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Ed Timberlake

Board Certified Specialist in Trademark Law

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WE ARE FREEFOLK

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ORNETTE
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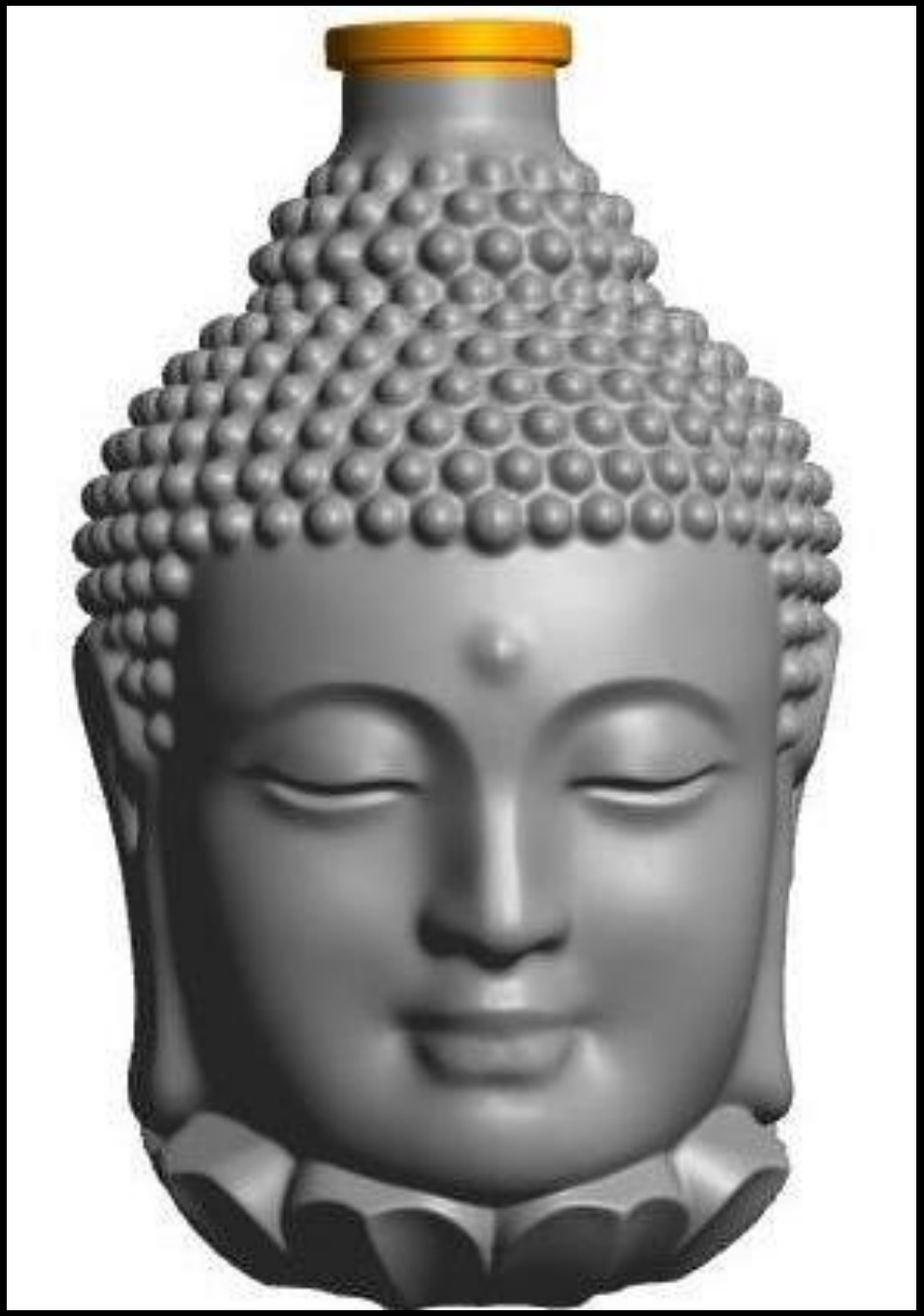
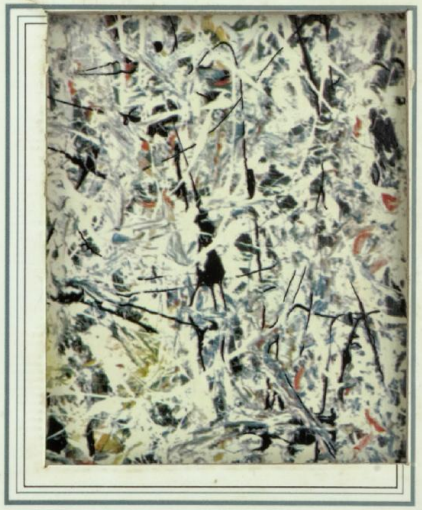


