

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 79243983

MARK: GOOD LOOK

79243983

CORRESPONDENT ADDRESS:

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APPLICANT: SENKO TEKSTIL SANAYI VE TICARET
ANONIM S ETC.

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

INTERNATIONAL REGISTRATION NO. 1430779

STRICT DEADLINE TO RESPOND TO THIS NOTIFICATION: TO AVOID ABANDONMENT OF THE REQUEST FOR EXTENSION OF PROTECTION OF THE INTERNATIONAL REGISTRATION, THE USPTO MUST RECEIVE A COMPLETE RESPONSE TO THIS PROVISIONAL FULL REFUSAL NOTIFICATION **WITHIN 6 MONTHS** OF THE "DATE ON WHICH THE NOTIFICATION WAS SENT TO WIPO (MAILING DATE)" LOCATED ON THE WIPO COVER LETTER ACCOMPANYING THIS NOTIFICATION.

In addition to the Mailing Date appearing on the WIPO cover letter, a holder (hereafter "applicant") may confirm this Mailing Date using the USPTO's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. To do so, enter the U.S. application serial number for this application and then select "Documents." The Mailing Date used to calculate the response deadline for this provisional full refusal is the "Create/Mail Date" of the "IB-1rst Refusal Note."

This is a **PROVISIONAL FULL REFUSAL** of the request for extension of protection of the mark in the above-referenced U.S. application. See 15 U.S.C. §1141h(c). See below in this notification (hereafter "Office action") for details regarding the provisional full refusal.

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 the Office Records

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

Issues to be Addressed

- Entity and Citizenship Required
- Mark Clarification Required
- Identification of Goods Amendment Required

Entity and Citizenship Omitted

The application does not indicate applicant's legal entity and citizenship, or state or country of organization or incorporation. Accordingly, applicant must specify its legal entity and its national citizenship or the U.S. state or foreign country of organization or incorporation. See 37 C.F.R. §§2.32(a)(3)(i)-(iv), 2.61(b); TMEP §§803.03, 803.04. Acceptable legal entities include an individual, a partnership, a corporation, a joint venture, or the foreign equivalent. See TMEP §§803.03 *et seq.*

If applicant's legal entity is an individual, applicant must so specify and provide his or her national citizenship. TMEP §803.03(a).

If applicant is a corporation, association, partnership, joint venture, or the foreign equivalent, applicant must so specify and provide the U.S. state or foreign country under whose laws applicant is organized or incorporated. TMEP §803.04. For a U.S. partnership or joint venture, applicant must also list the names, legal entities and national citizenship or the U.S. state or foreign country of organization or incorporation of all the general partners or joint venturers. TMEP §803.03(b)-(c). For an association, applicant must also specify whether the association is incorporated or unincorporated. TMEP §803.03(c).

Mark Clarification Required

The mark on the drawing appears in black stylized letters. However, the application references a standard character mark and “grey scale”. Applicant must clarify this inconsistency.

If the mark is intended to be in standard characters then applicant must submit a standard character drawing statement and a new drawing in standard characters in black.

If the mark is intended to be in special form, then applicant must submit an amended mark description to describe the mark as follows. Note, if the color “GREY” is intended as a feature of the mark, applicant must include “grey” in the amended mark description along with the following color claim. If the color grey is not intended as a feature of the mark, then applicant must submit a statement deleting “grey scale” from the application.

Recommended mark description and color claim if the mark is intended to be in grey stylized letters.

The mark consists of the words “GOOD LOOK” in grey stylized letters.

The color “GREY” is claimed as a feature of the mark.

Recommended mark description if the mark is intended to be in black stylized letters, in which case no color claim statement is required.

The mark consists of the words “GOOD LOOK” in special form

If the mark is intended to be in STANDARD CHARACTERS, then for clarification applicant must submit a standard character drawing claim and a substitute drawing showing the mark in standard characters according to the following standard character drawing requirements.

Standard Character Drawing Claim

For clarification, applicant must provide a standard character claim using the following standardized language accepted by the USPTO: **“The mark consists of standard characters without claim to any particular font style, size, or color.”** See 37 C.F.R. §2.52(a); TMEP §807.03(a). For more information about standard character drawings, and instructions on how to submit a standard character claim online using the Trademark Electronic Application System (TEAS) form, see the [Drawing webpage](#).

