

**UNITED STATES PATENT AND TRADEMARK OFFICE**

SERIAL NO: 79/067589

MARK: OCEAN SEA

**\*79067589\***

**CORRESPONDENT ADDRESS:**

Harmsen Utescher  
Alter Wall 55  
20457 Hamburg  
FED REP GERMANY

**RESPOND TO THIS ACTION:**

**<http://www.uspto.gov/teas/eTEASpageD.htm>**

**GENERAL TRADEMARK INFORMATION:**

**<http://www.uspto.gov/main/trademarks.htm>**

**APPLICANT:** Lidl Stiftung & Co.  
KG

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

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

**OFFICE ACTION**

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

**ISSUE/MAILING DATE:**

**INTERNATIONAL REGISTRATION NO. 0639025**

This is a **PROVISIONAL FULL REFUSAL** of the trademark and/or service mark in the above-referenced U.S. application. See 15 U.S.C. §1141h(c).

**WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL FULL REFUSAL:**

Applicant may respond directly to this provisional refusal Office action, or applicant's attorney may respond on applicant's behalf. However, **the only attorneys who can practice before the USPTO** in trademark matters are as follows:

**(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 federal territories and possessions of the United States; and**

**(2) Canadian agents/attorneys** who represent applicants residing in Canada and who have received reciprocal recognition by the USPTO under 37 C.F.R. §11.14(c).

37 C.F.R. §§11.1, 11.14; TMEP §602.

Foreign attorneys are not permitted to practice before the USPTO, other than properly authorized Canadian attorneys. TMEP §602.06(b). Filing written communications, authorizing an amendment to an application, or submitting legal arguments in response to a requirement or refusal constitutes

representation of a party in a trademark matter. A response signed by an unauthorized foreign attorney is considered an incomplete response. *See* TMEP §§602.03, 712.03.

### **THE APPLICATION HAS BEEN PROVISIONALLY REFUSED AS FOLLOWS:**

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, 2.65(a); TMEP §§711, 718.03.

#### **Search Results**

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

#### **Section 2(e)(1) Refusal – Merely Descriptive**

Registration is refused because the applied-for mark merely describes a feature and/or characteristic of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or services. TMEP §1209.01(b); *see In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987). Moreover, a mark that identifies a group of users to whom an applicant directs its goods and/or services is also merely descriptive. TMEP §1209.03(i); *see In re Planalytics, Inc.*, 70 USPQ2d 1453, 1454 (TTAB 2004).

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (C.C.P.A. 1978); TMEP §1209.01(b); *see, e.g., In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (finding DOC in DOC-CONTROL would be understood to refer to the “documents” managed by applicant's software, not “doctor” as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (finding CONCURRENT PC-DOS merely descriptive of “computer programs recorded on disk” where relevant trade used the denomination “concurrent” as a descriptor of a particular type of operating system). “Whether consumers could guess what the product is from consideration of the mark alone is not the test.” *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

Applicant proposes the mark “OCEAN SEA” for use in connection with “Processed fish and fish products, particularly tinned fish; fish jelly; processed molluscs and crustaceans; edible shellfish (not live)” and “Living molluscs, crustaceans and shellfish.”

In determining the descriptiveness of a term or mark comprising more than one element, it is permissible to consider the significance of each element separately in the course of evaluating the term or mark as a whole. *See In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1174-75, 71 USPQ2d 1370, 1372 (Fed. Cir. 2004) (holding PATENTS.COM merely descriptive of computer software for managing and tracking the status of database records when noting that “the PTO may [separately] consider the meaning of ‘patents’ and the meaning of ‘.com’ with respect to the goods identified in the application.”); *In re Save Venice N.Y., Inc.*, 259 F.3d 1346, 1352, 59 USPQ2d 1778, 1782 (Fed. Cir. 2001) (holding a mark primarily geographically deceptively misdescriptive for a variety of goods when noting that “[i]t is not erroneous, however, for the examiner to consider the significance of each element within the composite mark in the course of evaluating the mark as a whole.”); *In re*

*Med. Plastics, Inc.*, 192 USPQ 239, 240 (TTAB 1976) (holding a mark generic when noting that “[t]he Examiner did discuss each word in the mark separately in order to show that the term in its entirety was the apt name of the applicant’s goods. This is not the same thing as dissecting a mark.”).

Here, the term OCEAN is defined as “the vast body of salt water that covers almost three fourths of the earth’s surface.” The term SEA is defined as “the salt waters that cover the greater part of the earth’s surface.” Each of these terms immediately conveys an idea of the ingredients, qualities, or characteristics of the goods/services. Consumers will immediately understand that the goods emanate from either the ocean and/or the sea.

