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**To:** Jennifer L. Dean(dctrademarks@faegredrinker.com)  
**Subject:** U.S. Trademark Application Serial No. 97120606 - REFRAME - 523638.2  
**Sent:** August 25, 2022 11:58:43 AM EDT  
**Sent As:** tmng.notices@uspto.gov

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## Attachments

5736007  
[screencapture-www-allstate-com-retirement-16614361139561](#)  
[screencapture-www-geico-com-living-saving-money-building-a-winning-financial-game-plan-16614361989991](#)  
[screencapture-business-libertymutual-com-services-risk-control-risk-control-consulting-center-16614362239821](#)  
[screencapture-business-libertymutual-com-industries-financial-institutions-16614362683161](#)  
[screencapture-www-travelers-com-risk-control-risk-management-solutions-16614366281291](#)  
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## United States Patent and Trademark Office (USPTO) Office Action (Official Letter) About Applicant's Trademark Application

**U.S. Application Serial No.** 97120606

**Mark:** REFRAME

**Correspondence Address:**

JENNIFER L. DEAN  
FAEGRE DRINKER BIDDLE & REATH LLP  
1500 K STREET, NW  
SUITE 1100  
WASHINGTON DC 20005 UNITED STATES

**Applicant:** REFRAME.CARE, INC.

**Reference/Docket No.** 523638.2

**Correspondence Email Address:** dctrademarks@faegredrinker.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 25, 2022

### **INTRODUCTION**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issues below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

### **SUMMARY OF ISSUES:**

- Section 2(d) Refusal – Likelihood of Confusion
- Amendment of Identification of Services Required

### **SECTION 2(d) REFUSAL – 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. 5736007 (REFRAME). Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

The Applicant's mark is **REFRAME** for "Non-downloadable web-based application for use in brokering insurance, obtaining insurance policy data, insurance claims submission and management, providing insurance information, providing estate planning information, and financial planning; Non-downloadable web-based application for use in underwriting insurance".

The registered mark is **REFRAME** for, in relevant part, "Software for analysis, design and optimization of financial and risk management in the field of banking, insurance, finances; software components, namely, computer software modules for analyzing, designing and optimizing financial and risk management in the field of banking, insurance, finances; computer software for analysis, design and optimization of financial and risk management in the field of banking, insurance, finances; computer programs for analyzing, designing and optimizing financial and risk management in the field of banking, insurance, finances", "financial due diligence; Tax risk consultancy; consultancy with regard to value added tax; financial affairs, namely, financial information, management and analysis services; financial compliance and regulation advisory, financial technology and transformation consultancy; financial risk management services, namely, risk assessment, risk mitigation analysis

services, risk strategy advisory, implementation services, technology and transformation consultancy; financial controlling, namely, managerial accounting, performance management, internal and external financial reporting and technology and transformation consultancy in the insurance context; insurance, namely, compliance analysis services, regulation advisory, insurance technology and transformation consultancy", and "Development, design and implementation of software and software components in the field of banking, insurance, finances; development of software and software components; programming of software and software components for analyzing, designing and optimizing financial and risk management; coding of software and software components for analyzing, designing and optimizing financial and risk management; implementation of software and software components; installation of software and software components; development of computer software and computer software components for analyzing, designing and optimizing financial and risk management; design of computer software and computer software components; development of computer software and computer software components; programming of computer software and computer software components for analyzing, designing and optimizing financial and risk management; coding of computer software and computer software components for analyzing, designing and optimizing financial and risk management; implementation of computer software and computer software components; installation of computer software and computer software components; development of computer programs and computer program components analyzing, designing and optimizing financial and risk management; design of computer programs and computer program components; development of computer programs and computer program components; programming of computer programs and computer program components for analyzing, designing and optimizing financial and risk management; coding of computer programs and computer program components for analyzing, designing and optimizing financial and risk management; implementation of computer programs and computer program components; installation of computer programs and computer program components; computer programming; updating of computer software; computer software updating; updating of computer programs; maintenance of computer software; maintenance of software; maintenance of computer programs; services of an EDP programmer, namely, computer programming services; consultancy in the field of computers; computer software consultancy; computer hardware and computer software consultancy; software system analysis; computer software system analysis; computer program system analysis; computer system analysis; conversion of data or documents from physical to electric media; copying of software; duplication of computer software; duplicating computer programs; computer project management in the field of electronic data processing; technological consultancy in the field of banking, insurance, finances; quality assurance consultancy; all of the aforesaid goods only for use in the field of banking, insurance and finance services; cloud computing services, namely, cloud hosting provider services; providing temporary use of on-line non-downloadable operating software for accessing and using a cloud computing network".

