To: James Kelleher (tmadmin@kilpatricktownsend.com) U.S. Trademark Application Serial No. 87882281 - ASK JIM FIRST - 1075512 **Subject:** Sent: November 27, 2019 01:42:07 PM **Sent As:** ecom115@uspto.gov **Attachments:** Attachment - 1 Attachment - 2 Attachment - 3 Attachment - 4 Attachment - 5 Attachment - 6 Attachment - 7 Attachment - 8 Attachment - 9 Attachment - 10 Attachment - 11 Attachment - 12 Attachment - 13 Attachment - 14 Attachment - 15 Attachment - 16 Attachment - 17 Attachment - 18 Attachment - 19 Attachment - 20 Attachment - 21 Attachment - 22 Attachment - 23 Attachment - 24 Attachment - 25 Attachment - 26 Attachment - 27 Attachment - 28 Attachment - 29

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

U.S. Application Serial No.

87882281

Attachment - 30 Attachment - 31

Mark: ASK JIM FIRST

Correspondence Address: CHRISTOPHER P BUSSERT KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET SUITE 2800 ATLANTA, GA 30309-4530

Applicant: James Kelleher

Reference/Docket No. 1075512

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FINAL OFFICE ACTION

Issue date: November 27, 2019

THIS IS A SUBSEQUENT FINAL ACTION.

The Office has reassigned this application to the undersigned trademark examining attorney.

On August 14, 2018, the previously-assigned trademark examining attorney issued an Office action refusing registration of the applied-for mark under Section 2(d) of the Trademark Act for likelihood of confusion with the marks in U.S. Registration Nos. 2151373 and 3289118.

On August 23, 2018, applicant responded to the Office action with arguments and evidence against the Section 2(d) refusal.

On September 18, 2018, the previously-assigned examining attorney continued and maintained the Trademark Act Section 2(d) refusal for likelihood of confusion with the marks in U.S. Registration Nos. 2151373 and 3289118 and suspended action on the application because registration maintenance documents were due for U.S. Registration No. 2151373.

On January 11, 2019, applicant submitted a response to the letter of suspension requesting removal of the application from suspension on the basis that U.S. Registration No. 2151373 should be cancelled.

On February 8, 2019, the previously-assigned examining attorney issued a final Office action stating that U.S. Registration No. 2151373 was cancelled on February 8, 2019 and maintained and made final the Trademark Act Section 2(d) refusal for likelihood of confusion with the mark in U.S. Registration No. 3289118.

On May 1, 2019, applicant filed a request for reconsideration with additional arguments and evidence against the final Section 2(d) refusal. Additionally, applicant amended applicant's services from "legal referral services" to "legal referral services provided to consumers primarily on personal injury matters" in International Class 35.

On May 24, 2019, the previously-assigned examining attorney denied the request for reconsideration.

On July 23, 2019, applicant filed a second request for reconsideration with additional arguments and evidence against the Section 2(d) refusal. Additionally, applicant amended applicant's services from "legal referral services provided to consumers primarily on personal injury matters" to "lawyer referral services provided to consumers on personal injury matters" in International Class 35.

The next day, on July 24, 2019, applicant initiated an appeal of the refusal to the Trademark Trial and Appeal Board (the "Board").

This application was reassigned to the undersigned trademark examining attorney who submitted a Motion to Remand on November 7, 2019 to the Board for permission to supplement the evidence of record to support the Trademark Act Section 2(d) refusal for likelihood of confusion with the mark in U.S. Registration No. 3289118.

On November 12, 2019, the Board granted the request for remand to the newly assigned examining attorney. This subsequent final Office action

follows.

Upon issuance of this subsequent final Office action, the application will be returned to the Board for resumption of the appeal. *See* TBMP §1209.02. Any further request for the trademark examining attorney to consider this application must be made via a request for remand to the Board, for which good cause must be shown. *See* TBMP §1209.01.

For the reasons set forth below, the FINAL refusal under Trademark Act Section 2(d) is now maintained and continued with respect to U.S. Registration No. 3289118. *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.63(b).

SUMMARY OF ISSUES MADE FINAL that applicant must address:

• Section 2(d) Refusal – Likelihood of Confusion

SECTION 2(d) REFUSAL - LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 3289118. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the registration previously attached to the August 14, 2018 Office action.

Applicant's mark is ASK JIM FIRST (in standard character form) for "Lawyer referral services provided to consumers on personal injury matters" in International Class 35.

Registrant's mark is ASK JIM (in standard character form) for "Business advice, inquiries or information" in International Class 35.

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the services of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the "*du Pont* factors"). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Only those factors that are "relevant and of record" need be considered. *M2 Software, Inc. v. M2 Commc'ns, Inc.*, 450 F.3d 1378, 1382, 78 USPQ2d 1944, 1947 (Fed. Cir. 2006) (citing *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1241, 73 USPQ2d 1350, 1353 (Fed. Cir. 2004)); see *In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1744 (TTAB 2018). Thus, notwithstanding applicant's assertion that it adopted its mark in good faith, the ultimate question is whether applicant's mark is so similar to the registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the services of the parties. See 15 U.S.C. §1052(d).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared services. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) ("The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks."); TMEP §1207.01.

Comparison of Marks

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). "Similarity in any one of these elements may be sufficient to find the marks confusingly similar." *In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)); TMEP §1207.01(b).

Applicant's mark is ASK JIM FIRST and registrant's mark is ASK JIM. Applicant argues that the marks are not similar because applicant's mark has the additional term "FIRST". Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii). Greater weight is often given to this dominant feature when determining whether marks are confusingly similar. *See In re Detroit Athletic Co.*, 903 F.3d at 1305, 128 USPQ2d at 1050 (citing *In re Dixie Rests.*, 105 F.3d at 1407, 41 USPQ2d at 1533-34). Consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. *See Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005) (finding similarity between VEUVE ROYALE and two VEUVE CLICQUOT marks in part because "VEUVE . . . remains a 'prominent feature' as the first word in the mark and the first word to appear on the

label"); Century 21 Real Estate Corp. v. Century Life of Am., 970 F.2d 874, 876, 23 USPQ2d 1698, 1700 (Fed Cir. 1992) (finding similarity between CENTURY 21 and CENTURY LIFE OF AMERICA in part because "consumers must first notice th[e] identical lead word"); see also In re Detroit Athletic Co., 903 F.3d 1297, 1303, 128 USPQ2d 1047, 1049 (Fed. Cir. 2018) (finding "the identity of the marks' two initial words is particularly significant because consumers typically notice those words first"). Thus, the first part of applicant's mark "ASK JIM", is dominant for purposes of determining the mark's commercial impression and identical to registrant's mark, ASK JIM.

Further, both marks are in standard characters and the only difference between the marks is that applicant's mark has the additional term "FIRST" added after the wording "ASK JIM", which is the entirety of registrant's mark. This is a minor difference because adding a term to a registered mark generally does not obviate the similarity between the compared marks, as in the present case, nor does it overcome a likelihood of confusion under Section 2(d). See Coca-Cola Bottling Co. v. Jos. E. Seagram & Sons, Inc., 526 F.2d 556, 557, 188 USPQ 105, 106 (C.C.P.A. 1975) (finding BENGAL and BENGAL LANCER and design confusingly similar); In re Toshiba Med. Sys. Corp., 91 USPQ2d 1266, 1269 (TTAB 2009) (finding TITAN and VANTAGE TITAN confusingly similar); In re El Torito Rests., Inc., 9 USPQ2d 2002, 2004 (TTAB 1988) (finding MACHO and MACHO COMBOS confusingly similar); TMEP §1207.01(b)(iii). In the present case, the marks are identical in part as to the wording "ASK JIM". Moreover, consumers are likely to perceive the applied-for mark as an extension of registrant's brand.

Therefore, applicant's mark and registrant's mark share the same commercial impression and are confusingly similar.

Comparison of Services

The services are compared to determine whether they are similar, commercially related, or travel in the same trade channels. *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §§1207.01, 1207.01(a)(vi). Generally, the greater degree of similarity between the applied-for mark and the registered mark, the lesser the degree of similarity between the services of the parties is required to support a finding of likelihood of confusion. *In re C.H. Hanson Co.*, 116 USPQ2d 1351, 1353 (TTAB 2015) (citing *In re Opus One Inc.*, 60 USPQ2d 1812, 1815 (TTAB 2001)); *In re Thor Tech, Inc.*, 90 USPQ2d 1634, 1636 (TTAB 2009). As discussed above, the marks are highly similar with the only difference being that applicant has added the wording "FIRST" to the end of registrant's mark.

Applicant argues that applicant's "lawyer referral services provided to consumers on personal injury matters" differ from and "does not remotely overlap" registrant's "business advice, inquiries or information" services. However, the compared services need not be identical or even competitive to find a likelihood of confusion. *See On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be "related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the services] emanate from the same source." *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

Further, 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. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1052 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325, 123 USPQ2d 1744, 1749 (Fed. Cir. 2017)).