A term is merely descriptive if it conveys an immediate idea of the ingredients, qualities, or characteristics of the identified goods and/or services. *See In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1422 (Fed. Cir. 2005); *In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 1346, 57 USPQ2d 1807, 1812 (Fed. Cir. 2001).

Furthermore, a mark that combines descriptive words may be registrable if the composite creates a unitary mark with a separate, nondescriptive meaning. *In re Colonial Stores, Inc.*, 394 F.2d 549, 551, 157 USPQ 382, 384 (C.C.P.A. 1968) (holding SUGAR & SPICE not merely descriptive of bakery products because of the mark’s immediate association with the nursery rhyme “sugar and spice and everything nice”). However, the mere combination of descriptive words does not automatically create a new nondescriptive word or phrase. *See, e.g., In re Associated Theatre Clubs Co.*, 9 USPQ2d 1660, 1662 (TTAB 1988) (holding GROUP SALES BOX OFFICE merely descriptive for theater ticket sales services).

The registrability of a mark created by combining only descriptive words depends on whether a new and different commercial impression is created, and/or the mark created imparts an incongruous meaning as used in connection with the goods and/or services. TMEP §1209.03(d); *e.g., In re Copytele, Inc.*, 31 USPQ2d 1540, 1542 (TTAB 1994); *In re Associated Theatre Clubs*, 9 USPQ2d at 1662. Where, as in this case, the combination of the descriptive words creates no incongruity, and no imagination is required to understand the nature of the goods and/or services, the mark is merely descriptive.

In further support of this refusal, the examiner attaches third-party registrations which evidence the descriptive nature of the relevant goods/services.

Third-party registrations featuring the same or similar goods and/or services as applicant’s goods and/or services are probative evidence on the issue of descriptiveness where the relevant word or term is disclaimed, registered under Trademark Act Section 2(f) based on a showing of acquired distinctiveness, or registered on the Supplemental Register. *See Sweats Fashions, Inc. v. Pannill Knitting Co.*, 833 F.2d 1560, 1564-65, 4 USPQ2d 1793, 1797 (Fed. Cir. 1987); *In re Box Solutions Corp.*, 79 USPQ2d 1953, 1955 (TTAB 2006); *In re Finisar Corp.*, 78 USPQ2d 1618, 1621 (TTAB 2006).

Two major reasons for not protecting descriptive marks are (1) to prevent the owner of a descriptive mark from inhibiting competition in the marketplace and (2) to avoid the possibility of costly infringement suits brought by the trademark or service mark owner. *In re Abcor Dev. Corp.*, 588 F.2d 811, 813, 200 USPQ 215, 217 (C.C.P.A. 1978); TMEP §1209. Businesses and competitors should be free to use descriptive language when describing their own goods and/or services to the public in advertising and marketing materials. *See In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1527 (TTAB 2001).

Although applicant’s mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

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

### **Identification of the Goods and/or Services is Indefinite**

The identification of goods and/or services is indefinite and must be clarified. *See* TMEP §1402.01. Applicant must specify the common commercial or generic name for the goods and/or services. If there is no common commercial or generic name, applicant must describe the product/service and intended consumer as well as its main purpose and intended uses.

The identification of goods and/or services contains parentheses. Generally, parentheses and brackets should *not* be used in identifications. Parenthetical information is permitted in identifications only if it serves to explain or translate the matter immediately preceding the parenthetical phrase in such a way that it does not affect the clarity of the identification, e.g., “obi (Japanese sash).” TMEP §1402.12.

Therefore, applicant must remove the parentheses from the identification of goods and/or services and incorporate the parenthetical information into the description.

Applicant may adopt the following identification, if accurate:

“Processed fish and fish products, particularly tinned fish; fish jelly; processed mollusks and crustaceans; edible shellfish, not live,” in International Class 029.

“Living **seafood**, **namely**, mollusks, crustaceans and shellfish,” in International Class 031.

Descriptions of goods and services should use the common, ordinary name for the goods and/or services. TMEP §1402.01. If there is no common, ordinary name for the goods and/or services, applicant should describe the goods and/or services using wording that would be generally understood by the average person. *See Cal. Spray-Chem. Corp. v. Osmose Wood Pres. Co. of Am.*, 102 USPQ 321, 322 (Comm’r Pats. 1954); *Schenley Indus., Inc. v. Battistoni*, 112 USPQ 485, 486 (Comm’r Pats. 1957); TMEP §1402.01.

