

To: WHOLE9YARDS USA LLC(ipconsult@lucria.co.uk)
Subject: U.S. Trademark Application Serial No. 97119511 - WHOLE9YARDS
Sent: August 23, 2022 06:13:28 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

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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. 97119511

Mark: WHOLE9YARDS

Correspondence Address:
WHOLE9YARDS USA LLC
#6624
8 THE GREEN,SUITE
DOVER DE 19901 UNITED STATES

Applicant: WHOLE9YARDS USA LLC

Reference/Docket No. N/A

Correspondence Email Address: ipconsult@lucria.co.uk

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

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

* * * * *

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

SEARCH OF USPTO DATABASE OF MARKS (Advisory)

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.

Applicant must respond to the requirement(s) set forth below.

DOMICILE STREET ADDRESS

Applicant must clarify its domicile street address because the domicile address of record is for a third-party registered agent and does not appear to be applicant's permanent legal place of residence or principal place of business. *See* 37 C.F.R. §§2.11(b), 2.189; TMEP §601.01(b)(1). A domicile address must identify either (1) the permanent legal place of residence, which is the place an individual applicant resides and intends to be the applicant's principal home; or (2) the principal place of business, which is the juristic applicant's headquarters where its senior executives or officers ordinarily direct and control the entity's activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §803.05(a).

Applications must include an applicant's domicile address because such domicile determines whether an applicant is required to have a U.S.-licensed attorney represent it before the USPTO. *See* 37 C.F.R. §§2.11(a), 2.32(a)(2); TMEP §§601, 803.05. An applicant whose domicile is located outside of the United States or its territories must be represented at the USPTO by an attorney who is an active member in good standing of the bar of the highest court of a U.S. state or territory. 37 C.F.R. §2.11(a); TMEP §601.01(a).

In this case, the application lists applicant as a juristic entity and specifies applicant's domicile address as follows: 8 The Green, Dover, Delaware 19901. According to the attached webpage evidence, this

address is for a registered agent and thus does not appear to be applicant's headquarters where its senior executives or officers ordinarily direct and control the entity's activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §601.01(b)(1). A registered agent is a person or entity appointed to accept service of process and official mail on behalf of a business.

Response options. Applicant must provide its domicile street address. *See* 37 C.F.R. §§2.32(a)(2), 2.189; TMEP §803.05. Alternatively, applicant may provide documentation showing that the listed U.S. domicile address is, in fact, applicant's domicile. TMEP §§601.01(b)-(b)(1), 803.05; *see* 37 C.F.R. §2.11(b).

If applicant amends the application to list a domicile street address located outside of the United States or its territories, applicant must appoint a U.S.-licensed attorney qualified under 37 C.F.R. §11.14 as its representative before the application may proceed to registration. *See* 37 C.F.R. §2.11(a); TMEP §601.01(a). *See* [Hiring a U.S.-licensed trademark attorney](#) for more information. However, if applicant establishes its domicile street address is located within the United States or its territories, applicant is not required to appoint a qualified U.S.-licensed attorney. *See* TMEP §601.01(b).

To provide applicant's domicile street address. After opening the correct Trademark Electronic Application System (TEAS) response form and entering the serial number, (1) answer "yes" to wizard question #5 and click "Continue;" (2) on the "Owner Information" page, in the "Domicile Address" field, uncheck the box stating the domicile and mailing address are not the same; and (3) below the checkbox provide applicant's domicile street address. Applicant's domicile street address will be hidden from public view if it is entered into the "Domicile Address" field. However, any street address listed in the "Mailing Address" field will be publicly viewable.

To provide documentation to support a U.S. domicile address. Applicant should provide the most recent documentation showing that the address is the applicant's business headquarters, for example one of the following: (1) the most recent final annual or quarterly report or other similar report; or (2) a current certificate of good standing for the corporation or other business entity issued by a federal or state government agency. TMEP §601.01(b)-(b)(1); *see* 37 C.F.R. §2.11(b). Submitted documentation must show the name, listed domicile address, and the date of the document but should redact other personal and financial information.

To submit the documentation, open the correct TEAS response form and enter the serial number, answer "yes" to wizard question #3, and on the "Additional Statement(s)" page, below the "Miscellaneous Statement" field, click the button below the text box to attach documentation to support the U.S. street address.

To appoint a U.S.-licensed attorney in the application, applicant should submit a completed TEAS [Change Address or Representation](#) form. The newly-appointed attorney must submit a TEAS [Response to Examining Attorney Office Action](#) form indicating that an appointment of attorney has been made and address all other refusals or requirements in this action, if any. Alternatively, if applicant retains an attorney before filing the response, the attorney can respond to this Office action by using the appropriate TEAS response form and provide his or her attorney information in the form and sign it as applicant's attorney. *See* 37 C.F.R. §2.17(b)(1)(ii); TMEP §604.01.