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a potential consumer would be confused, mistaken, or deceived as to the source of the services of the applicant and registrant. *See 15 U.S.C. §1052(d).* A determination of likelihood of confusion under Section 2(d) is made on a case-by-case basis and 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) aid in this determination. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d 1344, 1349, 98 USPQ2d 1253, 1256 (Fed. Cir. 2011) (citing *On-Line Careline, Inc. v. Am. Online, Inc.*, 229 F.3d 1080, 1085, 56 USPQ2d 1471, 1474 (Fed. Cir. 2000)). Not all the *du Pont* factors, however, are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d at 1355, 98 USPQ2d at 1260; *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont de Nemours & Co.*, 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the services, and similarity of the trade channels of the services. *See In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 *et seq.*

## COMPARISON OF THE MARKS

In a likelihood of confusion determination, the marks in their entireties are compared for similarities in appearance, sound, connotation, and commercial impression. *In re i.am.symbolic, llc*, 866 F.3d 1315, 1323, 123 USPQ2d 1744, 1748 (Fed. Cir. 2017); *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)); *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b)-(b)(v).

In the present case, applicant's mark is **REFRAME** and registrant's mark is **REFRAME**. These marks are identical in appearance, sound, and meaning, "and have the potential to be used . . . in exactly the same manner." *In re i.am.symbolic, llc*, 116 USPQ2d 1406, 1411 (TTAB 2015), *aff'd*, 866 F.3d 1315, 123 USPQ2d 1744 (Fed. Cir. 2017). Additionally, because they are identical, these marks are likely to engender the same connotation and overall commercial impression when considered in connection with applicant's and registrant's respective services. *Id.* Therefore, the marks are confusingly similar.

Furthermore, where the marks of the respective parties are identical, as in this case, the degree of similarity or relatedness between the services needed to support a finding of likelihood of confusion declines. *See In re Country Oven, Inc.*, 2019 USPQ2d 443903, at \*5 (TTAB 2019) (citing *In re i.am.symbolic, llc*, 116 USPQ2d 1406, 1411 (TTAB 2015), *aff'd*, 866 F.3d 1315, 123 USPQ2d 1744 (Fed. Cir. 2017)); TMEP §1207.01(a); *see also In re Shell Oil Co.*, 992 F.2d 1204, 1207, 26 USPQ2d 1687, 1689 (Fed. Cir. 1993).

## COMPARISON OF THE SERVICES

The services are compared to determine whether they are similar, commercially related, or travel in the same trade channels. *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §§1207.01, 1207.01(a)(vi). The compared 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 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 attached Internet evidence, consisting of entities that provide software for insurance brokering and insurance information, as well as fraud insurance and prevention services and/or risk management and consulting services, all under the same mark, establishes that the same entity commonly provides the relevant services and markets the services under the same mark (See attached evidence from Allstate®, Liberty Mutual®, Geico®, Travelers®, fticonsulting.com, and securian.com). Thus, applicant's and

registrant's services are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

The overriding concern is not only to prevent buyer confusion as to the source of the 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).

In light of the similarities between the marks and the relatedness of the services, it is likely that consumers who encounter the parties' services will falsely conclude that they originate from the same source.

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration. If applicant submits arguments in support of registration, applicant must also address the requirement below.

