

To: Lab Designs LLC (joe@qdpnv.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87912310 - SYNCRO LAMINATES - N/A
Sent: 9/5/2018 7:57:27 PM
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[Attachment - 2](#)
[Attachment - 3](#)
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[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)
[Attachment - 15](#)
[Attachment - 16](#)
[Attachment - 17](#)
[Attachment - 18](#)
[Attachment - 19](#)
[Attachment - 20](#)
[Attachment - 21](#)
[Attachment - 22](#)
[Attachment - 23](#)
[Attachment - 24](#)

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

U.S. APPLICATION
SERIAL NO. 87912310

MARK: SYNCRO
LAMINATES

87912310

CORRESPONDENT
ADDRESS:
LAB DESIGNS LLC
6373 DEAN
MARTIN DR
LAS VEGAS, NV
89118

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APPLICANT: Lab
Designs LLC

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

N/A

**CORRESPONDENT E-
MAIL ADDRESS:**

joe@qdpnv.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT **EASTERN TIME** OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: 9/5/2018

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. See 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

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.

SUMMARY OF ISSUES:

- Refusal: Section 2(d) likelihood of confusion
- Potential refusal: Citation of prior pending application
- Requirement: Disclaimer of descriptive wording

REFUSAL: SECTION 2(d) LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 3662409 and 3662408. Trademark Act Section 2(d), 15 U.S.C. §1052(d); see TMEP §§1207.01 *et seq.* See the attached registrations. Please note that one registrant owns both marks.

Introduction to Section 2(d) Analysis

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a consumer would be confused, mistaken, or deceived as to the source of the goods and/or services of the applicant and registrant(s). See 15 U.S.C. §1052(d). Determining likelihood of confusion is made 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). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir.

2017). However, “[n]ot all of the [*du Pont*] factors are relevant to every case, and only factors of significance to the particular mark need be considered.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1366, 101 USPQ2d 1713, 1719 (Fed. Cir. 2012) (quoting *In re Mighty Leaf Tea*, 601 F.3d 1342, 1346, 94 USPQ2d 1257, 1259 (Fed. Cir. 2010)). The USPTO may focus its analysis “on dispositive factors, such as similarity of the marks and relatedness of the goods [and/or services].” *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)); see TMEP §1207.01.

In any likelihood of confusion determination, two key considerations are similarity of the marks and similarity or relatedness of the goods and/or services. *In re Fat Boys Water Sports LLC*, 118 USPQ2d 1511, 1516 (TTAB 2016) (citing *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976)); see TMEP §1207.01. That is, the marks are compared in their entireties 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). Additionally, the goods and/or services are compared to determine whether they are similar or commercially related or travel in the same trade channels. See *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §1207.01, (a)(vi).

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods and services, and similarity of the trade channels of the goods and services. See *In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin’s Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 *et seq.*

Comparison of the Marks

Marks are compared in their entireties 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 Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014) (citing *In re Ist USA Realty Prof’ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007)); *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988)); TMEP §1207.01(b).

In comparing the marks, the question is not whether people will confuse the marks, but whether the marks will confuse people into believing that the goods they identify come from the same source. *In re West Point-Pepperell, Inc.*, 468 F.2d 200, 201, 175 USPQ 558, 558-59 (C.C.P.A. 1972); TMEP §1207.01(b). For that reason, when comparing marks, the test is not whether the marks can be distinguished in a side-by-side comparison, but rather whether the marks are sufficiently similar in terms of their overall commercial impression that confusion as to the source of the goods and/or services offered under the respective marks is likely to result. *Midwestern Pet Foods, Inc. v. Societe des Produits Nestle S.A.*, 685 F.3d 1046, 1053, 103 USPQ2d 1435, 1440 (Fed. Cir. 2012); *In re Bay State Brewing Co.*, 117 USPQ2d 1958, 1960 (TTAB 2016) (quoting *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1368, 101 USPQ2d 1713, 1721 (Fed. Cir. 2012)); TMEP §1207.01(b). The proper focus is on the recollection of the average purchaser, who retains a general rather than specific impression of trademarks. *In re Bay State Brewing Co.*, 117 USPQ2d at 1960 (citing *Spoons Rests. Inc. v. Morrison Inc.*, 23 USPQ2d 1735, 1741 (TTAB 1991), *aff’d per curiam*, 972 F.2d 1353 (Fed. Cir. 1992)); *In re C.H. Hanson Co.*, 116 USPQ2d 1351, 1353 (TTAB 2015) (citing *Joel Gott Wines LLC v. Rehoboth Von Gott Inc.*, 107 USPQ2d 1424, 1430 (TTAB 2013)); TMEP §1207.01(b).

In this particular case, applicant’s mark is “SYNCRO LAMINATES” claimed in standard characters

Registrant’s marks are “SYNCRO REGISTRATION” claimed in standard characters and in special form with “REGISTRATION” disclaimed.

