To:	Shea N. Palavan(shea@palavan.com)
Subject:	U.S. Trademark Application Serial No. 97801023 - NATIONAL UNION FOR DEMOCRACY IN IRAN - NUFDI-FText
Sent:	November 21, 2023 04:24:54 PM EST
Sent As:	tmng.notices@uspto.gov

Attachments

screencapture-www-ahdictionary-com-word-search-html-17005119572491
screencapture-www-merriam-webster-com-dictionary-national-17005199833661

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97801023

Mark: NATIONAL UNION FOR DEMOCRACY IN IRAN

Correspondence Address:
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5353 WEST ALABAMA STREET, SUITE 303
HOUSTON TX 77056
UNITED STATES

Applicant: National Union for Democracy in Iran

Reference/Docket No. NUFDI-FText

Correspondence Email Address: shea@palavan.com

NONFINAL OFFICE ACTION

Response deadline. File a response to this nonfinal Office action within three months of the "Issue date" below to avoid abandonment of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the "How to respond" section below.

Request an extension. For a fee, applicant may request one three-month extension of the response deadline prior to filing a response. The request must be filed within three months of the "Issue date" below. If the extension request is granted, the USPTO must receive applicant's response to this letter within six months of the "Issue date" to avoid abandonment of the application.

Issue date: November 21, 2023

SUMMARY OF ISSUES:

- Descriptiveness
- Domicile Address

The assigned examining attorney has reviewed the referenced application and determined the following.

NO CONFLICTING MARKS

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

DESCRIPTIVENESS

Registration is refused because the applied-for mark merely describes a feature, ingredient, characteristic, purpose, function, intended audience of applicant's services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose, or use of an applicant's services. TMEP §1209.01(b); *see, e.g., In re TriVita, Inc.*, 783 F.3d 872, 874, 114 USPQ2d 1574, 1575 (Fed. Cir. 2015) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005) (citing *Estate of P.D. Beckwith, Inc. v. Comm'r of Patents*, 252 U.S. 538, 543 (1920)).

The applicant has applied for the mark NATIONAL UNION FOR DEMOCRACY IN IRAN for promoting public awareness in the field of social welfare; Promoting public awareness of the interests of the need and support for democracy in the country of Iran; Promoting public awareness of the need for democracy in the country of Iran; Promoting public awareness of the uniqueness and diversity of humanity through a national annual day event; Promoting public awareness of the need and support for democracy in the country of Iran; Promoting public awareness of the need and support for democracy in the country of Iran by means of public advocacy; Promoting public interest and awareness of the need and support for democracy in the country of Iran; Promoting the interests of the need and support for democracy in the country of Iran by means of public advocacy; Association services, namely, promoting public awareness of the need and support for democracy in the country of Iran; Charitable services, namely, promoting public awareness of the need and support for democracy in the country of Iran.

NATIONAL is defined as of or relating to a nation. See attached dictionary definition. UNION is defined as an agreement or harmony resulting from the uniting of individuals. See attached dictionary definition. According to the identification of services. According to the identification of services the mark is for providing support for DEMOCRACY in the country of IRAN. Here, the wording describes a feature of the services.

The determination of whether a mark is merely descriptive is made in relation to an applicant's goods and/or services, not in the abstract. *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1254, 103 USPQ2d 1753, 1757 (Fed. Cir. 2012); *In re The Chamber of Commerce of the U.S.*,

675 F.3d 1297, 1300, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012); TMEP §1209.01(b). "Whether consumers could guess what the product [or service] is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

For the above stated reasons the mark is refused as being descriptive.

SUPPLEMENTAL REGISTER

The applied-for mark has been refused registration on the Principal Register. Applicant may respond to the refusal by submitting evidence and arguments in support of registration and/or by amending the application to seek registration on the Supplemental Register. *See* 15 U.S.C. §1091; 37 C.F.R. §§2.47, 2.75(a); TMEP §§801.02(b), 816. Amending to the Supplemental Register does not preclude applicant from submitting evidence and arguments against the refusal(s). TMEP §816.04.

DOMICILE ADDRESS

Domicile address cannot be accepted. Applicant must provide its current domicile street address because the domicile address of record identifies a post office box or mail forwarding service, which is not an acceptable type of domicile address for a juristic applicant. That is, this address does not identify applicant's principal place of business. See 37 C.F.R. §§2.2(o)-(p), 2.11(b), 2.189; TMEP §601.01(b)(1). All applications must include an applicant's domicile address. See 37 C.F.R. §§2.32(a)(2), 2.189. In addition, all applicants domiciled outside the United States must be represented by a U.S.-licensed attorney. See 37 C.F.R. §§2.11(a), 2.32(a)(2); TMEP §§601, 803.05. See Hiring a U.S.-licensed attorney for more information. The USPTO uses applicant's domicile address to determine whether applicant is required to be represented by a U.S.-licensed attorney in this matter. See 37 C.F.R. §2.11(a); TMEP §601.01(a).