In the present case, the registration's business information services are broadly defined and necessarily overlap with applicant's lawyer referral services. Specifically, the attached evidence from *Collins Dictionary* shows that "business" means "work relating to the production, buying, and selling of goods or services," or "an organization which produces and sells goods or which provides a service"; and "information" means "information about someone or something consists of facts about them." Thus, "business information" refers to facts about work relating to the production, buying, and selling of goods or services, as well as facts about an organization which produces and sells goods or which provides a service. Indeed, the attached evidence from *Wikipedia* shows that "business information" is "one of the three main segments of the information industry," and the "primary business information formats" include "basic reference sources such as...internet resources," "[d]irectories," and "[e]lectronic business information." Thus, directory listings and business contact information for businesses providing legal services, including law firms and solo and associated attorneys, constitute "business information." *See also* the attached evidence from *ApricotLaw Blog*, *AttorneyatWork*, and *PaperStreet* showing legal directory listings and business contact information are considered vital business information for law firms and attorneys.

Moreover, the attached evidence from *Your Dictionary* shows that "referral" means "the act of telling someone about the positive features of a person or business, or the person who is being referred." Thus, applicant's lawyer referral services necessarily provides that applicant will be providing business information about law firms and attorneys to consumers. The attached evidence from *Alameda County Bar Association*, *Alaska Bar Association*, *Allegheny County Bar Association*, and *MassLegal Services* shows that lawyer referral services provide facts about legal services and attorneys who provide the relevant legal services to consumers, such as attorney contact information and other information about relevant legal experience to consumers. *See also* the evidence from *Searcy Law* (https://www.searcylaw.com/what-are-lawyer-referral-services/) previously attached to the August 14, 2018 Office action describing "lawyer referral services" as providing business information regarding attorneys as follows:

An appropriate [lawyer referral service] should help consumers by providing information about what consumers can and should do in the event of a tragic accident. The service should provide information about highly qualified attorneys in the consumer's geographic area who practice in the legal specialty needed by the consumer. Finally, the service should provide a way for consumers to get in contact with the service's attorney member of the consumer's choice.

Thus, applicant's "lawyer referral services provided to consumers on personal injury matters" and registrant's "business...information" services are related because applicant necessarily provides business information about law firms and attorneys in connection with its lawyer referral services.

Additionally, applicant's lawyer referral services and registrant's business advice, inquiries, or information services are of a kind that may emanate from a single course under the same mark. The previously attached Internet evidence from the websites of *Legal Zoom*, *Legal Shield*, and *Rocket Lawyer* (see the August 14, 2018 Office action); and *U.S. Chamber of Commerce*, *Maryland State Bar Association*, *The People's Law Library of Maryland*, *American Bar Association*, and the *New York City Bar* (see the February 8, 2019 final Office action); and the attached evidence from *Erie County Bar Association*, *Indy Lawyer Finder*, *Legal Shield*, *Legal Zoom*, *Oregon State Bar*, *Palm Beach County Bar Association*, and *Rocket Lawyer* establishes that the same entity commonly provides (i) lawyer referral services; and (ii) business advice, inquiries or information services and markets the services under the same mark, and the relevant services are provided through the same trade channels and used by the same classes of consumers in the same fields of use.

Furthermore, entities that provide legal or attorney referral services in the field of personal injury also offer general business advice and information by way of articles, legal topics and seminars, programs or events. For example the following evidence establishes that the same entity commonly provides the relevant services and markets the services under the same mark, and the relevant services are provided through the same trade channels and used by the same classes of consumers in the same fields of use:

- Lawyer Referral Service of Central Texas provides lawyer referral services in the field of personal injury, and general business information via an online business blog. See the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://austinlrs.com/practice-areas/; https://austinlrs.com/practice-areas/; and https://austinlrs.com/practice-areas/; https://austinlrs.com/practice-areas/; https://austinlrs.com/practice-areas/
- *NOLO* provides lawyer referral services in the field of personal injury and general business information via books and online resources and articles. *See* the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://www.nolo.com/legal-encyclopedia/finding-personal-injury-lawyer-29840.html; https://www.nolo.com/legal-encyclopedia/start-own-business-50-things-30077.html; and https://store.nolo.com/products/business-suite.
- New York City Bar provides lawyer referral services in the field of personal injury and general business information via online articles and business topics. See the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://www.nycbar.org/get-legal-help/article/personal-injury-and-accidents/; and https://www.nycbar.org/get-legal-help/article/business-and-corporate-law/.
- Attorney Search Network provides lawyer referral services in the field of personal injury, and general business information via online articles and business topics. See the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://www.attorneysearchnetwork.com/Personal_Injury_Law.cfm; and https://www.attorneysearchnetwork.com/Personal_Injury_Law.cfm; and https://www.attorneysearchnetwork.com/Personal_Injury_Law.cfm; and https://www.attorneysearchnetwork.com/Business_Law.cfm.
- Bar Association of San Francisco provides lawyer referral services in the field of personal injury and general business information via online articles, research, advice and opinions from experts in the legal profession. See the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://www.sfbar.org/lawyerreferrals/personal-injury-attorneys.aspx; and https://www.sfbar.org/lawyerreferrals/personal-injury-attorneys.aspx; and https://www.sfbar.org/resources/solo-smallfirm center.aspx.
- *Boston Bar Association* provides lawyer referral services in the field of personal injury, and provides business development programs. *See* the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from http://www.bostonbar.org/edu/business-development; and https://bostonbarlawyer.org/pages/areas-personal-injury.
- *MassBar Association* provides lawyer referral services in the field of personal injury and information and practice tools to help with professional and business development. *See* the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://www.masslawhelp.com/personal-injury.html; and <a href=
- *DC Bar* provides lawyer referral services in the field of personal injury and events and seminars covering a wide range of topics in the field of practice management. *See* the evidence previously attached to the May 24, 2019 denial of the request for reconsideration from https://www.dcbar.org/for-the-public/help-for-individuals/advice.cfm; and https://www.dcbar.org/for-the-public/help-for-individuals/advice.cfm; and https://www.dcbar.org/for-the-public/help-for-individuals/advice.cfm; and https://www.dcbar.org/bar-resources/practice-management-advisory-service/.

Thus, applicant's and registrant's services are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Applicant argues that the services are not related because the Office previously allowed the registered mark to register over the now cancelled mark ASK FIRST (U.S. Registration No. 2151373) for "physician referral services." However, the only wording these two marks share is "ASK". In contrast, both applicant's mark and registrant's mark combine the wording "ASK" with the arbitrary wording "JIM". Further,

prior decisions and actions of other trademark examining attorneys in registering other marks have little evidentiary value and are not binding upon the USPTO or the Trademark Trial and Appeal Board. TMEP §1207.01(d)(vi); see In re USA Warriors Ice Hockey Program, Inc., 122 USPQ2d 1790, 1793 n.10 (TTAB 2017). Each case is decided on its own facts, and each mark stands on its own merits. In re USA Warriors Ice Hockey Program, Inc., 122 USPQ2d at 1793 n.10 (quoting In re Boulevard Entm't, 334 F.3d 1336, 1343, 67 USPQ2d 1475, 1480 (Fed. Cir. 2003)).

Applicant also argues that *Legal Zoom*, *Legal Shield*, and *Rocket Lawyer* do not provide general nonlegal business advice or responses to general nonlegal business inquiries in part because these entities have not registered service marks for such services. A trademark or service mark registration on the Principal Register is considered prima facie evidence of the validity of the federal registration and the registrant's exclusive right to use the mark in commerce in connection with the specified goods and/or services. *See* 15 U.S.C. §1057(b); TMEP §1207.01(d)(iv). It is not considered in any way a limitation on the breadth of services provided by any particular entity.

Thus, applicant's and registrant's services are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Applicant's Remaining Arguments

First, applicant argues that the wording "ASK, "FIRST" and "ASK FIRST" are weak and diluted for similar services. In applicant's August 23, 2018 response, applicant submitted certain third-party registrations as evidence in support of the argument that the wording "ASK, "FIRST" and "ASK FIRST" are weak and diluted for similar services. In the February 8, 2019 final Office action, the previously-assigned examining attorney objected to certain evidence and stated that the following marks or registrations were not considered because they were either cancelled registrations or were listed in the response without attaching requisite copies of the registrations: "ASKFIRST", "ASK ME FIRST", "ASK COLIN FIRST", "ASK FIRST", "CALL BART FIRST", "CLICK ME FIRST", "CALL ME FIRST", "CLICK BART FIRST", and U.S. Reg. Nos. 4129991 and 2393265. See In re Peace Love World Live, LLC, 127 USPQ2d 1400, 1405 n.17 (TTAB 2018) (citing In re 1st USA Realty Prof'ls, 84 USPQ2d 1581, 1583 (TTAB 2007); In re Duofold Inc., 184 USPQ 638, 640 (TTAB 1974)); TBMP §1208.02; TMEP §710.03.