The first step in comparing the marks requires an evaluation of the commercial impression of the marks. 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 Viterra 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). Greater weight is often given to this dominant feature when determining whether marks are confusingly similar. See *In re Nat’l Data Corp.*, 753 F.2d at 1058, 224 USPQ at 751. While marks should not be dissected, a trademark examining attorney may weigh the individual components of a mark to determine its overall commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1322, 110 USPQ2d 1157, 1161 (Fed. Cir. 2014) (“[Regarding the issue of confusion,] there is nothing improper in stating that . . . more or less weight has been given to a particular feature of a mark, provided the ultimate conclusion rests on consideration of the marks in their entireties.”) (quoting *In re Nat’l Data Corp.*, 753 F.2d 1056, 1058, 224 USPQ 749, 751 (Fed. Cir. 1985)).

Various factors are considered in determining the dominant element of a compound mark. For example, 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) (“VEUVE . . . remains a ‘prominent feature’ as the first word in the mark and the first word to appear on the label”); *In re Integrated Embedded*, 120 USPQ2d 1504, 1513 (TTAB 2016) (“[T]he dominance of BARR in [a]pplicant’s mark BARR GROUP is reinforced by its location as the first word in the mark.”); *Presto Prods., Inc. v. Nice-Pak*

Prods., Inc., 9 USPQ2d 1895, 1897 (TTAB 1988) (“it is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser and remembered” when making purchasing decisions). Additionally, for a composite mark containing both words and a design, the word portion is more likely to indicate the origin of the goods and/or services because it is that portion of the mark that consumers use when referring to or requesting the goods and/or services. *Bond v. Taylor*, 119 USPQ2d 1049, 1055 (TTAB 2016) (citing *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908, 1911 (Fed. Cir. 2012)); TMEP §1207.01(c)(ii). Thus, although marks must be compared in their entireties, the word portion is often considered the dominant feature and is accorded greater weight in determining whether marks are confusingly similar, even where the word portion has been disclaimed. *In re Viterra Inc.*, 671 F.3d at 1366-67, 101 USPQ2d at 1911 (citing *Giant Food, Inc. v. Nation’s Foodservice, Inc.*, 710 F.2d 1565, 1570-71, 218 USPQ2d 390, 395 (Fed. Cir. 1983)). Moreover, matter that is descriptive of or generic for a party’s goods and/or services is typically less significant or less dominant in relation to other wording in a mark. *See Anheuser-Busch, LLC v. Innvopak Sys. Pty Ltd.*, 115 USPQ2d 1816, 1824-25 (TTAB 2015) (citing *In re Chatam Int’l Inc.*, 380 F.3d 1340, 1342-43, 71 USPQ2d 1944, 1946 (Fed. Cir. 2004)).

In applying these precepts to both the applicant’s and registrant’s marks, it is clear that applicant’s mark is similar in commercial impression to the registrant’s mark. Here, applicant’s and registrant’s marks all begin with the identical term SYNCRO. While the parties’ marks each contain an additional term, it is descriptive and thus does little to alter the commercial impression established by SYNCRO. *See*, disclaimer requirement, below. Therefore, as the marks share an identical first term, the marks establish highly similar commercial impressions, namely, that the parties’ goods and services emanate from a source entitled “Syncro.”

Applicant’s mark is also considered similar in sound to the registrant’s mark. Here, the marks contain the identical first term SYNCRO. Therefore, given this shared identical wording, the marks are inherently similar in sound when pronounced. Please note that the TTAB has held that similarity in sound alone may be sufficient to support a finding that the marks are confusingly similar, and that slight differences in the sound of similar marks will not avoid a likelihood of confusion. *In re Energy Telecomm. & Elec. Ass’n*, 222 USPQ 350, 351 (TTAB 1983); *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *see In re 1st USA Realty Prof’ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007); *In re Viterra Inc.*, 671 F.3d 1358, 1367, 101 USPQ2d 1905, 1912 (Fed. Cir. 2012); TMEP §1207.01(b)(iv).

Moreover, applicant’s mark is also considered confusingly similar in appearance to the registrant’s mark. Marks can be confusingly similar in appearance where there are similar terms or phrases or similar parts of terms or phrases appearing in both applicant’s and registrant’s mark. *See Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689 (TTAB 1986), *aff’d sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat’l Ass’n*, 811 F.2d 1490, 1 USPQ2d 1813 (Fed. Cir. 1987) (COMMASH and COMMUNICASH); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (21 CLUB and “21” CLUB (stylized)); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985) (CONFIRM and CONFIRMCELLS); *In re Collegian Sportswear Inc.*, 224 USPQ 174 (TTAB 1984) (COLLEGIAN OF CALIFORNIA and COLLEGIENNE); *In re Pellerin Milnor Corp.*, 221 USPQ 558 (TTAB 1983) (MILTRON and MILLTRONICS); *In re BASF A.G.*, 189 USPQ 424 (TTAB 1975) (LUTEXAL and LUTEX); TMEP §1207.01(b)(ii)-(iii). In this case, the marks share the identical term SYNCRO. Therefore, as identical terms appear in both applicant’s and registrant’s marks, applicant’s mark is also considered confusingly similar in appearance to the registrant’s mark.

