

**United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application**

U.S. Application Serial No. 79438307

Mark: MANTOREALE

Correspondence Address:

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Applicant: ABT S.R.L.

Reference/Docket No. 114354.00946

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**NONFINAL OFFICE ACTION
Notice of Provisional Full Refusal**

International Registration No. 1889549

Deadline for responding. The USPTO must receive applicant's response **within six months of the "date on which the notification was sent to WIPO (mailing date)"** located on the WIPO cover letter, or the U.S. application will be abandoned (see <https://www.uspto.gov/trademarks/apply/reviving-abandoned-application> for information on abandonment). To confirm the mailing date, go to the USPTO's Trademark Status and Document Retrieval (TSDR) database at <https://tsdr.uspto.gov/>, select "US Serial, Registration, or Reference No.," enter the U.S. application serial number in the blank text box, and click on "Documents." The mailing date used to calculate the response deadline is the "Create/Mail Date" of the "IB-1st Refusal Note."

Respond to this Office action using the USPTO's Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Discussion of provisional full refusal. This is a provisional full refusal of the request for extension of protection to the United States of the international

registration, known in the United States as a U.S. application based on Trademark Act Section 66(a). *See* 15 U.S.C. §§1141f(a), 1141h(c).

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

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.

SUMMARY OF ISSUES:

- Identification of Goods Amendment - Required
- Explanation of Mark's Significance - Required

IDENTIFICATION OF GOODS AMENDMENT - REQUIRED

Portions of the identification of goods are unacceptable and must be amended for the reasons set forth below.

Particularly, wording in the identification of

goods is indefinite and must be clarified because it does not make clear the nature of the

goods

, does not provide sufficient information about the purpose or use of the

goods

, or otherwise requires additional information to justify classification.

See 37 C.F.R. §2.32(a)(6); TMEP §1402.01.

The identification of goods and/or services must be specific, definite, clear, accurate, and concise. See 15 U.S.C. §§1051(a)(2), 1051(b)(2), 1053, 1126(d)-(e), 1141f; 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.01(b)-(c).

Therefore, applicant must either (1) delete the unacceptable wording or (2) amend it to definite wording that specifies the nature of the goods and/or services in greater detail and that is within the scope of the original identification. See 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03.

Applicant is in the best position to know their goods and/or services. For assistance with drafting acceptable wording, use the USPTO's online searchable *Acceptable Identification of Goods and Services Manual* (ID Manual), which is a good resource for finding an appropriate amendment. See TMEP §1402.04. For guidance on searching the ID Manual, see "Searching the Trademark ID Manual" located under "Guides, Manuals, and Resources" in the Trademark portion of USPTO.gov, linked [here](#).

Applicant may substitute the following wording, if accurate:

International Class 018: Bags, **namely, {specify type of bags}**; handbags; purses; clutches~~[-purses]~~ ; bumbags; travel baggage; suitcases; pocket wallets; leather purses; umbrellas; key cases; grocery tote bags; vanity cases, not fitted; overnight bags; haversacks; attaché cases; credit-card holders; business card cases; school book bags; rucksacks; small bags for men

International Class 025: Waterproof clothing, **namely, {specify clothing types}**; **Clothing, namely, roll neck {specify, e.g., tops or shirts}** ; ladies' clothing, **namely, {specify clothing items}**; work clothes, **namely, {specify items}**; menswear **being {specify items}**; clothing made of fur **being {specify type of fur clothing}**; formalwear, **namely, {specify items}**; formal evening wear, **namely, {specify items}**; cashmere clothing, **namely, {specify items}**; woolen clothing, **namely, {specify items}**; silk clothing, **namely, {specify items}**; clothing of leather **being {specify goods}**; dresses; suits; evening wear, **namely, {specify}**; **Men's and women's dinner suits**; leather dresses; blazers; blue jeans; braces~~[-suspenders]~~ for clothing; suspender belts for men; shirts; dress shirts; woven shirts; capes; coats; evening coats; pea coats; coats for men; fur coats and jackets; winter coats; coats for women; cardigans; waist belts; men's suits; shrugs; pantsuits; turtlenecks; cravats; silk scarves; hooded sweatshirts; sweat

shirts; **Clothing** jackets ; suit coats; dinner jackets; ~~polar~~ fleece jackets; rainproof jackets; men's and women's jackets, coats, trousers, vests; waistcoats; gloves **being clothing**; knitwear, **namely, {specify clothing items}**; denim jeans; v-neck sweaters; jerseys **being clothing**; polo sweaters; mantles; shorts; duffel coats; short trousers; trousers; chino pants; casual trousers; pedal pushers; dress pants; polo shirts; crew neck sweaters; long sleeve pullovers; scarves; cashmere scarves; overcoats; dust coats; printed t-shirts; tee-shirts; trench coats; ladies' dresses; footwear not for sports; berets; hats; bonnets.

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).

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.

EXPLANATION OF MARK'S SIGNIFICANCE - REQUIRED

To permit proper examination of the application, applicant must clarify whether wording in the mark has any particular significance, as follows:

(1) **Industry significance.** Explain whether the wording "MANTOREALE" in the mark has any meaning or significance in the trade or industry in which applicant's goods and/or services are manufactured or provided, any meaning or significance as applied to applicant's goods and/or services, or if such wording is a term of art within applicant's industry.

(2) **Geographical significance.** Explain whether this wording identifies a geographic place.

(3) **Foreign language/character significance.** Explain whether this wording has any meaning in a foreign language. If so, submit an English translation of the non-English wording in a mark and a transliteration (the phonetic spelling of the pronunciation, in Latin characters) of any non-Latin characters in a mark. If the transliteration has a meaning in a foreign language, the English translation of that meaning must be provided.

The format for an English translation and transliteration: **“The English translation of “MANTOREALE” in the mark is “{specify}”.**

The format for when there is no English translation or meaning of the transliteration: **“The wording “MANTOREALE” has no meaning in a foreign language.”**

See 37 C.F.R. §§2.32(a)(9)-(a)(10), 2.61(b); TMEP §§809-809.03, 814. If the wording has no significance and is not a term of art in the relevant trade or industry or as used with applicant’s goods and/or services, and does not have any geographical or meaning in a foreign language, or any other significance, applicant must provide a statement to that effect. *See* 37 C.F.R. §2.61(b); TMEP §814.

To respond to this requirement for information, open the appropriate electronic response form and enter the serial number, answer “yes” to the question about submitting additional statements, and on the “Additional Statement(s)” page in either the “Significance of Wording, Letter(s), or Numeral(s)” text box(es) and/or the “Miscellaneous Statement” text box(es), enter the information and/or explain documentation being submitted with such information and attach it by clicking the button below the text box.

Applicant has a duty to respond directly and completely to this requirement for information. *See In re Ocean Tech., Inc.*, 2019 USPQ2d 450686, at *2 (TTAB 2019) (citing *In re AOP LLC*, 107 USPQ2d 1644, 1651 (TTAB 2013)); TMEP §814. Failure to comply with a requirement for information is an independent ground for refusing registration. *In re SICPA Holding SA*, 2021 USPQ2d 613, at *6 (TTAB 2021) (citing *In re Cheezwhse.com, Inc.*, 85 USPQ2d 1917, 1919

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RESPONDING TO THIS OFFICE ACTION

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.

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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. TEASmaintenance 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

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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.