/Benji Paradewelai/
Trademark Attorney
Law Office 101, USPTO
Phone and email for informal queries:
(571) 272-1658
benji.paradewelai@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.

The Delaware Company House

[Home](#)[Concierge Services](#)[Rent Here](#)[We're Hiring](#)[Contact](#)

The Delaware Company House LLC

The Delaware Company House is located at 8 The Green in Dover, Delaware. If you find us on a map, you'll see we're steps from the Chancery Court and the Old State House, a short walk from most any Delaware State office you may need to transact business with. But looking at where we are on a map doesn't really describe our location.

About a 100 feet from our front door is where the US constitution was first ratified (making Delaware the first state), the very site where some of our country's earliest and most important meetings took place and helped give birth to our great nation. In short, our location is steeped in a rich history, and in Delaware, history means something. Our address on The Green is one of the most recognizable addresses in the state. The Delaware Company House supports international law firms, Wilmington DE law firms, incorporation services, and registered agent companies with their State of Delaware interactions. Our superior knowledge of inner-state workings, proximity to the very heart of Delaware's corporate center, and our solid grounding in our nation's past all blend together to make The Delaware Company House the right choice for your business solutions.

What we provide:

- Office rentals from virtual to 3,000 square foot.
- Conference room rental complete with board room, kitchenette, separate office, sofa, recliner, private bathroom, copiers, scanners, workstation computer, wifi, and separate entrance while you litigate at the Chancery Court 50 yards away.
- Support staff by the hour if needed.
- Corporate office support for corporations, llcs, and any entity types.
- Corporate filing and search support at the state, city, or county level.
- Registered office and registered agent support.
- Mail forwarding.
- Executive suites.

Why use The Delaware Company House:

- Extensive knowledge.
- Extensive support available.
- We're behind the scenes. You can run your own operation or completely white label our support services.

The Delaware Company House LLC
8 The Green
Dover DE 19901
302-526-4784

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<https://www.delawarecompanyhouse.com/>



Delaware Mail Forwarding

Delaware mail forwarding is a way to further headquarter your business in Delaware. You have your mail sent to a Delaware address, and that office forwards or scans your mail to you.

With our Delaware mail forwarding service, you not only will have the most prestigious Delaware address available out of any provider. You'll have the fastest and cheapest service available. Our Delaware address is "On The Green", and so will yours. The Green is a prestigious area in Dover where the Chancery Court, the Capital, a couple state buildings and some of the oldest most prestigious law firms in Delaware call home. We provide you a unique suite number in our building to use for your website, your business cards, and whatever else you want.

Delaware mail forwarding options:


- **Free (with registered agent service)**
5 document scans per year—does NOT include unique suite number.
(Includes a risk free 60-day trial of Phone Service!)
- **\$100 a year**
We open and scan your mail DAILY. Up to 25 items a year.
(Includes a risk free 60-day trial of Phone Service!)
- **\$50 a month virtual office**
Includes Phone Service, mail scanning with upload to your online account, or traditional re-packaging and physical forward of your mail.

If you surpass the 5 document scans per year, you can upgrade to a paid mail forwarding option or to our unlimited Virtual Office service at any time.

If you're looking for a more full service situation we have 2 additional floors of office space on The Green. You can see further details on our [Delaware virtual office page](#), where you can get a full virtual office and phone service for just \$50 a month at the most prestigious mail forwarding address in Delaware. The best thing about our Delaware Mail Forwarding service, is that because our office building has two floors of rentable office space, your business and your address will look very substantial and more real than any other mail forwarding address in Delaware.

Delaware Virtual Office

delawareregisteredagent.com/delaware-business-services/virtual-office

DELAWARE
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HEADQUARTERS
A REGISTERED AGENT, INC.

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Delaware Virtual Office Suites

Looking for a Delaware business presence and virtual office?

We will give you your own suite number in our Dover, DE office. You can use our Delaware address for your websites, mail, business cards, and whatever you need.

You will get Phone Service—a reliable secondary phone line that you can use to call and text your customers.

We will scan your mail to you in your online account the same day it comes in.

You can choose to have your mail daily opened and scanned or forwarded without being opened.

Some of our extra services include:

- Conference rooms
- Meeting suites
- Board room
- Secretarial services
- Technical services
- Directory listing

Start your business off right with a virtual office and when it grows, you can rent a bigger space in the building.

One of the greatest things about our Delaware virtual office services is that you will be in the most prestigious location in Delaware. You will have a Delaware business address "On the Green". Where the capital is, the chancery court, and where we became a state. So you will have us listed as your Delaware registered agent, and have your own business address to use as your own on your letterhead, bank statements, and whatever you need. Many people will know that if your business address is On the Green, that your "Delaware corporate headquarters," is really in Delaware. You don't want to be in a high rise or office complex where your vendor is leasing space. We own our building and will provide you a virtual office lease to have your address be as prestigious as ours. This

Order Now

Delaware Virtual Office

delawareregisteredagent.com/delaware-business-services/virtual-office

text your customers.