Response option(s)

Applicant must provide an acceptable domicile street address; that is, the location of applicant's headquarters where its senior executives or officers ordinarily direct and control applicant's activities. See 37 C.F.R. §§2.2(o)-(p), 2.32(a)(2), 2.189; TMEP §803.05(a). If applicant provides a foreign domicile address, applicant must appoint a U.S.-licensed attorney qualified under 37 C.F.R. §11.14. See 37 C.F.R. §2.11(a)-(b); TMEP §601.01(a)-(b)(1).

If applicant cannot provide a domicile street address due to an extraordinary situation, applicant may file a petition to the Director to request the Director waive this requirement. See 37 C.F.R. §§2.146(a)(5), 2.148. The petition must include the required fee as well as (a) a verified statement of facts explaining the extraordinary situation, and (b) the state, or foreign equivalent, and country of applicant's domicile, to determine whether applicant must be represented by a U.S.-licensed attorney. See 37 C.F.R. §§2.11(a)-(b), 2.146(c)(1); TMEP §601. However, filing a petition is not considered a response to an Office action. See 37 C.F.R. §2.146(g); TMEP §§711, 1705.06. Applicant must still file a timely response to this Office action to avoid abandonment of the application. The response should indicate that a petition has been filed, specify the reason(s) for filing the petition (e.g., to request a waiver of the domicile address requirement), and request suspension of the application pending disposition of the petition. See TMEP §§716.02, 1705.06.

Instructions for responding

To provide applicant's domicile street address. After opening the correct Trademark Electronic Application System (TEAS) response form and entering the serial number, (1) answer "yes" to question 5 and click "Continue;" (2) on the "Owner Information" page, in the "Domicile Address" fields, uncheck the box stating the domicile and mailing address are not the same; and (3) below the checkbox provide applicant's domicile street address. The address provided in the "Domicile Address" fields will be hidden from public view. However, any street address listed in the "Mailing Address" fields will be publicly viewable.

To appoint a U.S.-licensed attorney, (1) use the TEAS Change Address or Representation form to appoint an attorney after they have been retained, or (2) applicant's attorney can appear by responding on applicant's behalf using the TEAS Response to Examining Attorney Office Action form, indicating that an appointment of attorney has been made, addressing all other refusals or requirements in the action, if any, and properly signing the response.

How to respond. File a **response form to this nonfinal Office action** or file a **request form for an extension of time to file a response**.

/Shaunia Carlyle/
Shaunia Carlyle
Examining Attorney
LO110--LAW OFFICE 110
(571) 272-9374
Shaunia.Carlyle@USPTO.GOV

RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to abandon.** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) system availability could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.

- **Responses signed by an unauthorized party** are not accepted and can **cause the application to abandon.** If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant. If applicant has an attorney, the response must be signed by the attorney.

- If needed, **find contact information for the supervisor** of the office or unit listed in the signature block.

https://www.ahdictionary.com/word/search.html?q=union
at 03:26:00, 11/20/2023

HOW TO USE THE DICTIONARY

To look up an entry in *The American Heritage Dictionary of the English Language*, use the search window above. For best results, after typing in the word, click on the "Search" button instead of using the "enter" key.

Some compound words (like *bus rapid transit*, *dog whistle*, or *identity theft*) don't appear on the drop-down list when you type them in the search bar. For best results with compound words, place a quotation mark before the compound word in the search window.

GUIDE TO THE DICTIONARY

THE USAGE PANEL

The Usage Panel is a group of nearly 200 prominent scholars, creative writers, journalists, diplomats, and others in occupations requiring mastery of language. Annual surveys have gauged the acceptability of particular usages and grammatical constructions.

THE PANELISTS

Union

Share: Tweet

A township of northeast New Jersey west of New York City; settled c. 1749 by colonists from Connecticut.

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un·ion (yōōn′yən)

Share: Tweet

n.

1.
   a. The act of uniting or the state of being united.
   b. A combination so formed, especially an alliance or confederation of people, parties, or political entities for mutual interest or benefit.
2. *Mathematics* A set, every member of which is an element of one or another of two or more given sets.
3. Agreement or harmony resulting from the uniting of individuals; concord.
4.
   a. The state of matrimony; marriage: *"The element that was to make possible such a union was trust in each other's love" (Kate Chopin).*
   b. Sexual intercourse.
5.
   a. A combination of parishes for joint administration of relief for the poor in Great Britain.
   b. A workhouse maintained by such a union.
6. A labor union.
7. A coupling device for connecting parts, such as pipes or rods.
8. A device on a flag or ensign, occupying the upper inner corner or the entire field, that signifies the union of two or more sovereignties.
9. often **Union**
   a. An organization at a college or university that provides facilities for recreation; a student union.
   b. A building housing such facilities.
10. **Union** The United States of America regarded as a national unit, especially during the Civil War.

adj.