Applicant subsequently reasserted the dilution argument in applicant's May 1, 2019 request for reconsideration. However, applicant's argument is unpersuasive because the third-party registrations submitted by applicant fail to show that the term "JIM" combined with "ASK", "FIRST", and/or "ASK FIRST" is weak and diluted on the Trademark Register. Moreover, the cited registration is the only other mark on the Trademark Register that has a combination of the terms "ASK" and "JIM", for relevant services. Indeed, applicant has provided no evidence of third-party registrations showing that this combination of wording is diluted. In any event, the prior decisions and actions of other trademark examining attorneys in registering other marks have little evidentiary value and are not binding upon the USPTO or the Trademark Trial and Appeal Board. TMEP §1207.01(d)(vi); see In re USA Warriors Ice Hockey Program, Inc., 122 USPQ2d 1790, 1793 n.10 (TTAB 2017).

Furthermore, U.S. Reg Nos. 2393265, 2681270, 3100727, and 2151373 provided by applicant are cancelled registrations. A cancelled or expired registration is "only evidence that the registration issued and does not afford [an applicant] any legal presumptions under Trademark Act Section 7(b)," including the presumption that the registration is valid, owned by the registrant, and the registrant has the exclusive right to use the mark in commerce in connection with the goods and/or services specified in the registration certificate. *Bond v. Taylor*, 119 USPQ2d 1049, 1054-55 (TTAB 2016) (*citing In re Pedersen*, 109 USPQ2d 1185, 1197 (TTAB 2013)); *see Anderson, Clayton & Co. v. Krier*, 478 F.2d 1246, 1248, 178 USPQ 46, 47 (C.C.P.A. 1973) (statutory benefits of registration disappear when the registration is cancelled); TBMP §704.03(b)(1)(A); TMEP §1207.01(d)(iii), (d)(iv). Nor does a cancelled or expired registration provide constructive notice under Section 22, in which registration serves as constructive notice to the public of a registrant's ownership of a mark. *See Action Temp. Servs. Inc. v. Labor Force Inc.*, 870 F.2d 1563, 1566, 10 USPQ2d 1307, 1309 (Fed. Cir. 1989) ("[A] canceled registration does not provide constructive notice of anything."). Thus, these third-party registrations have little, if any, probative value with respect to the registrability of applicant's mark.

Finally, the overriding concern is not only to prevent buyer confusion as to the source of the services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. *See In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); *see Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1026 (Fed. Cir. 1988).

Since the marks are similar and the services are related, there is a likelihood of confusion as to the source of the services. Therefore, the FINAL refusal to register applicant's mark under Section 2(d) of the Trademark Act is maintained and continued.

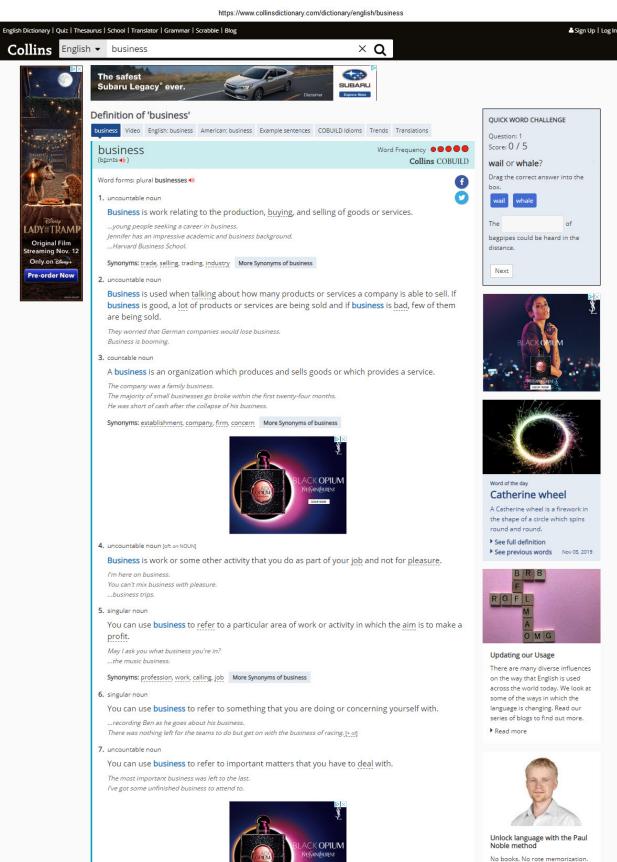
TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office

actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. *See* 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

/Pauline Ha/ Examining Attorney Law Office 115 (571) 272-5005 pauline.ha@uspto.gov

RESPONSE GUIDANCE

- Missing the response deadline to this letter will cause the application to <u>abandon</u>. A response or notice of appeal must be received by the USPTO before midnight Eastern Time of the last day of the response period. TEAS and ESTTA maintenance or <u>unforeseen</u> circumstances could affect an applicant's ability to timely respond.
- 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.





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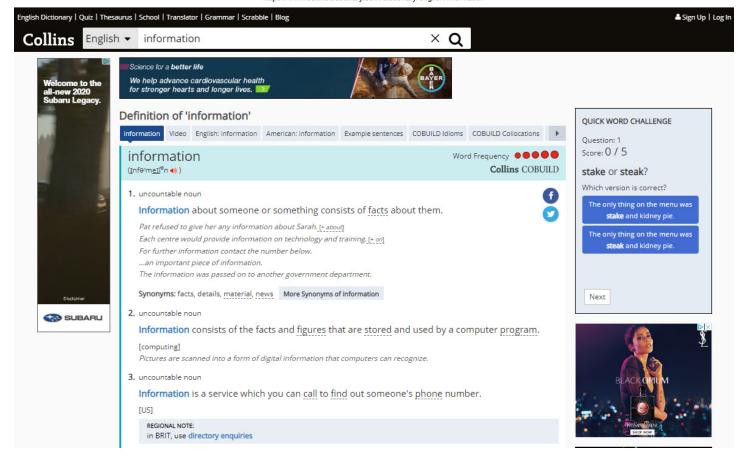
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This November is Wikipedia Asian month. Join the contest and win a postcard from Asia.

[Help with translations!]

 \otimes

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Business information

From Wikipedia, the free encyclopedia

Business information is one of the three main segments of the information industry. The other two segments are scientific, technical and medical (STM) and educational and

While most of the content industry revenues are advertising-driven, the business information segment remains largely driven by paid content, either via subscription or transaction (pay-per-view)

The primary forms of business information include:

- News
- · Market research
- · Credit and financial information
- · Company and executive profiles
- · Industry, country and economic analysis
- IT research

The primary business information formats can be divided into the following categories: [1]

- · Basic reference sources such as guides, bibliographies, dictionaries, almanacs, encyclopedias, handbooks, yearbooks and internet resources
- Directories
- · Periodicals and newspapers
- · Loose-leaf services
- · Government information and services
- Statistics
- · Electronic business information

While Wall Street's thirst for information traditionally drove the business information market, its use is much more widespread today. In addition to the financial markets, business information is used heavily for sales and marketing, competitive intelligence, strategic planning, human resources and many other strategic business functions

There are more than 210[2] providers of business information. While the Internet has made it easier for business information publishers to deliver content directly to their users, there remains a strong market for aggregators of such content which package and customize business information.

References [edit]

- 1. ^ Moss, R. W. (2004) Strauss's handbook of business information: a guide for librarians, students, and researchers. Wesport, CT: Greenwood Publishing Group, Inc.
- 2. ^ "Premium Business Information Databases AlacraWiki" @ Archived from the original @ on 2007-03-12. Retrieved 2007-04-13.

Categories: Business terms

This page was last edited on 15 September 2019, at 07:50 (UTC).

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Are Directory Listings Important for Law Firms?

Whether you are with a law firm that's just starting out, or you are a seasoned lawyer looking to boost your marketing efforts, you might be wondering whether legal directories will help to grow your business.

Online directory listings are websites that collect business information to make it easier for someone to find a business they're looking for, and to compare businesses' basic information to see which one will meet the potential client's needs. There are many different types of directories but generally the most helpful are ones that are industry-specific.

For example, legal directories are going to be most helpful for law firms. There are even directories that further break down the listings into practice areas, such as personal injury, bankruptcy, family law, or criminal defense. Directory listings are very helpful for law firms, but the trick is in finding the right ones.

Finding the Right Listings to Help You Build Your Website and Firm

Why would you even want to advertise or list your business on another website? Can't you just create your own law firm website and people can find you that way? Unfortunately, people can't just stroll by your online law firm like they can in the real world; they have to be led there.

One of the ways a potential client can stroll into your law firm's website is if you're listed on the correct directories. There are some directories that have authority, which means that people trust them and will be more likely to hire a lawyer who is listed on that directory.

For instance, Avvo, Lawyer.com, and FindLaw are a few popular and well-known directories. If you're listed with these directories, your chances are better at obtaining and retaining clients.

What Else Can a Legal Directory Listing Do for You?

Recently, directories do more for you than just listing your business' profile. You can even get clients to review your law firm, which can help to bring in more and better business for you.

Additionally, you can sometimes answer questions on directories and engage with potential clients in many other ways. Links back to your site from legitimate high-authority sites are going to improve your attorney brand, your authority, and your website SEO.

Get in Touch With a Law Firm SEO Company You Can Count On

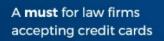
As you can see, legal directory listings can be very important to your SEO efforts and to your legal practice's business in general. Figuring out which directories will help you rather than hurt you isn't an easy thing to do. Many law firms are too focused on their clients to spend the time researching legal directories.

f y in





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GOOGLE MY LAW FIRM

GMB 411 FTW: Setting Up Your Law Firm's Google My Business Listing

Create, claim and verify to make it into the pack.

