

U.S. PATENT AND TRADEMARK OFFICE  
RESPONSE TO OFFICE ACTION  
FOR ELECTRONIC SUBMISSION

Ser. No. 88510260

Mark: LEARN. LOVE. CODE.

Our Ref: WEWO 1907629

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This is in response to the Office action that issued on September 19, 2019.

In response to the corresponding issue raised in the Office Action, Applicant has amended the drawing of the mark to insert a space between the wording and periods. Applicant submits that this is not a material alteration and it serves to conform the drawing to the depiction of the mark on the specimen.

Applicant submits this amendment to advance prosecution, and without comment as to the merits of the objection.

The Examining Attorney also requires that Applicant disclaim the wording LEARN and CODE apart from the mark. Applicant respectfully traverses this requirement.

Applicant's mark is a slogan and is therefore unitary and not subject to disclaimer. TMEP Section 1213.05(b)(i) defines a slogan as "a type of phrase and is defined as "a brief attention-getting phrase used in advertising or promotion" and "a catch phrase used to advertise a product." Merriam-Webster.com, search of "slogan," <http://www.merriam-webster.com/dictionary/slogan> (Jan. 31, 2012); *Webster's New World College Dictionary* (4th ed. 2010). That section of the TMEP further states that "Slogans, by their attention-getting nature, ***are treated as unitary matter and must not be broken up for purposes of requiring a disclaimer.***" (Emphasis added).

"LEARN. LOVE. CODE." is a phrase that is attention-getting and used in advertising. Its components are meant to be read together, not as an amalgamation or aggregate of separate terms and punctuation. The three terms are used in the imperative sense, in a colloquial fashion where periods are used to convey the direct nature of the meaning conveyed. An example is "Best. Concert. Ever." or "We. Do. Not. Negotiate." The meaning of the phrase is retained in its entirety, the periods simply appear as additional emphasis.

The use of periods therefore points out the unitary nature of the phrase. TMEP Section 1205(b)(ii) acknowledges "that the presence of punctuation in a mark comprising a slogan or phrase should not be confused with the significance of punctuation in a mark containing

compound words that are formed using punctuation. See [TMEP §1213.05\(a\)\(ii\)](#). Punctuation may either unite or separate all or some of the words in the mark. ***Where punctuation unites all the words***, the mark or phrase as a whole is likely ***unitary***.” (Emphasis added).

The punctuation in LEARN. LOVE. CODE. unites the phrase and its meaning. As such, the mark is demonstrably unitary and no disclaimer should be required.

In view of the above, Applicant requests the disclaimer requirement be reconsidered and withdrawn.