An in depth knowledge of the relevant field should not be necessary for understanding a description of the goods and/or services. TMEP §1402.01. “[T]echnical, high-sounding verbiage” should be avoided. *Cal. Spray-Chem.*, 102 USPQ at 322.

Identifications of goods and/or services can be amended only to clarify or limit the goods and/or services; adding to or broadening the scope of the goods and/or services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include goods and/or services that are not within the scope of the goods and/or services set forth in the present identification.

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>. *See* TMEP §1402.04.

The international classification of goods and/or services in applications filed under Trademark Act Section 66(a) cannot be changed from the classification given to the goods and/or services by the International Bureau in the corresponding international registration. TMEP §§1401.03(d), 1904.02 (b).

### **Response to Office Action**

Applicant is encouraged to contact the undersigned attorney with questions regarding this Office Action. The Examiner’s email address is david.hoffman@uspto.gov.

/David A. Hoffman/  
Examining Attorney  
Law Office 107  
(Ph) 571-272-8805  
(Fx) 571-273-8805

**RESPOND TO THIS ACTION:** Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For *technical* assistance with the form, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

Print: May 19, 2009

73273937

**DESIGN MARK**

**Serial Number**  
73273937

**Status**  
REGISTERED AND RENEWED

**Word Mark**  
OCEAN FRESH

**Standard Character Mark**  
No

**Registration Number**  
1247210

**Date Registered**  
1993/08/02

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**  
COLLINI, AL INDIVIDUAL 3524 S. DELSEA DRIVE VINELAND NEW JERSEY 08360

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: Frozen Seafood.  
First Use: 1979/05/01. First Use In Commerce: 1979/05/01.

**Disclaimer Statement**  
No claim is made to the exclusive right to use the words "Ocean Fresh", apart from the mark as shown.

**Limiting/Clipping Statement**  
The lining in the mark is for shading purposes only and is not intended to represent any particular color.

**Filing Date**  
1990/08/13

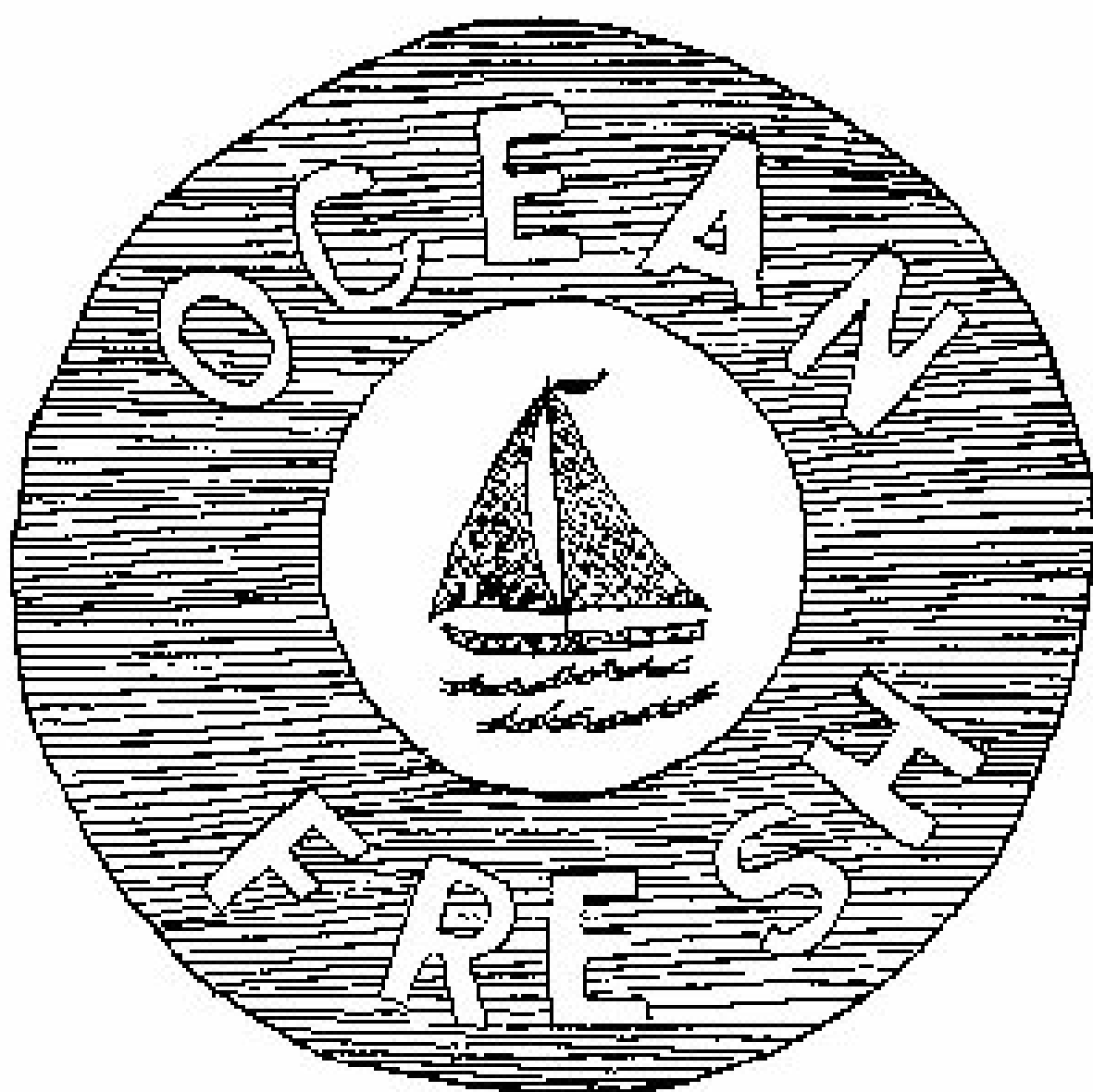
**Examining Attorney**  
FINGERET, DONALD