By Mike Ramsey

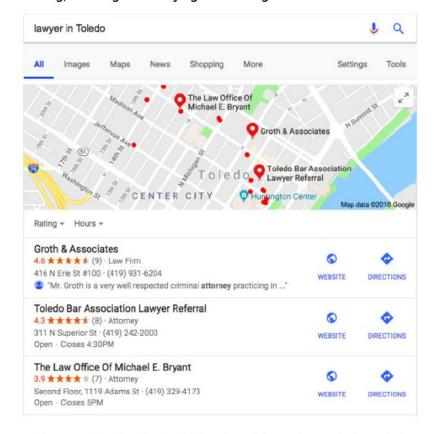
If you use Google, you've seen the "local packs" at the top of the page. Local packs display local businesses that match your search requests. And using these packs, potential clients can find, learn about and select a lawyer, sometimes without even clicking through to an actual website. That's pretty powerful.

These "3 pack" local listings are controlled in Google's local business dashboard, called Google My Business (GMB). Without properly setting up your listing, there's little chance you'll make it into the pack.

Every lawyer should create, claim and verify their Google My Business listing. Not sure how? This post is here to help.

https://www.attorneyatwork.com/gmb-411-ftw-setting-up-your-law-firms-google-my-business-listing/

Creating, Claiming and Verifying GMB Listings



Google is pretty good about knowing, through information on the internet, that some businesses already exist. So if your law firm has been around for a while, chances are good it has an existing listing.

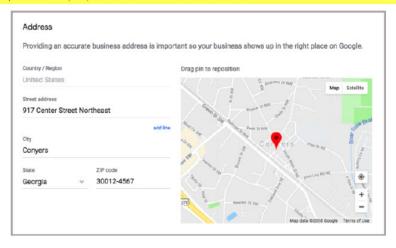
That said, go to Google My Business and create an account. Once you've done so, you'll be asked to type in the name of your business. If a listing already exists, you can simply select your business and then proceed to verify. If not, you'll be asked to finish inputting your business information.

The verification process generally means Google will snail-mail you an authorization pin to confirm that you do, in fact, have access to that address. Get more information on adding and claiming GMB listings here.

Basic GMB Setup

Correct Business Information

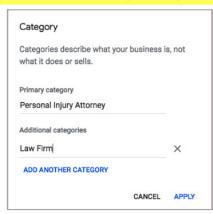
Having an old, nonworking phone number listed is a great way to get passed up by potential clients. It's important to make sure your business address and contact information are correct — and across all your business and directory listings. Earlier in the decade, consistent information across various business listing sites was considered an essential local ranking factor. More recent studies about local ranking factors show it's not as important as it used to be. Nonetheless, it's still a best practice to have your business name, address and phone number (NAP) and website URL consistent and correct.



https://www.attorneyatwork.com/gmb-411-ftw-setting-up-your-law-firms-google-my-business-listing/

Proper GMB Business Category

This may not seem important, but according to Moz, your business category is one of the most influential factors for ranking in local packs. If you are a personal injury lawyer, that should be your primary category—instead of simply "law firm." Correcting the primary category has been seen to help positively influence rankings—even for competitive terms like "car accident lawyer"—overnight.

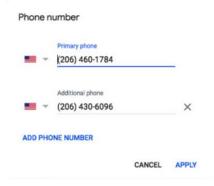


Pro GMB Tips

Looking to take your local marketing campaigns to the next level? Google gives you some insights into calls, visits to your website and requests for directions to your office. However, as helpful as it might be, this data only provides a small glimpse into your performance in local. Here are a few best practices that can give you more data and insights into your marketing campaigns.

Tracking Numbers

You want to use a unique tracking number as your primary number on your GMB listing. Your GMB dashboard offers insights into how many clicks-to-call on a mobile device your listing receives — but that doesn't tell you how many unique callers you're receiving. It may be that all 20 calls reported in your dashboard insights are from the same caller. Using a tracking number can give you better insights into who is calling, how many times they are calling, what days people are calling and what times calls are happening. This data can help you understand where to put your marketing dollars. This data can also help you understand how important your listing is.



For some law firms, more calls are happening through the business listings than the website. So, if you are basing the success of your online marketing efforts solely on how many calls are coming from your website, you aren't looking at the full picture.

Related: For more how-tos, read "Time to Use Call Tracking with GMB"

UTM Parameters

UTM parameters are basically code that gets added onto your website URL. These parameters let you track your website traffic in more detail. This provides more specific information in Google Analytics so you can understand where those website visitors are actually coming from, giving you additional insight into various marketing efforts.

Related: For more on how to implement UTM parameters, read "UTM Parameters Keep Tabs on Local Leads."

GMB the Difference-Maker

Having your law firm's GMB listing properly set up and optimized is crucial. It can be the difference-maker in showing up when local searchers are looking for representation.

Categories: Digital Marketing, Lead Generation, Local Marketing, Marketing



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About

Best 49 Directory Listings for Law Firms



Directory Listings are the Key to Traffic

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Great. You have a website. But it is merely sitting there and getting no traffic. One way to get traffic to your website is by getting signed up for the top legal and non-legal directories.

Directories offer two primary purposes. The first is to provide traffic to your website, which can generate new leads. The second is to provide more backlinks and information on the web about your business, which is vital for ranking high within Google search.

There are thousands of directories online to list your business. Some are free, others are paid and both types can be found in all kinds of categories. Your business should get listed in the directories that are high quality and relevant to your website.

Excellent directories include local directories like Yellow Pages, industry-specific directories like Avvo and paid general directories like BBB.org. The more listings your business has, the more information you are sharing with Google and proving your legitimacy as a business.





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Local Presence is Needed and Consistency is Key

-

When trying to rank well within your local area, making sure your business has a listing in all of the essential local directories is critical. It is not enough for your business to be included in each directory, but it is crucial that the information, especially your business name, address and phone (NAP), matches precisely what is on your website. This NAP information must then be consistent across all online directories, or your rankings could be negatively affected.

Consistency means that if you are using "Street" for your office address on your website, all of the listings should also have "Street" fully spelled out and not listed as "St." Some directories will automatically abbreviate certain parts of the address which cannot be controlled, and Google is smart enough to understand this, but it is best that everything starts as consistent as possible.

We recommend referring to this list of acceptable abbreviations. The same theory goes for your business name. Some businesses will do business under alias names, but it is imperative that the business name you use on your website is transferred to all listings, and multiple names are not being used. Phone numbers are also an element that a business may vary which number they provide to clients, but it is vital to use a specific local number to each office and make sure this is reflected in each directory.

Read List of Acceptable Abbreviations

Other Directories



ExpressUpdate

This is a data aggregator which collects data on businesses and then distributes it onto the web for different directories to pick up. It is vital that your business information is valid on this website, or it will affect dozens of other websites.

Ahrefs Rank: 179,694
Domain Rank: 64
Backlinks: 2.75 Million
Referring Domains: 1,900
Organic Traffic: 4,400



Better Business Bureau

The Better Business
Bureau collects
information on
businesses so consumers
can research companies
and post feedback on
their services. They allow
businesses to purchase
accreditation if they meet
specific criteria and
display ratings and give a
grade based on their
complaint history.

Ahrefs Rank: 110 Domain Rank: 93 Backlinks: 1.41 Billion Referring Domains: 283,000 Organic Traffic: 18.5

Million



Yelp

This platform is most popular for restaurants and those in the travel industry. However, businesses of all kinds can create a free company page and obtain reviews. Yelp has a specific filtering system for reviews and only shows those that are the most credible based on their own algorithm.

Ahrefs Rank: 53
Domain Rank: 94
Backlinks: 276 Million
Referring Domains:
216,000
Organic Traffic: 212
Million

neustar

Neustar Localeze

This data aggregator allows businesses to update their basic information but requires annual payment to include a backlink to their website and other enhanced features.

Ahrefs Rank: 68,698 Domain Rank: 72 Backlinks: 1.79 Million Referring Domains: 3,890 Organic Traffic: 13,400



YellowPages

This free directory lists all of your business information for free and allows photos and client reviews.

Ahrefs Rank: 1,187 Domain Rank: 90 Backlinks: 24.1 Million Referring Domains: 70,000

Organic Traffic: 20.2
Million



Foursquare

This network began by allowing users to check into locations on their phone. Businesses can create a free profile and upload images as well as a website and social links.

Ahrefs Rank: 372 Domain Rank: 92 Backlinks: 125 Million Referring Domains: 182,000 Organic Traffic: 25.6

Million



Factual

This data aggregator collects information on businesses but does not actively allow users to update this information as they did in the past.

Ahrefs Rank: **54,348**Domain Rank: **73**Backlinks: **211,000**Referring Domains: **4,040**Organic Traffic: **7,900**



MerchantCircle

This local listing includes an in-depth profile and has a section to upload articles as well.

