

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

U.S. APPLICATION
SERIAL NO. 79228653

MARK: SAHARA
PREMIUM

79228653

CORRESPONDENT

ADDRESS:

RIVEDIL DI
CODARDO COSIMO
RIVEDIL DI
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c/o Avv. Chiara Urba;
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**APPLICANT: RIVEDIL
DI CODARDO COSIMO**

**CLICK HERE TO RESPOND TO THIS
LETTER:**

http://www.uspto.gov/trademarks/teas/response_forms.jsp

**CORRESPONDENT'S
REFERENCE/DOCKET
NO:**

N/A

**CORRESPONDENT
E-MAIL ADDRESS:**

OFFICE ACTION

ISSUE/MAILING DATE: 01/28/2019

INTERNATIONAL REGISTRATION NO. 1393518

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-1st 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.

This letter is in response to the applicant's correspondence received in this Office on March 29, 2018. The applicant should note the following new issue concerning the additional Section 2(d) Likelihood of Confusion Refusal. Furthermore, the applicant should note that the Refusal of Registration under Trademark Act §2(d) with Registration No. 4716478 and the Identification of Goods Amendment are herein *continued and maintained*. The disclaimer requirement and the amended mark description requirements have been *satisfied* by applicant's response.

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) Likelihood of Confusion Refusal – **NEW ISSUE**
- Section 2(d) Likelihood of Confusion Refusal – **CONTINUED AND MAINTAINED**
- Identification of Goods Amendment Required – **CONTINUED AND MAINTAINED**
- Attorney Advisory

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION – NEW ISSUE

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 5558182. This prior-filed application has now matured into registration. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

Applicant's applied-for mark is **SAHARA PREMIUM** for:

- Class 002 - Paints; mordants for use in the building like traditional paints and decorative paints; varnishes; aluminium paints; anti - corrosive preparations, namely, paints, acrylic resin, coatings, coatings made of cement, etc.; bactericidal paints; badigeon; wood coatings as paints; wood mordants for use in the building; wood stains; sienna earth as pigment; coatings for roofing felt as paint; lime wash; colorants; wood preservatives; thinners for paints; thinners for lacquers; organic ed inorganic dyes; pigments; distempers; enamels as acrylic and alkyd enamels for use on iron, wood and walls; enamels for painting; clear and pigmented coatings in the nature of paint; fixatives in spray form for industrial use in the nature of an acrylic protective coating; glazes; protective preparations for metals, namely, rust protecting paints; anti - rust preparation for preservation in the nature of coatings; whitewash; dyewood; mordants for use in coloring wood; lacquers; anti - fouling paints; turpentine for use as paint thinner

Registrant's mark is **SAHARA** for:

- Class 002 - Coatings in the nature of industrial moisture vapor barrier sealants for waterproofing and surface hardening; Coatings in the nature of industrial moisture vapor barrier sealants for concrete floors for waterproofing and surface hardening

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying 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) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Only those factors that are “relevant and of record” need be considered. *M2 Software, Inc. v. M2 Commc 'ns, Inc.*, 450 F.3d 1378, 1382, 78 USPQ2d 1944, 1947 (Fed. Cir. 2006) (citing *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1241, 73 USPQ2d 1350, 1353 (Fed. Cir. 2004)); *see In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1744 (TTAB 2018).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) (“The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods and differences in the marks.”); TMEP §1207.01.

COMPARISON OF THE MARKS

Applicant's applied-for mark is **SAHARA PREMIUM**. Registrant's mark is **SAHARA**.

Marks are compared in their entirety for similarities in appearance, sound, connotation, and commercial impression. *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)); TMEP §1207.01(b)-(b)(v). “Similarity in any one of these elements may be sufficient to find the marks confusingly similar.” *In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)); TMEP §1207.01(b).

In this case, both marks begin with, or are completely comprised of, the term SAHARA. As consumers are more likely to focus on, and remember, the first term in a mark, this similarity is key.

Consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. *See Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005) (finding similarity between

VEUVE ROYALE and two VEUVE CLICQUOT marks in part because “VEUVE . . . remains a ‘prominent feature’ as the first word in the mark and the first word to appear on the label”); *Century 21 Real Estate Corp. v. Century Life of Am.*, 970 F.2d 874, 876, 23 USPQ2d 1698, 1700 (Fed. Cir. 1992) (finding similarity between CENTURY 21 and CENTURY LIFE OF AMERICA in part because “consumers must first notice th[e] identical lead word”); *see also In re Detroit Athletic Co.*, 903 F.3d 1297, 1303, 128 USPQ2d 1047, 1049 (Fed. Cir. 2018) (finding “the identity of the marks’ two initial words is particularly significant because consumers typically notice those words first”).

Although applicant has added the term PREMIUM to its mark, this term is laudatory of applicant’s products and has been disclaimed by applicant. Thus, the wording SAHARA is the dominant portion of applicant’s mark, which is identical to the entirety of registrant’s mark.

Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. *See In re Vittera Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Nat’l Data Corp.*, 753 F.2d 1056, 1058, 224 USPQ 749, 751 (Fed. Cir. 1985); TMEP §1207.01(b)(viii), (c)(ii). Disclaimed matter that is descriptive of or generic for a party’s goods is typically less significant or less dominant when comparing marks. *In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii).

Further, adding a term to a registered mark generally does not obviate the similarity between the compared marks, as in the present case, nor does it overcome a likelihood of confusion under Section 2(d). *See Coca-Cola Bottling Co. v. Jos. E. Seagram & Sons, Inc.*, 526 F.2d 556, 557, 188 USPQ 105, 106 (C.C.P.A. 1975) (finding BENGAL and BENGAL LANCER and design confusingly similar); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1269 (TTAB 2009) (finding TITAN and VANTAGE TITAN confusingly similar); *In re El Torito Rests., Inc.*, 9 USPQ2d 2002, 2004 (TTAB 1988) (finding MACHO and MACHO COMBOS confusingly similar); TMEP §1207.01(b)(iii). In the present case, the marks are identical in part.

Finally, even if potential purchasers realize the apparent differences between the marks, they could still reasonably assume, due to the overall similarities in sound, appearance, connotation, and commercial impression in the respective marks, that applicant’s goods sold under the “SAHARA PREMIUM” mark constitute a new or additional product line from the same source as the goods sold under the “SAHARA” mark with which they are acquainted or familiar, and that applicant’s mark is merely a variation of the registrant’s mark. *See, e.g., SMS, Inc. v. Byn-Mar Inc.* 228 USPQ 219, 220 (TTAB 1985) (applicant’s marks ALSO ANDREA and ANDREA SPORT were “likely to evoke an association by consumers with opposer’s preexisting mark [ANDREA SIMONE] for its established line of clothing.”).

As applicant’s and registrant’s marks are highly similar in sound, appearance, connotation, and commercial impression, this factor weighs in favor of a finding of likelihood of confusion.

COMPARISON OF THE GOODS

Applicant’s goods are:

Class 002 - Paints; mordants for use in the building like traditional paints and decorative paints; varnishes; aluminium paints; anti - corrosive preparations, namely, paints, acrylic resin, coatings, coatings made of cement, etc.; bactericidal paints; badigeon; wood coatings as paints; wood mordants for use in the building; wood stains; sienna earth as pigment; coatings for roofing felt as paint; lime wash; colorants; wood preservatives; thinners for paints; thinners for lacquers; organic ed inorganic dyes; pigments; distempers; enamels as acrylic and alkyd enamels for use on iron, wood and walls; enamels for painting; clear and pigmented coatings in the nature of paint; fixatives in spray form for industrial use in the nature of an acrylic protective coating; glazes; protective preparations for metals, namely, rust protecting paints; anti - rust preparation for preservation in the nature of coatings; whitewash; dyewood; mordants for use in coloring wood; lacquers; anti - fouling paints; turpentine for use as paint thinner

Registrant’s goods are:

Class 002 - Coatings in the nature of industrial moisture vapor barrier sealants for waterproofing and surface hardening; Coatings in the nature of industrial moisture vapor barrier sealants for concrete floors for waterproofing and surface hardening

The compared goods 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 goods] 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).