Finally, it must be noted that applicant’s mark is presented in standard characters while one of registrant’s mark is presented in special form. A mark in typed or standard characters may be displayed in any lettering style; the rights reside in the wording or other literal element and not in any particular display or rendition. *See In re Viterra Inc.*, 671 F.3d 1358, 1363, 101 USPQ2d 1905, 1909 (Fed. Cir. 2012); *In re Mighty Leaf Tea*, 601 F.3d 1342, 1348, 94 USPQ2d 1257, 1260 (Fed. Cir. 2010); 37 C.F.R. §2.52(a); TMEP §1207.01(c)(iii). Thus, a mark presented in stylized characters and/or with a design element generally will not avoid likelihood of confusion with a mark in typed or standard characters because the marks could be presented in the same manner of display. *See, e.g., In re Viterra Inc.*, 671 F.3d at 1363, 101 USPQ2d at 1909; *Squirtco v. Tomy Corp.*, 697 F.2d 1038, 1041, 216 USPQ 937, 939 (Fed. Cir. 1983) (stating that “the argument concerning a difference in type style is not viable where one party asserts rights in no particular display”). Therefore, as applicant’s mark may be presented in the same manner of display as registrant’s special form mark, the marks are considered similar in appearance for this additional reason.

Comparison of the Goods & Services

Applicant’s and registrant’s goods and services are compared to determine whether they are similar or commercially related or travel in the same trade channels. It is important to note that the goods and services of the parties 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) (“[E]ven if the goods in question are different from, and thus not related to, one another in kind, the same goods and services can be related in the mind of the consuming public as to the origin of the goods.”); TMEP §1207.01(a)(i). The respective goods need only be “related in some manner and/or if the circumstances surrounding their marketing [be] such that they could give rise to the mistaken belief that [the goods and/or services] 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).

Consumers are likely to be confused by the use of similar marks on or in connection with goods and with services featuring or related to those goods. TMEP §1207.01(a)(ii); *see In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988) (holding BIGG’S for retail

grocery and general merchandise store services likely to be confused with BIGGS for furniture); *In re United Serv. Distribs., Inc.*, 229 USPQ 237 (TTAB 1986) (holding design for distributorship services in the field of health and beauty aids likely to be confused with design for skin cream); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (holding 21 CLUB for various items of men's, boys', girls' and women's clothing likely to be confused with THE "21" CLUB (stylized) for restaurant services and towels); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (holding CAREER IMAGE (stylized) for retail women's clothing store services and clothing likely to be confused with CREST CAREER IMAGES (stylized) for uniforms); *Steelcase Inc. v. Steelcare Inc.*, 219 USPQ 433 (TTAB 1983) (holding STEELCARE INC. for refinishing of furniture, office furniture, and machinery likely to be confused with STEELCASE for office furniture and accessories); *Mack Trucks, Inc. v. Huskie Freightways, Inc.*, 177 USPQ 32 (TTAB 1972) (holding similar marks for trucking services and on motor trucks and buses likely to cause confusion).

In this case, applicant's identified goods are, "Laminated papers to be affixed to the surface of furniture."

Registrant's identified services are, "Custom manufacture in the field of laminates."

Applicant's and registrant's goods and services are related in that they are all provided in the field of laminates. Additionally, as the attached internet evidence demonstrates, these goods and services are not only related, but are found in similar trade channels and commonly emanate from a single source. For example, Custom Laminating Corporation provides laminates that could be used on furniture as well as custom manufacturing of laminates. See, http://www.customl.com/custom_laminating_capabilities.html, http://www.customl.com/custom_laminating_substrates.html, http://www.customl.com/custom_laminating_products.html, http://www.customl.com/about_custom_laminating.html. This evidence establishes that the same entity commonly provides the relevant goods and services, markets them under the same mark, sells or provides them through the same trade channels and that they are used by the same classes of consumers in the same fields of use. Therefore, applicant's and registrant's goods and services are considered related for likelihood of confusion purposes. See, e.g., *In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Evidence obtained from the Internet may be used to support a determination under Section 2(d) that goods and services are related. See, e.g., *In re G.B.I. Tile & Stone, Inc.*, 92 USPQ2d 1366, 1371 (TTAB 2009); *In re Paper Doll Promotions, Inc.*, 84 USPQ2d 1660, 1668 (TTAB 2007). The Internet has become integral to daily life in the United States, with Census Bureau data showing approximately three-quarters of American households used the Internet in 2013 to engage in personal communications, to obtain news, information, and entertainment, and to do banking and shopping. See *In re Nieves & Nieves LLC*, 113 USPQ2d 1639, 1642 (TTAB 2015) (taking judicial notice of the following two official government publications: (1) Thom File & Camille Ryan, U.S. Census Bureau, Am. Cmty. Survey Reports ACS-28, *Computer & Internet Use in the United States: 2013* (2014), available at <http://www.census.gov/content/dam/Census/library/publications/2014/acs/acs-28.pdf>, and (2) The Nat'l Telecomms. & Info. Admin. & Econ. & Statistics Admin., *Exploring the Digital Nation: America's Emerging Online Experience* (2013), available at http://www.ntia.doc.gov/files/ntia/publications/exploring_the_digital_nation_-_americas_emerging_online_experience.pdf). Thus, the widespread use of the Internet in the United States suggests that Internet evidence may be probative of public perception in trademark examination.

