Omniome, Inc.*, 2020 USPQ2d 3222, at *4 (TTAB 2019) (citing *In re Colonial Stores, Inc.*, 394 F.2d 549, 551, 157 USPQ 382, 384 (C.C.P.A. 1968); *In re Shutts*, 217 USPQ 363, 364-65 (TTAB 1983)); *In re Positec Grp. Ltd.*, 108 USPQ2d 1161, 1162-63 (TTAB 2013).

In this case, both the individual components and the composite result, as described above, are descriptive of applicant's goods and do not create a unique, incongruous, or nondescriptive meaning in relation to the goods. Specifically, the term CLEANSING conveys that applicant's goods are used for cleaning, the term ESSENTIALS conveys that applicant's goods are made with essential oils, and the combination of the terms CLEANSING ESSENTIALS conveys that applicant's goods include essential oils and are used for cleaning.

Ultimately, when purchasers encounter applicant's goods using the mark CLEANSING ESSENTIALS, they will immediately understand the mark as an indication of a feature or characteristic of applicant's goods and not an indication that applicant is the source of the goods. Therefore, the mark is merely descriptive and registration is refused pursuant to Section 2(e)(1) of the Trademark Act.

ADVISORY: SUPPLEMENTAL REGISTER OPTION

The applied-for mark has been refused registration on the Principal Register. Applicant may respond to the refusal by submitting evidence and arguments in support of registration and/or by amending the application to seek registration on the Supplemental Register. *See* 15 U.S.C. §1091; 37 C.F.R. §§2.47, 2.75(a); TMEP §§801.02(b), 816. Amending to the Supplemental Register does not preclude applicant from submitting evidence and arguments against the refusal(s). TMEP §816.04.

RESPONSE GUIDELINES

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.

ASSISTANCE

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.](#)

/Maureen Reed/
Maureen Reed
Trademark Examining Attorney
Law Office 115
(571) 272-0851
maureen.reed@uspto.gov

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.



SINCE 1828

GAMES & QUIZZES

THESAURUS

WORD OF THE DAY

FEATURES

SHOP

JOIN MWJ

LOG IN

REGISTER

cleansing

Dictionary

Thesaurus

FDVV

cleanses verb

Save Word

\ˈklenz\

cleansed; cleansing; cleanses

Definition of *cleanses* (Entry 1 of 2)

transitive verb

1 : **CLEAN**

especially : to rid of impurities by or as if by washing

// *cleansed* the wound

// It's that mystical state most athletes are lucky to achieve a few times in their careers. The mind is *cleansed*. The body is free.

— Jon Wertheim

2 : to expel, imprison, or kill (the members of an ethnic minority) in (an area) : to subject to or remove by ethnic cleansing

// In 1996, tens of thousands of ethnic Tutsis, most of them of Rwandan origin, were murdered or ethnically *cleansed* in the Masisi region of eastern Zaire.

— David Rieff

intransitive verb

: to engage in or undergo a *cleanses* to remove toxins from the body

// Some people who *cleanses* say they experience dramatic physical changes.

— Karen Hube



cleanses noun

SEPHORA



Get glossy results fast

SHOP NOW



SINCE 1828

GAMES & QUIZZES

THESAURUS

WORD OF THE DAY

FEATURES

SHOP

JOIN MWJ

LOG IN

REGISTER

essential

Dictionary

Thesaurus

essential adjective

Save Word

es·sen·tial | \ i -' sen(t)-shəl \

Definition of *essential* (Entry 1 of 2)

- : of, relating to, or constituting essence : [INHERENT](#)
- : of the utmost importance : [BASIC](#), [INDISPENSABLE](#), [NECESSARY](#)
// an *essential* requirement for admission to college
 - : being a substance that is not synthesized by the body in a quantity sufficient for normal health and growth and that must be obtained from the diet
// a vegetable oil rich in *essential* fatty acids
— see also [ESSENTIAL AMINO ACID](#)
— compare [NONESSENTIAL](#) sense 2
- : [IDIOPATHIC](#)
// *essential* disease
// *essential* hypertension

essential noun

Definition of *essential* (Entry 2 of 2)

- : something basic
// the *essentials* of astronomy
- : something necessary, indispensable, or unavoidable

WORD OF THE DAY

vociferous

[See Definitions and Examples »](#)

Get Word of the Day daily email!

Your email address

SUBSCRIBE

Waiting for securepubads.g.doubleclick.net...

1:38:34 PM 8/26/2022



SINCE 1828

essential oils

Dictionary

Thesaurus



essential oil noun

Save Word

Definition of *essential oil*

: any of a class of volatile oils that give plants their characteristic odors and are used especially in perfumes and flavorings, and for aromatherapy

— compare **FIXED OIL**



Fat Brain Toys
Educational Toys & Learning
Fat Brain Toys

Examples of *essential oil* in a Sentence

Recent Examples on the Web

// Gift her some aromatherapy with these *essential oil* shower steamers.