Ahrefs Rank: **3,9**Domain Rank: **85**Backlinks: **14 Million**Referring Domains: **52,400**

Organic Traffic: 23,900

THESAURUS EXAMPLES *

QUOTES

SPANISH

REFERENCE

WORD FINDER



DEFINITIONS

Referra

HOME / DICTIONARY DEFINITIONS / REFERRAL



The definition of a referral is the act of telling someone about the positive features of a person or a business, or the person who is being referred.

- a. An example of a referral is telling someone why a certain person or business would be a good relationship for them to consider.
- b. An example of a referral is a patient who has come to see a doctor based on the recommendation of another medical professional.

YourDictionary definition and usage example. Copyright © 2018 by LoveToKnow Corp



referral

- 1. a referring or being referred, as for professional service, etc.
- 2. a person who is referred or directed to another person, an agency, etc.

Webster's New World College Dictionary, Fifth Edition Copyright © 2014 by Houghton Mifflin Harcourt Publishing Company. All rights reserved.





Ad by UPMC for You

Noun (plural referrals)

- 1. The act or process of transferring someone or something to another, of sending by reference, or referring. The insurance company insists I get a referral from my regular doctor, I can't just go to the specialist, a GP has got to refer me.
- 2. (slang) A document used by schools detailing some form of a student's misbehavior and listing the actions taken before and after the student's receipt of the referral.

After misbehaving in class, George was given a referral for disrupting class and sent to the office.

Origin refer +"Ž -al

English Wiktionary. Available under CC-BY-SA license



SENTENCE EXAMPLES

- The National Association of Child Care Resource & Referral Agencies (NACCRRA) reported average daycare costs ranging from around \$4500 to over \$14,000 in a 2008 survey, so this is a very important question to ask.
- . Today's casting calls are just as likely to show up as email alerts or text messages; it's just a matter of figuring out who's in the cyber loop, what kind of referral services they provide, and how to sign on.
- · When a depressed mood is severe and accompanied by other symptoms that persist every day for two or more weeks, the parent should ask for a referral to a mental health professional who can help the child cope and recover.
- . In many cases, recipients with an approved referral can visit a civilian provider with no out-of-pocket expense or deductible, and co-payments on prescription drugs filled at civilian pharmacies are relatively low.
- . If your child or loved one displays any of the following characteristic warning signs associated with autism spectrum disorder, speak with your physician about getting a **referral** to a developmental specialist.



Alameda County Bar Association

♥ GIVE TO LEGAL ACCESS



ACBA LAWYER REFERRAL SERVICE

50 YEARS OF SERVICE TO THE COMMUNITY



Need a Lawyer in Alameda County?

Call: 510-302-ACBA (2222), option 4



Looking for an Alameda County Lawyer Referral Service (LRS)? Our LRS has been the trusted source for lawyer referrals in Alameda County for 50 years. The State Bar of California regulates and certifies our program. For a \$40 fee (or \$15 fee for our modest means panels), we match you with an attorney qualified to help you with your legal issue for up to a 30 minute consultation.

LRS phones are open from 8:30 a.m. -12:00 p.m. Monday through Friday.

The quickest way to reach us is online at www.acbanet.org/request-a-lawyer/. Due to security issues, we are not able to accept walk-in requests for help. Sorry, no exceptions.

We take the guess work out of finding a lawyer

CALL US AT (510) 302-2222, OPTION 4

☑ OR FIND A LAWYER ONLINE

➤ How do I know I'm getting the right lawyer for my case?

The Alameda County lawyer referral service has attorneys practicing in more than 70 different areas of law. We screen all LRS attorneys for their experience, knowledge and professionalism.

▼ Why not just find a lawyer in the phone book or ask a friend?

People have trusted our LRS for lawyer referrals in Alameda County for 50 years. It is regulated and certified by the State Bar of California. All LRS attorneys are pre-screened for their experience, knowledge, and professionalism. Additionally, all LRS attorneys are required to carry malpractice insurance. This allows you and your attorney to focus on what's important—resolving your legal problem.



Areas of Law Include:

Bankruptcy

Individual and commercial bankruptcy, collections, debt collection defense

Immigration

Deportation defense, visas, political asylum

Business

Contracts, partnerships, business disputes

Personal Injury

Vehicle accidents, slip and fall, property damages, malpractice claims against doctors and attorneys

► Worker's Compensation

Employment

Wrongful termination, review of employment contracts, and severance agreements

Real Estate

Landlord and tenant, border disputes, real estate litigation

👺 Family

Divorce, spousal support, child custody, visitation, and support, adoption

Social Security

1

Wills and Trusts

Estate plans, probate litigation, conservatorships, and guardianships

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https://www.acbanet.org/need-a-lawyer/

These are just examples of the legal areas we can help with. Even if you don't see your legal issue listed here, we may be able help you—contact us today!

DISCLAIMER: Your use of the LRS does not create an attorney-client relationship between you and the ACBA, the LRS, or the attorneys to whom you are referred unless you retain that attorney's services. However, your communications, whether by phone or email, are confidential.

How does it work?

When you call our Alameda County lawyer referral service, you will speak with an intake coordinator. The intake coordinator will ask you a few basic questions about your legal situation. For a \$40 fee (or \$15 fee for our modest means panels), collected at intake, you get contact information for up to two attorneys. These attorneys are qualified to consult with you for up to 30 minutes.

During the consultation, you and the attorney will decide if the attorney will take your case. You will also agree upon terms of payment. Please note that the average rate for attorneys in California ranges from \$200 to \$400 per hour.

If it turns out you do not need any attorney, we will try to direct you to a governmental, legal, or social services agency for help.

> I don't have money for an attorney, what can I do?



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ALASKA BAR ASSOCIATION



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a

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Lawyer Referral Service

Home » For Lawyers » Lawyer Referral Service

What is the Alaska Lawyer Referral Service?

Contact Info

- . The Alaska Lawyer Referral Service is made up of Alaska lawyers who have signed up to be listed on the Lawyer Referral Service.
- · All the Alaska lawyers signed up to be on the Lawyer Referral Service are active members in good standing of the Alaska Bar Association.
- The Lawyer Referral Service does not rate the lawyers listed on the Referral Service.
- · Not all Alaska cities have a lawyer(s) signed up on the Lawyer Referral Service.

C Phone: 907-272-0352

 ▼ Toll Free in Alaska: 1-800-770-9999

Lawyer Referral Service is open from 8:30 a.m. - 12:00 p.m. and 1:00 p.m. - 4:00 p.m., Monday - Friday.

What does the Alaska Lawyer Referral Service do and how does it work?

Helpful Links

- The Alaska Lawyer Referral Service is organized by types of law, such as real estate, adoption, etc. View a list of the types of law.
- Lawyers who signed up to be on the Lawyer Referral Service will charge no more than \$125 for the first half-hour of consultation.
- For Attorneys: Enrollment Agreement and Brochure
- · Charter for the Statewide Lawyer Referral Service
- · Categories for the Lawyer Referral Service

When you call the Lawyer Referral Service:

- · You will talk to a Lawyer Referral Service Assistant. This person is not an attorney and cannot give you legal advice.
- . We will ask you for your name so we can let the lawyer(s) know you were referred by us.
- We will ask you to tell us briefly about your legal problem so we can refer you to a lawyer who handles legal problems like yours
- We will give you the names and phone numbers of up to three (3) lawyers who handle legal problems like yours

When you call the lawyer's office:

- . Tell the lawyer's office you were referred by the Lawyer Referral Service, so you will be charged no more than \$125 for the first half-hour of consultation with the lawyer.
- You need to talk to the lawyer about what fees he/she will charge after the first half-hour of consultation for \$125.



ALLEGHENY COUNTY BAR ASSOCIATION

LAWYER REFERRAL SERVICE

Your Trusted Source for Finding Pittsburgh-Area Attorneys

Irs@acba.org

f

Tel: 412-261-5555

Home

What kind of attorney do I need?

Affording an attorney

FAQs

Ftc

Frequently Asked Questions





How does the service work?

We do not answer legal questions or give legal advice. Through the ACBA Lawyer Referral Service in Pittsburgh, we are able to refer out one attorney practicing in the particular field you need. The referral entitles you to a free, 30-minute consultation. Anything above and beyond that is then between you and the attorney and at his/her normal rate.



02

How is the ACBA Lawyer Referral Service different from other

lawyer directories?

The ACBA Lawyer Referral Service is not simply a lawyer directory. The service includes the initial consultation with the attorney. Many attorneys charge their normal hourly rates for a consultation which can be upwards of \$200 an hour. In addition to this, our attorneys are thoroughly screened prior to being referred out. We ensure that they are members of the bar in good standing, have no disciplinary actions taken against them, and carry liability insurance. We also refer out the attorneys based on the fields that they practice in on a regular basis. For certain fields of practice, we require them to list specific case work and regular attendance at continuing legal education classes to ensure they are up to date in that particular area of law. A referral through the ACBA Lawyer Referral Service is more than just a name.



Is the attorney guaranteed to represent me?

