

MARK: SELECT

U.S. Application No. 86664900

RESPONSE TO OFFICE ACTION

I. Likelihood of Confusion

The Examining Attorney has stated that there may be a likelihood of confusion between the Applicant's SELECT mark and US Registration No. 4153703 (the "703 Registration) for the design mark containing the literal element "Project Select" (the "Cited Mark"). As discussed in more detail below, Applicant respectfully disagrees with the Examining Attorney's assertion that Applicant's mark is likely to be confused with the Cited Marks because (A) the marks, considered in their entirety, are not sufficiently similar to create a likelihood of confusion; and (B) the Cited Mark is made of such commonly-used components that the public will look to other elements to distinguish the source of the goods or services.

As set forth in *E.I. DuPont de Nemours & Co.*, 177 U.S.P.Q. 563, 567 (C.C.P.A. 1973), there are numerous factors to consider when assessing whether a likelihood of confusion exists. Although there is "no litmus rule which can provide a ready guide to all cases," it is important to consider the realities of use in the marketplace. *Id.* at 567, 569. The relevant DuPont factors to consider in this case are:

- The similarity of the marks;
- The number and nature of similar marks in use on similar goods.

Id. at 567; see also *Trademark Manual of Examining Procedure* §1207.01 (4th ed., April 2005) (hereinafter "TMEP").

A. Applicant's mark and the Cited Mark are not sufficiently similar to create a likelihood of confusion.

As noted above, the Examining Attorney has argued that the Applicant's mark is likely to be confused with the Cited Mark. Applicant respectfully disagrees with this refusal because Applicant's mark and the Cited Marks are not confusingly similar.

Under *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973), the first factor requires examination of "the similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression."

i. Visual appearance of the marks

If a mark comprises both wording and a design, greater weight is often given to the wording, because it is the wording that purchasers would use to refer to or request the goods or services. *TMEP* § 1207.01(c)(ii). The Court of Appeals for the Federal Circuit has cautioned, however, that “[t]here is no general rule as to whether letters or designs will dominate in composite marks; nor is the dominance of letters or design dispositive of the issue.” *In re Electrolyte Labs. Inc.*, 929 F.2d 645, 647, 16 USPQ2d 1239, 1240 (Fed. Cir. 1990). The comparison of composite marks must be done on a case-by-case basis, without reliance on mechanical rules of construction. *TMEP* § 1207.01(c)(ii).

Here, the marks at issue here may be differentiated by the strong design-oriented components of the ‘703 Registration as well as the addition of the word “project.” These elements contribute to both an appearance and commercial impression that is distinct from applicant’s mark. The ‘703 Registration has the following appearance:



The registrant describes the mark as “the words ‘Project Select’. The word ‘Project’ appears in block letters and the word ‘Select’ appears in script.” The contrasting font is a crucial element to the appearance of the mark. Thus it can be said that the mark has three components—the stylized appearance of the words, the words “Project Select” themselves and the contrast between the block lettering and the script letters.

The word “Project” comes before “Select” in the mark. Since “Project” comes first, it has a place of visual dominance in the mark, aside from any corresponding meaning behind “Project Select.” “Project” will be the first thing consumers see in the mark since they will read that word first.

The spacing and differentiated font of “Project Select” also contributes meaningfully to the appearance of the mark. The mark is clearly two words, demonstrated both by the space between the words and the change in font.

The visual impression of both stylized fonts is strong. In each case, the letters include shading to show depth and dimension to the lettering. The contrast between the fonts also creates a visual impression, particularly because the contrast is so pronounced. The appearance of the block letters in the word “Project” is very different from the appearance of the script writing in “Select.” The block letters are wide and upright while the script letters are narrow and slanted. Further, the block letters include sharp, squared edges while the script letters include loops and pointed ends. The disparity in the lettering contributes to an overall incongruent appearance. This incongruence is a feature of the mark’s visual appearance.

Applicant's mark, by contrast, is a standard character mark. It is simply "Select." It does not include a stylized font and it is made of only one word. Thus, the similarity to "Project Select" is mitigated.