### **AMENDMENT OF IDENTIFICATION OF SERVICES REQUIRED**

The identification of services is unacceptable because it contains indefinite wording and must be clarified. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01. The wording "non-downloadable web-based application" in the identification of services is indefinite and must be clarified because it does not identify particular services. *See 37 C.F.R. §2.32(a)(6); TMEP §1402.01*. Applicant must amend this wording to specify the common commercial or generic name of the services. *See TMEP §1402.01*. If the services have no common commercial or generic name, applicant must describe or explain the nature of the services using clear and succinct language. *See id.*

Applicant may adopt the following identification, if accurate:

**International Class 042: "Providing temporary use of Anon-downloadable web-based application for use in brokering insurance, obtaining insurance policy data, insurance claims submission and management, providing insurance information, providing estate planning information, and financial planning; providing temporary use of Anon-downloadable web-based application for use in underwriting insurance"**

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

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.\*\*](#)

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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.

**(4) STANDARD CHARACTER MARK****REFRAME****Mark Punctuated**

REFRAME

**Translation****Goods/Services**

- IC 009. US 021 023 026 036 038.G & S: Software for analysis, design and optimization of financial and risk management in the field of banking, insurance, finances; software components, namely, computer software modules for analyzing, designing and optimizing financial and risk management in the field of banking, insurance, finances; computer software for analysis, design and optimization of financial and risk management in the field of banking, insurance, finances; computer programs for analyzing, designing and optimizing financial and risk management in the field of banking, insurance, finances
- IC 036. US 100 101 102.G & S: financial due diligence; Tax risk consultancy; consultancy with regard to value added tax; financial affairs, namely, financial information, management and analysis services; financial compliance and regulation advisory, financial technology and transformation consultancy; financial risk management services, namely, risk assessment, risk mitigation analysis services, risk strategy advisory, implementation services, technology and transformation consultancy; financial controlling, namely, managerial accounting, performance management, internal and external financial reporting and technology and transformation consultancy in the insurance context; insurance, namely, compliance analysis services, regulation advisory, insurance technology and transformation consultancy
- IC 042. US 100 101.G & S: Development, design and implementation of software and software components in the field of banking, insurance, finances; development of software and software components; programming of software and software components for analyzing, designing and optimizing financial and risk management; coding of software and software components for analyzing, designing and optimizing financial and risk management; implementation of software and software components; installation of software and software components; development of computer software and computer software components for analyzing, designing and optimizing financial and risk management; design of computer software and computer software components; development of computer software and computer software components; programming of computer software and computer software components for analyzing, designing and optimizing financial and risk management; coding of computer software and computer software components for analyzing, designing and optimizing financial and risk management; implementation of computer software and computer software components; installation of computer software and computer software components; development of computer programs and computer program components analyzing, designing and optimizing financial and risk management; design of computer programs and computer program components; development of computer programs and computer program components; programming of computer programs and computer program components for analyzing, designing and optimizing financial and risk management; coding of computer programs and computer program components for analyzing, designing and optimizing financial and risk management; implementation of computer programs and computer program components; installation of computer programs and computer program components; computer programming; updating of computer software; computer software updating; updating of computer programs; maintenance of computer software; maintenance of software; maintenance of computer programs; services of an EDP programmer, namely, computer programming services; consultancy in the field of computers; computer software consultancy;

computer hardware and computer software consultancy; software system analysis; computer software system analysis; computer program system analysis; computer system analysis; conversion of data or documents from physical to electric media; copying of software; duplication of computer software; duplicating computer programs; computer project management in the field of electronic data processing; technological consultancy in the field of banking, insurance, finances; quality assurance consultancy; all of the aforesaid goods only for use in the field of banking, insurance and finance services; cloud computing services, namely, cloud hosting provider services; providing temporary use of on-line non-downloadable operating software for accessing and using a cloud computing network

- IC 045. US 100 101.G & S: Reviewing standards and practices to assure compliance with banking, insurance, finance laws and regulations

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Design Code**

**Serial Number**

79224499

**Filing Date**

20170724

**Current Filing Basis**

66A

**Original Filing Basis**

66A

**Publication for Opposition Date**

20190212

**Registration Number**

5736007

**Date Registered**

20190430

**Owner**

(REGISTRANT) ifb SE AKTIENGESELLSCHAFT (AG) FED REP GERMANY Schloßstraße 23 82031 Grünwald FED REP GERMANY

**Priority Date**

20170223

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

TRADEMARK. SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

R Peter Spies

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Everyone deserves a plan designed to help them meet their financial goals. That's why we make preparing for the future simple and accessible — with **Personal Financial Representatives** in your neighborhood.