Generally, the greater degree of similarity between the applied-for mark and the registered mark, the lesser the degree of similarity between the goods of the parties is required to support a finding of likelihood of confusion. *In re C.H. Hanson Co.*, 116 USPQ2d 1351, 1353 (TTAB 2015) (citing *In re Opus One Inc.*, 60 USPQ2d 1812, 1815 (TTAB 2001)); *In re Thor Tech, Inc.*, 90 USPQ2d 1634, 1636 (TTAB 2009).

Determining likelihood of confusion is based on the description of the goods stated in the application and registration at issue, not on extrinsic evidence of actual use. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1052 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325, 123 USPQ2d 1744, 1749 (Fed. Cir. 2017)).

In this case, the application uses broad wording to describe “anti - corrosive preparations [...]clear and pigmented coatings in the nature of paint; fixatives in spray form for industrial use in the nature of an acrylic protective coating; glazes; [...]lacquers; ant -fouling paints,” which presumably encompasses all goods of the type described, including registrant’s more narrow “Coatings in the nature of industrial moisture vapor barrier sealants for waterproofing and surface hardening; Coatings in the nature of industrial moisture vapor barrier sealants for concrete floors for waterproofing and surface hardening.” *See, e.g., In re Solid State Design Inc.*, 125 USPQ2d 1409, 1412-15 (TTAB 2018); *Sw. Mgmt., Inc. v. Ocinomled, Ltd.*, 115 USPQ2d 1007, 1025 (TTAB 2015). Thus, applicant’s and registrant’s goods are legally identical. *See, e.g., In re i.am.symbolic, llc*, 127 USPQ2d 1627, 1629 (TTAB 2018) (citing *Tuxedo Monopoly, Inc. v.Gen. Mills Fun Grp., Inc.*, 648 F.2d 1335, 1336, 209 USPQ 986, 988 (C.C.P.A. 1981); *Inter IKEA Sys. B.V. v. Akea, LLC*, 110 USPQ2d 1734, 1745 (TTAB 2014); *Baseball Am. Inc. v. Powerplay Sports Ltd.*, 71 USPQ2d 1844, 1847 n.9 (TTAB 2004)).

Additionally, the goods and/or services of the parties have no restrictions as to nature, type, channels of trade, or classes of purchasers and are “presumed to travel in the same channels of trade to the same class of purchasers.” *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268, 62 USPQ2d 1001, 1005 (Fed. Cir. 2002)). Thus, applicant’s and registrant’s goods are related.

As applicant’s and registrant’s marks are highly similar and applicant’s and registrant’s goods are encompassing or related, registration must be refused for likelihood of confusion.

Although applicant’s mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration. However, if applicant responds to the refusal, applicant must also respond to the requirement set forth below.

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION – CONTINUED AND MAINTAINED

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 4716478 Trademark Act Section 2(d), 15 U.S.C. § 1052(d); *see* TMEP §§1207.01 *et seq.* See the previously attached registration.

Although applicant has argued that they do not manufacture or sell automotive paints and thus there is no likelihood of confusion, applicant and registrant still have identical and encompassing claims for “paints” and “powdered paints,” and applicant’s and registrant’s marks remain highly similar. Thus, this refusal for likelihood of confusion is continued and maintained.

IDENTIFICATION OF GOODS

The identification of goods is unacceptable because portions are still indefinite and must be clarified. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.06

In Class 002, for example, applicant must offer additional clarification for several goods. For “anti-corrosive preparations,” applicant must state the specific goods claimed, rather than simply adding “etc.” for clarity. Further, although applicant has stated “acrylic resin,” these goods are not sufficiently detailed or properly classified in Class 002 and, as applicant has filed an application under the Madrid Protocol, these goods cannot be added to the application. Applicant must also clarify the wording “organic ed inorganic dyes,” such as by stating that this wording is intended to mean “synthetic and natural dyes.” Applicant must provide more detail regarding the wording “alkyd enamels,” such as by stating that these are “enamels for painting and for use as varnishes.”