Registrant's mark and Applicant's mark, when viewed side-by-side, look like this:

Project Select

SELECT

It is clear from this side-by-side comparison that the marks have different overall visual impressions. The main similarity is the inclusion of "Select" in each mark each mark. But in Registrant's case, the "Select" component is preceded by the word "Project." In Applicant's case, "Select" stands on its own. Further, the length of the '703 Registration creates a distinct visual impact when compared to the short, one-word "Select" mark.

The '703 Registration includes two words, "project" as the first word, and two different stylized fonts. By contrast, the applied-for mark includes one word and no stylized fonts. The visual appearance of the two marks contributes to an overall distinct commercial impression and eliminates the likelihood of confusion.

ii. Meaning of the marks

The meaning of a mark may be assessed when evaluating the similarity of marks. *See 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 Cynosure, Inc.*, 90 USPQ2d 1644, 1645-46 (TTAB 2009). The focus is on the recollection of the average purchaser who normally retains a general, rather than specific, impression of trademarks. The meaning or connotation of a mark must be determined in relation to the named goods or services. Even marks that are identical in sound and/or appearance may create sufficiently different commercial impressions when applied to the respective parties' goods or services so that there is no likelihood of confusion. *See, e.g., In re Sears, Roebuck & Co.*, 2 USPQ2d 1312, 1314 (TTAB 1987) (holding CROSS-OVER for bras and CROSSOVER for ladies' sportswear not likely to cause confusion, noting that the term "CROSS-OVER" was suggestive of the construction of applicant's bras, whereas "CROSSOVER," as applied to registrant's goods, was "likely to be perceived by purchasers either as an entirely arbitrary designation, or as being suggestive of sportswear which "crosses over" the line between informal and more formal wear . . . or the line between two seasons").

The Examining Attorney indicated in the Office Action that the word "Select" has a dominant position in the '703 Registration because the "Project" component merely modifies "Select." Applicant respectfully disagrees with Examiner's interpretation of the mark's meaning.

According to the Wikipedia entry for “Grammatical Modifier,” the two principle types of modifiers are adjectives and adverbs. Adjectives modify nouns while adverbs can modify verbs, adjectives and other adverbs. https://en.wikipedia.org/wiki/Grammatical_modifier.

Thus, in order for “Project” to modify “Select,” the expectation is that “Project” is an adjective or an adverb, and that “Select” is a noun if “Project” is an adjective or that “Select” is a verb, adjective or adverb if “Project” is an adverb. However, common dictionary definitions for the words “project” and “select” make it clear that neither of these words can fulfill the modifier-object relationship that the Examiner has asserted.

The dictionary.com definition entry for “project” is included as Attachment A. This definition shows that “project” is either used as a noun or as a verb. Neither of these parts of speech would be used as a modifier in the context of “Project Select.” Further, since the ‘703 Registration covers painting supplies, the use of which is commonly associated with home improvement *projects*, the intended meaning of “project” is most likely as a noun.

The dictionary.com definition entry for “select” is included as Attachment B. According to this definition, “select” is either used as a verb or adjective. Verbs or adjectives may be modified by adverbs, but the word “project” is not an adverb. The dictionary.com definition for “select” also reveals that as an adjective, the word means “chosen in preference to another or others” or “of special value or excellence.” In other words, the word “select” is an adjective that communicates the superior quality of its subject.

Based on the fact that “project” is a noun and “select” is an adjective, the most likely interpretation of the phrase “Project Select” is that “select” acts as a postmodifier to modify “project.” Postmodifiers are not commonly used in English syntax, but there are notable examples such as “time immemorial” and anything modified by “galore.”

Given the common meanings of the words “project” and “select,” it appears as though “select” is meant to modify “project” in the ‘703 Registration. By the Examiner’s logic, this interpretation would make “project” the dominant element in the mark. In the context of the ‘703 Registration, “Project Select” communicates that the goods covered by the mark are of a high quality when used in connection with the consumer’s home improvement projects.

However, it may also be the case that an object-modifier relationship is not the likely or intended interpretation of the PROJECT SELECT mark. Another potential interpretation is that the words “project” and “select” were arbitrarily put together. This interpretation would still result in “project” being dominant to “select” because “project” comes first in the mark. To consumers who retain a general recollection of marks, the first word is likely to stand out.

