

**To:** Journey To Millions LLC([journey2mill@gmail.com](mailto:journey2mill@gmail.com))  
**Subject:** U.S. Trademark Application Serial No. 90869195 - JTM JOURNEY TO MILLIONS  
**Sent:** December 12, 2022 03:10:11 PM EST  
**Sent As:** [tmng.notices@uspto.gov](mailto:tmng.notices@uspto.gov)

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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.** 90869195

**Mark:** JTM JOURNEY TO MILLIONS

**Correspondence Address:**

Journey To Millions LLC  
8504 Jefferson Ave  
Munster IN 46321 UNITED STATES

**Applicant:** Journey To Millions LLC

**Reference/Docket No.** N/A

**Correspondence Email Address:** [journey2mill@gmail.com](mailto:journey2mill@gmail.com)

**SUSPENSION NOTICE  
No Response Required**

**Issue date:** December 12, 2022

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

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

- Section 2(d) - Likelihood of Confusion Refusal
- Potential Section 2(d) Refusal - Two Pending Application
- Identification Of Goods Indefinite And Overly Broad – Amendment Required
- Clarification Of The Number Of Classes For Which Registration Is Sought Required
- Advisory – Multiple Class Application Requirements For Applications Based On Section 1(b)

**On November 11, 2022, applicant responded to the Office Action. In the Response, applicant:**

- Provided arguments against the Section 2(d) Refusal.

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

1. Applicant's arguments are not persuasive. Accordingly, the Section 2(d) Refusal is ***maintained and continued***;
2. Applicant did not respond to the identification requirement. Accordingly, the Identification Requirement and Requirement to Clarify the Number of Classes are both ***maintained and continued***; and
3. Application No. 90664931 has abandoned and no longer poses a potential bar to registration. However, Application Serial No. 90675422 is still pending, and action on the instant application is suspended pending final disposition of the application.

**Preliminary Response to Applicant's Arguments**

Applicant argues that although the registered mark includes the letters JTM, that registrant is not using this wording in the same sense. In particular, applicant argues that the wording in the applied-for mark stands for "journey to millions" and the wording in the registered mark is used for a baseball team.

Applicant's argument is not persuasive. Similarity in sound and appearance alone may be sufficient to support a finding that the compared marks are confusingly similar. In this case, the registered mark merely consists of the wording J.T.M. which looks and sounds nearly identical to the first word in the applied-for mark, JTM. Thus, consumers are likely to believe, mistakenly that the goods emanate from the same source. The fact that applicant and registrant may have different intended meanings for the wording J.T.M. and JTM does not obviate the confusion. 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 reason specified below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

The pending application below has an earlier filing date or effective filing date than applicant's application. If the mark in the application(s) below registers, the USPTO may refuse registration of applicant's mark under Section 2(d) because of a likelihood of confusion with the registered mark(s). 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 application(s) below either registers or abandons. 37 C.F.R. §2.83(c). Information relevant to the application below was sent previously.

- U.S. Application Serial No. 90675422

**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 December 12, 2022 for  
**U.S. Trademark Application Serial No. 90869195**

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. 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.