

OFFICE ACTION RESPONSE
U.S. Serial No. 88214493 for HYPER FROZEN

In the Office Action mailed September 27, 2019, the examiner has refused applicant's application to register the mark HYPER FROZEN, Application Serial No. 88214493, maintaining the prior rejection that the applied-for mark merely describes a feature, characteristic, purpose, or function of applicant's goods.

I. Amendment to the Supplemental Register

Although applicant maintains that the applied-for mark is suggestive, amendment of the application to the Supplement Register is requested. Accordingly, please amend the above-identified application to one for registration on the Supplemental Register by substituting the words "Supplemental Register" wherever the words "Principal Register" appear.

Applicant has concurrently filed an Allegation of Use in the application, which demonstrates acceptable use of the mark in commerce. Accordingly, amendment to the Supplement Register is permissible.

II. Conclusion

Amendment of the application to the Supplement Register and issuance of a Supplemental Registration is respectfully requested.