We can not guarantee that any attorney we refer will be able to assist you. Just as we cannot require you to hire the attorney, we cannot require the attorney to assist you. Sometimes after speaking with a client the attorney determines that what the client wants to have done is much more involved than initially thought, or that it would not be cost effective to retain an attorney to handle a particular matter. In that event, the attorney would likely discuss with the client additional options other than retaining an attorney.

3:23:47 PM 11/6/2019 https://www.masslegalservices.org/content/lawyer-referral-services The Online Resource for Massachusetts Poverty Law Advocates Username or e-mail * MassLegal Password * Services Log in Request new password Find Legal Aid / LRF Calendar News & Blogs Practice Areas Library Search Library Home **Lawyer Referral Services** How do I choose a lawyer? The Massachusetts Trial Court Law Libraries has written a useful guide to finding a lawyer in Massachusetts 🗗 What is a a Lawyer Referral Service?

A Lawyer Referral Service connects potential clients with lawyers. You contact the Lawyer Referral Service and give them information about your legal problem. The Lawyer Referral Service will give you contact information for one or more lawyers who might be able to help. Most of the time, you will need to pay if you want to hire the lawyer, although the first meeting is often free or low cost.

What is Limited Assistance Representation (LAR)?

Sometimes you can hire a lawyer for only part of your case. This is called Limited Assistance Representation. Tell the Lawyer Referral Service that you are interested in LAR if you want to find out whether this might be possible for you.

Also, the Probate and Family Court has a <u>list of LAR lawyers</u> @, by county.

Lawyer referral services in Massachusetts:

Click on the name of the service for more information, including hours, phone numbers and other contact information.

Massachusetts Bar Association Lawyer Referral Service

The Massachusetts Bar Association's Lawyer Referral Service is one of the largest legal referral services in the nation. If you are buying/selling a home, starting a business, going through a divorce or need a will, you may need to hire the right attorney to answer your questions and help resolve your legal problems. Note: There is no cost to utilize LRS, but referrals are made to fee charging attorneys.

The Massachusetts Bar Association offers a monthly Dial-A-Lawyer program, where members of public can call in for free legal advice. This is held on the first Wednesday of each month between the hours of 5:30 and 7:30 pm: 617-338-0610, 877-686-0711.

Intake Phone Number: (617) 654-0400; (866) 627-7577

Boston Bar Association Lawyer Referral Service

When faced with a legal issue, you need reliable guidance. For over 50 years, the Boston Bar Lawyer Referral Service has been helping people find the right lawyer.

The Boston Bar Association Lawyer Referral Service also operates the Military Legal Help Line. This line connects veterans, military personnel, and their families with lawyers and other legal resources.

Intake Phone Number: 617-742-0625, (800) 552-7046

Essex County Bar Association Lawyer Referral Service

The Lawyer Referral Service (LRS) is a service of the Essex County Bar Associationin Salem, Massachusetts, a non-profit organization for attorneys. The ECBA LRS consists of many attorneys in every field of law to assist you with your case.

Intake Phone Number: (978) 741-7888

Fair Employment Project

Fair Employment Project is a non-profit organization whose mission is to reduce violations of employment civil rights. FEP offers information and self-help tools—legal "first aid"—to Massachusetts workers about their rights on the job and the legal process. FEP collaborates with other organizations to provide additional services when possible.

Intake Phone Number: 617-902-0192

Hampden County Bar Association Lawyer Referral & Information Service

The Hampden County Bar Association sponsors a Lawyer Referral & Information Service that refers members of the public to private attorneys. While our service does not employ attorneys or provide legal advice over the phone, we will provide you with the name of an attorney located within Hampden County who will handle your particular problem.

Intake Phone Number: (413) 732-4648

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https://www.eriebar.com/public/e-law?filter=business-law



Erie E-Law is a FREE service of the Erie County Bar Association designed to make basic legal information available to you with ease. You can gain access to E-Law either by reading the information found below or by contacting us to request a copy of the transcripts.



Page 1 of 1

Starting a Small Business

BUSINESS LAW

When starting a small business, there are numerous steps which must be taken and many factors which should be considered. One of the first steps in starting a business is to determine the form of entity which will operate the business. There are basically four types of business entities: the sole proprietorship, the partnership, the limited liability company and the corporation.

READ MORE

Forming a Partnership

BUSINESS LAW

When two or more persons decide to organize a business for profit, they must select the type of organization under which they will operate. One such organization is a general partnership. A general partnership is an association of two or more persons who carry on a business for profit as co-owners.

READ MORE

Patents, Copyrights, and Trademarks: When Do I Need One?

BUSINESS LAV

You need a patent when you have invented or discovered something new and useful for which people are willing to pay. A patent may be obtained for any new and useful process, machine, or article of manufacture; any new, original and ornamental design for an article of manufacture or a new asexually reproduced plant.

READ MORE

Forming a Limited Liability Company in Pennsylvania

BUSINESS LAW

The Limited Liability Company (LLC) is a relatively new entity type that is available to business owners and investors, as well as families seeking asset protection opportunities. LLCs are characterized by the limited liability protection granted to their members (owners), like a corporation, but with the option of "pass-through" taxation, like a partnership.

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Forming a Corporation

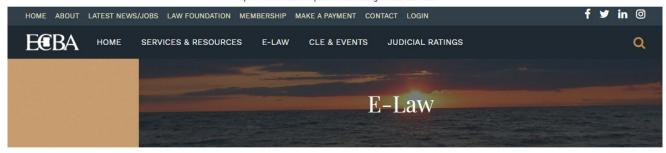
BUSINESS LAW

Forming a Pennsylvania corporation involves specifically following the Corporation Laws of Pennsylvania. Because a corporation is a separate legal entity created by statute, certain formalities must be followed. The first of these is a basic corporate document known as the Articles of Incorporation.

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Starting a Small Business

Posted on February 15th, 2019 at 11:48 AM

If you need to consult with an attorney or would like more information on starting a small business, please contact the <u>Erie County Bar Association's Lawyer Referral Service</u>.

You are thinking of starting a new business? There are many things to know and consider before you do. One of the first considerations is the form of entity you will use to operate your business. There are basically four types of business entities: (1) the sole proprietorship, (2) the partnership, (3) the limited liability company, and (4) the corporation. To add to the mix, there are several sub-categories of partnerships, limited liability companies, and corporations. The most notable thing about the sole proprietorship is its simplicity. A sole proprietor is simply an individual who owns and operates a business directly. This business may or may not have employees. Other messages in the E-Law Library discuss the characteristics of partnerships, corporations and Limited Liability Company. The limited liability company is a popular choice for new businesses. How do you decide between these types of entities? The answer depends on the type of business and various legal and tax factors.

Once you have decided on the form of entity, next you must determine a name your business. If you have decided on a sole proprietorship, you can use your own name. If you have decided on a partnership, you can use the names of the partners. If you have decided on a certain kind of partnership, a limited liability company, or a corporation, you can register that name when the entity is created. Additionally, you can use a "doing business as" name that is different from the names described above. This "d/b/a" name is called a "fictitious name" in the Pennsylvania Fictitious Name Statute. That law requires anyone carrying on a business under a fictitious name to register that name with the Pennsylvania Department of State.

Please note that the registration of a fictitious name does not give the owner exclusive right to use a word, name or symbol in connection with the sale of goods or services. To do this you must establish a prior use and/or register a trademark. You also may be limited from using your desired name by an earlier business registration or someone else's pre-existing trademark. Trademarks are discussed in a different E-Law message.

After you have decided the form of entity and the business name, you will create the entity and register any fictitious name or names you plan on using.

Next, you will need to establish proper relationships with the federal, state, and local taxing authorities. All corporations, partnerships and most limited liability companies are required to obtain an "employer identification number" or "EIN" from the Internal Revenue Service (this can also be referred to more generally as a "taxpayer identification number" or "TIN," which includes social security numbers and EINs). You may also need to register and obtain various tax numbers from the Pa. Department of Revenue. If you are operating as a sole proprietor, you will only need to obtain a separate EIN if you have employees or if you are required to file specialized federal tax returns, such as those relating to excise taxes, alcohol, tobacco, or firearms taxes. You can obtain an application for a EIN by contacting the IRS. Your attorney or accountant can also help you obtain an EIN.

If your business will be selling, leasing or licensing personal property or certain types of services, you are required to obtain a Sales and Use Tax License for your business by applying to the Pennsylvania Department of Revenue and then collect sales tax on your business's sales and pay those taxes to the Department of Revenue. Whether you will need to collect and pay sales tax or similar taxes for other states depends on many factors, and you should seek competent legal and tax advice if doing business in more than one state.

Any business owner who has employees is required to comply with numerous requirements for the withholding and payment of income and employment taxes. You should contact the IRS and the Pennsylvania Department of Revenue to obtain the forms and instructions for complying with these requirements. Whether you have to register your business or establish a relationship with other states' taxing authorities depends on your business's location as well as the location of your employees. You should also contact the Pennsylvania Department of Labor and Industry for information regarding state unemployment compensation taxes. Fortunately, almost all the information required by the Department of Labor and Industry and the Department of Revenue can be submitted on one form, the PA-100.

https://www.eriebar.com/public/services/lawyer-referral-service



Erie County Lawyer Referral & Information Service

Do you need an experienced, prescreened attorney in Erie County, Pennsylvania? The Erie County Bar Association can help with our Lawyer Referral Service.

