

To: David I. Greenbaum(tmdocketing@rimonlaw.com)
Subject: U.S. Trademark Application Serial No. 97118560 - PSYCHLD - 10480.43030
Sent: August 24, 2022 12:12:16 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[4162109](#)
[screenshot-www-instagram-com-psychldstreetwear-16613552129711](#)
[6821173](#)
[6797891](#)
[6829539](#)
[6827732](#)
[6820894](#)
[6827522](#)
[6827779](#)
[6827815](#)
[6815306](#)
[6661373](#)
[5312930](#)

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

U.S. Application Serial No. 97118560

Mark: PSYCHLD

Correspondence Address:

DAVID I. GREENBAUM
RIMON, P.C.
420 WEST MAIN STREET, SUITE 101B
BOISE ID 83702 UNITED STATES

Applicant: Psychld Clothing LLC

Reference/Docket No. 10480.43030

Correspondence Email Address: tmdocketing@rimonlaw.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:

- Refusal - Section 2(d) Refusal to Register - Likelihood of Confusion

1. Refusal - Section 2(d) Refusal to Register - Likelihood of confusion:

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 4162109. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods and/or services of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Any evidence of record related to those factors need be considered; however, “not all of the *DuPont* factors are relevant or of similar weight in every case.” *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379, 129 USPQ2d 1160, 1162 (Fed. Cir. 2019) (quoting *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997)).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods and/or services. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) (“The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks.”); TMEP §1207.01.

The overriding concern is not only to prevent buyer confusion as to the source of the goods and/or services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. *See In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); *see Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1026 (Fed. Cir. 1988).

Comparison of the Marks:

Marks are compared in their entirety for similarities in appearance, sound, connotation, and

commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). “Similarity in any one of these elements may be sufficient to find the marks confusingly similar.” *In re Inn at St. John’s, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)), *aff’d per curiam*, 777 F. App’x 516, 2019 BL 343921 (Fed. Cir. 2019); TMEP §1207.01(b).

The applicant's mark is PSYCHLD.

The registrant's mark is PSYCLE.

The applicant's mark is confusingly similar to the registrant's mark because they look similar, sound similar and have the same commercial impression. Marks may be confusingly similar in appearance where similar terms or phrases or similar parts of terms or phrases appear in the compared marks and create a similar overall commercial impression. *See Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB 1986), *aff’d sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat’l Ass’n*, 811 F.2d 1490, 1495, 1 USPQ2d 1813, 1817 (Fed. Cir. 1987) (holding COMMCASH and COMMUNICASH confusingly similar); *In re Corning Glass Works*, 229 USPQ 65, 66 (TTAB 1985) (holding CONFIRM and CONFIRMCELLS confusingly similar); *In re Pellerin Milnor Corp.*, 221 USPQ 558, 560 (TTAB 1983) (holding MILTRON and MILLTRONICS confusingly similar); TMEP §1207.01(b)(ii)-(iii).

Additionally, please see the attached evidence which shows that applicant's mark is pronounced CYCLED. Accordingly, the applicant's mark and the registrant's mark are highly similar sound in sound and in meaning.

Accordingly, because the marks look similar with both starting with the identical letters PSYC, the marks sound virtually identical and have the same overall commercial impression, the marks are confusingly similar.

Comparison of the Goods/Services:

The compared goods and/or services need not be identical or even competitive to find a likelihood of confusion. *See On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be “related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

The applicant's goods are, "Beanies; Hats; Headwear; Leggings; Pants; Shirts; T-shirts; Trousers; Children's underwear; Coats for men, women, children; Headwear for men, women, children; Hoodies; Jackets for men, women, children; Long-sleeved shirts; Men's underwear; Pants for men, women, children; Shirts for men, women, children; Shorts for men, women, children; Sweaters; Sweaters for men, women, children; Sweatpants; Sweatpants for men, women, children; Sweatshirts; Sweatshirts for men, women, children; T-shirts for men, women, children; Trousers for men, women, children; Women's underwear" in Class 025.

The registrant's goods include, "Clothing, namely, shirts, tops, sleeveless tops, thermal shirts, long-sleeve tops, t-shirts, tank tops, bandannas" in Class 025.