When viewed in relation to the goods covered by the ‘703 Registration, however, it is clear that “project” refers to the “undertaking” noun definition of project, and specifically to home improvement projects. The ‘703 Registration covers paint brushes, paint rollers, paint roller handles and paint pads—all materials used in painting walls and spaces. This type of interior or exterior painting is commonly thought of as a “project.” With that in mind, the meaning of “select” in the mark is clearly as a modifier to indicate that the consumer will receive a superior quality product for use in completing their project.

By contrast, the applied-for mark does not include a modifier-object relationship nor does it include the word “project” in a reference to home improvement projects. Rather, the applied-for mark uses the word “select” on its own to achieve an abstract meaning. Without an additional word to provide context to the meaning of select, the word “select” could mean preferential quality or it could refer to the verb definition of select.

Because it stands on its own, the word “select” in Applicant’s mark has more importance than the use of “select” in the ‘703 Registration. Further, the overall meaning of the applied-for mark differs because the one-word “Select” mark does not interact with another word to create a modifier relationship. The overall meaning of the two marks is therefore different, and these distinctions eliminate the likelihood of confusion.

iii. Sound of the marks

Similarity in sound is another factor in determining whether the marks are confusingly similar. *TMEP* § 1207.01(b)(iv). Here, the ‘703 Registration can be meaningfully distinguished from the applied-for mark by the inclusion of “project,” the strong consonant sounds that emerge in the first word, and the assonance of the mark.

The inclusion of an additional word—especially one at the beginning—makes the overall sound of the ‘703 Registration distinct from the applied-for mark. *Project Select* versus just *Select*. The “project” word also includes strong consonant sounds that are absent from the applied-for mark, such as the “pr” sound and the “j” sound.

The two words together in the ‘703 Registration also create the auditory feature of assonance—where two vowel sounds repeat. Here, it is “project select.” This and the other sound features of the ‘703 Registration make it distinguishable from the sound of the applied-for mark. These distinctions in sound eliminate the likelihood of confusion.

iv. Commercial impression of the marks

Marks may still be confusingly similar even if one mark has more, less or substitute words or letters. *Weiss Assocs. Inc. v. HRL Assocs. Inc.*, 902 F.2d 1546, 14 USPQ2d 1840 (Fed. Cir. 1990). If the dominant portion of both marks is the same, then the marks may still be confusingly similar. *In re Mighty Leaf Tea*, 601 F.3d 1342, 1347-48, 94 USPQ2d 1257, 1260-61 (Fed. Cir. 2010). But if there are additional, substitute or deleted words,

then such additions or deletions may be sufficient to avoid a likelihood of confusion if the marks in their entireties convey sufficiently different commercial impressions. For example, in *Shen Mfg. Co. v. Ritz Hotel Ltd.*, the court found that THE RITZ KIDS mark in its entirety conveyed a different commercial impression than RITZ. 393 F.3d 1238, 1245, 73 USPQ2d 1350, 1356-57. Specifically, the addition of “the” conveyed the iconic “the” in The Ritz Hotel (whose parent company was also the owner of THE RITZ KIDS).

In the instant situation, the ‘703 Registration has the word “project,” which is not present in the applied-for mark. “Project Select” conveys a different overall commercial impression because it suggests that the goods should be used in connection with projects. Just as the addition of “the” in *Shen* referenced the famous Ritz hotel, so does the word “project” in the ‘703 Registration suggest a home improvement use. By contrast, the use of “Select” on its own conveys an abstract notion of superiority. Consumers are unlikely to associate it with a mark, such as Registrant’s, that uses a home improvement word like “project.” Registrant in turn would be unlikely to disrupt the home improvement-oriented commercial impression conveyed by its mark by omitting “project.” If “project” were absent, the home improvement connotation of Registrant’s mark would be compromised.

Applicant’s mark differs from Registrant’s mark in sight, meaning, sound and commercial impression to the extent that there is no likelihood of confusion between Applicant and Registrant’s marks.

B. The Cited Mark is made of such commonly-used components that the public will look to other elements to distinguish the source of the goods or services.