— Elizabeth Berry, *Woman's Day*, 26 July 2022

// Research shows that inhaling lavender *essential oil* can reduce blood pressure and heart rate.

Arissa Elm-Sanchez, *Country Living*, 31 July 2022



WORD OF THE DAY

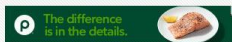
vociferous

[See Definitions and Examples »](#)

Get Word of the Day daily email!

Your email address

SUBSCRIBE





Home / HD Soap | Scrubs / Whipped Charcoal Sugar Scrub 6oz



Whipped Charcoal Sugar Scrub 6oz

\$15.00

29 in stock

1

ADD TO CART

Categories: HD Soap | Scrubs, HD Soap | Staples Tags: activated charcoal, charcoal, cleansing, essential oils, exfoliate, gluten free, scrub, scrubs, soap, spearmint, spearmint essential oil, vegan, whipped, whipped scrub, whipped scrubs, whipped sugar scrub, whipped sugar scrubs

Hi! How can we help you?





Salt Scrub Recipe for Energy Balancing & Cleansing

[< Previous](#) [Next >](#)

Search... [Q](#)



Next Events

- [Reiki 2 Certification - Santa Fe \(August\)](#)
- [Reiki & Sound Healing - San Diego](#)
- [Healing Immersion Retreat 2022](#)
- [Reiki 2 Certification - Santa Fe \(October\)](#)
- [Reiki 1 Certification - Santa Fe \(November\)](#)

Recent Posts

- [New Year's Guided Meditation](#)
- [Grounding Guided Meditation](#)
- [Self Love Guided Meditation](#)
- [Bead Sorting Meditation](#)
- [Virtual Healing Circle](#)

4. Optional – sprinkle some dried lavender on top for a finishing touch.

To Use

I keep a jar handy in a safe, stable place in my shower. I scoop up several handfuls and scrub all over my body. I often find I give a real good scrub over my heart, particularly when I'm feeling a bit overwhelmed or drained. Rinse off as you would soap, and use as needed.

** Please be careful with the glass jar in the shower! You want it to be somewhere it's not going to fall and break in the tub. I use glass over plastic because of the BPA issue, but use what's safest and easiest for you.*

*** Soaking in a tub of Epsom salt is another great energy balancing technique, but these salt scrubs work well if you don't have a tub (and/or want a good added scrub)!*

Protective & Cleansing Essential Oils


- Cedarwood
- Clove
- Cypress
- Frankincense
- Geranium
- Juniper
- Lavender
- Lilac
- Lily
- Lime
- Myrr
- Pine
- Sage
- Sandalwood
- Spearmint
- Verbena
- Vetiver
- Wintergreen

By sharna | February 2nd, 2017 | Aromatherapy, Health, Recipes | 3 Comments

Share This Story, Choose Your Platform!



Lavender Almond Cleansing Bar



Lavender Almond Cleansing Bar

★★★★★ Be the first to review this product

Soothes and Relaxes

\$13.00

Availability: In stock
SKU# R312

1 ADD TO CART

♥ 📊


[G](#) [f](#) [t](#) [v](#) [+](#)

DESCRIPTIONREVIEWS


Lavender and bitter almond combine to create a synergy to soothe and relax you from the cares of the day. Contains: cold pressed, saponified oils of olive, coconut, sunflower, palm kernel, castor, goats milk, living water, lavender & almond essential oils, allantoin powder, benzoin, grapefruit seed extract.

Share: [f](#) [t](#) [v](#) [g](#)


RELATED PRODUCTS



Agave Exfoliating ...
★★★★★
\$14.00



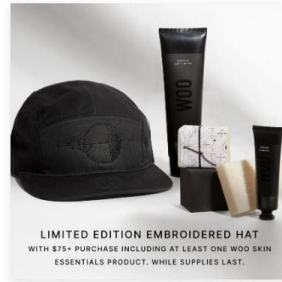
French Lavender B...
★★★★★
\$35.00



French Lavender B...
★★★★★
\$30.00

FREE SHIPPING

Free shipping on all orders over \$200.



LIMITED EDITION EMBROIDERED HAT
WITH \$75+ PURCHASE INCLUDING AT LEAST ONE WOO SKIN
ESSENTIALS PRODUCT. WHILE SUPPLIES LAST.

"The perfect cleansing soap that is gentle enough for cleansing
face, hands and body."

Dr Woo

WOO SKIN ESSENTIALS

GIFT WITH PURCHASE

GENTLE CLEANSING SOAP SET

\$18

This water activated cleansing bar releases a light
foam to whisk away surface impurities.

*Receive one of 50 Limited Edition embroidered
hats with \$75+ purchase including at least one Woo
Skin Essentials product. While supplies last.

ADD TO BAG

4 interest-free payments. Available for orders above \$35. [Klarna](#) [Learn More](#)

PRODUCT DETAILS

+

BRAND DETAILS

+

HOW TO USE

+

INGREDIENTS

+



WOO SKIN ESSENTIALS

Clean, fragrance free body care essentials
created by famed tattoo artist, Dr. Woo, to
support skin health while providing ultimate
hydration.



