

University of New Mexico

UNM Digital Repository

Long Term Ecological Research Network

Museums and Research Centers

9-6-1996

LTER Trademark and Patent Application

Long Term Ecological Research

Follow this and additional works at: https://digitalrepository.unm.edu/lter_reports



Part of the [Ecology and Evolutionary Biology Commons](#)

Recommended Citation

Long Term Ecological Research. "LTER Trademark and Patent Application." (1996).
https://digitalrepository.unm.edu/lter_reports/164

This Other is brought to you for free and open access by the Museums and Research Centers at UNM Digital Repository. It has been accepted for inclusion in Long Term Ecological Research Network by an authorized administrator of UNM Digital Repository. For more information, please contact disc@unm.edu.

7-1875

Richard Mertz

- another fee
\$1600 for two classes

Mertz will check w trademark council about whether to add class 9 (electronic publications)

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

SERIAL NO. 75/000337 **APPLICANT** U.S. Long-Term Ecological Research NetwoETC

MARK

ITER U.S. LONG-TERM ECOLOGICAL RESEARCH ETC

ADDRESS

U.S. Long-Term Ecological Research Ntwk
University of Washington
College of Forest Resources
Box 352100
Seattle, WA 98195-2100

ACTION NO.
02

MAILING DATE
11/19/96

REF. NO.

PAPER NO.

ADDRESS:

ASSISTANT COMMISSIONER
FOR TRADEMARKS
2900 Crystal Drive
Arlington, Virginia 22202-3513

If no fees are enclosed, the address should
include the words "Box 5."

Please provide in all correspondence:

1. Filing Date, serial number, mark and Applicant's name.
2. Mailing date of this Office action.
Examining Attorney's name and
Law Office number.
Your telephone number and ZIP code.

FORM PTO-1525 (5-90)

U.S. DEPT. OF COMM. PAT. & TM OFFICE

TRADEMARK LAW OFFICE 107

Serial Number: 75/000337

Mark: ITER U.S. LONG-TERM ECOLOGICAL RESEARCH & DESI

Please Place on Upper Right Corner

**of Response to Office Action ONLY **

LIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID ABANDONMENT.

For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.

RE: Serial Number 75/000337

This letter responds to the applicant's communication filed on September 6, 1996.

AMENDMENT TO THE IDENTIFICATION OF GOODS AND SERVICES

The applicant must clarify the amendment to the identification of goods by clarifying the wording, "instructional and teaching material in electronic form". TMEP section 804. The wording, "instructional and teaching material in electronic form" includes goods that are classified in International Class 9. The application herein includes only International Classes 16, 41, and 42.

The wording, "computer programming" must be amended to indicate that said services are performed for others. The applicant must also clarify the wording, "electronic documentation". "Document data transfer" is classified in International Class 40. The wording, "computerized data base management" is classified in International Class 35.

The applicant may adopt the following recitation of goods and services, if accurate:

“Electronic publications, namely series of non-fiction books, and printed instructional and teaching material featuring ecological research recorded on [INDICATE media, i.e., CD-ROM’s]”, Class 9;

“Printed material, namely, several series of non-fiction books in the field of ecological research; printed instructional and teaching material in the field of ecological research”, Class 16;

“Computerized data base management”, Class 35;

“Document data transfer and physical conversion services of scientific research material from one form of media to another”, Class 40;

“Educational services, namely, conducting classes, workshops, and seminars in the field of ecological research studies”, Class 41;

“Scientific research and computer programming for others, namely, scientific research and synthesis”, Class 42

If the applicant adopts the suggested amendment to the identification of goods and services, the applicant must amend the classification to International Classes 9, 16, 35, 40, 41 and 42. 37 C.F.R. Sections 2.33(a)(1)(vi) and 2.85; TMEP sections 805 and 1401.

The applicant must adopt the appropriate international classification for the specified [^]. The *International Classification of Goods and Services for the Purposes of the Registration of Marks*, developed by the World Intellectual Property Organization, classifies every product and service into one of forty-two classes. The Patent and Trademark Office uses this system to classify goods and services. 37 C.F.R. Section 6.1; TMEP section 1401.

The decision as to the proper classification of goods or services is a purely administrative matter which is within the sole discretion of the Patent and Trademark Office. *In re Tee-Pak, Inc.*, 164 USPQ 88 (TTAB 1969).

If the applicant prosecutes this application as a combined, or multiple-class, application, the applicant must comply with each of the following.

(1) The applicant must list the goods and services by international class with the classes listed in ascending numerical order. TMEP section 1113.01.

(2) The applicant must submit a filing fee for each international class of goods and services not covered by the fee already paid. Effective December 3, 1993, the filing fee is \$245.00 per class. 37 C.F.R. Sections 2.6(a)(1) and 2.86(b); TMEP sections 810.01 and 1113.01.

As stated in the previous Office action, please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. Section 2.71(b); TMEP section 804.09. Therefore, the applicant may not amend to include any goods or services that are not within the scope of the goods and services recited in the present identification.

STATE UNDER WHOSE LAWS THE APPLICANT ASSOCIATION EXISTS

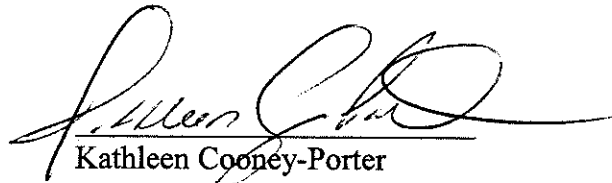
As stated in the previous Office action, the examining attorney inquired as to a clarification of applicant's entity of record. The applicant responded by stating that it is an unincorporated association. The applicant must further indicate the state under whose laws the organization exists, i.e., the state of Washington. If the association exists by virtue of a specific state or federal statute, such statute must be made of record. TMEP section 802.03(c).

RESPONSE

All remaining issues and informalities set forth in the previous Office action have been satisfied.

The requirements set forth above are hereby continued.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.



Kathleen Cooney-Porter
Trademark Examining Attorney
Law Office 107
(703) 308-9107 Ext. 121

Current status and status date information is available, via push button telephone, for all federal trademark registration and application records maintained in the automated Trademark Reporting and Monitoring (TRAM) system. The information may be accessed by calling (703) 305-8747 from 6:30 a.m. until midnight, Eastern Time, Monday through Friday, and entering a seven-digit registration number or eight-digit application number, followed by the "#" symbol, after the welcoming message and tone. Callers may request information for up to five registration number or application number records per call.