We will scan your mail to you in your online account the same day it comes in.

You can choose to have your mail daily opened and scanned or forwarded without being opened.

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We include Delaware Phone Service, your own unique suite number, and daily scanning of your mail.

How do you sign up for our Delaware virtual office service? You can add our Delaware virtual office service to any registered agent order or business formation order. We charge \$50 a month and your mail gets scanned to you daily. Additional corporate services are available for additional costs, if needed.

Order Now

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Questions? Call: (302) 288-0670
8 The Green, Ste A Dover, DE 19901

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List of Delaware Registered Agents



Disclaimer:

This list of Registered Agents is provided solely as a convenience to our website users. The State of Delaware makes no representations or warranties regarding the agents on this list. Registered Agents are not regulated by the State of Delaware. The legal requirements to be a Registered Agent in Delaware are to maintain a street address and office located in Delaware and be open during normal business hours for the purpose of accepting service of process according to 8 Del. C. § 132. Consumers are encouraged to exercise due diligence in researching the Registered Agent prior to selecting them for representation. It is incumbent upon the consumer to contact the Registered Agent prior to filing.

Registered Agents beginning with the letter 'A'

Agents "A"

A Better Registered Agent, Inc.	A-1 Incorporators LLC
Accumera LLC	Aero Incorporate Inc.
Advance Corporate Service, Inc.	Agents and Corporations, Inc.
Agents of Delaware, Inc.	Americhoice Incorporators Ltd.
A Registered Agent, Inc.	AAA-Self Filer's Incorporation Services, Corp.
Acme Filings Corp.	Advantage Delaware LLC
Agents for Delaware Corporations, Inc.	American Incorporators Ltd.
Aradel, Inc.	

Registered Agents beginning with the letter 'B'

Registered Agents beginning with the letter 'C'

Registered Agents beginning with the letter 'D'

Registered Agents beginning with the letter 'E'

Registered Agents beginning with the letter 'F'

Registered Agents beginning with the letter 'G'

Registered Agents beginning with the letter 'H'

List of Delaware Registered Agents

corp.delaware.gov/agents/

Delaware.gov

Agencies

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Information

8 The Green, Ste A
Dover, DE 19901
Kent County
Phone: (302) 288-0670
Email: info@delawareregisteredagent.com
Website: www.delawareregisteredagent.com

Dismiss

List of Delaware Registered Agents

Listen

Disclaimer:

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Agents of Delaware, Inc.
A Registered Agent, Inc.
Acme Filings Corp.
Agents for Delaware Corporations, Inc.
Aradel, Inc.

A-1 Incorporators LLC
Aero Incorporate Inc.
Agents and Corporations, Inc.
Americhoice Incorporators Ltd.
AAA-Self Filer's Incorporation Services, Corp.
Advantage Delaware LLC
American Incorporators Ltd.

Registered Agents beginning with the letter 'B'

Registered Agents beginning with the letter 'C'

Registered Agents beginning with the letter 'D'

Registered Agents beginning with the letter 'E'

Registered Agents beginning with the letter 'F'

Registered Agents beginning with the letter 'G'

Registered Agents beginning with the letter 'H'

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
THIS CLIENT'S LAWSUIT...

was immediately scanned into their online account. The client and their lawyer had access to an 11 pound service of process immediately for NO additional charge.

BRINGING A DOCUMENT...

to your registered agent is legal proof that you have been notified. We take this responsibility seriously.

Sincerely,

 CEO

Registered Agent Services

[Get Started \\$45](#)

Business Formation

[Get Started \\$180 Total](#)

DELAWARE REGISTERED AGENT

\$45 a Year.

Same Price Every Year.

Mail Forwarding Included.

No forwarding fees! Immediate scanned documents in your online Delaware Registered Agent account

A Registered Agent inc is "On the Green" in Dover Delaware. We provide you the most prestigious address you could have in all of Delaware. That matters because it's the address that gets listed on your formation documents and you couldn't ask for a more professional location. We're located across the street from the Chancery Court, a long block from the Capital, and a short block from the Delaware Division of Corporations.

- Immediate pre-populated forms in your account to file a Delaware incorporation.
- Self-filing instructions in your account to help you incorporate in Delaware.
- Same Delaware registered agent service price every year: \$45.
- Free mail forwarding
- Free 60-day trial of Phone Service (a virtual phone line you can use to keep your own name private).

- No forwarding or hidden fees.
- Multiple annual report and Franchise Tax reminders, and you can always track and manage your due dates in your online account.
- We won't try to sell you some Delaware Franchise Tax and annual report filing service that you don't need.
- We won't try to sell you a weird Delaware incorporation package you don't need.
- We scan service of process and all documents into your online account immediately for no additional cost.