Facing a legal problem can be a stressful and frightening experience. The ECBA Lawyer Referral and Information Service (LRIS) is dedicated to helping you find a qualified attorney to provide you with legal advice, guidance, counseling or representation in these and other areas of law:

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 Consumer Law
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 DUI
 Emancipation
 Family Law

<u>Guardianship</u> <u>Personal Injury</u> Professional Malpractice

Real Estate Social Security Taxation

<u>Unemployment Compensation</u> Wills, Estates, and Trusts <u>Workers' Compensation</u>

This video provides a quick overview of how the LRIS works:



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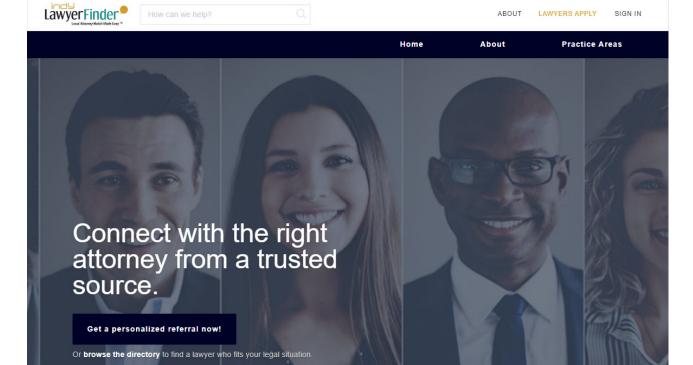
Submit your legal issue anytime using the form below - OR -

Call our Lawyer Referral Service at: 814-459-4411 Monday-Friday 8:30 a.m.-12:00 p.m. and 1:00-3:00 p.m.

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Read The Erie County Bar Association's Privacy Policy for our Lawyer Referral and Information Service





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A service of the Indianapolis Bar Association, Indy Lawyer Finder features lawyers who are prescreened and who adhere to a high standard of professionalism. Attorney referrals to lawyers participating in the service are offered at no charge to individuals seeking legal assistance.

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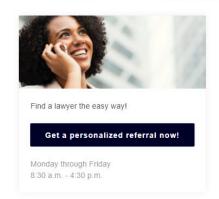
20,000+ Referrals. Since 1970, the IndyBar has provided referral services to the community.

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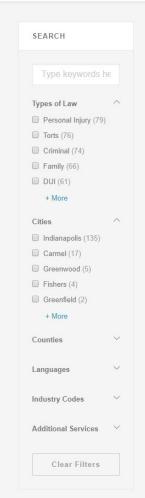
Indy Lawyer Finder can help you find an Indianapolis-area attorney for various legal needs, from family law (including divorce and custody), criminal law (including DUI and expungements), liability (including auto accidents, medical malpractice, negligence and personal injury), estate planning (wills and trusts), and real estate (including landlord/tenant issues and buying/selling property) to bankruptcy (including debt resolution, collections, Ch. 7 and Ch. 13), civil rights, immigration, school law, appeals and worker's compensation, small business law, employment law and business litigation, among others. Start your search now and find your next Indianapolis lawyer.

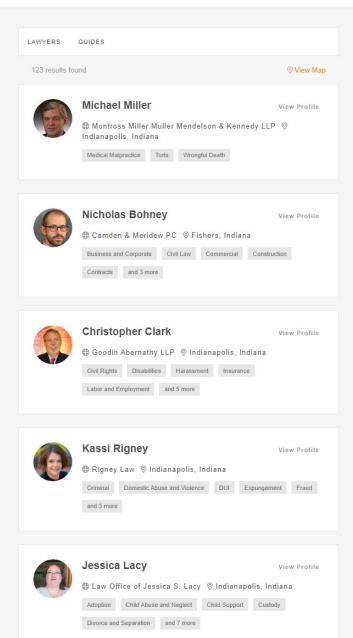


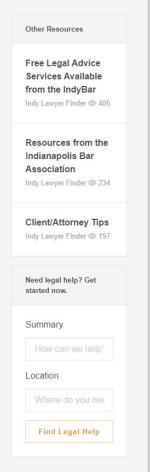
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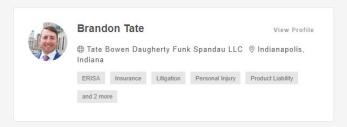


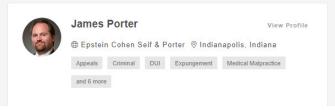






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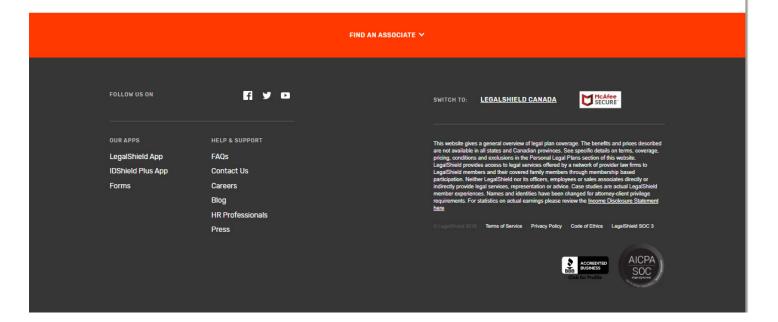




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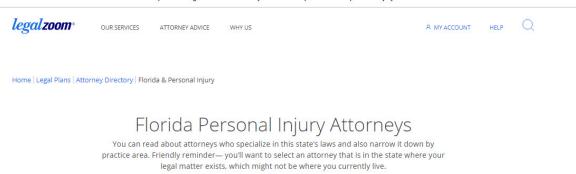
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Our Local Attorney Directory is an internal tool for Plan attorneys to refer people to attorneys in their state. It's the easiest way to refer our customers when they have a legal need that falls outside the scope of our plans.

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Practice Areas

Estate Planning, Family & Personal, Business, Intellectual Property*

About

Hi, I'm Brittney Bush. I strive to simplify the law for all clients, and provide advice that is clear and thorough.

My areas of practice include Business Law, Intellectual Property, Family Law, Dependency Law, Contract Laws, Marchman Act Law, and Estate Planning.

I have gained extensive experience litigating matters, conducting discovery, and other related tasks associated with trial and overall dissemination of a case.

I offer clients a distinguished work ethic, human compassion and legal aptitude. In my spare time, I enjoy live music concerts.

Why I Practice Law

I became an attorney because I earnestly love helping others. I am inheritantly altruistic and while the law does not always favor every person in every situation, the practice of law does permit me to navigate clients through their challenging, scary moments.

Fun Fact

I am an avid drummer, and have played for 20 years.

Professional background

Education

- Florida A & M University Law School J.D. in Law, 2012
- University of Florida B.S. in Business Administration, 2009

Experience

- Fears | Nachawati, PLLC Associate Attorney 2019-Current -
- Community Legal Services of Mid-Florida Helpline Attorney 2018-Present
- DSK Law Firm Legal Shield Provider Attorney 2016-2018
- Office of Criminal Conflict and Civil Regional Counsel Litigating Attorney 2014-2016
- Jane Carey Law Firm Family Law Attorney 2012-2013

Associations

- The Florida Bar Member 2012-Present
- * Also covering Intellectual Property matters for the following states: Alabama, Arkansas, Colorado, Florida,

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https://www.osbar.org/public/legalinfo/1171_LRS.htm



The Oregon State Bar's Lawyer Referral Service & Modest Means Program

Lawyers Law Index View All Legal Topic Index Documents

Lawyer Referral Service

The Lawyer Referral Service gives referrals to people who are looking for a lawyer. There are more than 500 lawyers in the service. There are lawyers all over the state. The Lawyer Referral Service can help you find the right lawyer based on things like:

- · The kind of legal help you need
- · The location where you live or work
- · If you need a lawyer who speaks a language besides English
- · If you need a lawyer outside of Oregon

The Lawyer Referral Service makes sure that all the lawyers it refers people to are in good standing with the bar and carry professional liability insurance. The service does not rate the lawyers.

If you see a lawyer through the Lawyer Referral Service, you will get a first meeting of up to 30 minutes and not pay more than \$35 for the first meeting. The Lawyer Referral Service does not know how much a lawyer may charge you after the first meeting.

The Lawyer Referral Service does not have the names of free lawyers, who are sometimes called "pro bono" lawyers. Read the information below about the Modest Means Program for information about lower legal charges.

If you are not sure whether you need a lawyer, you can still call the Lawyer Referral Service. Staff can help you identify the type of help you need, or give you more information about other programs that may be able to assist you. Those other programs may be the Oregon State Bar, government resources or community services.

To get referred to a lawyer:

- · Contact us online.
- Call us from 8 a.m. to 5 p.m., Monday through Friday, at (503) 684-3763 in Portland, or toll-free elsewhere in Oregon at (800) 452-7636.

Modest Means Program

The Modest Means Program provides lawyers to help people for less money than usual. You can qualify for help based on:

- · Your income and assets,
- The kind of legal help you need, and
- . The availability of participating lawyers.