FREE JAZZ

A COLLECTIVE IMPROVISATION BY THE ORNETTE COLEMAN DOUBLE QUARTET



ATLANTIC 1364

FULL *dynamics-frequency* SPECTRUM

WWW.LONDONJAZZCOLLECTOR.WORDPRESS.COM

SIDE ONE

FREE JAZZ–Part 1
(By Ornette Coleman; MJQ Music, BMI. Time: 19:55)

SIDE TWO

FREE JAZZ–Part 2
(By Ornette Coleman; MJQ Music, BMI. Time: 16:28)

FREE JAZZ was recorded in one uninterrupted "take" of 36 minutes 23 seconds. This performance by Ornette Coleman's Double Quartet is heard exactly as it was performed in the studio, without any splicing or editing. Side One ends with a quick fade-out, and the music resumes with a minimum of interruption on Side Two.

* * * * *

PERSONNEL

Ornette Coleman, alto sax; Eric Dolphy, bass clarinet; Donald Cherry, pocket trumpet; Freddie Hubbard, trumpet; Scott LaFaro, bass; Charlie Haden, bass; Billy Higgins, drums; Ed Blackwell, drums.

On stereo, Ornette Coleman, Donald Cherry, Scott LaFaro & Billy Higgins are heard on the left channel, and Eric Dolphy, Freddie Hubbard, Charlie Haden & Ed Blackwell are heard on the right.

* * *

Recording engineer: Tom Dowd
Album design: Loring Eutemey
Supervision: Nesuhi Ertegun

* * * *

This is a high fidelity recording. For best results observe the R.I.A.A. high frequency roll-off characteristic with a 500 cycle crossover.

* * * * *

Eric Dolphy appears by arrangement with Prestige Records.
Freddie Hubbard appears by arrangement with Blue Note Records.

Ornette Coleman can also be heard on the following Atlantic LPs: This Is Our Music (1353); Change Of The Century (1327); The Shape Of Jazz To Come (1317).

■ This is an exceptional record—exceptional in so many ways that it is hard to know where to begin! It is a continuous free improvisation with only a few, brief pre-set sections. It was done in one "take" at a single recording session. No one knew how long it would last; two tape machines were simply kept going and when *Free Jazz* was over, it had taken over 38 minutes—the length of an LP. There was nothing more to play, there were no re-takes, no splices.

Also, there is the unique instrumentation and personnel of the double quartet—two reeds, two trumpets, two basses, two drummers. There is the form of the piece. The fact that Ornette Coleman's style is also exceptional is well enough known to need no comment, but surely it has never been realized as it is here. Nor tested as it is here, for I don't suppose any jazz performance ever took bigger chances. Not only is the improvisation almost total, it is frequently collective, involving all eight men inventing at once. And there were no preconceptions as to themes, chord patterns or chorus lengths. The guide for each soloist was a brief ensemble part which introduces him and which gave him an area of musical pitch. Otherwise he had only feelings and imagination—his own and those of his accompanists—to guide him. Ornette Coleman put it, "*We were expressing our minds and emotions as much as could be captured by electronics.*"

Coleman has said that one of the basic ideas in his music is to encourage the improvisor to be freer, and not obey a pre-conceived chord-pattern according to set ideas of "proper" harmony and tonality: "*Let's try to play the music and not the background.*" However, his point is basically emotional and aesthetic, not technical. The music should be a direct and immediate "*expressing our minds and our emotions rather than being a background for emotion.*"

Comparisons to contemporary non-objective painting, and certainly to contemporary Western music, surely spring to mind. So do comparisons to several analagous, time-honored practices in Eastern musics which are improvised according to the relative pitches and rhythms of the players, arrived at as they begin to play.