The Definition of a Delaware Registered Agent

A Delaware registered agent accepts service of process, legal correspondence from the State of Delaware, and other legal notifications on behalf of a business entity. Every LLC and corporation in Delaware is required to appoint a registered agent on its certificate of formation or certificate of incorporation. The proper way to notify a business in Delaware is to send a complaint to that business's Delaware registered agent.

Requirements for Delaware Registered Agents

Delaware General Corporation Law (8 Del. C. §131 and §132), requires registered agents to:

- Be a legal resident of Delaware; a service company like us that maintains a registered

Delaware Registered Agent | \$45

delawareregisteredagent.com

- Be a legal resident of Delaware; a service company like us that maintains a registered office in Delaware
- Have a physical location in Delaware where they can, during normal business hours, accept service of process, legal notifications, and annual report notifications
- Provide reliable means to forward all documents received to the responsible parties
- Keep on file the name, business address and business telephone number of a natural person who serves as the communications contact on behalf of a Delaware corporation or LLC

Our Delaware registered agent service will meet all of your business's statutory requirements and more. A Registered Agent, Inc prides itself on providing fast, secure, and inexpensive registered agent service in Delaware. Our registered agent service is everything your LLC or corporation in Delaware needs, all for just \$45 a year.

And because we own our own beautiful building in the heart of Dover, we are uniquely situated to offer businesses mail forwarding and virtual office services as well. We offer free mail forwarding, and if you need a unique address, our Delaware business address services start at just \$50 a year.

Plus, if you're looking to incorporate in Delaware, we only charge \$180 to prepare custom Delaware Certificates of Incorporation for a Delaware corporation or Certificates of Formation for a Delaware LLC (includes state filing fees). We also prepare corporate bylaws or an LLC operating agreement for you and include membership certificates and corporate stock certificates. There's no catch. This is what we do.

Delaware Business Formation Services

We charge \$180 total to form a Delaware LLC or corporation (includes state fees and 1 year of Delaware registered agent service). If you continue using our registered agent service after the first year, you'll only pay us \$45 a year to serve as your Delaware registered agent.

Delaware takes 1-3 days to process new business filings. If you'd like, for an additional \$50 state expedite filing fee, the state will process the Delaware incorporation articles that we file the same day. The state will return the actual filed Delaware incorporation documents to us in 1 business day. If you're in a hurry, this is a nice option, and the absolute cheapest Delaware incorporation service you'll find for \$230 that includes custom Delaware incorporating articles, same day service, by-laws or operating agreement, initial resolutions, ownership certificates, and a full year of registered agent service. On top of that, you'll only be paying us \$45 a year for Delaware registered agent service. The lowest price for a registered agent in Delaware.

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Delaware Registered Agent | \$45

delawareregisteredagent.com

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Order Delaware Registered Agent Service - \$45

A Registered Agent, Inc. Ratings

★★★★★

Our customers have provided 62 reviews, giving us an overall rating of 4.3 stars out of 5 on [Google](#)

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Questions? Call: (302) 288-0670
8 The Green, Ste A Dover, DE 19901

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12:31:03 PM 6/22/2021

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. 97119511

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: Benji Paradowelai

Statistics for Case 97119511						
#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	97119511[sn]	1	0	1	1	0:00
2	("WHOLE9YARDS USA" "KART IT")[ow]	2	0	2	2	0:00
3	*WHOL*[bi,ti] and live[ld]	2688	0	0	0	0:01
4	*YARD*[bi,ti] and live[ld]	4371	0	0	0	0:01
5	("9" *NINE*)[bi,ti] and live[ld]	14663	0	0	0	0:01
6	3 and 4	5	0	5	5	0:00
7	3 and 5	28	0	18	18	0:00
8	4 and 5	37	0	13	13	0:00
9	*HOL*[bi,ti] and live[ld]	17263	0	0	0	0:01
10	*Y{v}RD*[bi,ti] and live[ld]	4439	0	0	0	0:01
11	("9" *N{"iy"}N*)[bi,ti] and live[ld]	447703	0	0	0	0:02
12	9 and (10 11) not (6 7 8)	1284	0	47	47	0:01
13	("9" N{"iy"}N* *N{"iy"}NE*)[bi,ti] and live[ld]	16688	0	0	0	0:02
14	9 and (10 13) not (6 7 8)	165	0	56	56	0:02
15	10 and 13 not (6 7 8)	0	0	0	0	0:01
16	10 and 13	37	0	13	13	0:01

Session started 08/23/2022 3:24 pm

Session ended 08/23/2022 4:06 pm

Total search duration 14.00

Session duration 41 minutes 29 seconds

Adjacency Level 1

Near Level 1