

To: Erik M. Pelton(uspto@tm4smallbiz.com)
Subject: U.S. Trademark Application Serial No. 97120736 - NEWSSCRIPT
Sent: August 23, 2022 01:01:03 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

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

U.S. Application Serial No. 97120736

Mark: NEWSSCRIPT

Correspondence Address:

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PO BOX 100637
ARLINGTON VA 22210 UNITED STATES

Applicant: Clinicians Cooperative LLC

Reference/Docket No. N/A

Correspondence Email Address: uspto@tm4smallbiz.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 23, 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

The trademark examining attorney has searched the USPTO database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

SUMMARY OF ISSUES:

- Identification of Goods

IDENTIFICATION OF GOODS

The identification of goods is indefinite and must be clarified because applicant must specify the format and the function of the software. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. 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 may adopt the following wording, if accurate: Downloadable mobile software application for use in providing personal and professional development coaching, and for use in providing articles, information, and events in the nature of livestream audio and videos consulting sessions in the field of coaching.

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).

Please note that the USPTO has the discretion to determine the degree of particularity needed to clearly identify goods and/or services covered by a mark. *In re SICPA Holding*, 2021 USPQ2d 613, at *4 (TTAB 2021) (quoting *In re Omega SA*, 494 F.3d 1362, 1365, 83 USPQ2d 1541, 1543-44 (Fed. Cir. 2007)). Accordingly, the USPTO requires the description of goods and/or services in a U.S. application to be specific, definite, clear, accurate, and concise. *In re tapio GmbH*, 2020 USPQ2d 11387, at *6 (TTAB 2020) (quoting *In re Cordua Rests., Inc.*, 823 F.3d 594, 605, 118 USPQ2d 1632, 1639 (Fed. Cir. 2016)); TMEP §1402.01. Additionally, it is noted that identifications of goods and/or services determined acceptable in earlier-filed applications and registrations are not always acceptable when adopted in later-filed applications. *See* TMEP §§702.03(a)(iv), 1402.14. All identifications are examined in accordance with the Trademark Rules of Practice and the USPTO's policies and procedures in effect on the filing date of the application; however, for Section 1 or 44 applications, an applicant may voluntarily choose to follow policies and procedures adopted *after* the filing date of the application. *See* 37 C.F.R. §2.85(e)(1)-(e)(2); TMEP §§1401.09, 1401.10, 1401.10(a), 1402.14.

The USPTO's rules and policies with respect to identifications of goods and/or services are updated periodically to reflect changes in the marketplace and technology as well as changes to the international classification system. *See* TMEP §1402.14. For guidance on drafting acceptable identifications of goods and/or services, use the USPTO's online [*U.S. Acceptable Identification of Goods and Services Manual*](#), which is continually updated in accordance with prevailing rules and policies. *See* TMEP §1402.04.

RESPONDING TO THIS OFFICE ACTION

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.

Applicant is further advised that the USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

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

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RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to [abandon](#).** The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS maintenance or [unforeseen circumstances](#) could affect an applicant's ability to timely respond.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on August 23, 2022 for
U.S. Trademark Application Serial No. 97120736

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: Ingrid Eulin

Statistics for Case 97120736						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97120736[sn]	1	0	0	0	0:00
2	livestream[gs] and registrant[on]	18	0	0	0	0:01
3	livestream[gs] and registrant[on]	45	0	17	17	P/0:00

Session started 08/23/2022 11:12 am

Session ended 08/23/2022 12:59 pm

Total search duration 1.00

Session duration 1 hours 46 minutes 32 seconds

Adjacency Level 1

Near Level 1

User: Ingrid Eulin

Statistics for Case 97120736						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97120736[sn]	1	0	1	1	0:00
2	*newscrip*[bi,ti]	3	0	2	2	0:00
3	*n{v}w{"sz"}{"ckxzqs":2}r{v}p*[bi,ti]	3	0	2	2	0:01
4	*new*[bi,ti] and *scrip*[bi,ti]	37	0	11	11	0:01
5	*n{v}*[bi,ti] and *{"sz"}{"ckxzqs":2}r{v}p*[bi,ti]	1536	0	0	0	0:02
6	*n{v}*[bi,ti] and *{"sz"}{"ckxzqs":2}r{v}pt*[bi,ti]	1234	0	0	0	0:01
7	6 and "009"[cc]	882	0	0	0	0:02
8	6 and ("009" or "035" or a or b or "200")[ic]	452	0	120	120	0:02

Session started 08/23/2022 11:04 am

Session ended 08/23/2022 11:12 am

Total search duration 9.00

Session duration 7 minutes 51 seconds

Adjacency Level 1

Near Level 1