**Attorney of Record**

Print: May 19, 2009

73273937

Norman E. Lehrer





Print: May 19, 2009

73489725

**TYPED DRAWING**

**Serial Number**  
73489725

**Status**  
REGISTERED AND RENEWED

**Word Mark**  
SEA DELICIO

**Standard Character Mark**  
No

**Registration Number**  
1331089

**Date Registered**  
1985/04/16

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
PIZZERIA UNO CORPORATION CORPORATION DELAWARE 1209 ORANGE STREET  
WILMINGTON DELAWARE 19801

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: Crab and Seafood  
Based Entrees and a Seafood Salad for Consumption On or Off the  
Premises. First Use: 1984/03/00. First Use In Commerce: 1984/03/00.

**Disclaimer Statement**  
No claim is made to the exclusive right to use "Sea", apart from the  
mark as shown.

**Filing Date**  
1984/07/13

**Examining Attorney**  
UNKNOWN

**Attorney of Record**  
JOHN L. WELCH

Print: May 19, 2009

75941239

**DESIGN MARK**

**Serial Number**  
75941239

**Status**  
REGISTERED

**Word Mark**  
NUTRA SEA

**Standard Character Mark**  
No

**Registration Number**  
2791692

**Date Registered**  
2003/12/09

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**  
Oceans Cuisine Ltd. CORPORATION NEW YORK PO Box 524 East Setauket NEW YORK 11733

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: Fish, namely, fresh and frozen raw fish, breaded fresh and frozen raw fish, precooked frozen fish, prepared seafood entrees with side dishes and with seafood stuffing; vegetables, namely, frozen vegetables, breaded frozen vegetables, precooked vegetables and vegetable stuffing. First Use: 2003/09/17. First Use In Commerce: 2003/09/17.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SEA" APART FROM THE MARK AS SHOWN.

**Lining/Stippling Statement**  
The lining is a feature of the mark and does not indicate color.

**Description of Mark**  
The mark consists of a picture of an electrocardiogram wave sequence, with two lines across the top. The word sea is imposed upon the

**Print: May 19, 2009**

**75941239**

electrocardiogram wave sequence in bold letters. The word Nutra  
appears above the word sea, and two birds fly over the word nutra.

**Filing Date**  
1999/11/05

**Examining Attorney**  
WHITTAKER-BROWN, TRACY

**Attorney of Record**  
Trudie Katz Walker



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77266749

**DESIGN MARK**

**Serial Number**  
77266749

**Status**  
REGISTERED

**Word Mark**  
SEA DELIGHT

**Standard Character Mark**  
No

**Registration Number**  
3514961

**Date Registered**  
2009/10/14

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**  
ADS Seafood, Inc. CORPORATION FLORIDA 8195 NW 67th ST Miami FLORIDA 33166

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: Fresh and frozen seafood. First Use: 2006/03/31. First Use In Commerce: 2006/03/31.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SEA" APART FROM THE MARK AS SHOWN.

**Description of Mark**  
The mark consists of the words "SEA DELIGHT" printed along a curved arc with wavy drawing features below the words.

