

To: Patricia A. Olosky, Registration No. 53,411(trademarks@webblaw.com)
Subject: U.S. Trademark Application Serial No. 97120202 - Y - 7567-2107283
Sent: August 23, 2022 03:09:38 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. 97120202

Mark: Y

Correspondence Address:

PATRICIA A. OLOSKY, REGISTRATION NO. 53,411
THE WEBB LAW FIRM
ONE GATEWAY CENTER
420 FORT DUQUESNE BOULEVARD, SUITE 1200
PITTSBURGH PA 15222 UNITED STATES

Applicant: Sampoerna Clan Holdings Limited

Reference/Docket No. 7567-2107283

Correspondence Email Address: trademarks@webblaw.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

Introduction

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.

Mark Description

Applicant must submit an amended description of the mark that agrees with the mark on the drawing. 37 C.F.R. §2.37; *see* TMEP §§808.01, 808.02. The current description is inconsistent with the mark on the drawing and thus is inaccurate. 37 C.F.R. §2.37; *see* TMEP §§808.01, 808.02. Descriptions must be accurate and identify only those literal and design elements appearing in the mark. *See* 37 C.F.R. §2.37; TMEP §§808.02, 808.03(d).

The following description is suggested, if accurate: **The mark consists of a circle outlined in black with a gold inner ring and a reddish-orange center. In the center of the circle is a white Y and three white chevrons on all sides.**

Identification of Goods and Services

Class 29

The wording “coconut butter” in the identification of goods is indefinite and must be clarified because it must state that it is for food purposes. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: “coconut butter for food.”

The wording “coconut oil; maize oil; sesame oil” in the identification of goods is indefinite and must be clarified because it must state that the items are for food purposes. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: “coconut oil for food; maize oil for food; sesame oil for food.”

Class 30

The duplicative wording “rice” must be deleted.

Class 35

The wording “provision of office facilities” in the identification of services is indefinite and must be clarified because it does not indicate the precise nature of the services and may be classified in several classes. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: Providing facilities for the use of office equipment and machinery; providing office functions in Class 35; rental of office space in Class 36.

The wording “the bringing together for the benefit of others, of a variety of goods excluding the transport thereof, enabling customers to conveniently view and purchase those goods in department stores, shopping centers, retail and wholesale outlets, hotel, food and beverage outlets, from a general merchandise catalogue by mail order or by means of telecommunications, or from a general merchandise web site in the global communications network” in the identification of services is indefinite and must be clarified because applicant must state the type of goods involved in the services. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: the bringing together for the benefit of others, of indicate field or type of goods, e.g., clothing, furniture, household goods, etc.} excluding the transport thereof, enabling customers to conveniently view and purchase those goods in department stores, shopping centers, retail and wholesale outlets,

hotel, food and beverage outlets, from a general merchandise catalogue by mail order or by means of telecommunications, or from a general merchandise web site in the global communications network.

The wording “compiling of mailing lists” in the identification of services is indefinite and must be clarified because the services must be couched in terms of mailing list preparation. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: preparing of mailing lists.

The wording “display services for merchandise” in the identification of services is indefinite and must be clarified because the business nature of the services must be stated. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: Business merchandising display services.

The wording “publicity services” in the identification of services is indefinite and must be clarified because the type of publicity service must be stated. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: publicity consultation services; publicity agency services.

The wording “marketing and promotional services” in the identification of services is indefinite and must be clarified because it must be clear that the services are performed for the benefit of others. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: Advertising and marketing services, namely, promoting the goods and services of others.

The wording “organization of business competitions” in the identification of services is indefinite and must be clarified because the field of use or subject matter of the services must be stated. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: organization of business competitions for {indicate, e.g., businesses, entrepreneurs, etc.} to compete for {indicate, e.g., seed capital, business marketing support, business technology support, etc.} to facilitate business activities.