Third-party registrations may be relevant to show that a mark is so commonly used that the public will look to other elements to distinguish the source of the goods or services. *See, e.g., In re Hartz Hotel Servs., Inc.*, 102 USPQ2d 1150, 1153-54 (TTAB 2012); *In re Melville Corp.*, 18 USPQ2d 1386, 1388 (TTAB 1991); *In re Dayco Products-Eagle Motive Inc.*, 9 USPQ2d 1910, 1911-12 (TTAB 1988); *Plus Prods. v. Star-Kist Foods, Inc.*, 220 USPQ 541, 544 (TTAB 1983). Properly used in this limited manner, third-party registrations are similar to dictionaries showing how language is generally used. *See, e.g., Tektronix, Inc. v. Daktronics, Inc.*, 534 F.2d 915, 917, 189 USPQ 693, 694-95 (C.C.P.A. 1976); *In re J.M. Originals Inc.*, 6 USPQ2d 1393, 1394 (TTAB 1987); *United Foods Inc. v. J.R. Simplot Co.*, 4 USPQ2d 1172, 1174 (TTAB 1987).

The use of the word “select” in other painting supply-related registrations reveals that “select” is used so commonly in the painting supplies field that the public will discount the word “select” when it is used in connection with other words or phrases. Applicant notes three trademark registrations in the painting supply field that include a phrase or word followed by “Select”:

- US Registration No. 2,116,293 for DO IT BEST SELECT (stylized);

- US Registration No. 2,698,863 for PERFORMANCE SELECT (this mark was cancelled in 2013, but it co-existed with the '708 Registration); and
- US Registration No. 4,143,719 for SMART SELECT.

These registrations are attached as Attachments C, D and E. These registrations show that the word “select” is commonly used after other words or phrases for painting supply related marks. Thus, when viewers view painting supply marks, they will look to other words in the phrase to differentiate the marks, and they will not focus on “select.”

The use of “select” on its own, however, will have the effect of highlighting the word “select” to consumers. This will contrast the '703 Registration and the applied-for mark. Further, in Applicant’s artist brush category, which is distinct from the hardware painting supply category, marks using “select” along with other words are not common. Therefore, consumers will not have any reason to believe that there should be other words to focus on.

Consumers will focus on “Project” in the '703 Registration and they will focus on “Select” in the applied-for mark. Because of this, there is no likelihood of confusion.

Conclusion

Because Applicant’s mark differs from the Cited Mark in sight, sound, meaning and commercial impression, and because the marks with words or phrases plus “select” are the subject of other registrations in the hardware painting supplies category, there is no likelihood of confusion between Applicant’s mark and the '703 Registration.

Attachments Follow



Dictionary.com (<http://www.dictionary.com/>)

Thesaurus.com (<http://www.thesaurus.com/>)

Word of the Day (<http://www.dictionary.com/wordoftheday/>)

Translate (<http://translate.reference.com/>)

Games (<http://www.dictionary.com/fun>)

Blog (<http://blog.dictionary.com/>)

(<http://www.dictionary.com/>)



definitions ▾



project

(<http://static.sfdict.com/staticrep/dictaudio/P08/P0817700.mp3>)

[*noun* **proj**-ekt, -ikt; *verb* pruh-**jekt**]

Spell Syllables

project (3 syllables)

Synonyms Examples Word Origin

See more synonyms on Thesaurus.com (<http://www.thesaurus.com/browse/project>)

noun

- something that is contemplated, devised, or planned; plan; scheme.
- a large or major undertaking, especially one involving considerable money, personnel, and equipment.
- a specific task of investigation, especially in scholarship.
- Education.* a supplementary, long-term educational assignment necessitating personal initiative, undertaken by an individual student or a group of students.
- Often, **projects**. housing project (<http://www.dictionary.com/browse/housing-project>).

verb (used with object), **project**

- to propose, contemplate, or plan.

📅 Word of the Day

joie de vivre (<http://www.dictionary.com/wordoftheday/>)

00/00 Difficulty index for project

81
00
0. All English speakers likely know this word
3)

🏆 Word Value for project

- 7. to throw, cast, or impel forward or onward.
- 8. to set forth or calculate (some future thing):
They projected the building costs for the next five years.
- 9. to throw or cause to fall upon a surface or into space, as a ray of light or a shadow.
- 10. to cause (a figure or image) to appear, as on a background.
- 11. to regard (something within the mind, as a feeling, thought, or attitude) as having some form of reality outside the mind:
He projected a thrilling picture of the party's future.
- 12. to cause to jut out or protrude.

verb (used without object), **project**

- 18. to extend or protrude beyond something else.
- 19. to use one's voice forcefully enough to be heard at a distance, as in a theater.
- 20. to produce a clear impression of one's thoughts, personality, role, etc., in an audience; communicate clearly and forcefully.
- 21. *Psychology.* to ascribe one's own feelings, thoughts, or attitudes to others.