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## Keeping families in Good Hands

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During retirement



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## Build A Winning Financial Game Plan

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If you've ever followed an NCAA tournament, these tournaments could be teaching you valuable lessons on managing your money.

That's because the effort fans put into researching teams and filling out brackets is the same kind of work that goes into [getting your finances in order](#). And according to Chuck Thoelle, a Dallas-based certified financial planner and author of *Bulls, Bears and Basketball*, the world of college hoops is bursting with lessons to help average people make sense of saving and investing.

"Good planning is essential to meeting major financial goals like retirement and college."



financial goals like retirement and [college funding](#)," says Thoelle, an Indiana native raised on Hoosier Hysteria. "The problem is that many people find the process too boring or tedious to really put in the effort. But if you think of it in different terms, things like mutual funds and insurance can suddenly seem a lot more interesting."

And who doesn't love a good sports analogy?

"In basketball and finance, there's offense and defense, winning seasons and rebuilding years, tried-and-true strategies and desperate last-second shots. And you're always working against the clock," Thoelle says.



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## Make Half-time Adjustments

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By Lee Brookman

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## Financial institutions

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## Protection for the financial sector

From economic volatility and changing regulatory requirements to fraud and cybercrime, financial institutions face a variety of risks. With these varied exposures, having the right risk-management approach is critical so that your business can continue to service clients and maintain a strong balance sheet.

Across asset managers, banks, insurance companies, and more, customers look to us for holistic solutions to protect their employees, assets, and reputations.

## A protective partnership

Solutions for complex risks

Expertise that delivers

Services in sync

## Solutions for complex risks

Financial institutions face distinctive risks, so we offer protection that's equally distinctive.

We take a tailored, industry-specific approach to meet the needs of financial institutions, offering an extensive array of comprehensive coverages, including:

- Commercial auto
- Directors and officers, including general partnership liability and Side A DIC
- Employment practices liability
- Fidelity/crime
- Fiduciary/pension trust liability
- Financial institutional bonds
- General liability
- Mergers and acquisitions transactional liability solutions, including representations and warranties, tax liability, and contingent legal risk
- Professional liability, including cyber

- Property
- Umbrella and excess liability
- Workers compensation

We'll also work with you to determine the right program structure, whether it's large deductible, retrospective, guaranteed cost, aggregate stop loss, or unbundled.

And every solution is backed by our strength, stability, and experience as a Fortune 100 company.

## Get in touch

Our commercial and specialty insurance products and services are distributed through brokers and agents. If you are interested in our solutions for your business, please contact your agent or broker. If you are an agent or broker, please reach out to our team for more information.



**Tom Pickhardt**

Industry Practices Director

[\(980\) 938-1019](tel:(980)938-1019)

[Thomas.Pickhardt@libertymutual.com](mailto:Thomas.Pickhardt@libertymutual.com)



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## Risk Management Solutions



Our Risk Control consultants visit new businesses every day and that experience provides Travelers with a window into common risks in your business. It also provides insight into what threatens your home.

We are committed to sharing what we learn from our thousands of customer interactions every year by making available a rich collection of risk management solutions including articles, guides, assessments and training offerings available 24/7, online on our Prepare and Prevent public website and MyTravelers®, our secure customer website.

### MyTravelers® Online Risk Control Tools and Resources



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The Risk Control section of *MyTravelers* allows customers to:

- Easily search and navigate more than 1,000 risk management tools and resources;
- View and participate in training programs;
- Conduct self-assessments and implement action plans using the Travelers Self-Assessments; and
- Access and view your Travelers correspondence.

To access the site, customers can log in with their user ID and password at [MyTravelers.com](#). Not registered? Register now.