SUGGESTED AMENDMENT

Applicant may substitute the following wording, if accurate:

Class 002 - Paints; mordants for **use in building, namely, architectural** paints and decorative **interior** paints; varnishes; aluminium paints; anti-corrosive preparations, namely, paints, ~~acrylic resin~~, coatings, coatings made of cement, ~~etc.~~ **{specify additional specific goods, if any, e.g., oils}**; bactericidal paints; **coatings comprised of cement, namely**, badigeon; coatings for woods as paint; wood mordants for use in the building; wood stains; sienna earth as pigment; coatings for roofing felt **in the nature of** paint; lime wash; colorants; wood preservatives; thinners for paints; thinners for lacquers; ~~organic ed inorganic~~ **synthetic and natural** dyes; pigments; distempers; **enamels in the nature of acrylic paint and alkyd** enamels for use on iron, wood and walls, **namely, enamels for painting and for use as varnishes**; enamels for painting; clear and pigmented coatings in the nature of paint; fixatives in spray form for industrial use in the nature of an acrylic protective coating; glazes; protective preparations for metals, namely rust protecting paints; anti-rust preparations, **namely, rust preservatives** in the nature of coatings; whitewash; dyewood; **mordant dyes, namely**, mordants for use in coloring wood; lacquers; anti-fouling paints; turpentine for use as paint thinner.

Applicant may amend the identification to clarify or limit the goods, but not to broaden or expand the goods 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 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 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 transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

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.

ATTORNEY ADVISORY

Because of the legal technicalities and strict deadlines involved in the USPTO application process, applicant may wish to hire a qualified U.S. attorney specializing in trademark matters to represent applicant in this process and provide legal advice. Although the undersigned trademark examining attorney is permitted to help an applicant understand the contents of an Office action as well as the application process in general, no USPTO attorney or staff is permitted to give an applicant legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06.

For attorney referral information, applicant may consult the American Bar Association's Consumers' Guide to Legal Help or an online directory of legal professionals, such as FindLaw®. The USPTO, however, may not assist an applicant in the selection of a private attorney. 37 C.F.R. §2.11.

Please note that foreign attorneys, other than duly authorized Canadian attorneys, are not permitted to represent applicants before the USPTO. *See* 37 C.F.R. §§2.17(e), 11.14(c), (e); TMEP §602.03-.03(c). The only attorneys who may practice before the USPTO in trademark matters are (1) attorneys 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/territories; and (2) duly authorized Canadian agents/attorneys. *See* 37 C.F.R. §§2.17(e), 11.14(a), (c); TMEP §602.

RESPONSE GUIDELINES

Response guidelines. For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see "Responding to Office Actions" and the informational video "[Response to Office Action](#)" for more information and tips on responding.

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>.

If the applicant has any questions or requires assistance in responding to this Office Action, please telephone or email the assigned examining attorney.

/Cori Stedman/
Examining Attorney
Law Office 123
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cori.stedman@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/mailling 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>.

Print: Jan 27, 2019

86903227

DESIGN MARK

Serial Number

86903227

Status

REGISTERED

Word Mark

SAHARA

Standard Character Mark

Yes

Registration Number

5558182

Date Registered

2018/09/11

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

W.F. Taylor LLC LIMITED LIABILITY COMPANY DELAWARE 800 College Drive
Dalton GEORGIA 30720

Goods/Services

Class Status -- ACTIVE. IC 002. US 006 011 016. G & S: Coatings in the nature of industrial moisture vapor barrier sealants for waterproofing and surface hardening; Coatings in the nature of industrial moisture vapor barrier sealants for concrete floors for waterproofing and surface hardening. First Use: 2017/03/03. First Use In Commerce: 2017/03/03.

Filing Date

2016/02/10

Examining Attorney

CHO, HANNA

Attorney of Record

Sean C. Fifield

SAHARA