The trademark examining attorney has attached evidence from the USPTO's X-Search database consisting of a number of third-party marks registered for use in connection with the same or similar goods and services as those of both applicant and registrant in this case. This evidence shows that the goods and services listed therein- namely, applicant's and registrant's goods and services as identified, above - are of a kind that may emanate from a single source under a single mark. See *In re Aquamar, Inc.*, 115 USPQ2d 1122, 1126 n.5 (TTAB 2015) (citing *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988)); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); TMEP §1207.01(d)(iii).

As the attached internet evidence and third-party registrations demonstrate, applicant's and registrant's goods and services are considered related for likelihood of confusion purposes. See, e.g., *In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009). Thus, as applicant's and registrant's goods and services are commercially related and travel in the same trade channels, the goods and services would be encountered by the same consumers under circumstances such that offering them under similar marks would lead to the mistaken belief that they come from, or are in some way associated with, the same source.

Therefore, in light of the foregoing, applicant's mark is similar in sound, appearance and commercial impression to the registrant's mark, and applicant's goods are related to the registrant's services. As such, a likelihood of confusion exists between the applicant's and registrant's marks. Consequently, registration is denied for the applied for mark.

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.

POTENTIAL SECTION 2(d) REFUSAL: PRIOR PENDING APPLICATION

The filing date of pending U.S. Application Serial No. 87480322 precedes applicant's filing date. See attached referenced application. If the mark in the referenced application registers, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion between the two marks. See 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced application.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the mark in the referenced application. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

REQUIREMENT: DISCLAIMER OF DESCRIPTIVE WORDING

Applicant must disclaim the wording "LAMINATES" because it merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's goods and/or services, and thus is an unregistrable component of the mark. See 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); TMEP §§1213, 1213.03(a).

A disclaimer of unregistrable matter does not affect the appearance of the mark; that is, a disclaimer does not physically remove the disclaimed matter from the mark. See *Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 978, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213.

An applicant may not claim exclusive rights to terms that others may need to use to describe their goods and/or services in the marketplace. See *Dena Corp. v. Belvedere Int'l, Inc.*, 950 F.2d 1555, 1560, 21 USPQ2d 1047, 1051 (Fed. Cir. 1991); *In re Aug. Storck KG*, 218 USPQ 823, 825 (TTAB 1983).

In this case, the term "laminates" is defined in the singular as, "A thin sheet of material, or the material itself, such as plastic, used to laminate something." See, <https://www.ahdictionary.com/word/search.html?q=laminate>. As applicant's goods are identified as "laminated papers" the term "LAMINATES" in the applied-for mark is merely descriptive of a feature and characteristic of applicant's goods and must be disclaimed.

Applicant should submit a disclaimer in the following standardized format:

No claim is made to the exclusive right to use "LAMINATES" apart from the mark as shown.

If applicant does not provide the required disclaimer, the USPTO may refuse to register the entire mark. See *In re Stereotaxis Inc.*, 429 F.3d 1039, 1040-41, 77 USPQ2d 1087, 1088-89 (Fed. Cir. 2005); TMEP §1213.01(b).

For an overview of disclaimers and instructions on how to satisfy this disclaimer requirement online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/disclaimer.jsp>.

RESPONSE/CORRESPONDENCE INFORMATION & GUIDELINES

"USPTO employees cannot give advice on trademark law. It is inappropriate for USPTO personnel to give legal advice, to act as a counselor for individuals, or to recommend a qualified practitioner. 37 C.F.R. §2.11." TMEP §709.06.

Examining attorneys cannot provide any statements about applicants' rights; "[t]he examining attorney's responsibility is limited to evaluating the registrability of the mark presented in the application. See *In re Am. Physical Fitness Research Inst. Inc.*, 181 USPQ 127, 127-28 (TTAB 1974); see also TMEP §1801." TMEP §705.02

Informal communications with the examining attorney "may not be used to request advisory opinions as to the likelihood of overcoming a substantive refusal." TMEP §709.05.

For consideration of arguments regarding any substantive refusal to be considered, they must be filed in a formal response. TMEP §709.05.

The trademark examining attorney may only provide additional clarification pertaining to the refusal(s) and/or requirement(s) in this Office action. To this end, applicant may telephone or e-mail the assigned trademark examining attorney. For information pertaining to the trademark registration process, and for further explanation of refusals and requirements applicant may consult resources provided by the USPTO at <https://www.uspto.gov/trademark>. The USPTO website provides information for those unfamiliar with the process of applying for federal trademark registration, such as an e-booklet about registering trademarks, FAQs, and more. Tools on the USPTO's website that are particularly helpful during the examination process are (1) informational videos and (2) application processing timelines. The videos provide information in a broadcast news format regarding a range of issues that arise during the examination of an application, including specimens and goods and services, and are located at <http://www.uspto.gov/trademarks/process/TMIN.jsp>. The application processing timelines provide information regarding the USPTO's processing time for certain documents, as well as legal deadlines, and are located at <http://www.uspto.gov/trademark/trademark-timelines/trademark-application-and-post-registration-process-timelines>. Additionally, the USPTO website provides a "Basic Facts" booklet and video series that include basic information about registering a trademark, including how trademarks, patents, copyrights, domain names, and business name registrations all differ, and how to select the right mark – one that is both federally registrable and legally protectable. The "Basic Facts" booklet and video series also explain the benefits of federal registration and suggest resources to help an applicant with his or her application. The booklet is located at http://www.uspto.gov/sites/default/files/BasicFacts_0.pdf in pdf format, and the videos are located at <http://www.uspto.gov/trademarks-getting-started/trademark-basics>. If, after consulting these resources, applicant's questions regarding general trademark application matters remain unanswered, applicant may call the Trademark Assistance Center at (571) 272-9250 or (800) 786-9199 for additional assistance. TMEP §709.06.