The applicant's goods are related to the registrant's goods because these types of goods are available at clothing stores. Accordingly, these types of goods travel through the same channels of trade to the same classes of purchasers. The trademark examining attorney has attached evidence from the USPTO's X-Search database consisting of a number of third-party marks registered for use in connection with the same or similar goods and/or services as those of both applicant and registrant in this case. This evidence shows that the goods and/or services listed therein, namely, hats, hoodies, sweaters, sweatshirts, t-shirts, pants, beanies, tank tops, sweatpants, bandanas, headwear, leggings, tops, tank tops, men's underwear, women's underwear, and trousers are of a kind that may emanate from a single source under a single mark. *See In re I-Coat Co.*, 126 USPQ2d 1730, 1737 (TTAB 2018) (citing *In re Infinity Broad. Corp.*, 60 USPQ2d 1214, 1217-18 (TTAB 2001); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988)); TMEP §1207.01(d)(iii).

Further, the application and the registration include the following identical items: shirts and t-shirts.

Additionally, determining likelihood of confusion is based on the description of the goods and/or services stated in the application and registration at issue, not on extrinsic evidence of actual use. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1052 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325, 123 USPQ2d 1744, 1749 (Fed. Cir. 2017)).

In this case, the registration use(s) broad wording to describe the "tops", which presumably encompasses all goods and/or services of the type described, including applicant's more narrow shirts, t-shirts, hoodies, long-sleeved shirts, shirts for men, women, children, sweaters, sweaters for men, women, children, sweatshirts, sweatshirts for men, women, children and t-shirts for men, women, children. *See, e.g., In re Solid State Design Inc.*, 125 USPQ2d 1409, 1412-15 (TTAB 2018); *Sw. Mgmt., Inc. v. Ocinomled, Ltd.*, 115 USPQ2d 1007, 1025 (TTAB 2015). Thus, applicant's and registrant's goods are legally identical. *See, e.g., In re i.am.symbolic, llc*, 127 USPQ2d 1627, 1629 (TTAB 2018) (citing *Tuxedo Monopoly, Inc. v. Gen. Mills Fun Grp., Inc.*, 648 F.2d 1335, 1336, 209 USPQ 986, 988 (C.C.P.A. 1981); *Inter IKEA Sys. B.V. v. Akea, LLC*, 110 USPQ2d 1734, 1745 (TTAB 2014); *Baseball Am. Inc. v. Powerplay Sports Ltd.*, 71 USPQ2d 1844, 1847 n.9 (TTAB 2004)).

Additionally, the goods and/or services of the parties have no restrictions as to nature, type, channels of trade, or classes of purchasers and are "presumed to travel in the same channels of trade to the same class of purchasers." *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268, 62 USPQ2d 1001, 1005 (Fed. Cir. 2002)). Thus, applicant's and registrant's goods and/or services are related.

Accordingly, because the marks are confusingly similar and the goods are identical, overlapping and closely related, confusion as to source is likely and registration is refused under Section 2(d) of the Trademark Act.

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

2. Advisory - Assistance:

Please email the assigned trademark examining attorney at colleen.dombrow@uspto.gov 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.

PLEASE NOTE: If applicant requires assistance navigating the online response form, applicant should contact the Trademark Assistance Center at 571-272-9250. The Examining Attorney cannot assist the applicant with the online response form.

3. Advisory - How to Respond:

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.

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

/Colleen Dombrow/
Trademark Examining Attorney
Law Office 101
(571) 272-8262
colleen.dombrow@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.

(4) STANDARD CHARACTER MARK

PSYCLE

Mark Punctuated

PSYCLE

Translation

Goods/Services

- IC 025. US 022 039.G & S: Clothing, namely, shirts, tops, sleeveless tops, thermal shirts, long-sleeve tops, t-shirts, tank tops, bandannas. FIRST USE: 20110318. FIRST USE IN COMMERCE: 20110318
- IC 041. US 100 101 107.G & S: Providing physical fitness instruction and consultation; providing fitness and exercise facilities. FIRST USE: 20100214. FIRST USE IN COMMERCE: 20100214

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

85277197

Filing Date

20110325

Current Filing Basis

1A

Original Filing Basis

1B

Publication for Opposition Date

20110809

Registration Number

4162109

Date Registered

20120619

Owner

(REGISTRANT) Psytle Inc CORPORATION OHIO 2 McKinley Place Lakewood OHIO 44107

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK. SERVICE MARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

John S. Zanghi

Instagram

Search

Log In Sign Up

psychldstreetwear

Message

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...