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## Risk Management Specialization



Travelers Risk Control consultants are backed by highly qualified specialists dedicated in areas such as fire protection, product liability, transportation, and much more. Learn more about each of our technical risk management specialties and the services we provide below.



Commercial Fleets



Equipment Breakdown



### Transportation Safety Roadmap

Learn what you can do to help your company navigate its way toward a safer fleet.

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### More for Our Customers

Access targeted resources to help protect your business.

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Our talented staff conducts approximately 120,000 consultations annually. During these consultations, we work closely with our customers to help them develop risk management strategies.

Some of the on-site activities we offer include:

- **Risk assessments** – we help our customers to assess exposures that have previously resulted in claims or could cause future losses. We try to focus on the “vital few”—those items that will have the greatest impact in the shortest period of time.
- **Specialist's consultations** – we deploy consultants that have unique skill sets to help customers manage specific exposures, in areas such as fire protection, product liability, transportation, industrial hygiene, ergonomics, equipment breakdown and injury management.
- **Safety training and education** – in addition to our online training resources, we offer virtual Safety Academies on a range of topics throughout the year.

#### Online

In addition to onsite services, we offer a secure customer website—a 24/7 resource for safety and risk management information and educational events.

- Travelers Self-Assessments: web-based self-assessments designed to help our customers evaluate their safety program, find gaps and to provide our customers with guidance and resources to help fill those gaps.
- Education and Training: a wide selection of virtual Safety Academies and self-paced computer-based training courses, many provided at no cost.
- Access to a multitude of risk control resources, including technical guides, sample programs, assessments, checklists, training materials and supervisor talks.

#### On-Demand

Our Risk Control On-Demand<sup>®</sup> consultations provide an easy method for our customers to interact with our Risk Control consultants regarding their risk assessment needs. By utilizing screen share technology, our customers can share videos, photos or other media with a consultant. During the online session, our consultants can offer possible solutions and recommend specific Risk Control resources to help manage exposures.

By utilizing Risk Control On-Demand, our customers can gain access to our safety consultants regardless of location while having an option to bring employees at multiple locations into a real-time virtual conversation. By tailoring our consultative approach to the amount of time our customers have to devote to the conversation, we can bring the right expertise in the right way to best help our customers.

#### Education & training

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# Claims and Underwriting Operations Consulting

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FTI Consulting helps clients and counsel address the challenges of large and complex claims by conducting investigations; determining causes; assessing damage and liability; performing valuations of losses; addressing business interruption, remediation and recovery; developing business transfers, schemes of arrangement, runoff and liquidation; and providing regulatory guidance and expert testimony. Also, we support claims and underwriting operational improvement by helping clients understand financial and operational liabilities and opportunities; actuarially optimizing reserves; and applying advanced analytics and process engineering to achieve financial and customer experience objectives. In addition, we conduct claims evaluations and technical reviews and portfolio analysis in support of M&A due diligence; book of claims purchase or sale; run-off programs; disputes; risk assessment; and damage and liability valuation.

## How We Help

### Claims and Underwriting Expense Containment and Operations Improvement

- Leakage analysis
- Reserve analysis
- Business metrics & analytics
- Technical reviews
- Third party vendor process improvement

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## Large and Complex Claims Assessment and Management

- Investigations
- Damage and liability assessment
- Business interruption, remediation and recovery
- Regulatory guidance, arbitration/litigation support
- Asbestos, environmental and mass tort
- Runoff, business transfers and schemes of arrangement

### Meet Our Experts



**Paul Braithwaite**

Senior Managing Director

NEW YORK, NY



**Wendy Shapss**

Senior Managing Director, Co-Leader of Insurance Services

NEW YORK, NY



**Rory O'Brien**

Senior Managing Director, Co-Leader of Insurance Services

LONDON, UNITED KINGDOM

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FTI Consulting understands that to help meet client challenges and opportunities successfully in a global economy, you must have a full arsenal of capabilities and experience available at a moment's notice. Within the key areas of Corporate Finance &

Restructuring, Economic Consulting, Forensic & Litigation Consulting, Strategic Communications and Technology, our professionals are skilled at delivering powerful solutions.