**Colors Claimed**  
Color is not claimed as a feature of the mark.

**Filing Date**  
2007/05/28

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77266748

Examining Attorney  
EULIN, INGRID

Attorney of Record  
John L. DeAngelis



Print: May 19, 2009

77324860

**DESIGN MARK**

**Serial Number**  
77324860

**Status**  
REGISTERED

**Word Mark**  
OCEAN EDGE

**Standard Character Mark**  
Yes

**Registration Number**  
3549131

**Date Registered**  
2008/12/23

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(4) STANDARD CHARACTER MARK

**Owner**  
Ocean Rich Foods, LLC LIMITED LIABILITY COMPANY NEW YORK Suite 115 3  
Expressway Plaza Roslyn Heights NEW YORK 11577

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: Seafood. First  
Use: 2008/07/18. First Use In Commerce: 2008/07/18.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "OCEAN" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2007/11/08

**Examining Attorney**  
SWIFT, GILBERT

**Attorney of Record**  
Keith A. Weltsch



OCEAN EDGE

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77586326

**DESIGN MARK**

**Serial Number**  
77586326

**Status**  
REGISTERED

**Word Mark**  
OCEAN CLASSIC

**Standard Character Mark**  
Yes

**Registration Number**  
3619217

**Date Registered**  
2009/05/12

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(4) STANDARD CHARACTER MARK

**Owner**  
Ursini, Maria INDIVIDUAL CANADA 23 Johns Drive Warren NEW JERSEY 07059

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: Seafood, namely, fish steaks, fillets of fish, scallops, shrimp, pre-packaged dinners consisting primarily of seafood. First Use: 2008/08/06. First Use in Commerce: 2008/08/06.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "OCEAN" APART FROM THE MARK AS SHOWN.

**Filing Date**  
2008/10/06

**Examining Attorney**  
LORENZO, KATHLEEN

Ocean Classic

Print: May 19, 2009

77586344

**DESIGN MARK**

**Serial Number**  
77586344

**Status**  
RESPONSE AFTER NON-FINAL ACTION - ENTERED

**Word Mark**  
OCEAN SMART OCEAN GROWN CANADIAN FRESHNESS GUARANTEED

**Standard Character Mark**  
No

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**  
Island Scallops Ltd. CORPORATION CANADA 5552 West Island Highway  
Qualicum Beach CANADA V9K2G5

**Goods/Services**  
Class Status -- ACTIVE, IC 029, US 046, G & S: Ocean Grown  
Seafood.

**Foreign Country Name**  
CANADA

**Foreign Priority**  
FOREIGN PRIORITY CLAIMED

**Foreign Application Number**  
1390093

**Foreign Filing Date**  
2008/04/04

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "OCEAN GROWN",  
"CANADIAN", "OCEAN" AND "FRESHNESS GUARANTEED" APART FROM THE MARK AS  
SHOWN.

**Description of Mark**  
The mark consists of the words "OCEAN GROWN" in all caps, over a shell  
design, over the word "OCEAN" in all caps, over a straight line, over

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**77586344**

the word "SMART" in all caps, over two curved lines, over the word "CANADIAN" in all caps, followed by a dot, followed by the words "FRESHNESS GUARANTEED" in all caps, with all words and design contained within a circle outlined in a thick black line on the exterior, a white space and a thin black line.

**Colors Claimed**

Color is not claimed as a feature of the mark.

**Filing Date**

2008/10/06

**Examining Attorney**

RELFMAN, JUDITH

**Attorney of Record**

Mary Boney Denison



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78171561

**TYPED DRAWING**

**Serial Number**  
78171561

**Status**  
REGISTERED

**Word Mark**  
CIRCUS BY THE SEA

**Standard Character Mark**  
No

**Registration Number**  
2834341

**Date Registered**  
2004/04/20

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
American Seafoods Group LLC CORPORATION DELAWARE 2025 First Avenue,  
Suite 1200 Seattle WASHINGTON 98121

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: fish fillets;  
seafood; meals consisting primarily of fish, frozen, prepared and  
packaged. First Use: 2003/01/23. First Use In Commerce: 2003/01/23.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SEA" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2002/10/07

**Examining Attorney**  
LAVINE, JACQUELINE A.

**Attorney of Record**  
Douglas R. Wolf

Print: May 19, 2009

78255392

**TYPED DRAWING**

**Serial Number**  
78255392

**Status**  
REGISTERED

**Word Mark**  
SEA PASSION

**Standard Character Mark**  
No

**Registration Number**  
2862762

**Date Registered**  
2004/07/13

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
Salmolux Inc. CORPORATION WASHINGTON 34100 - 9th Ave S. Federal Way  
WASHINGTON 98003