22 posts

1,669 followers

14 following



PSYCHLD®

Clothing (Brand)

[CYCLED]

Ethically made

♻️ Recycled and organic materials

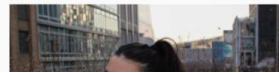
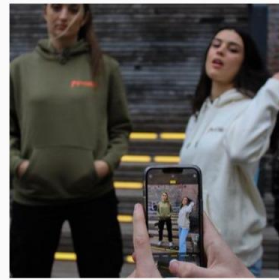
🌱 2 trees planted with every purchase

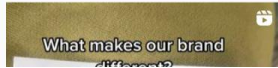
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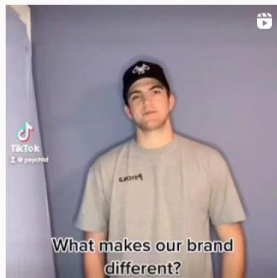
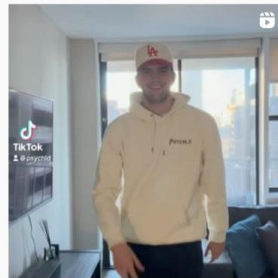
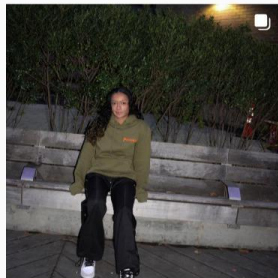
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English  © 2022 Instagram from Meta

(4) STANDARD CHARACTER MARK

Dumb Cookies

Mark Punctuated

DUMB COOKIES

Translation

Goods/Services

- IC 025. US 022 039.G & S: Coats; Footwear; Hats; Headwear; Pants; Shirts; Skirts; Athletic tops; Bottoms as clothing; Hoodies; Jackets; Sweat pants; Sweat shirts; Swim wear; Swim suits; Tops as clothing; Athletic bottoms; Gym pants; Hooded sweat shirts; T-shirts. FIRST USE: 20220101. FIRST USE IN COMMERCE: 20220101

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

97298677

Filing Date

20220307

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220531

Registration Number

6821173

Date Registered

20220816

Owner

(REGISTRANT) Dumb Cookies LLC LIMITED LIABILITY COMPANY FLORIDA 3110 Grand Ave, apt 3107 Pinellas Park FLORIDA 33782

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record
David Hester

Print: Wed Aug 24 2022

97219755

(2) DESIGN ONLY



Mark Punctuated

Translation

Goods/Services

- IC 025. US 022 039.G & S: Clothing, namely, shirts, t-shirts, tank-tops, sweatshirts, shorts and pants; hats and headwear; athletic tops; tops and bottoms as clothing. FIRST USE: 20200000. FIRST USE IN COMMERCE: 20200000

Mark Drawing Code

(2) DESIGN ONLY

Design Code

031902 031921 031924 060303

Serial Number

97219755

Filing Date

20220114

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220503

Registration Number

6797891

Date Registered

20220719

Owner

(REGISTRANT) Sea World LLC LIMITED LIABILITY COMPANY DELAWARE 6240 Sea Harbor Drive
Orlando FLORIDA 32821

Priority Date

Disclaimer Statement

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of a stylized whale above two stylized waves.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

Jolly-Johanna L. Northrop

(4) STANDARD CHARACTER MARK

SKERS

Mark Punctuated

SKERS

Translation

Goods/Services

- IC 025. US 022 039.G & S: Socks; Underwear; Outerwear, namely, tops, bottoms, shirts, dresses, pants, shorts, skirts, sweaters, sweatshirts, coats, jackets, hats, gloves. FIRST USE: 20200000. FIRST USE IN COMMERCE: 20200000

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

97017621

Filing Date

20210908

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

Registration Number

6829539

Date Registered

20220823

Owner

(REGISTRANT) Kyle Dudley INDIVIDUAL UNITED STATES 10405 Sagamore Road Leawood KANSAS 66206

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register

SUPPLEMENTAL

Live Dead Indicator

LIVE

Attorney of Record

Joshua A. Schaul

(4) STANDARD CHARACTER MARK

2974 & COUNTING

Mark Punctuated

2974 & COUNTING

Translation

Goods/Services

- IC 025. US 022 039.G & S: Shoes; Clothing, namely, shorts, shirts, hats, socks, sweaters, sweatshirts, tank tops, sweatpants, pants, belts, and underwear; Headwear, namely, hats, caps, beanies, and bandanas.
FIRST USE: 20211125. FIRST USE IN COMMERCE: 20211214