Origin of project

<p>Medieval Latin (http://www.dictionary.com/browse/medieval-latin)</p>	<p>Middle English (http://www.dictionary.com/browse/middle-english)</p>
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1350-1400

1350-1400; (noun) Middle English *project* (e) design, plan < Medieval Latin *prōjectum*, Latin: projecting part, noun use of

18 22

Scrabble

Words With Friends

Related Words

plan
(<http://www.dictionary.com/browse/plan>)

throw
(<http://www.dictionary.com/browse/throw>)

charrette
(<http://www.dictionary.com/browse/charrette>)

cost
(<http://www.dictionary.com/browse/cost>)

enterprise (<http://www.dictionary.com/browse/enterprise>)

housing project
(<http://www.dictionary.com/browse/housing-project>)

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Nearby words for project

- prohibitor (<http://www.dictionary.com/browse/prohibitor>)
- prohibitory (<http://www.dictionary.com/browse/prohibitory>)
- prohormone (<http://www.dictionary.com/browse/prohormone>)
- proinsulin (<http://www.dictionary.com/browse/proinsulin>)
- proj (<http://www.dictionary.com/browse>)

neuter of Latin *prōjectus*, past participle of *prōicere* to throw forward, extend, equivalent to *prō-* *pro-* (<http://www.dictionary.com/browse/pro->)¹+ *-icere*, combining form of *jacere* to throw; (v.) late Middle English *project* (*e*) (past participle) extended, projected < Latin *prōjectus*

Related forms

projectable, adjective

projectingly, adverb

counterproject, noun

nonprojecting, adjective

reproject, verb

Synonyms

See more synonyms on Thesaurus.com (<http://www.thesaurus.com/browse/project>)

- 1. proposal. See plan (<http://www.dictionary.com/browse/plan>).
- 6. contrive, scheme, plot, devise. 8. predict. 18. bulge, obtrude, overhang.

Dictionary.com Unabridged
Based on the Random House Dictionary, © Random House, Inc. 2016.
Cite This Source (<http://www.dictionary.com/cite.html?qh=project&ia=luna>)

Examples from the Web for project

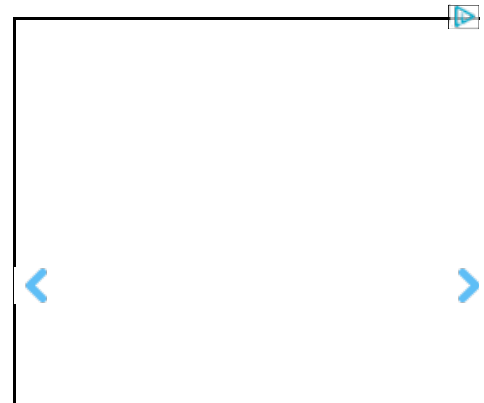
Contemporary Examples

Are you getting any sense through your followers about their interest in this *project*?

(<http://www.thedailybeast.com/article/2013/10/07/bill-nye-on-dancing-with-the-stars-fabulous-things-being-popular.html?source=dictionary>)
Bill Nye on Dancing With the Stars: Fabulous Things & Being Popular
Kevin Fallon (<http://www.thedailybeast.com/contributors/kevin-fallon.html?source=dictionary>)
October 6, 2013

/proj)
project
 (<http://www.dictionary.com/browse/project>)
 project assurance (<http://www.dictionary.com/browse/project-assurance>)
 project athena (<http://www.dictionary.com/browse/project-athena>)
 project dare (<http://www.dictionary.com/browse/project-dare>)
 project guardian (<http://www.dictionary.com/browse/project-guardian>)
 project mac (<http://www.dictionary.com/browse/project-mac>)

(<http://s/8>)



I am a novelist (living in Brooklyn, of course, which is the law), and am working on a very Shakespeare-oriented *project*.