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- Class Certification
- Competition
- Mergers & Acquisitions
- Regulatory Investigations & Litigation

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Corporate Reputation Crisis Communications Digital & Insights Financial Communications Public & Government Affairs Transaction Communications	Economic Impact Analysis Market Modeling Public Policy Economics	Anti-Bribery & Corruption Advisory Anti-Money Laundering Advisory Financial Crime Compliance Regulatory Risk & Compliance Risk Management Supply Chain Management
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## About Securian Financial



### We help our customers build secure tomorrows.

At Securian Financial, we're here for family. And we're here because of it. And we believe your financial picture should support the everyday moments as much as the major milestones.

Since 1880, we've been committed to providing insurance, investment and retirement solutions that give families the confidence to focus on what's truly valuable: banking memories with those who matter most.

## At a glance

**\$1.4 trillion**

Life insurance in force

**\$106.1 billion**

Assets under management<sup>1</sup>

**\$7.3 billion**

2021 GAAP revenue

**\$4.9 billion**

2021 GAAP benefits provided<sup>2</sup>

**More than 21 million**

Customers in North America

**464**

On the Fortune 500<sup>5</sup>

**9th largest**

Life insurance company in the United States based on total 2020 life insurance business in force<sup>6</sup>

**6,900**

Employees and representatives

**St. Paul, Minnesota**

Our home since 1880

Securian Financial Group, Inc. is the parent corporation of Minnesota Life Insurance Company and Securian Life Insurance Company, a New York authorized insurer. Certain financial highlights are presented at the parent level only. Data as of December 31, 2021 unless otherwise noted.

## Purpose and values

Our business is built on a set of strong core values and we're guided by our purpose: helping our customers build secure tomorrows.

[Our purpose and values](#)



## Company history



Securian Financial has been serving families for more than 140 years. As our company has grown and evolved, we've never lost sight of those who depend on us.

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## Financial strength ratings

Securian Financial's insurance company affiliates, Minnesota Life and Securian Life, a New York authorized insurer, are highly rated by the four major independent rating agencies.

[View our ratings](#)

A+ AA  
Aa3 AA-



### Corporate structure

Our products and solutions



### Markets we serve

We provide financial



### Governance

Securian Financial's senior



### Innovation

We're preparing our

are provided by members of the Securian Financial family of companies.

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products and services to four key markets through a variety of distribution channels.

[View the markets](#)

leaders are instrumental in helping all of us deliver on our purpose: helping our customers build secure tomorrows.

[Our leadership](#)

company and our customers for the future.

[See innovation at work](#)

## National headquarters

### Securian Financial

400 Robert Street North  
St. Paul, Minnesota 55101



1. Assets under management includes an acquired majority interest in Asset Allocation & Management Company (AAM), a Securian Financial subsidiary.

2. GAAP benefits provided includes policyholder benefits and interest credited to policies and contracts.

3. Fortune 500 ranking published June 2022 is based on 2021 total revenue.

4. A.M. Best's Statistical Study, U.S. Total Life, July 16, 2021. Based on 2020 total life insurance in force for Securian Financial Insurance Group.

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## Our underwriting approach



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### A smooth experience for your clients – and for you

You want to get your clients the protection they need as fast and as easy as possible and feel confident that you will get a competitive decision the first time.

That's why our underwriters continually research and develop ways to improve the underwriting process for your clients. Their experience is the most important consideration as we develop new underwriting processes and service standards.

You have direct access to underwriters to talk through the process and ask questions, eliminating confusion and speeding up the process.

### Personalized underwriting for your client

#### Put us to work for you

Provide your clients a better underwriting experience and close new business faster.

[Get started selling](#)

## **PERSONALIZED UNDERWRITING FOR YOUR CLIENTS**

Securian currently offers two underwriting approaches: traditional underwriting and WriteFit Underwriting™.

