

Note To The File

Serial Number: 97253179
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Created by: Sarah Steinpfad

MCDONALD'S

From: Arizzi Julie <Julie.Arizzi@us.mcd.com>
Sent: Friday, June 30, 2023 10:50 AM
To: Steinpfad, Sarah <Sarah.Steinpfad@USPTO.GOV>; Pruitt Serena <Serena.Pruitt@us.mcd.com>
Cc: Perez Lorena <Lorena.Perez@us.mcd.com>
Subject: RE: U.S. Trademark Application No. 97253159 McDonald's

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Dear Sarah,

Thank you for the additional information.

Best regards,

Julie

Julie Arizzi – McDonald's Corporation

Senior Paralegal, Marketing & IP Legal Team | Mobile:+1.847.363.2633 | julie.arizzi@us.mcd.com

From: Steinpfad, Sarah <Sarah.Steinpfad@USPTO.GOV>
Sent: Friday, June 30, 2023 9:27 AM
To: Pruitt Serena <Serena.Pruitt@us.mcd.com>
Cc: Perez Lorena <Lorena.Perez@us.mcd.com>; Arizzi Julie <Julie.Arizzi@us.mcd.com>
Subject: U.S. Trademark Application No. 97253159 McDonald's

Good morning,

I received a voicemail regarding making a §2(f) claim based on prior registrations in response to a surname refusal. I cannot provide an advisory opinion as to the sufficiency of the proposed response. *See* TMEP Section 304.02.

I can provide instructions for making a §2(f) claim based on prior registrations: [How to claim acquired distinctiveness under Section 2\(f\) | USPTO](#)

Once you have opened the appropriate TEAS form:

1. Answer "Yes" to form wizard question #3 for submitting a Section 2(f) claim. Continuing on to the next portion of the form:
2. In the "Additional Statement(s)" section, check the box under "Indicate the Nature of the §2(f) Claim of Acquired Distinctiveness" for either "§2(f) Whole" or "§2(f) In Part."
3. Check the box next to "§2(f) Claim of Acquired Distinctiveness, [IN WHOLE,] based on Prior Registrations"
4. For §2(f) Claim of Acquired Distinctiveness, Based on Prior Registration(s): Enter registration number(s) for the same or similar marks. Do not use any commas within the number. If more than one entry, separate each with a space, with no punctuation. e.g., (1247873 1324638 1462387). The claim of acquired distinctiveness based on prior registration(s) will appear as follows: The mark has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). _____." [TEAS help | USPTO](#)

I would also point you to TMEP §1212.09 regarding Section 1(b) Applications and Acquired Distinctiveness.

[TMEP \(uspto.gov\)](http://tmeppatent.com)

If you need help using the TEAS system to file a response please contact the Trademark Assistance Center at 1-800-786-9199 or trademarkassistancecenter@uspto.gov.

V/R,

/Sarah E. Steinpfad/

Trademark Examining Attorney

U.S. Patent and Trademark Office

Law Office 120

571-270-3089

Sarah.steinpfad@uspto.gov

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