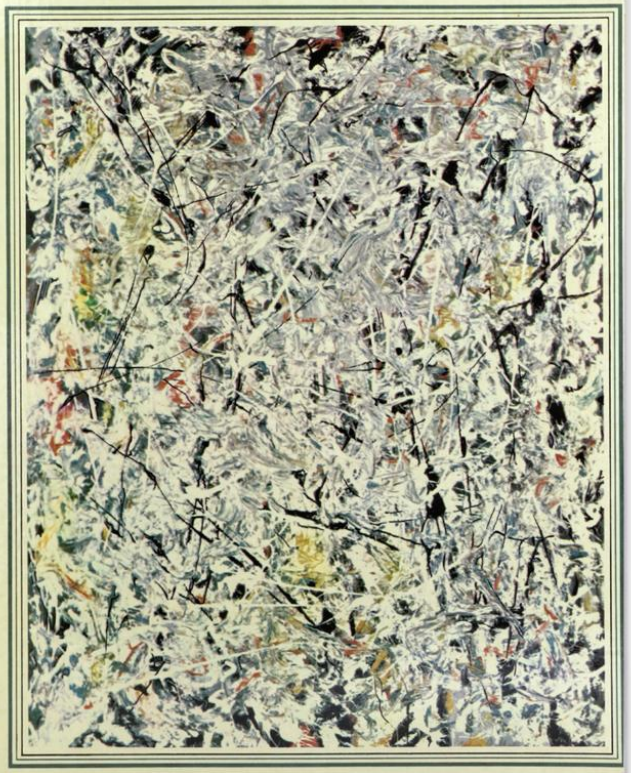
Often the "solo" here is (as in much New Orleans jazz) an exchange of the lead players. "*The most important thing,*" says Coleman, "*was for us to play together, all at the same time, without getting in each other's way, and also to have enough room for each player to* ad lib *alone—and to follow this idea for the duration of the album. When the soloist played something that suggested a musical idea or direction to me, I played that behind him in my style. He continued his own way in his solo, of course.*" A kind of polyphonic accompaniment based on pitch, melodic direction, an emotional complement, then.

There was little preparation for this session, except that the men had played together a couple of times. Coleman and Cherry are well used to such spontaneous, free improvising, of course, and drummers Billy Higgins, Ed Blackwell, and bassist Charlie Haden to playing with them. Scott LaFaro has played with the Coleman quartet too, but he has, he says, a deep and unshakable respect for harmony. Freddy Hubbard had played with Eric Dolphy, but Coleman heard him jamming with Don Cherry. You will hear that Hubbard's playing here sounds more conservative than the others. So does LaFaro's. I do not mean a negative criticism, and it is not that these men are any less willing to participate in total improvising. I think their ears hear harmonically almost automatically and they may use not only the pitches of the brief ensemble introduction but immediately use their harmonics. It is a fascinating and effective contrast to some of the other soloists' sections.

Eric Dolphy's playing lies somewhere between. (Incidentally, he chose bass clarinet himself for this record from among the many reeds he plays.) He has said that he thinks of everything he does as tonal and harmonic, and he has a superb and sophisticated ear. Ordinarily he will use the harmonic framework of a piece and its choruses, but very freely, I think. Here he plays with still greater freedom, and with further development of his effort, "*to get the instrument to more or less speak.*" (For example, something Hubbard plays at one point in his solo sets Dolphy's horn to sympathetic laughter behind him.)

Free Jazz is not a theme-and-variations piece in the usual sense. The written parts are brief introductions to each soloist, designed to introduce him and propel him musically. The soloists don't make "variations"; their improvisation is the music itself—the "theme" is whatever they invent,

(continued on back cover)



WHITE LIGHT *by* **JACKSON POLLOCK**

(Mr. Sidney Janis, owner of the Sidney Janis Gallery of New York, graciously consented to give Atlantic Records special permission to reproduce this Jackson Pollock painting from his private collection.)

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Ornette Coleman / The Art of The Improvisers