### **WriteFit Underwriting**

Our WriteFit Underwriting option offers the potential to accelerate and simplify the underwriting process by eliminating lab work for your healthiest clients. In fact, eligible clients could be approved for coverage within 24 hours<sup>1</sup> and will enjoy:

- A less invasive, streamlined process
- Faster application approvals
- A better customer experience

#### **Accelerated underwriting for your clients**

For more information about WriteFit Underwriting – including sample client profiles and frequently asked questions – visit our interactive WriteFit Underwriting page.

[View WriteFit Underwriting details](#)

### **Traditional underwriting**

Our traditional, medical underwriting program offers innovative solutions of its own. Our dedicated underwriters are always looking for ways to get the best rate class for your clients.

#### **Mortality credits program**

With this program, our underwriters are often able to offer better-than-published rate classes to those who wouldn't normally qualify. We offer stretch guidelines in the following categories:

- Build
- Tobacco
- Driving history
- Cholesterol
- Family history impact
- Noncombustible tobacco

1. After completion of a tele-interview

Life insurance products contain fees, such as mortality and expense charges (which may increase over time), and may contain restrictions, such as surrender periods.

Please keep in mind that the primary reason to purchase a life insurance product is the death benefit.

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## Investment services



### Develop an investment strategy to reach your goals

You're working hard to achieve important milestones in your life. Investing offers the potential to grow your wealth over time.

Securian Financial Services' quality investment products and broad range of services can help you navigate the markets and make progress toward achieving those milestones.

Securities and investment advisory services are offered through [Securian Financial Services, Inc.](#), member FINRA/SIPC, securities dealer and registered investment advisor.



## Investment strategy

Securian Financial Services helps you create a customized investment approach that matches your needs and considers your preferred balance of risk and return.

[Learn about investment strategies](#)



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## Investment advisory and brokerage services

Our investment advisory programs and brokerage accounts offer a variety of options, allowing you to choose how much time and energy you want to spend in the day-to-day management of your investments.

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## Financial planning



### Creating a financial strategy for your future

Developing a financial plan is one of many services available from financial advisors, who are focused on listening to your goals and helping you achieve them.

A well-rounded financial plan examines your total financial picture and helps you take a comprehensive approach to organizing your finances.

Financial planning is an investment advisory service offered through [Securian Financial Services, Inc.](#), a registered investment advisor.



#### Start planning your financial future

Talk to a financial professional about creating your financial plan.

[Find a financial professional >](#)

#### Retirement calculator

## How it works

Our fee-based financial planning process is a thorough yet understandable way for you to take the first step toward reaching your financial goals.

[Learn about our approach >](#)

## What's involved

A financial plan includes all aspects of your finances and addresses financial matters in all stages of your life – the past, present and future.

[What to expect >](#)

Determine how much you should be saving for your retirement years.

[Use our calculator](#)

## Take the next step

Identifying your financial objectives and documenting your strategy to meet them can be a daunting task. Fortunately, you don't have to go it alone.

[Learn more about the value of working with a financial professional or find a financial professional near you.](#)

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Guaranteed asset protection (GAP) coverage protects the investment you made in your car. Read about GAP and who should consider it.

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## **United States Patent and Trademark Office (USPTO)**

### **USPTO OFFICIAL NOTICE**

Office Action (Official Letter) has issued

on August 25, 2022 for

**U.S. Trademark Application Serial No. 97120606**

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: Crystal Yi

**Statistics for Case  
97120606**

#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
<b>1</b>	97120533[sn]	1	0	0	0	0:00
<b>2</b>	(*r{v}{ "f"1:2}r{v1:2}m* *r{v}phr{v1:2}m*)[bi,ti] not dead[lid]	90	0	90	90	0:05
<b>3</b>	(*{"f"1:2}r{v1:2}m* *phr{v1:2}m*)[bi,ti] not dead[lid]	10504	0	0	0	0:03
<b>4</b>	(*re*)[bi,ti] not dead[lid]	949003	0	0	0	0:03
<b>5</b>	3 and 4	3633	0	0	0	0:03
<b>6</b>	(re*)[bi,ti] not dead[lid]	138876	0	0	0	0:01
<b>7</b>	6 and 3	861	0	861	861	0:02

Session started 08/25/2022 8:29 am

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