(<http://www.thedailybeast.com/story/2011-04-27/the-tragedy-of-arthur-by-arthur-phillips-review>)
 (http://www.thedailybeast.com/articles/2011/04/27/the-tragedy-of-arthur-by-arthur-phillips-review-by-james-shapiro.html?source=dictionary)
 James Shapiro (<http://www.thedailybeast.com/contributors/james-shapiro.html?source=dictionary>)

British Dictionary definitions for project

project

noun ('prɒdʒekt)

1. a proposal, scheme, or design
2.
 - a. a task requiring considerable or concerted effort, such as one by students
 - b. the subject of such a task
3. **(US)** *short for* housing project (/browse/housing-project)

verb (prə'dʒekt)

4. **(transitive)** to propose or plan
5. **(transitive)** to predict; estimate; extrapolate: *we can project future needs on the basis of the current birth rate*
6. **(transitive)** to throw or cast forwards
7. to jut or cause to jut out

Collins English Dictionary - Complete & Unabridged 2012 Digital Edition
 © William Collins Sons & Co. Ltd. 1979, 1986 © HarperCollins Publishers 1998, 2000, 2003, 2005, 2006, 2007, 2009, 2012
 Cite This Source (<http://www.dictionary.com/cite.html?qh=project&ia=ced2>)

Word Origin and History for project

n.
 c.1400, "a plan, draft, scheme," from Latin *proiectum* "something thrown forth," noun use of neuter of *proiectus*, past participle of *proicere* "stretch out, throw forth," from *pro-* "forward" (see *pro-* (/browse/pro-)) + combining form of *iacere* (past participle *iactus*) "to throw" (see *jet* (/browse/jet) (v.)).

Meaning "scheme, proposal, mental plan" is from c.1600.

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Meaning "group of low-rent apartment buildings" first recorded 1935, American English, short for *housing project* (1932).

Related: *Projects*. *Project manager* attested from 1913.

v.
late 15c., "to plan," from Latin *proiectus*, past participle of *proicere* (see [project \(/browse/project\)](/browse/project) (n.)). Sense of "to stick out" is from 1718. Meaning "to cast an image on a screen" is recorded from 1865. Psychoanalytical sense, "attribute to another (unconsciously)" is from 1895 (implied in a use of *projective*). Meaning "convey to others by one's manner" is recorded by 1955. Related: *Projected (/browse/projected)*; *projecting*.

Online Etymology Dictionary, © 2010 Douglas Harper

Cite This Source (<http://www.dictionary.com/cite.html?qh=project&ia=etymon2>)

(http
/s/8

project in Medicine

project proj·ect (prɔ̃j'kt', -ikt)

n.

1. A plan or proposal; a scheme.
2. An undertaking requiring concerted effort.

v. (prə-jěkt') **pro·ject·ed**, **pro·ject·ing**, **pro·jects**

1. To extend forward or out; jut out:
2. To cause an image to appear on a surface.
3. In psychology, to externalize and attribute something, such as an emotion, to someone or something else.

The American Heritage® Stedman's Medical Dictionary

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Cite This Source (<http://www.dictionary.com/cite.html?qh=project&ia=ahsmd>)

Slang definitions & phrases for project

project

Related Terms

crash program (</browse/crash-program>)

The Dictionary of American Slang, Fourth Edition by Barbara Ann Kipfer, PhD. and Robert L. Chapman, Ph.D.

Copyright (C) 2007 by HarperCollins Publishers.

Cite This Source (<http://www.dictionary.com/cite.html?qh=project&ia=das>)

project in Technology

Subsystem of ICES. Sammet 1969, p.616.