Cover Painting: Ornette Coleman

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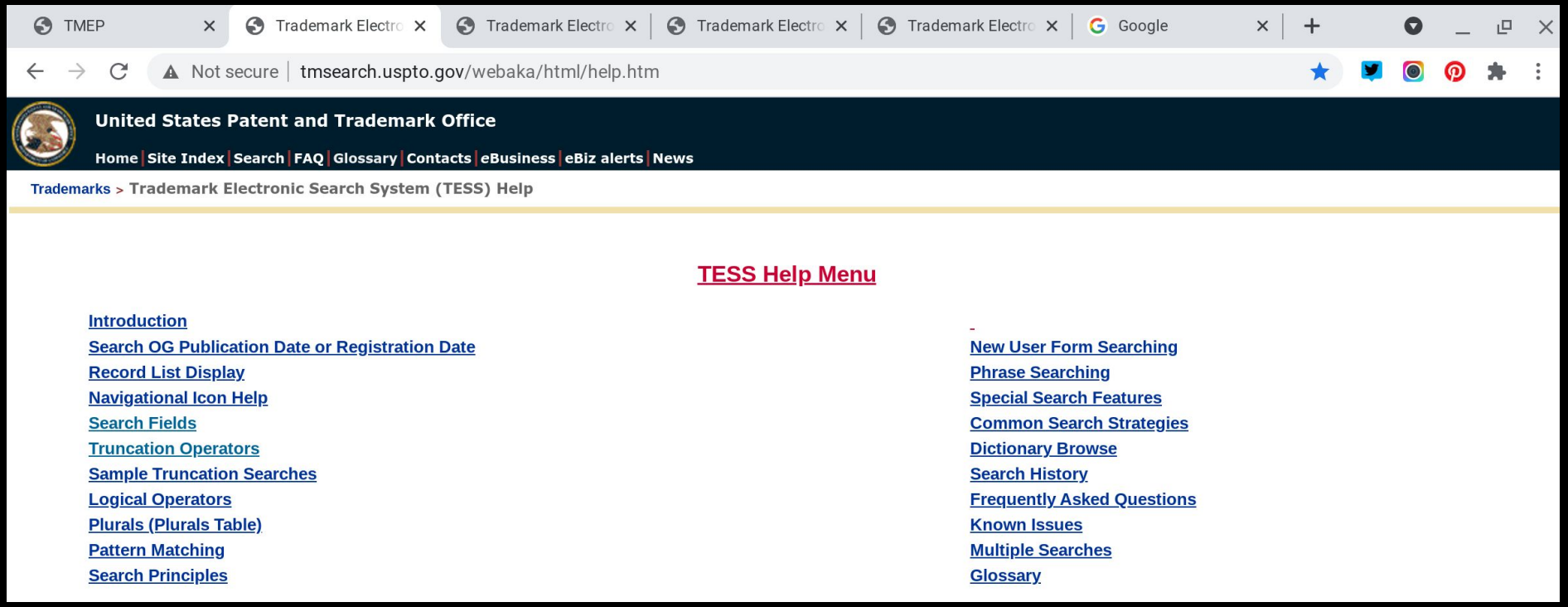
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Introduction

The **Trademark Electronic Search System** (TESS) supports the trademark application process by providing for searching the existing trademark application and registration information via an Internet browser. TESS provides access to the same text and image database of trademarks as currently provided to examining attorneys at the US Patent and Trademark Office via the X-Search system.

The date of the last update to TESS is prominently displayed on the search screens. Updates are performed prior to the start of business for the date indicated. Updates are scheduled daily on Mondays through Saturdays. Marks registered and published in the ***Official Gazette -- Trademarks*** preceding the date of the last update should be available in this search database. Consult our **News** for the latest complete filing date available on TESS. Trademark records with a ***Mark Drawing Code*** of 2, 3, 4, or 5 should include an image of the trademark.