To expedite prosecution of the application, applicant is encouraged to file its response to this Office action online via the Trademark Electronic Application System (TEAS), which is available at <http://www.uspto.gov/trademarks/teas/index.jsp>. If applicant has technical questions about the TEAS response to Office action form, applicant can review the electronic filing tips available online at http://www.uspto.gov/trademarks/teas/e_filing_tips.jsp and e-mail technical questions to TEAS@uspto.gov. Additional instructions for responding to this Office action are located below the signature block.

An e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response; all relevant e-mail communications will be placed in the official application record. *See* 37 C.F.R. §§2.62 (c), 2.191; TMEP §§304.01-.02, 709.04-.05.

For this application to proceed further, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options specified in this Office action for responding to a refusal and should consider those options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements. For more information and general tips on responding to USPTO Office actions, response options, and how to file a response online, see "[Responding to Office Actions](#)" on the USPTO's website.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end and the trademark will fail to register. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a); TMEP §§718.01, 718.02. Additionally, the USPTO will not refund the application filing fee, which is a required processing fee. *See* 37 C.F.R. §§2.6(a)(1)(i)-(iv), 2.209(a); TMEP §405.04.

When an application has abandoned for failure to respond to an Office action, an applicant may timely file a petition to revive the application, which, if granted, would allow the application to return to active status. *See* 37 C.F.R. §2.66; TMEP §1714. The petition must be filed within two months of the date of issuance of the notice of abandonment and [may be filed online via the Trademark Electronic Application System \(TEAS\)](#) with a \$100 fee. *See* 37 C.F.R. §§2.6(a)(15)(ii), 2.66(a)(1), (b)(1).

/N. Gretchen Ulrich/
Trademark Examining Attorney
Law Office 113
U.S. Patent & Trademark Office
phone: (571) 272-1951
gretchen.ulrich@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/ 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>.

Print: Sep 5, 2018

87480322

DESIGN MARK

Serial Number

87480322

Status

NOTICE OF ALLOWANCE - ISSUED

Word Mark

SYNKRONIZE MORE THAN A WINDOW FILM

Standard Character Mark

No

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Great A-1 Products Co., Ltd. limited company (ltd.) THAILAND 899/58
On-Nut Road Prawet, Bangkok THAILAND 10250

Goods/Services

Class Status -- ACTIVE. IC 017. US 001 005 012 013 035 050. G & S:
Adhesive plastic film for use in commercial or industrial
manufacturing; Plastic masking film for use when painting automobiles;
Plastics film for insulating purposes; Plastic film for use in
laminating paper; Plastic Films for use in the manufacture of
decalcomanias; Plastic Films for use in the manufacture of party
decorations; Plastic Films for use in the manufacture of decal
transfers; Plastic Films for use in the manufacture of office
supplies; Non-photosensitive plastics film for industrial and
commercial packing use; Flexible plastic films, other than for
packaging, for use in industrial and commercial manufacturing;
Adhesive coated plastic films for use in industrial and commercial
manufacturing; Adhesive plastic films, other than for household,
medical, stationery use, namely, for wrapping and packaging;
Decorative plastics films for use in the manufacturing industry; High
gloss, soft polyvinylchloride films for use in industrial and
commercial manufacturing; Plastic waterproofing film, for windows,
other than for packaging or wrapping.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WINDOW FILM" APART
FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of three diagonal lines in the colors grey, green and black, with the word "SYNKRONIZE" in the colors green and grey below the three lines and the words "MORE THAN A WINDOW FILM" in grey below the word "SYNKRONIZE". The color white represents a transparent background and is not part of the mark.

Colors Claimed

The color(s) green, grey and black is/are claimed as a feature of the mark.

Filing Date

2017/06/08

Examining Attorney

RINKER, ANTHONY

Attorney of Record

Alexandra Spurr



SYNKRONIZE

MORE THAN A WINDOW FILM

DESIGN MARK

Serial Number

77298385

Status

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark

SYNCRO REGISTRATION

Standard Character Mark

Yes

Registration Number

3662408

Date Registered

2009/08/04

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Kings Mountain International, Inc. CORPORATION NORTH CAROLINA 1755 S.
Battleground Ave. Kings Mountain NORTH CAROLINA 28086

Goods/Services

Class Status -- ACTIVE. IC 040. US 100 103 106. G & S: Custom
manufacture in the field of laminates. First Use: 2007/02/01. First
Use In Commerce: 2007/03/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "REGISTRATION" APART
FROM THE MARK AS SHOWN.