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

97235387

Filing Date

20220124

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220607

Registration Number

6827732

Date Registered

20220823

Owner

(REGISTRANT) Trophy Hunting LLC LIMITED LIABILITY COMPANY CALIFORNIA 849 14th Street,
Unit 5 Santa Monica CALIFORNIA 90403

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

Sarah M. Matz

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS



Mark Punctuated

SOPHIE RUE SOPHIE RUE

Translation

Goods/Services

- IC 025. US 022 039.G & S: Blouses; Coats; Dresses; Jeans; **Pants**; Scarves; **Shirts**; Shorts; Skirts; Socks; **Sweaters**; Blazers; Down jackets; Jackets as clothing; **Tops** as clothing. FIRST USE: 20210827. FIRST USE IN COMMERCE: 20210827

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Code

261108

Serial Number

97047669

Filing Date

20210927

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220531

Registration Number

6820894

Date Registered

20220816

Owner

(REGISTRANT) KYS GROUP CORP CORPORATION CALIFORNIA 3724 E. 26th Street Vernon CALIFORNIA 90058

Priority Date

Disclaimer Statement

Description of Mark

The mark consists of the word "SOPHIE" appears on the top left and the word "RUE" appears from top to bottom in the top right corner. The word "SOPHIE" appears on the bottom right and the word "RUE" appears from bottom to top in the bottom left corner. Overall, it is a rectangular in shape with words forming a border.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

(4) STANDARD CHARACTER MARK

GYMPUNK

Mark Punctuated

GYMPUNK

Translation

Goods/Services

- IC 005. US 005 006 018 044 046 051 052.G & S: Dietary supplements; Liquid nutritional supplement; Nutritional supplement shakes; Protein supplement shakes. FIRST USE: 20200414. FIRST USE IN COMMERCE: 20200414
- IC 025. US 022 039.G & S: Leggings; Shirts; Athletic shirts; Graphic T-shirts; Hooded sweat shirts; Long-sleeved shirts; Sports bra; Yoga shirts. FIRST USE: 20200414. FIRST USE IN COMMERCE: 20200414

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

97061202

Filing Date

20211006

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220607

Registration Number

6827522

Date Registered

20220823

Owner

(REGISTRANT) Vedo Trade LLC LIMITED LIABILITY COMPANY PUERTO RICO 151 Calle de San Francisco San Juan PUERTO RICO 00901

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS



Mark Punctuated

H HOWITZER PATRIOT MFG

Translation

Goods/Services

- IC 025. US 022 039.G & S: Clothing, namely, shirts, t-shirts, sweatshirts, hoodies, sweatpants, shorts pants, socks, hats, beanies. FIRST USE: 20160400. FIRST USE IN COMMERCE: 20160400

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Code

010109 010113 090316 230307 230308 230312 240103 260118 260901

Serial Number

97306611

Filing Date

20220310

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220607

Registration Number

6827779

Date Registered

20220823

Owner

(REGISTRANT) Affliction Holdings, LLC LIMITED LIABILITY COMPANY CALIFORNIA 1799 Apollo Ct. Seal Beach CALIFORNIA 90740

Priority Date

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MFG" APART FROM THE MARK AS

SHOWN

Description of Mark

The mark consists of a black square with a circle inside comprising double parallel lines with the word "HOWITZER" centered inside on top of the circle within the lines and the words "PATRIOT MFG" centered inside the lines on the bottom of the circle. Inside the circle is a stylized "H" centered within a pocket shape of contrasting color. In the background behind the circle are two oblong shapes criss crossed in a contrasting color.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

Janet Kaufman

(4) STANDARD CHARACTER MARK

WHO WITH HIM ONLY

Mark Punctuated

WHO WITH HIM ONLY

Translation

Goods/Services

- IC 025. US 022 039.G & S: Hats; Hoodies; Shorts; Socks; Sweaters; Sweatshirts; T-shirts; Caps being headwear; Cloth bibs; Jerseys being clothing; Pants for babies; Polo shirts; Visors being headwear; Warm up outfits; Athletic jackets; Short-sleeved or long-sleeved t-shirts. FIRST USE: 20220211. FIRST USE IN COMMERCE: 20220211

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

97357057

Filing Date

20220411

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220607

Registration Number

6827815

Date Registered

20220823

Owner

(REGISTRANT) Coates Christian Apparel, LLC DBA C.O.A.T.E.S. Christian Apparel LIMITED LIABILITY COMPANY OHIO 180 Whittlesey Dr. Tallmadge OHIO 44278