The Free On-line Dictionary of Computing, © Denis Howe 2010 <http://foldoc.org>
(<http://foldoc.org>)

Cite This Source (<http://www.dictionary.com/cite.html?qh=project&ia=foldoc>)

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Dictionary.com (<http://www.dictionary.com/>)

Thesaurus.com (<http://www.thesaurus.com/>)

Word of the Day (<http://www.dictionary.com/wordoftheday/>)

Translate (<http://translate.reference.com/>)

Games (<http://www.dictionary.com/fun>)

Blog (<http://blog.dictionary.com/>)



(<http://www.dictionary.com/>)

definitions



select



select

(<http://static.sfdict.com/staticrep/dictaudio/S02/S0280200.mp3>)

[si-**lekt**]

Spell Syllables

Examples Word Origin

See more synonyms on Thesaurus.com (<http://www.thesaurus.com/browse/select>)

verb (used with object)

1. to choose in preference to another or others; pick out.

verb (used without object)

2. to make a choice; pick.

adjective

- 3. chosen in preference to another or others; selected. Synonyms: preferred (<http://www.thesaurus.com/browse/preferred>).
- 4. choice; of special value or excellence.
- 5. careful or fastidious in selecting; discriminating.
- 6. carefully or fastidiously chosen; exclusive: *a select group of friends.*

Word of the Day

joie de vivre (<http://www.dictionary.com/wordoftheday/>)

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(<http://s/8>)



Origin of select

Latin
([http://www.dictionary.com
/browse/latin](http://www.dictionary.com/browse/latin))

1555-1565

1555-65; < Latin *sēlēctus* (past participle of *sēligere* to gather apart), equivalent to *sē-* *se-* (<http://www.dictionary.com/browse/se->) + *leg* (*ere*) to gather, choose + *-tus* past participle suffix

Related forms

selectable, adjective

selectability, noun

selectly, adverb

selectness, noun

selector, noun

Synonym Study

Difficulty index for select

All English speakers likely know this word

Word Value for select

8

Scrabble

10

Words With
Friends

Related Words

(http://
/s/8)

1. See choose (<http://www.dictionary.com/browse/choose>).

Dictionary.com Unabridged
 Based on the Random House Dictionary, © Random House, Inc. 2016.
 Cite This Source (<http://www.dictionary.com/cite.html?qh=select&ia=luna>)

Examples from the Web for select

Contemporary Examples

For starters, there are only a *select* few official balls, about ten, where the first and second families even make an appearance.

Inaugural Hell (<http://www.thedailybeast.com/articles/2009/01/04/inaugural-hell.html?source=dictionary>)
 Lyric Winik (<http://www.thedailybeast.com/contributors/lyric-winik.html?source=dictionary>)
 January 3, 2009

So imagine my surprise when I saw him scan the movie *selections* on the airline personal movie player and *select* Sex and the City.

Can a Straight Man Love Sex and the City? (<http://www.thedailybeast.com/articles/2010/05/23/can-a-straight-man-love-sex-and-the-city.html?source=dictionary>)
 Michael Patrick King (<http://www.thedailybeast.com/contributors/michael-patrick-king.html?source=dictionary>)
 May 22, 2010

British Dictionary definitions for select

select

/sɪˈlɛkt/

verb

choose
 (<http://www.dictionary.com/browse/choose>)

caucus
 (<http://www.dictionary.com/browse/caucus>)

click
 (<http://www.dictionary.com/browse/click>)

decimate
 (<http://www.dictionary.com/browse/decimate>)

esoteric (<http://www.dictionary.com/browse/esoteric>)

excerpt (<http://www.dictionary.com/browse/excerpt>)

(http://s/8)

Nearby words for select

selaphobia (<http://www.dictionary.com/browse/selaphobia>)
 selby (<http://www.dictionary.com/browse/selby>)
 selcouth (<http://www.dictionary.com/browse/selcouth>)
 selden (<http://www.dictionary.com/browse/selden>)
 seldom (<http://www.dictionary.com/browse/seldom>)

select

(<http://www.dictionary.com>)

1. to choose (someone or something) in preference to another or others

adjective

2. *Also* **selected**. chosen in preference to another or

Collins English Dictionary - Complete & Unabridged 2012 Digital Edition
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 Publishers 1998, 2000, 2003, 2005, 2006, 2007, 2009, 2012
 Cite This Source (<http://www.dictionary.com/cite.html?qh=select&ia=ced2>)

/browse/select)

select committee (<http://www.dictionary.com/browse/select-committee>)
 selecta (<http://www.dictionary.com/browse/selecta>)
 selectability (<http://www.dictionary.com/browse/selectability>)
 selectable (<http://www.dictionary.com/browse/selectable>)
 selectance (<http://www.dictionary.com/browse/selectance>)

Word Origin and History for select

adj.