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: SMOKED SEAFOOD.  
First Use: 2003/01/28. First Use In Commerce: 2003/01/28.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "sea" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2003/05/28

**Examining Attorney**  
CARROLL, DORITT L.



Print: May 19, 2009

78436118

**DESIGN MARK**

**Serial Number**  
78436118

**Status**  
REGISTERED

**Word Mark**  
OCEAN TREASURES

**Standard Character Mark**  
Yes

**Registration Number**  
2967180

**Date Registered**  
2005/07/12

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(4) STANDARD CHARACTER MARK

**Owner**  
Trident Seafoods Corporation CORPORATION WASHINGTON 5303 Shilehole  
Ave. Seattle WASHINGTON 98107

**Goods/Services**  
Class Status -- ACTIVE. IC 029. US 046. G & S: seafood. First  
Use: 1992/09/01. First Use In Commerce: 1992/09/01.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ocean" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2004/06/16

**Examining Attorney**  
THOMPSON, TRICIA

**Attorney of Record**  
Lyndee Sloan

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## Synonyms

Seven Seas  
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briny  
deep  
drink  
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main  
pond  
puddle  
salt water  
sea

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**ocean** [oh-shuh n] [Show IPA](#)

### **noun**

- the vast body of salt water that covers almost three fourths of the earth's surface.
- any of the geographical divisions of this body, commonly given as the Atlantic, Pacific, Indian, Arctic, and Antarctic oceans.
- a vast expanse or quantity: *an ocean of grass.*

### **Origin:**

1250-1300; ME *ocean(e)* (< OF) < L *oceanus*, special use of *oceanus* **OCEANUS** < Gk *oceanos*, *oceanos*

### **Related forms:**

**oceanic**, *like, adjective*

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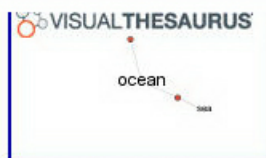


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**ocean** (ˈʃeɪn)

n.

1. The entire body of salt water that covers more than 70 percent of the earth's surface.
2. *Abbr. Oc. or O.* Any of the principal divisions of the ocean, including the Atlantic, Pacific, Indian, Arctic, and Antarctic oceans.
3. A great expanse or amount: *"that ocean of land which is Russia" (Henry A. Kissinger).*

[Middle English *oceān*, from Old French, from Latin *ōceanus*, from Greek *Ὠκεανός*, *the god Oceanus, a great river encircling the earth.*.]

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**Ocean**

Oʻcean\, n. [F. *oc[ʰ]e*]an, L. *oceanus*, Gr. *?* *ocean*, in Homer, the great river supposed to encompass the earth.]

1. The whole body of salt water which covers more than three fifths of the surface of the globe; -- called also the sea, or great sea.

Like the odor of brine from the ocean Comes the thought of other years. --Longfellow.

2. One of the large bodies of water into which the great ocean is regarded as divided, as the Atlantic, Pacific, Indian, Arctic and Antarctic oceans.

3. An immense expanse; any vast space or quantity without apparent limits; as, the boundless ocean of eternity; an ocean of affairs. --Locke.

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## Ocean

O"cean\, a. Of or pertaining to the main or great sea; as, the ocean waves; an ocean stream. --Milton.

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**NEW** Language Translation for : **ocean**  
Spanish: **océano**, German: **der Ozean**,  
Japanese: **æµ**  
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## ocean

c.1290, from O.Fr. *occean* (12c.), from L. *oceanus*, from Gk. *okeanos*, the great river or sea surrounding the disk of the Earth (as opposed to the Mediterranean), of unknown origin. Personified as Oceanus, son of Uranus and Gaia and husband of Tethys. In early times, when the only known land masses were Eurasia and Africa, the ocean was an endless river that flowed around them. Until c.1650, commonly *ocean sea*, translating L. *mare oceanum*. Application to individual bodies of water began 14c.; there are usually reckoned to be five of them, but this is arbitrary; also occasionally applied to smaller subdivisions, e.g. German Ocean "North Sea." Oceanography coined in Eng. 1859, from Gk. *graphia*, from *graphein* "to write" (about).

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## ocean (æ'ʃé"n) [Pronunciation Key](#)

1. The continuous body of salt water that covers 72 percent of the Earth's surface. The average salinity of ocean water is approximately three percent. The deepest known area of the ocean, at 11,034 m (36,192 ft) is the *Mariana Trench*, located in the western Pacific Ocean.
2. Any of the principal divisions of this body of water, including the Atlantic, Pacific, Indian, and Arctic Oceans.