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record
Daniel A. Thomson, TMCP-UAK

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

~~NO MORE RULERS~~

Mark Punctuated

NO MORE RULERS

Translation

Goods/Services

- IC 025. US 022 039.G & S: shirts, t-shirts, long-sleeved shirts, sweatshirts, hooded sweatshirts and hats.
FIRST USE: 20210929. FIRST USE IN COMMERCE: 20210929

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Code

261701 261705

Serial Number

97343126

Filing Date

20220401

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20220524

Registration Number

6815306

Date Registered

20220809

Owner

(REGISTRANT) Herlar, LLC LIMITED LIABILITY COMPANY NEW YORK 1441 3rd Ave., 23rd Fl. New York NEW YORK 10028

Priority Date

Disclaimer Statement

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of the terms "NO MORE RULERS" with a

horizontal strikethrough line across the center of the terms.

Type of Mark
TRADEMARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record
John Pelosi, Esq.

(4) STANDARD CHARACTER MARK

de novo

Mark Punctuated

DE NOVO

Translation

Goods/Services

- IC 025. US 022 039.G & S: Clothing, namely, t-shirts, sweat pants, hoodies, tank tops, jeans, hats, underwear, shoes, blouses, rompers, jackets, biker shorts, joggers, leggings, jumpsuits, dresses, mens underwear, womens underwear, bras, pants. FIRST USE: 20210601. FIRST USE IN COMMERCE: 20210601

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

90512960

Filing Date

20210205

Current Filing Basis

1A

Original Filing Basis

1B

Publication for Opposition Date

20211005

Registration Number

6661373

Date Registered

20220301

Owner

(REGISTRANT) Mays, Chasity INDIVIDUAL UNITED STATES #235 5310 Carnaby St Irving TEXAS 75038

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark

TRADEMARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

THINK + 3 BELIEVE

Mark Punctuated

THINK +B BELIEVE

Translation

Goods/Services

- IC 014. US 002 027 028 050.G & S: Costume jewelry, key rings of precious metals. FIRST USE: 20160800. FIRST USE IN COMMERCE: 20160900
- IC 025. US 022 039.G & S: Clothing, namely, shirts, dresses, skirts, blouses, mantles, gloves, t-shirts, pants, shorts, scarfs, women's athletic tops with built-in bras, bras, ladies' and mens' underwear, long jackets, leather jackets, denim jackets, culottes, tailleurs, trousers, leggings, jeans, cardigans, socks, sports vests, lingerie, coats, overcoats, gilets, sweatshirts, winter coats, down jackets; hats. FIRST USE: 20160800. FIRST USE IN COMMERCE: 20160900

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Code

241302 241714 270305

Serial Number

87124060

Filing Date

20160802

Current Filing Basis

1A

Original Filing Basis

1B

Publication for Opposition Date

20170103

Registration Number

5312930

Date Registered

20171017

Owner

(REGISTRANT) G. Nation, LLC LIMITED LIABILITY COMPANY FLORIDA 355 NE 59th Terrace Miami FLORIDA 33137

Priority Date

Disclaimer Statement

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of the words "THINK & BELIEVE" with a stylized ampersand symbol in between the wording.

Type of Mark
TRADEMARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record
Tanja Proehl

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. 97118560

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: Colleen Dombrow

Statistics for Case 97118560						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97118560[sn]	1	0	0	0	0:00
2	*psyc*[bi,ti] and live[ld]	1510	0	0	0	0:01
3	2 and "025"[cc]	366	0	0	0	0:01
4	2 and ("025" a b "200")[ic]	105	0	105	105	0:01
5	3 not 4	261	0	261	261	0:01
6	*psy{"ckqx"}*[bi,ti] and live[ld]	1520	0	0	0	0:00
7	6 and "025"[cc]	373	0	0	0	0:00
8	7 not (4 5)	7	0	7	7	0:01

Session started 08/24/2022 12:03 pm

Session ended 08/24/2022 12:09 pm

Total search duration 5.00

Session duration 6 minutes 47 seconds

Adjacency Level 1

Near Level 1

Note To The File

Serial Number: 97118560

PSYCHLD

Date: 08/24/2022 12:02 pm

Created by: Colleen Dombrow

Searched

- Google
- OneLook
- <https://www.instagram.com/psychldstreetwear/>; [wikipedia.org](https://www.wikipedia.org)

Checked

- Geo. Sig.
- Surname
- Translation