

U.S. Trademark Application 90212811
Mark: Patent Profiler
Applicant: Patent Profiler, LLC

Docket Number: PP-002

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Response to June 10, 2021 NFOA

Dear Mr. Law,

Thank you for spending time examining this trademark application. We appreciate the examination, and we hope you find this response adequate to obviate the issues raised.

Cancel Section 44(d) Basis

Please delete the priority claim (Section 44(d)).

Claim of Ownership of U.S. Application Serial Number 87626882

As noted by the Examiner, the above mentioned U.S. Application Serial Number 87626882 is abandoned. Applicant wrote the incorrect serial number to claim ownership to. The correct U.S. Application Serial Number to claim priority to is U.S. Application Serial Number 88151927 and registration number 5759639. This mark is on the Supplemental Register.

Therefore, please ensure that the claim of ownership of the pending and granted trademark is provided.

Section 2(d) – Likelihood of Confusion

The examining attorney has refused registration of applicant's mark PATENT PROFILER for providing legal services in the field of patents and trademarks for resembling the mark "PATENT PROFILES" for a personalized, user specified, patent alerting service to monitor and extract patents and applications that matches the user's specific requests (e.g., what patents/applications the user wants to monitor and how often).

Applicant's response is that the marks as a whole are different. A search of the trademark records indicate that there are 572 "live" records for the mark "profiles", for a variety of goods and services, including 11 for "profiles" alone. The number of "profiles" records indicates that the mark "profiles" is in fact a weak mark. Therefore any variation becomes distinguishable. Further, there is no likelihood that applicant's mark "PATENT PROFILER" will become confused with "PATENT PROFILES". Applicant's goods are sold, not to the general consumer, but to sophisticated consumers that file patents and/or trademarks and easily distinguish applicant's services from those sold by others. Therefore reconsideration and withdrawal of the rejection is respectfully requested.

Further, our website **offers intellectual property services (the filing of patents and trademarks)**. Thus, we do not provide any patent alerting services or any electronic transmission of data and/or documents related to patent filings that a user has specified/requested.

Conclusion

Applicant appreciates your examination, and Applicant hopes you give Applicant
A Notice of Allowance. Applicant would also be amenable to an Allowance on the Supplemental
Register.

Thanks and kind regards,

Andrew Abramson
CEO of Patent Profiler, LLC