TRUST NO ONE

Precedent

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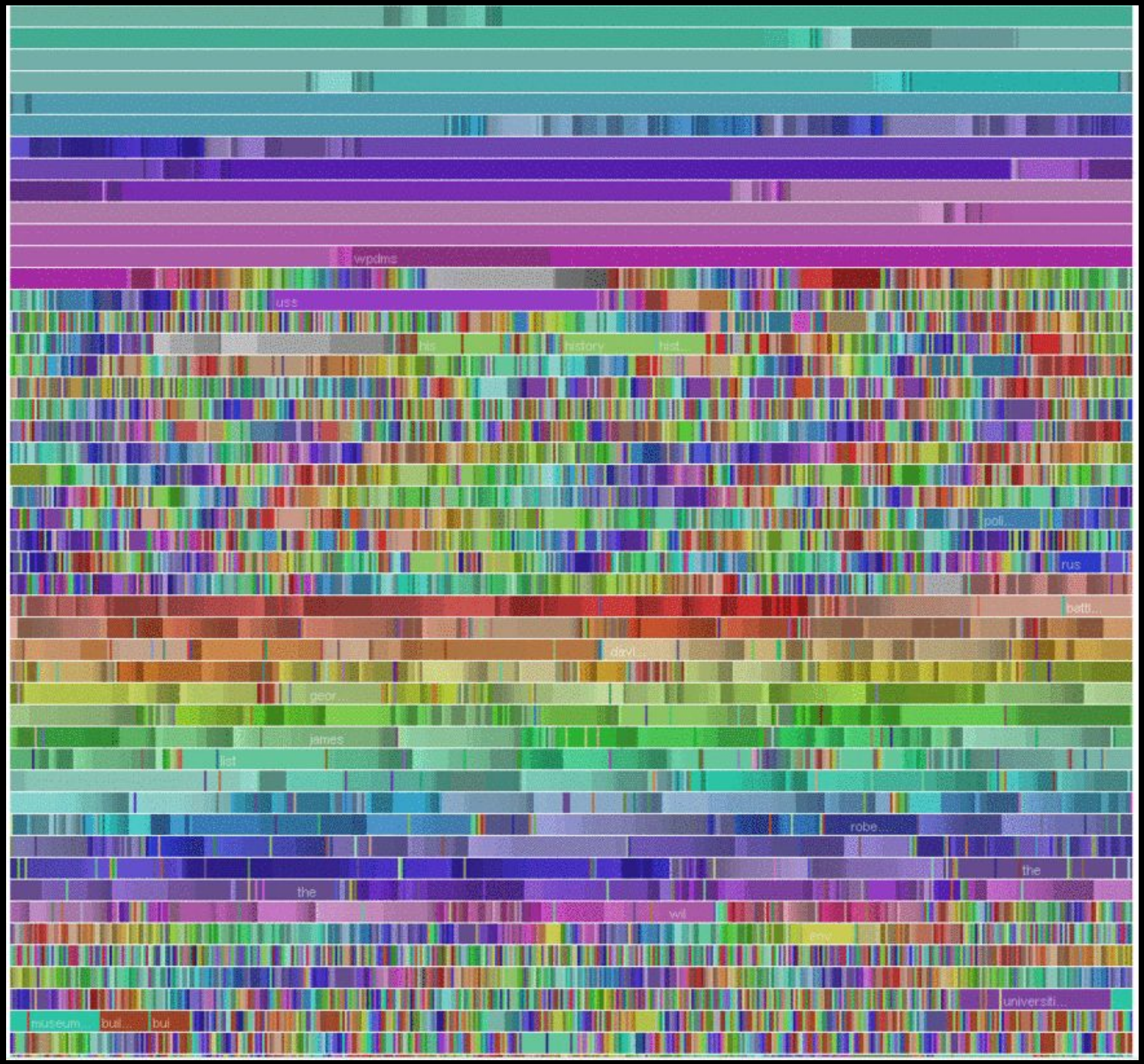
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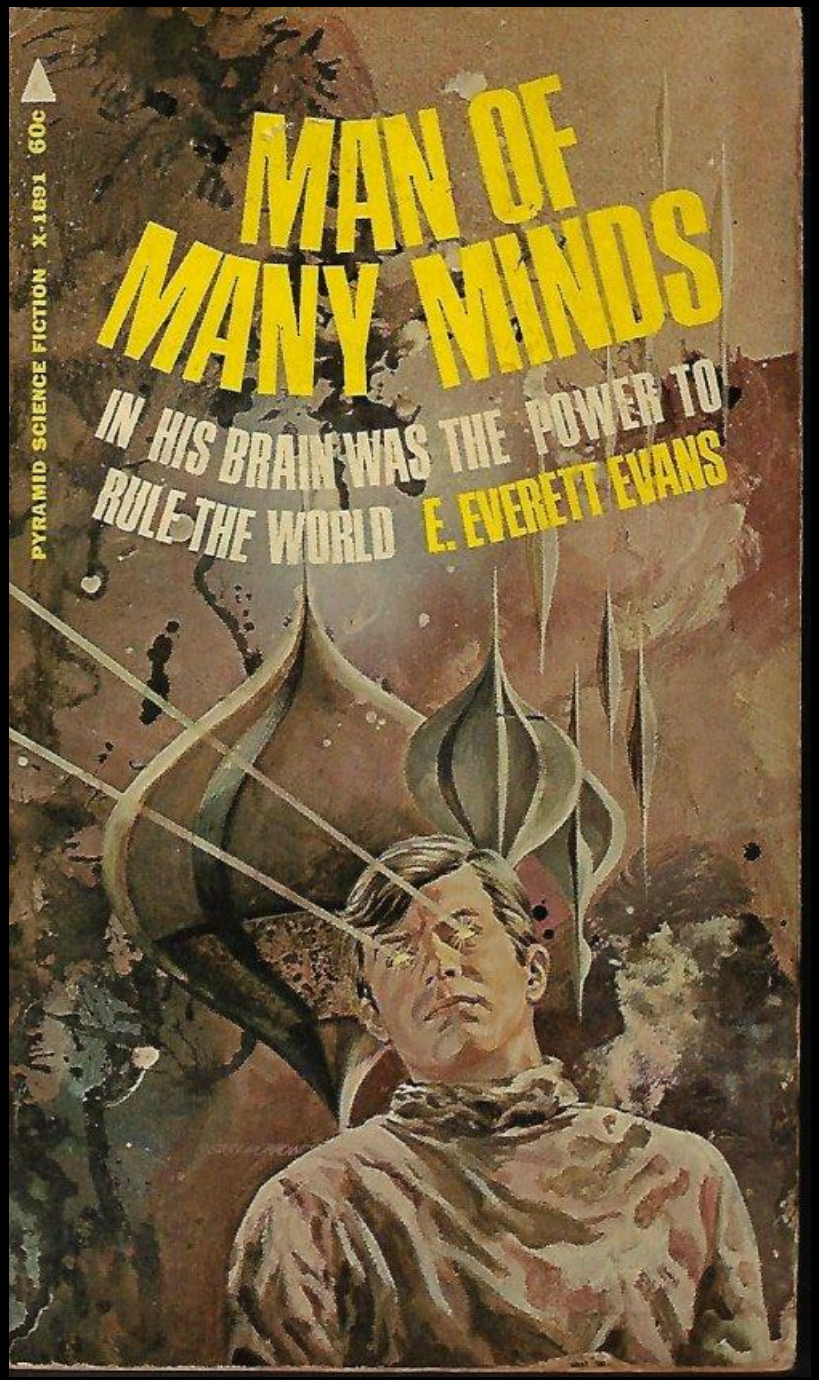
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IN HIS BRAIN WAS THE POWER TO RULE THE WORLD
E. EVERETT EVANS

