

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
OpenAI OpCo, LLC

Filed: February 16, 2023

International Class: 9 and 42

Atty. Dkt. No.: OPAI010US

Mark: CODEX

Serial No.: 97/797,253

Trademark Law Office: 128

Examining Attorney: Kelly Burke

RESPONSE TO OFFICE ACTION

Applicant responds to the Office Action issued May 9, 2023. Applicant respectfully submits that its mark is not likely to cause confusion with U.S. Reg. Nos. 5,257,969 and 7,078,296 due to among other reasons, overall differences in the goods and services, the sophistication of the consumers, and the coexistence of numerous CODEX formative marks for specific goods and services. However, as U.S. Application Nos. 8,8814,013 and 9,0482,033 are still pending, Applicant requests that the present application be suspended pending the outcome of those applications.