**Our Living Language** : The word *ocean* refers to one of the Earth's four distinct, large areas of salt water, the Pacific, Atlantic, Indian, and Arctic Oceans. The word can also mean the entire network of water that covers almost three quarters of our planet. It comes from the Greek *Okeanos*, a river believed to circle the globe. The word *sea* can also mean the vast ocean covering most of the world. But it more commonly refers to large landlocked or almost landlocked salty waters smaller than the great oceans, such as the Mediterranean Sea or the Bering Sea. Sailors have long referred to all the world's waters as *the seven seas*. Although the origin of this phrase is not known for certain, many people believe it referred to the



not known for certain, many people believe it referred to the Red Sea, the Mediterranean Sea, the Persian Gulf, the Black Sea, the Adriatic Sea, the Caspian Sea, and the Indian Ocean, which were the waters of primary interest to Europeans before Columbus.

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**sea** [see] [Show IPA](#)

### **noun**

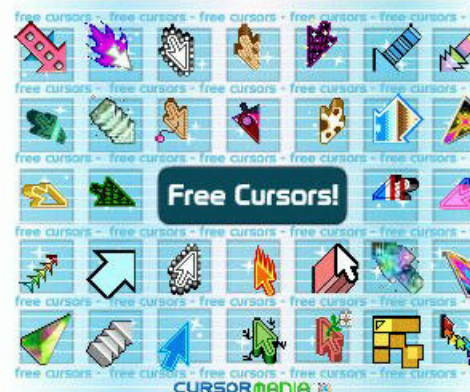
- the salt waters that cover the greater part of the earth's surface.
- a division of these waters, of considerable extent, more or less definitely marked off by land boundaries: *the North Sea*.
- one of the seven seas; ocean.
- a large lake or landlocked body of water.
- the degree or amount of turbulence of the ocean or other body of water, as caused by the wind.
- the waves.
- a large wave: *The heavy seas almost drowned us*.
- a widely extended, copious, or overwhelming quantity: *a sea of faces; a sea of troubles*.
- the work, travel, and shipboard life of a sailor: *The sea is a hard life but a rewarding one*.
- Astronomy*. [MARE](#) <sup>1</sup>.

### **adjective**

- of, pertaining to, or adapted for use at sea.

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se'nnight  
se-  
se-odp  
se-tenant

sea

- sea acorn
- sea adder
- sea amenone
- sea anchor
- sea anemone

## “Idioms

12. **at sea,**
  - a. on the ocean.
  - b. perplexed; uncertain: *completely at sea as to how to answer the question.*Also, **asea.**
13. **follow the sea,** to pursue a nautical career: *Many boys then dreamed of following the sea.*
14. **go to sea,**
  - a. to set out on a voyage.
  - b. to embark on a nautical career.
15. **half seas over,** *Slang.* partly or completely drunk: *They came home at dawn, looking half seas over.* Also, **half-seas over.**
16. **put to sea,** to embark on a sea voyage: *The expedition is nearly ready to put to sea.* Also, **put out to sea.**

Origin:

bet. 900; ME *see*, OE *sȝē*; c. D *zee*, G *See*, ON *sǣ*/r sea, Goth *saiws* marsh

**Synonyms:**

8. multitude, host, abundance, mass.

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sea  (sÄ") ?

D.

1. The continuous body of salt water covering most of the earth's surface, especially this body regarded as a geophysical



earth's surface, especially this body regarded as a geophysical entity distinct from earth and sky.

2. *Abbr. S.*
  - a. A tract of water within an ocean.
  - b. A relatively large body of salt water completely or partially enclosed by land.
  - c. A relatively large landlocked body of fresh water.
  - d. The condition of the ocean's surface with regard to its course, flow, swell, or turbulence: *a rising sea; choppy seas.*
  - e. A wave or swell, especially a large one: *a 40-foot sea that broke over the stern.*
3.
  - a. The condition of the ocean's surface with regard to its course, flow, swell, or turbulence: *a rising sea; choppy seas.*
  - b. A wave or swell, especially a large one: *a 40-foot sea that broke over the stern.*
4. Something that suggests the ocean in its overwhelming sweep or vastness: *a sea of controversy.*
5. Seafaring as a way of life.
6. *Astronomy* A lunar mare.

[Middle English *see*, from Old English *sċe*.]

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## Sea

Sea\, n. [OE. *see*, AS. *s[=ae]*; akin to D. *zee*, OS. & OHG. *s[=e]o*, G. *see*, OFries. *se*, Dan. *s["o]*, Sw. *sj["o]*, Icel. *s[ae]r*, Goth. *saiws*, and perhaps to L. *saevus* fierce, savage. [root] 151 a.]