1560s, from Latin *selectus*, past participle of *seligere* "choose out, single out, select; separate, cull," from *se-* "apart" (see *secret* (/browse/secret) (n.)) + *legere* "to gather, select" (see *lecture* (/browse/lecture) (n.)). The noun meaning "a selected person or thing, that which is choice" is recorded from c.1600. New England *selectman* first recorded 1640s.

v.

1560s, from *select* (/browse/select) (adj.) or from Latin *selectus*. Related: *Selected*; *selecting*.

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 Cite This Source (<http://www.dictionary.com/cite.html?qh=select&ia=etymon2>)

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(<http://www.dictionary.com/slideshows/spring-fever>)

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(http://www.dict
/slideshows
/egg-expressions

Was spring actua
"Lent"...
(http://www.dict
/slideshows/sprir



(http://www.dictionary.com
/slideshows/irish-creatures)
Beyond Leprecha
Creatures of...
(http://www.dict
/slideshows/irish

(http://www.dictionary.com
/slideshows/green-words)
15 Shades of Gre
Emerald...
(http://www.dict
/slideshows/qree

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(http://blog.dictionary.com/discreet-and-discrete)
Learn the correct uses of these two commonly confused homophones.

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(http://blog.dictionary.com/ampersand)
What mistaken pronunciation gave this character its name?

Apostrophes 101 (http://blog.dictionary.com
/apostrophes-101)
This small mark has two primary uses: to signify possession or omitted letters.

How Do I Get a Word into the Dictionary?
(http://blog.dictionary.com/getting-words-into-dictionaries)
People invent new words all the time, but which ones actually make it?

(http://s/8'

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[Contact Us \(http://content.dictionary.com/about/contact\)](http://content.dictionary.com/about/contact)

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(http://
/s/8

Attachment C

Int. Cls.: 2 and 16

Prior U.S. Cls.: 2, 5, 6, 11, 16, 22, 23, 29, 37, 38
and 50

Reg. No. 2,116,293

United States Patent and Trademark Office

Registered Nov. 25, 1997

TRADEMARK PRINCIPAL REGISTER

^{Do It}
Best

SELECT

HARDWARE WHOLESALERS, INC. (INDIANA
CORPORATION)
NELSON ROAD
P.O. BOX 868
FORT WAYNE, IN 46801

FOR: INTERIOR AND EXTERIOR WALL
PAINT, IN CLASS 2 (U.S. CLS. 6, 11 AND 16).
FIRST USE 6-5-1996; IN COMMERCE
6-5-1996.

FOR: PAINT BRUSHES, IN CLASS 16 (U.S.
CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 5-15-1996; IN COMMERCE
5-15-1996.

OWNER OF U.S. REG. NOS. 1,717,551, 1,921,336
AND OTHERS.

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

SER. NO. 75-211,695, FILED 12-11-1996.

TINA L. SNAPP, EXAMINING ATTORNEY

Attachment D

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 2,698,863

United States Patent and Trademark Office

Registered Mar. 18, 2003

**TRADEMARK
PRINCIPAL REGISTER**

PERFORMANCE SELECT

HOMER TLC, INC. (DELAWARE CORPORATION)
1404 SOCIETY DRIVE
CLAYMONT, DE 19703

FIRST USE 5-0-2002; IN COMMERCE 5-0-2002.

SN 78-099,569, FILED 12-21-2001.

FOR: PAINT BRUSHES, PAINT APPLICATOR
ROLLERS, PAINT ROLLER COVERS AND PAINT
TRAYS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38
AND 50).

CAROLINE WOOD, EXAMINING ATTORNEY

Attachment E

United States of America
United States Patent and Trademark Office

SMART SELECT

Reg. No. 4,143,719

Registered May 15, 2012

Int. Cl.: 7

TRADEMARK

PRINCIPAL REGISTER

THE BLACK & DECKER CORPORATION (MARYLAND CORPORATION)
701 E. JOPPA ROAD - TW199
TOWSON, MD 21286

FOR: PAINT SPRAYERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 2-1-2012; IN COMMERCE 2-1-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,535,563, 3,840,310, AND 3,854,811.

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

SN 85-215,032, FILED 1-11-2011.

TRACY CROSS, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office