Class 36

Certain wording in the identification of services is indefinite and must be clarified because it must state the common commercial name for the services, is duplicative or must state the field of use for the services. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate (deletions ~~struck through~~, changes in *italics*) : Financial affairs, *namely* banking services; real estate ~~agencies~~ *affairs*; agencies for commodity futures trading; commodities brokerage; commodities exchange services; commodities financing; commodities investment consultancy; commodities, gold, mercantile, monetary and security exchanges *services*; providing information relating to the trading of commodity futures; ~~real estate affairs~~; real estate agency services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, department stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; management, ~~development advisory~~ and valuation, all relating to real estate; financial services *namely (specify e.g. investment advice)*; asset management; real estate investment trust management; fund management, *namely* capital fund management, corporate fund management, financial fund management and investment fund management; *financial* unit trust services, *financial* unit trust management services, *financial* unit trust investment services; financial market information services; *financial administration of stock exchange trading of shares and other financial securities in financial markets* ~~organization of trading markets for~~

~~financial services~~; corporate finance services namely (specify e.g. consultation in the field of asset sales and capital structure); securities brokerage; management of securities portfolios; ~~dealing and trading in securities~~; Financial services, namely, dealing in securities as a market maker and in trading commodities, securities, options, futures, equities and fixed income products in the United States and overseas market securities; securities investment services; stocks and bonds brokerage; real estate investment trust services; real estate investment trust administration; trust services namely, investment and trust company services to run business enterprises; surety services; trusteeship representatives ~~services~~; trust services namely, investment and trust company services; real estate investment trust management services; services for the establishment of trusts, namely (specify e.g. trustee services); financial investment advisory, management and consultancy services; Financial information and evaluations ~~financial evaluation and analysis~~; financial underwriting of securities; financing services; credit bureau services; financial guarantees services; ~~placement~~ investment of funds and securities; advisory and consultancy services relating to the aforesaid.

Class 37

The wording “building and construction services” in the identification of services is indefinite and must be clarified because it is worded improperly. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: building construction services.

The wording “building project management” in the identification of services is indefinite and must be clarified because it must be couched in terms of construction project management. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: Construction project management services.

The wording “property development” in the identification of services is indefinite and must be clarified because the type of property must be stated. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: real estate development.

Class 42

The wording “building design services” in the identification of services is indefinite and must be clarified because the type of building must be stated. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01. Applicant may substitute the following wording, if accurate: residential building design services.

Applicant must clarify the wording “design and planning for real estate, residential, industrial and commercial properties, offices, business centers, department stores, shopping centers, shopping malls, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; planning and design of layout of residential and commercial developments” in the identification of goods and/or services in International Class(es) 42 because it is indefinite and too broad. See 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03. This wording is indefinite because it does not make clear what the goods and/or services are. Further, this wording could identify goods and/or services in more than one international class. For example, building design services are in International Class 42 and real estate development services are in International Class 37.

Applicant may substitute the following wording, if accurate: “real estate development services in the field of residential, industrial and commercial properties, offices, business centers, department stores, shopping centers, shopping malls, retail and wholesale outlets, temporary accommodation, hotels,

motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; planning and design of layout of residential and commercial developments in Class 37; land use planning services in the field of residential, industrial and commercial properties, offices, business centers, department stores, shopping centers, shopping malls, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; designing buildings in the field of residential, industrial and commercial properties, offices, business centers, department stores, shopping centers, shopping malls, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments in Class 42.”

Applicant’s goods and/or services may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods and/or services or add goods and/or services not found or encompassed by those in the original application or as acceptably amended. *See* TMEP §1402.06(a)-(b). The scope of the goods and/or services sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification. TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods and/or services will further limit scope, and once goods and/or services are deleted, they are not permitted to be reinserted. 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.

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.

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

/Howard Levine/
Howard Levine
Trademark Examining Attorney
(571) 272-9188
howard.levine@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.

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. 97120202

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: Howard Levine

Statistics for Case 97120202						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	y[bi,ti]	10454	0	0	0	0:00
2	261712[dc]	27041	0	0	0	0:00
3	1 and 2	92	0	56	56	0:01
4	1 and "029"[cc]	3411	0	0	0	0:01
5	1 and "029"[ic]	251	0	94	94	0:02
6	1 and "030"[ic]	393	0	160	160	0:01
7	1 and "035"[cc]	4223	0	1644	1644	0:01
8	260121[dc]	272862	0	0	0	0:00
9	1 and 8	707	0	148	274	0:01
10	1 and (a b 200)[ic]	61	0	33	33	0:01

Session started 08/23/2022 10:18 am

Session ended 08/23/2022 11:07 am

Total search duration 8.00

Session duration 49 minutes 18 seconds

Adjacency Level 1

Near Level 1