1. One of the larger bodies of salt water, less than an ocean, found on the earth's surface; a body of salt water of second rank, generally forming part of, or connecting with, an ocean or a larger sea; as, the Mediterranean Sea; the Sea of Marmora; the North Sea; the Carribean Sea.

2. An inland body of water, esp. if large or if salt or brackish; as, the Caspian Sea; the Sea of Aral; sometimes, a small fresh-water lake; as, the Sea of Galilee.

3. The ocean; the whole body of the salt water which covers a large part of the globe.

I marvel how the fishes live in the sea. --Shak.

Ambiguous between sea and land The river horse and scaly crocodile. --Milton.

4. The swell of the ocean or other body of water in a high wind; motion of the water's surface; also, a single wave; a hillow; as

motion of the water's surface; also, a single wave; a billow; as, there was a high sea after the storm; the vessel shipped a sea.

5. (Jewish Antiq.) A great brazen laver in the temple at Jerusalem; - so called from its size.

He made a molten sea of ten cubits from brim to brim, round in compass, and five cubits the height thereof. --2 Chron. iv. 2.

6. Fig.: Anything resembling the sea in vastness; as, a sea of glory. --Shak.

All the space . . . was one sea of heads. --Macaulay.

Note: Sea is often used in the composition of words of obvious signification; as, sea-bathed, sea-beaten, sea-bound, sea-bred, sea-circled, sealike, sea-nursed, sea-tossed, sea-walled, sea-worn, and the like. It is also used either adjectively or in combination with substantives; as, sea bird, sea-bird, or seabird, sea acorn, or sea-acorn.

At sea, upon the ocean; away from land; figuratively, without landmarks for guidance; lost; at the mercy of circumstances. "To say the old man was at sea would be too feeble an expression." --G. W. Cable

At full sea at the height of flood tide; hence, at the height. "But now God's mercy was at full sea." --Jer. Taylor.

Beyond seas, or Beyond the sea or the seas (Law), out of the state, territory, realm, or country. --Wharton.

Half seas over, half drunk. [Colloq.] --Spectator.

Heavy sea, a sea in which the waves run high.

Long sea, a sea characterized by the uniform and steady motion of long and extensive waves.

Short sea, a sea in which the waves are short, broken, and irregular, so as to produce a tumbling or jerking motion.

To go to sea, to adopt the calling or occupation of a sailor.

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 Language Translation for : **sea**

Spanish: **mar**, German: **das Meer, Meeres-â€**,

Japanese: **æµ**.

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## sea

O.E. *sǣ* "sheet of water, sea, lake," from P.Gmc. \**saiwaz* (cf. O.S. *seo*, O.Fris. *se*, M.Du. *see*). of unknown origin. outside connections

seo, O.Fris. se, M.Du. see), of unknown origin, outside connections "wholly doubtful" (Buck). Gmc. languages also use the general IE word (represented by Eng. mere), but have no firm distinction between "sea" and "lake," either by size or by salt vs. fresh. This may reflect the Baltic geography where the languages are thought to have originated. The two words are used more or less interchangeably, and exist in opposite senses (e.g. Goth. saivs "lake," marei "sea;" but Du. zee "sea," meer "lake"). Cf. also O.N. sælr "sea," but Dan. sø, usually "lake" but "sea" in phrases. Ger. See is "sea" (fem.) or "lake" (masc.). Meaning "dark area of the moon's surface" is attested from 1667 (see mare (2)). Phrase sea change "transformation" is attested from 1610, first in Shakespeare ("The Tempest," I.ii). Sea legs is from 1712; sea serpent attested from 1646; sea level first recorded 1806. At sea in the fig. sense of "perplexed" is attested from 1768, from lit. sense of "out of sight of land."

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#### **sea** (sā) [Pronunciation Key](#)

1. The continuous body of salt water that covers most of the Earth's surface.
2. A region of water within an ocean and partly enclosed by land, such as the North Sea. See Note at ocean.
3. A large body of either fresh or salt water that is completely enclosed by land, such as the Caspian Sea.
4. *Astronomy* A mare.

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#### **sea**

In addition to the idiom beginning with sea, also see at sea; between a rock and a hard place (devil and the deep blue sea); high seas; not the only fish in the sea; put out (to sea).

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#### **SEA** 1. Seattle Mariners 2. Seattle Seahawks

2. Seattle Seahawks
3. Seattle-Tacoma International Airport
4. solar elevation angle

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