Filing Date

2007/10/08

Examining Attorney

FLOWERS, JAY

Attorney of Record

Ellen A. Rubel

SYNCRO REGISTRATION

DESIGN MARK

Serial Number

77298432

Status

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark

SYNCRO REGISTRATION

Standard Character Mark

No

Registration Number

3662409

Date Registered

2009/08/04

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Kings Mountain International, Inc. CORPORATION NORTH CAROLINA 1755 S. Battleground Ave Kings Mountain NORTH CAROLINA 28086

Goods/Services

Class Status -- ACTIVE. IC 040. US 100 103 106. G & S: Custom manufacture in the field of laminates. First Use: 2007/02/01. First Use In Commerce: 2007/03/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "REGISTRATION" APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of a black rectangle containing two black semicircles, each paired with associated black semicircular outlines, the first pair being an inverted mirror image of the second, and the words "Syncro" and "Registration" above and below the design respectively

Colors Claimed

Color is not claimed as a feature of the mark.

Print: Sep 5, 2018

77298432

Filing Date

2007/10/08

Examining Attorney

FLOWERS, JAY

Attorney of Record

Ellen A. Rubel

Syncro



Registration

DESIGN MARK

Serial Number

76393592

Status

REGISTERED AND RENEWED

Registration Number

2801062

Date Registered

2003/12/30

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(2) DESIGN ONLY

Owner

Little Rapids Corporation CORPORATION WISCONSIN 2273 Larsen Road PO
Box 19100 Green Bay WISCONSIN 54307

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.
G & S: BULK ROLL STOCK, NAMELY FACIAL TISSUE, LAMINATED PAPER, TISSUE
PAPER. First Use: 2002/03/00. First Use In Commerce: 2002/03/00.

Goods/Services

Class Status -- ACTIVE. IC 040. US 100 103 106. G & S: CUSTOM
MANUFACTURE OF BULK ROLL STOCK, NAMELY, PAPERS, TISSUE EXTRUSIONS,
SCRIM AND LAMINATES, TO THE ORDER AND SPECIFICATION OF OTHERS. First
Use: 2002/03/00. First Use In Commerce: 2002/03/00.

Prior Registration(s)

0955152;1173174;1638269

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2002/04/10

Examining Attorney

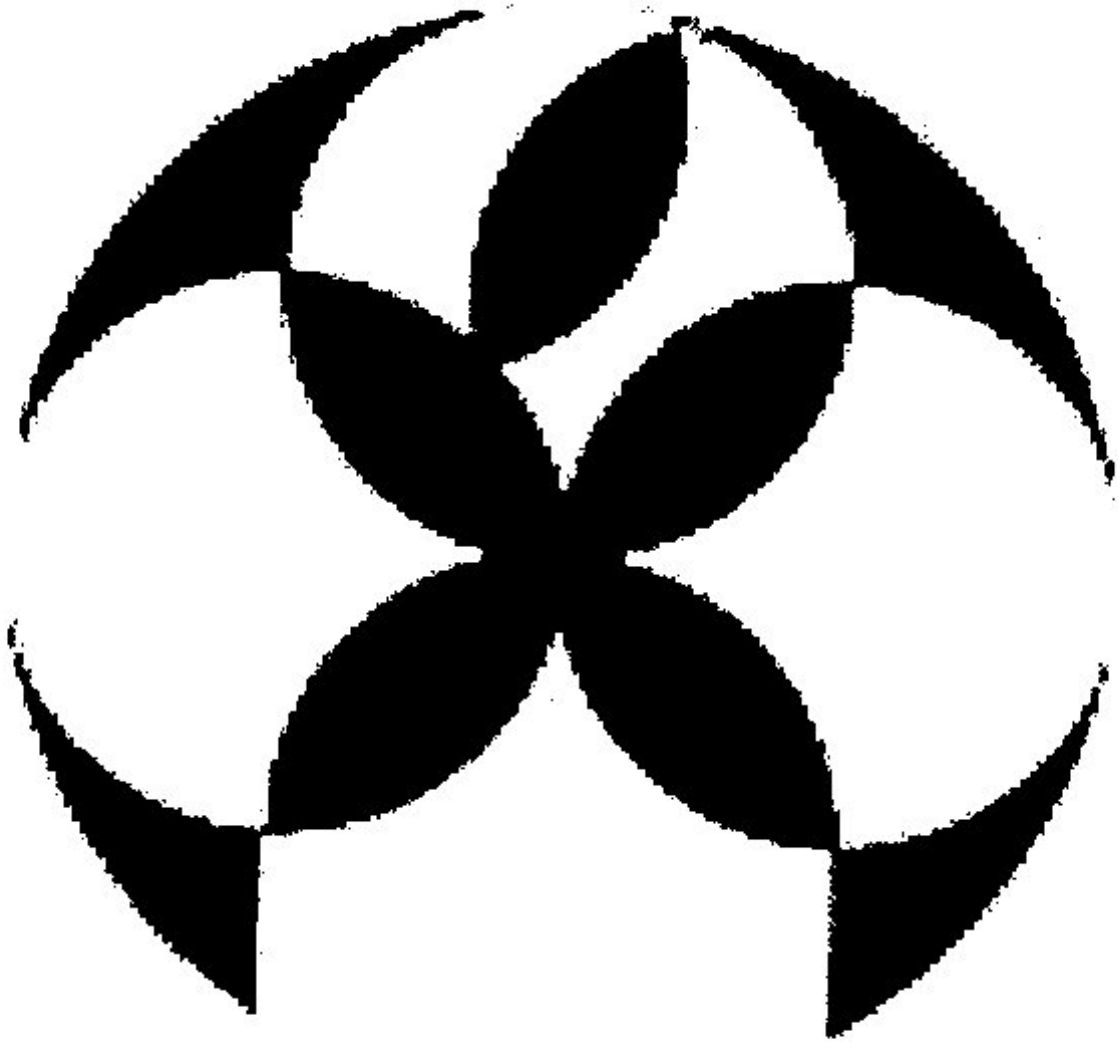
YARD, JOHN S.

