

To: Sherry L. Rollo(ipdocket@hahnlaw.com)
Subject: U.S. Trademark Application Serial No. 90741830 - RENAISSANCE - 212135.00070
Sent: September 30, 2022 07:41:48 AM EDT
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Attachments

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

U.S. Application Serial No. 90741830

Mark: RENAISSANCE

Correspondence Address:

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Applicant: Renaissance Lakewood, LLC

Reference/Docket No. 212135.00070

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**SUSPENSION NOTICE
No Response Required**

Issue date: September 30, 2022

Pursuant to TMEP §716.01, applicant is advised of the following status of the application.

In an Office Action issued on February 13, 2022, the following issues were outstanding with this application:

- Section 2(d) – Likelihood of Confusion Refusal
- Potential Section 2(d) Refusal – Five Pending Applications

- Amended Color Claim and Mark Description Required

On August 15, 2022, applicant responded to the Office Action. In the Response, applicant:

- Provided arguments against the Section 2(d) Refusal; and
- Amended the color claim and mark description.

The trademark examining attorney has thoroughly reviewed applicant's response and has determined the following:

1. Applicant's arguments against the Section 2(d) Refusal are not persuasive and the Section 2(d) – Likelihood of Confusion Refusal is ***maintained and CONTINUED***;
2. Application Serial Nos. 90505069, 8809277 and 88809251 have abandoned and no longer present a potential bar to registration. Application Serial Nos. 90661309 and 88595822 are still pending, and action on the instant application is suspended pending final disposition of the applications; and
3. Applicant has *satisfied* the Color Claim and Mark Description Requirement.

Preliminary Response to Applicant's Arguments

Applicant argues that there is no likelihood of confusion because the marks differ in appearance, sound and commercial impression. Additionally, applicant argues that the respective services of the parties are not related. Although the registered marks contain additional terms, applicant's mark and the registered marks are confusingly similar because they all contain the term RENAISSANCE and applicant's mark does not add anything to distinguish itself from the registered marks. Thus, because applicant's mark is fully encompassed within the registered marks, consumers are likely to believe, mistakenly that applicant's mark is a shortened version of the registered marks and be confused as to the source of the services. Moreover, the additional terms in the registered marks are descriptive, and therefore of less source identifying significance. Thus, the dominant word in all the marks is the term RENAISSANCE. Because the dominant wording in the marks is identical, the marks create a similar overall commercial impression, regardless of the inclusion of the additional terms. Lastly, determining likelihood of confusion is based on the description of the services stated in the application and registration at issue, not on extrinsic evidence of actual use. In this case the registrations use broad wording to describe research in the field of medicine and research and development of new technology in the field of chemistry, physics and biology, all which either encompass or are complementary to applicant's manufacturing and development of pharmaceutical products. Accordingly, applicant's arguments are unpersuasive to overcome the refusal and the Section 2(d) Refusal is ***maintained and continued***.

APPLICATION IS SUSPENDED

The application is suspended for the reasons specified below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

The pending applications below has an earlier filing date or effective filing date than applicant's application. If the mark in the applications below registers, the USPTO may refuse registration of applicant's mark under Section 2(d) because of a likelihood of confusion with the registered marks. 15 U.S.C. §1052(d); *see* 37 C.F.R. §2.83; TMEP §1208.02(c). Action on this application is suspended until the prior-filed applications below either registers or abandons. 37 C.F.R. §2.83(c). Information

relevant to the applications below was sent previously.

- U.S. Application Serial Nos. 90661309, 88595822

Suspension process. The USPTO will periodically check this application to determine if it should remain suspended. *See* TMEP §716.04. As needed, the trademark examining attorney will issue a letter to applicant to inquire about the status of the reason for the suspension. TMEP §716.05.

No response required. Applicant may [file a response](#), but is not required to do so.

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United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on September 30, 2022 for
U.S. Trademark Application Serial No. 90741830

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You may be required to respond to this Office action. Follow the steps below.

- (1) **[Read the Office action.](#)** This email is NOT the Office action.
- (2) **Respond to the Office action, if a response is required.** Respond by deadline using the Trademark Electronic Application System (TEAS). Your response must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response period. 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. And all official USPTO correspondence will only be emailed from the domain “@uspto.gov.” 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.