If you qualify for the Modest Means Program, you will get a first meeting of up to 30 minutes and not pay more than \$35 for the first meeting. After the first meeting, the lawyer will charge you \$60, \$80 or \$100 per hour. The hourly amount you are charged depends on your income and assets.

You must apply to the Modest Means Program. You may mail, email or fax the application form. The program will contact you to let you know if you qualify. If you do qualify, the program will give you the lawyer's name and contact information.

You can download a Modest Means Program application online here

Updated December 2018



How Do You Start a Business in Oregon?

Business Law Index View All Legal Topic Index Documents

It is important to realize that changes may occur in this area of law. This information is not intended to be legal advice regarding your particular problem, and it is not intended to replace the work of an attorney.

You should ask yourself the following questions if you are thinking about starting a business in Oregon

- · Is there a need for the proposed business?
- · Are there a sufficient number of potential customers?
- · How will competitors or competition affect the business?
- · Do you have the requisite background, experience and education?
- · Do you have the temperament and dedication?
- · Have you selected a good location?
- . Do you have adequate financing for startup costs and sufficient working capital?

You also must decide whether or not your chances for success would be greater if you purchased an existing business, rather than starting a new business from scratch.

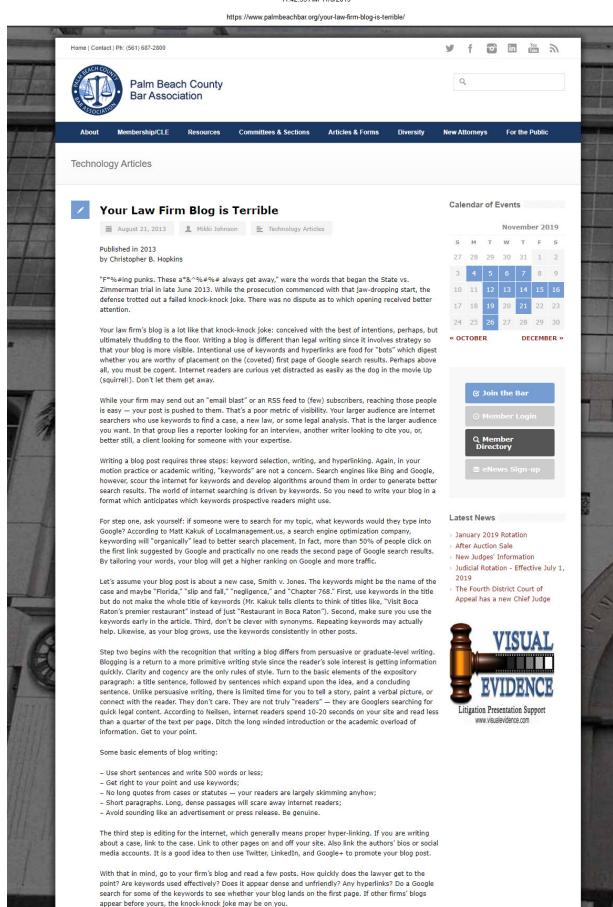
Financial Considerations

The financial aspects of starting a new business venture must be considered. You must develop a business plan that includes basic financial information about yourself and your business with at least the following:

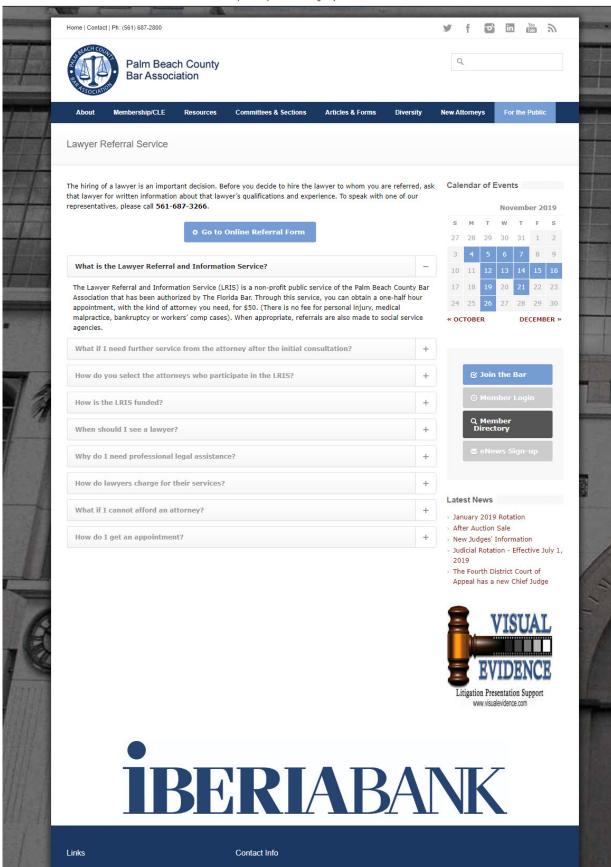
- A personal expense budget for one year;
- · Your current net worth;
- · How much cash you can invest in your business;
- · Estimated startup cost for your business;
- Estimate of first year business expenses;
- · Estimate of your total cash requirements;
- Estimate of how much you will need to borrow and your ability to borrow that amount;
- · Estimate of your break-even point; and
- A contingency plan if you need additional funds.

Unless you are independently wealthy, you will have to seek out borrowed capital. You may wish to borrow funds from friends or relatives where repayment may be more flexible. If not, you must be prepared to approach a commercial lender for the necessary funds. Most lenders are reluctant to lend funds for new business ventures unless there is a high proportion of invested capital on the part of the owner. Be prepared to make a detailed written presentation to a lender emphasizing your character, background and experience, and prospects for success. Collateral is also important to lenders, and you may need to offer your own assets as collateral — even assets not used in the business. Any lender will require a copy of your written business plan.

Lenders are particularly impressed with financial data presented in a complete and understandable form. Before your presentation to the lender, you should ask an accountant how to set up proper company books, prepare cash flow projections and assemble a beginning balance sheet. The accountant can offer constructive suggestions to minimize your income tax burden as the business becomes successful.



Christopher B. Hopkins is a shareholder at Akerman Senterfitt. Send your emails extolling how this article fails to follow its own instructions to Christopher.Hopkins@Akerman.com.



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Christopher Russo Russo Law, PA Lakeland, FL Licensed in: FL



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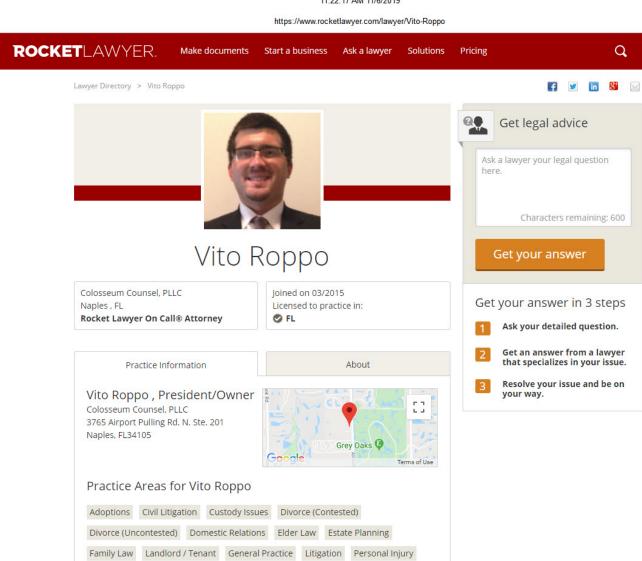
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To: James Kelleher (tmadmin@kilpatricktownsend.com)

Subject: U.S. Trademark Application Serial No. 87882281 - ASK JIM FIRST - 1075512

Sent: November 27, 2019 01:42:08 PM

Sent As: ecom115@uspto.gov

Attachments:

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued on **November 27**, **2019** for

U.S. Trademark Application Serial No. 87882281

Your trademark application has been reviewed by a trademark examining attorney. As part of that review, the assigned attorney has issued an official letter that you must respond to by the specified deadline or your application will be <u>abandoned</u>. Please follow the steps below.

- (1) Read the official letter.
- (2) Direct questions about the contents of the Office action to the assigned attorney below.

/Pauline Ha/ Examining Attorney Law Office 115 (571) 272-5005 pauline.ha@uspto.gov

Direct questions about navigating USPTO electronic forms, the USPTO website, the application process, the status of your application, and/or whether there are outstanding deadlines or documents related to your file to the <u>Trademark Assistance Center</u> (TAC).

(3) Respond within 6 months (or earlier, if required in the Office action) from November 27, 2019, using the Trademark Electronic Application System (TEAS). The response must be received by the USPTO before midnight Eastern Time of the last day of the response period. See the Office action for more information about how to respond

GENERAL GUIDANCE

- <u>Check the status</u> of your application periodically in the <u>Trademark Status & Document Retrieval (TSDR)</u> database to avoid missing critical deadlines.
- · <u>Update your correspondence email address</u>, if needed, to ensure you receive important USPTO notices about your application.
- Beware of misleading notices sent by private companies about your application. Private companies not associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices most of which require fees. All official USPTO correspondence will only be emailed from the domain "@uspto.gov."