Attorney of Record

Print: Sep 5, 2018

76393592

Nicholas A. Kees



DESIGN MARK

Serial Number

85091779

Status

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark

COLAD

Standard Character Mark

Yes

Registration Number

4021560

Date Registered

2011/09/06

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

The Colad Group, LLC LIMITED LIABILITY COMPANY MARYLAND 801 Exchange Street Buffalo NEW YORK 14210

Goods/Services

Class Status -- ACTIVE. IC 040. US 100 103 106. G & S: Design printing and manufacture of custom mailers, presentation and promotional paper products to the order and/or specifications of customers, namely, stationery items, namely, book covers, report covers, folders, binders, offset printed and film laminated paper products, namely, folders, binders, paperboard boxes, tote envelopes and envelopes for packaging. First Use: 1946/12/31. First Use In Commerce: 1946/12/31.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050. G & S: Stationery items, namely, book covers, paper report covers, folders, binders, offset printed and film laminated paper products, namely, folders, binders, paperboard boxes, tote envelopes and envelopes for packaging. First Use: 1996/04/30. First Use In Commerce: 1996/04/30.

Print: Sep 5, 2018

85091779

Filing Date

2010/07/23

Examining Attorney

RUTLAND, BARBARA

Attorney of Record

Michael E. Storck

CoLAD

Capabilities



Custom Laminating manufactures a wide range of products which are custom-designed to meet specific application requirements. Width capabilities range from narrow slitting to 84 inches (2135 mm).

Quality Products:

- High Temperatures
- Fire-Retardancy
- Moisture Resistance
- Water Resistance
- Heat-Sealability
- Strength and Abuse Resistance

Technology

- Aqueous & Fire Retardant Adhesives
- Laminating & Coating
- Wide Width - 84" / 2135mm Maximum
- Narrow Slitting – Down to 1" / 25 mm
- Products are designed to meet your specific requirements
- ISO 9001 Certified

One key to our success is developing an understanding of our customer's needs and the requirements of their application. This enables Custom Laminating to establish detailed manufacturing specifications and determine the appropriate test methods to ensure the product meets our customer's needs.

Serving Many Markets

Click photo for larger view.



Automotive Components



Building Materials



Safety & Protective Fabrics



Custom Laminates



Custom Laminating Corporation

CREATIVE LAMINATING & COATING SOLUTIONS

HOME THE COMPANY CAPABILITIES SUBSTRATES PRODUCTS CONTACT US

Substrates



Custom Laminating Corporation manufactures products from a wide variety of substrates.

- **Films**
 - Nylon
 - Kapton
 - Polyester
 - Polypropylene
 - Vinyl
 - Various Metalized Films
 - Heat Activated Films
 - Surlyn
 - Custom co-polymers
 - HD & LD PEs
- **Aluminum Foil**
 - .00025" thru .006"
- **Fabrics**
 - Standard & Custom Weaves
 - Fiberglass & blended
 - Silica
- **Scrim**
 - 1x1 to 5x5
 - Fiberglass & Polyester
- **Non-wovens**
 - Polyester
 - Rayon
 - Nylon
- **Coatings**
 - Black & White
 - Epoxy
 - Corrosion resistant

For questions pertaining to other substrates and materials, or to view samples, please [contact us](#).

Our Warehouse

Click photo for larger view.



Raw Materials



Finished Products



Products



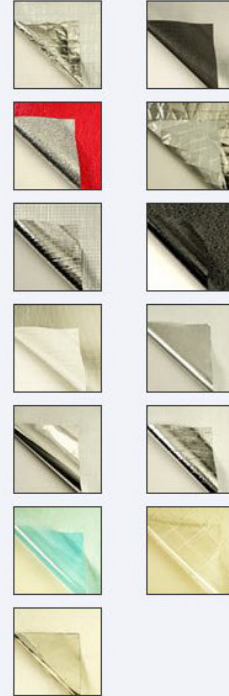
A key to our success is developing an understanding of our customer's needs and the requirements of the application. This enables Custom Laminating to establish detailed manufacturing specifications and determine the appropriate test methods to ensure the product meets our customer's needs.

To the right are pictures of a few of the Custom Laminating products.

Please [contact us](#) to see if we can be of assistance.