1. **Union** Of, relating to, or loyal to the United States of America during the Civil War: *a Union soldier.*
2. Of or relating to a labor union or labor union organizing: *the union movement; union negotiations.*

[Middle English, from Old French, from Late Latin *ūniō, ūniōn-*, from Latin *ūnus*, one; see **oi-no-** in the Appendix of Indo-European roots.]

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Dictionary
Definition
adjective
noun

national 1 of 2 adjective

na·tion·al ˈna-sh(ə-)nəl

Synonyms of *national* ›

Synonyms
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1 : of or relating to a nation
national boundaries
the *national* flag

2 : NATIONALIST

3 : comprising or characteristic of a nationality
his *national* accent was plainly audible
– Elinor Wylie

4 : belonging to or maintained by the federal government
the *National* Museum of American History

5 : of, relating to, or being a coalition (see COALITION sense 2) government formed by most or all major political parties usually in a crisis

nationally adverb

national 2 of 2 noun

1 : one that owes allegiance to or is under the protection of a nation without regard to the more formal status of citizen or subject

2 : a competition that is national in scope → usually used in plural

Synonyms

Adjective
civil public

Noun

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citizen freeman subject

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Choose the Right Synonym for *national*

CITIZEN, SUBJECT, NATIONAL mean a person owing allegiance to and entitled to the protection of a sovereign state.

CITIZEN is preferred for one owing allegiance to a state in which sovereign power is retained by the people and sharing in the political rights of those people.

> the rights of a free *citizen*

SUBJECT implies allegiance to a personal sovereign such as a monarch.

> the king's *subjects*

NATIONAL designates one who may claim the protection of a state and applies especially to one living or traveling outside that state.

> American *nationals* working in the Middle East

Examples of *national* in a Sentence

Adjective

> She won the *national* championship last year.

> His test scores were higher than the *national* average.

> Doing well in the Olympics is a matter of *national* pride.

See More

Recent Examples on the Web

Adjective

> He was later fired from his position heading up the U-20 American men's *national* team, which is how this veteran footballer found himself on the tiny island and tasked with turning players with no foundational training into pro-level athletes

with turning players with no foundational training into pro-level athletes.
– David Fear, *Rolling Stone*, 14 Nov. 2023

Al pastor, arguably the Mexican capital's most significant contribution to the *national* cuisine, traces its roots to Middle Eastern shawarma, brought to Mexico by Iraqi families who fled Baghdad after the collapse of British rule in the Levant in the early-20th century.
– Jorge Valencia Mariano Fernandez, *New York Times*, 14 Nov. 2023

See More

These examples are programmatically compiled from various online sources to illustrate current usage of the word 'national.' Any opinions expressed in the examples do not represent those of Merriam-Webster or its editors. Send us feedback about these examples.

Word History

First Known Use

Adjective
1580, in the meaning defined at sense 1

Noun
1845, in the meaning defined at sense 1

Time Traveler

The first known use of *national* was in 1580

See more words from the same year

Phrases Containing *national*

cross-national | anti-national | national costume

national anthem | in the national/public interest | sub-national

national treasure | national socialism | national income

See More

Articles Related to *national*

Using 'Citizen' and 'Resident' Legally

Being a citizen and being a resident aren't exactly the same.

The Difference Between 'Patriotism' and...

Although treated as synonyms, there is a distinction. But it's more complicated than "'patriotism' good; 'nationalism' bad."

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Dictionary Entries Near *national*

Nation
national
national anthem

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Kids Definition

national 1 of 2 adjective

na·tion·al ˈnash-nəl -ən-əl

1 : of or relating to a nation
national elections

2 : belonging to or maintained by the federal government
national cemeteries

nationally -ē adverb

national 2 of 2 noun

national 2 of 2 noun

1 : a person who owes allegiance to or is under the protection of a nation

2 : a competition that is national in scope → usually used in plural

qualified for the figure skating *nationals*

More from Merriam-Webster on *national*

Nglish: Translation of *national* for Spanish Speakers
Britannica English: Translation of *national* for Arabic Speakers

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United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on November 21, 2023 for
U.S. Trademark Application Serial No. 97801023

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

(1) Read the Office action. This email is NOT the Office action.

(2) Respond to the Office action by the deadline using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be abandoned. See the Office action itself regarding how to respond.

(3) Direct general questions about using USPTO electronic forms, the USPTO website, the application process, the status of your application, and whether there are outstanding deadlines to the Trademark Assistance Center (TAC).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

GENERAL GUIDANCE

- **Check the status of your application periodically** in the Trademark Status & Document Retrieval (TSDR) database to avoid missing critical deadlines.

- **Update your correspondence email address** to ensure you receive important USPTO notices about your application.

- **Beware of trademark-related scams**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, TSDR, to confirm that it appears under the "Documents" tab, or contact the Trademark Assistance Center.

- **Hiring a U.S.-licensed attorney.** If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.