[Candle-Making Workshop](#)

[27975 Old 41 Rd Suite 109, Bonita Springs, FL 34135](#)

EXPERIENCE
CLEANSING ESSENTIALS

Committed to Quality



Candle-Making Workshop

27975 Old 41 Rd Suite 109, Bonita Springs, FL 34135

EXPERIENCE CLEANSING ESSENTIALS

Committed to Quality

Improve your skincare routine with our complete natural skincare line, which includes soaps handcrafted with essential oils, dirty soaps, and various organic and vegan skincare products.

Cleansing Essentials is committed to providing clean, natural, and organic products with full transparency so that our customers know what they're getting in every product.

We also create all our products with the utmost respect for the environment by handcrafting them in small batches and packaging them in recyclable containers. Using only vegan and sustainably sourced products helps to protect our environment, which is our number one mission.



[Home](#) / [All Soaps](#) / [Anti-Aging Face Oil](#)





Anti-Aging Face Oil

SKU: 0739601748962

Our potent, Anti-Aging Face Oil, helps support instant hydration and boosts skin's natural glow. This anti-aging oil has pure organic Lavender Bulgarian oil known to be an anti-aging essential oil. This anti-aging for face product will cleanse, treat, and naturally moisturize your skin with vegan, organic, anti-aging ingredients.

\$27.99

Quantity

1

Add to Cart

ANTI-AGING FACE OIL INGREDIENTS

- Organic Jojoba oil
- Organic Argan oil
- Organic Sea Buckthorn Oil
- Calendula
- Organic Bulgarian Lavender Essential Oil
- Organic Vitamin E Oil

ANTI-AGING FACE OIL BENEFITS

HOW TO USE

ANTI-AGING FACE OIL INFO

2 comments



Leave a message...



I am so amazed with this anti aging oil. My face feels so smooth and has a great balance to it. I also love the fact that it is all natural and very light.

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on August 26, 2022 for
U.S. Trademark Application Serial No. 97120597

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.

Statistics for Case 97120597						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97120597[sn]	1	0	1	1	0:00
2	"Cleansing Essentials"[on]	1	0	1	1	0:00
3	*{"ckqx"1:2}{ "l"1:2}{v1:2}{ "n"1:2}{ "scz"1:2}*[bi,ti] not dead[ld]	1438	0	0	0	0:14
4	*{v}{ "scz"1:2}{v}{ "n"1:2}{ "t"1:2}{v1:2}l*[bi,ti] not dead[ld]	3762	0	0	0	0:01
5	3 and 4	2	0	2	2	0:15
6	*clean*[bi,ti] not dead[ld]	10214	0	0	0	0:01
7	*essen*[bi,ti] not dead[ld]	5372	0	0	0	0:01
8	6 and 7	21	0	21	21	0:00
9	3 and ("003")[cc]	821	0	0	0	0:13
10	3 and ("003" "035" "042" a b "200")[ic]	445	0	0	0	0:14
11	3 and ("003" a b "200")[ic]	319	0	319	319	0:14
12	3 and ("005" a b "200")[ic]	314	0	314	314	0:15
13	4 and ("003")[cc]	2120	0	0	0	0:01
14	4 and ("003" "035" "042" a b "200")[ic]	1413	0	0	0	0:01
15	4 and ("003" a b "200")[ic]	846	0	0	0	0:02
16	4 and ("005" a b "200")[ic]	484	0	0	0	0:02
17	*cleansing*[bi,ti] not dead[ld]	82	0	82	82	0:01
18	*essential*[bi,ti] not dead[ld]	3580	0	0	0	0:01
19	*essential{"scz"1:2}*[bi,ti] not dead[ld]	2225	0	0	0	0:00
20	18 and ("003")[cc]	2022	0	0	0	0:00
21	18 and ("003" "035" "042" a b "200")[ic]	1342	0	0	0	0:01
22	18 and ("003" a b "200")[ic]	811	0	0	0	0:01
23	18 and ("005" a b "200")[ic]	456	0	0	0	0:01
24	19 and ("003")[cc]	1290	0	0	0	0:00
25	19 and ("003" "035" "042" a b "200")[ic]	838	0	0	0	0:01
26	19 and ("003" a b "200")[ic]	548	0	0	0	0:01
27	19 and ("005" a b "200")[ic]	285	0	285	285	0:01
28	essentials[bi,ti] not dead[ld]	2191	0	0	0	0:01
29	"essentials"[bi,ti] not dead[ld]	2191	0	0	0	0:01
30	29 and ("003")[cc]	1273	0	0	0	0:00
31	29 and ("003" "035" "042" a b "200")[ic]	832	0	0	0	0:01
32	29 and ("003" a b "200")[ic]	548	0	548	548	0:00

Session started 08/26/2022 12:58 pm

Session ended 08/26/2022 1:16 pm

Total search duration 105.00

Session duration 18 minutes 36 seconds

Adjacency Level 1

Near Level 1