Products that Meet Your Needs

Click photo for larger view.





The Company



Custom Laminating Corporation

Custom Laminating manufactures custom-designed products that have worldwide application in automotive components, safety and protective products, building materials, electronics, closure systems and a broad variety of other industries.

Located in Mount Bethel, Pennsylvania, Custom Laminating offers short transit time to North American customers and is within 2 hours of several international port cities. Custom Laminating's operations are centralized in our new 160,000 square foot facility with office staff, sales, research & development, quality control, laminating, slitting and warehousing.

Our operating philosophy is simple: Provide technical support for the design and manufacture of the very best laminates, offer competitive pricing, comply with predetermined specifications throughout the process and deliver on time. Custom Laminating is ready to help you meet the challenges of today... and tomorrow.

Company History

Cleveland Laminating Corp. was formed in 1996 when a group of private investors purchased assets from Rexam Inc., formerly known as Lamotite. The decades old manufacturing facility located in Cleveland, Ohio was totally refurbished. Old equipment was removed and replaced with new equipment specifically designed for the products the new company would produce.

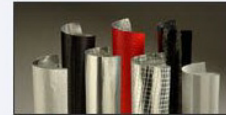
Several years of significant growth brought the need for a new and larger manufacturing facility with additional equipment. Land was acquired in Mount Bethel, Pennsylvania and a new corporation, Custom Laminating Corporation, created. At the end of 2010 Cleveland Laminating Corp. ceased

A Closer Look at Custom Laminating

Click photo for larger view.



Located in Mt. Bethel, PA



Wide Range of Products

Custom Laminating Corporation, created. At the end of 2010 Cleveland Laminating Corp. ceased operations. Today, Custom Laminating Corporation, operates in a world class facility with modern equipment.

5000 River Rd • Mt. Bethel, PA 18343 • (570) 897-8300

[HOME](#) [THE COMPANY](#) [CAPABILITIES](#) [SUBSTRATES](#) [PRODUCTS](#) [CONTACT US](#) [EMAIL LOGIN](#) [INTRANET](#)

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The AMERICAN HERITAGE dictionary of the English Language

HOW TO USE THE DICTIONARY

To look up an entry in *The American Heritage Dictionary of the English Language*, use the search window above. For best results, after typing in the word, click on the "Search" button instead of using the "enter" key.

Some compound words (like *bus rapid transit*, *dog whistle*, or *identity theft*) don't appear on the drop-down list when you type them in the search bar. For best results with compound words, place a quotation mark before the compound word in the search window.

[GUIDE TO THE DICTIONARY](#)

THE USAGE PANEL

The Usage Panel is a group of nearly 200 prominent scholars, creative writers, journalists,

lam-i-nate (lām ə-nāt')

Share: [Tweet](#)

v. **lam-i-nat-ed**, **lam-i-nat-ing**, **lam-i-nates**
v.tr.

1. To cover with a thin sheet of material, as for preservation.
2. To beat or compress (metal) into a thin plate or sheet.
3. To divide into thin layers.
4. To make by uniting several layers.

v.intr.
To split into thin layers or sheets.

adj. (-nit, -nāt')
Consisting of, arranged in, or covered with laminae.

n. (-nāt', -nit')
1. A laminated product, such as plywood.
2. A thin sheet of material, or the material itself, such as plastic, used to laminate something.

lam i-na'tor *n.*

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Thousands of entries in the dictionary include etymologies that trace their origins back to reconstructed proto-languages. You can obtain more information about these forms in our online appendices:

- [Indo-European Roots](#)
- [Semitic Roots](#)

INTERESTED IN

creative writers, journalists, diplomats, and others in occupations requiring mastery of language. Annual surveys have gauged the acceptability of particular usages and grammatical constructions.

THE PANELISTS ▶

Semitic Roots

The Indo-European appendix covers nearly half of the Indo-European roots that have left their mark on English words. A more complete treatment of Indo-European roots and the English words derived from them is available in our **Dictionary of Indo-European Roots**.



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The *You Are Four Words* word cloud generator is no longer available.

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To: Lab Designs LLC (joe@qdpnv.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87912310 - SYNCRO LAMINATES - N/A
Sent: 9/5/2018 7:57:30 PM
Sent As: ECOM113@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **9/5/2018** FOR U.S. APPLICATION SERIAL NO. 87912310

Your trademark application has been reviewed. The trademark examining attorney assigned by the USPTO to your application has written an official letter to which you must respond. Please follow these steps:

(1) **READ THE LETTER** by clicking on this [link](#) or going to <http://tsdr.uspto.gov/>, entering your U.S. application serial number, and clicking on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **RESPOND WITHIN 6 MONTHS** (*or sooner if specified in the Office action*), calculated from **9/5/2018**, using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp. A response transmitted through TEAS must be received before midnight **Eastern Time** of the last day of the response period.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions.

(3) **QUESTIONS** about the contents of the Office action itself should be directed to the trademark examining attorney who reviewed your application, identified below.

/N. Gretchen Ulrich/
Trademark Examining Attorney
Law Office 113
U.S. Patent & Trademark Office
phone: (571) 272-1951
gretchen.ulrich@uspto.gov

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.