Standard Character Drawing Requirements

A “standard character drawing” shows a mark with textual elements only, and excludes any design, stylization, or color elements. The requirements for a standard character drawing are as follows:

- (1) Shows all textual elements in black print on a white background, with no other color.
- (2) Depicts all letters and words in Latin characters (A-Z).
- (3) Depicts all numerals in Roman (e.g., I-IX) or Arabic numerals (e.g., 0-9).
- (4) Uses only common punctuation (e.g., colon, dashes) or diacritical marks (e.g., tilde, cedilla).
- (5) Excludes a design element.
- (6) Includes the following statement in the application: **“The mark consists of standard characters without claim to any particular font style, size, or color.”**

37 C.F.R. §2.52(a); TMEP §807.03(a). For a complete list of the standard characters permitted in standard character drawings, see the USPTO’s [standard character set](#). TMEP §807.03(b).

For more information about standard character drawings and drawings in general, and instructions on how to submit a drawing, see the [Drawing webpage](#).

Identification of Goods Amendment Required

A number of terms in the identification of goods are indefinite and must be clarified. The wording shown in **bold** in the proposed amendment below provides guidance for this requirement. See 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03, 1904.02(c), (c)(ii).

In an application filed under Trademark Act Section 66(a), an applicant may not change the classification of goods and/or services from that assigned by the International Bureau of the World Intellectual Property Organization in the corresponding international registration. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Therefore, although the goods and/or services may be classified in several international classes, any modification to this wording must identify goods and/or services in International Class 10 only, the class specified in the application for these goods and/or services. See TMEP §1904.02(c), (c)(ii).

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). Additionally, for applications filed under Trademark Act Section 66(a), the scope of the identification for purposes of permissible amendments is limited by the international class assigned by the International Bureau of the World Intellectual Property Organization (International Bureau); and the classification of goods and/or services may not be changed from that assigned by the International

Bureau. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Further, in a multiple-class Section 66(a) application, classes may not be added or goods and/or services transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

Applicant may adopt the following wording in International Class 25, if accurate.

Please note that the wording shown in **BOLD** format either replaces indefinite wording or indicates wording that would be acceptable. A “~~strike-through~~” line through the middle of words means that the wording must be deleted as a duplicate. The remaining terms not shown in **BOLD** are acceptable as submitted.

Class 25: Clothing, namely, trousers, jackets, overcoats, coats, skirts, suits, jerseys, waistcoats, shirts, T-shirts, sweatshirts, dresses, **Bermuda shorts**, shorts, pajamas, pullovers, jeans, tracksuits, rainwear, beachwear, bathing suits, swimming suits; **clothing for sports, namely, (specify the sports clothing by common commercial name in Class 25)**, pants, coats, dresses; underclothing, namely, boxer shorts, brassieres, briefs, pants; socks; footwear, “**headgear**” is indefinite as it could include goods in more than one class – “**headwear**” is acceptable in Class 25.

Note: The following wording has not been included in the recommended description above for the reasons stated below.

“[I]ncluding underwear and outer clothing” is indefinite and unnecessary as it is followed by “namely” which limits the clothing for this application to the description following “namely”.

“([F]or exclusive use for sports)” is redundant and unnecessary.

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.

WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL FULL REFUSAL: Any response to this provisional refusal must be personally signed by an individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant (e.g., a corporate officer or general partner). 37 C.F.R. §§2.62(b), 2.193(e)(2)(ii); TMEP §712.01. If applicant hires a qualified U.S. attorney to respond on his or her behalf, then the attorney must sign the response. 37 C.F.R. §§2.193(e)(2)(i), 11.18(a); TMEP §§611.03(b), 712.01. Qualified U.S. attorneys include those in good standing with a bar of the highest court of any U.S. state, the District of Columbia, Puerto Rico, and other U.S. commonwealths or U.S. territories. See 37 C.F.R. §§2.17(a), 2.62(b), 11.1, 11.14(a); TMEP §§602, 712.01. Additionally, for all responses, the proper signatory must personally sign the document or personally enter his or her electronic signature on the electronic filing. See 37 C.F.R. §2.193(a); TMEP §§611.01(b), 611.02. The name of the signatory must also be printed or typed immediately below or adjacent to the signature, or identified elsewhere in the filing. 37 C.F.R. §2.193(d); TMEP §611.01(b).

In general, foreign attorneys are not permitted to represent applicants before the USPTO (e.g., file written communications, authorize an amendment to an application, or submit legal arguments in response to a requirement or refusal). See 37 C.F.R. §11.14(c), (e); TMEP §§602.03-.03(b), 608.01.

DESIGNATION OF DOMESTIC REPRESENTATIVE: The USPTO encourages applicants who do not reside in the United States to designate a domestic representative upon whom any notice or process may be served. TMEP §610; see 15 U.S.C. §§1051(e), 1141h(d); 37 C.F.R. §2.24(a) (1)-(2). Such designations may be filed online at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

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TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.