THE BEATLES

SEVEN NEW SONGS

also starring

LEO McKERN

ELEANOR BRON

VICTOR SPINETTI

ROY KINNEAR

HELP!

EASTMAN COLOUR

UNITED ARTISTS

A WALTER SHENSON SUBAFILMS Production

produced by WALTER SHENSON screenplay by MARC BEHM & CHARLES WOOD story by MARC BEHM directed by RICHARD LESTER

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TRADEMARK MANUAL OF EXAMINING PROCEDURE (TMEP)

UNITED STATES PATENT AND TRADEMARK OFFICE

October 2018

Foreword

The *Trademark Manual of Examining Procedure* (TMEP) may be downloaded free of charge from the United States Patent and Trademark Office (USPTO) website at **http://www.uspto.gov/trademark/guides-and-manuals/tmep-archives**.

The Manual is published to provide trademark examining attorneys in the USPTO, trademark applicants, and attorneys and representatives for trademark applicants with a reference work on the practices and procedures relative to prosecution of applications to register marks in the USPTO. The Manual contains guidelines for Examining Attorneys and materials in the nature of information and interpretation, and outlines the procedures which Examining Attorneys are required or authorized to follow in the examination of trademark applications.

Trademark Examining Attorneys will be governed by the applicable statutes, the Trademark Rules of Practice, decisions, and Orders and Notices issued by the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, Commissioners, or Deputy Commissioners. Policies stated in this revision supersede any previous policies stated in prior editions, examination guides, or any other statement of Office policy, to the extent that there is any conflict.

Suggestions for improving the form and content of the Manual are always welcome. They should be e-mailed to **tmtmep@uspto.gov**, or addressed to:

Commissioner for Trademarks

Attention: Editor, Trademark Manual of Examining Procedure

P.O. Box 1451

818 Application Checklist

This section may be used to determine whether materials submitted as a trademark or service mark application are complete, and to ensure that appropriate requirements and refusals are made. See 37 C.F.R. §2.21 and TMEP §202 regarding the elements that must be received before the USPTO will grant a filing date to an application.

An application for trademark or service mark registration must include the following:

(1) a clear drawing of the mark (37 C.F.R. §§2.21(a)(3), 2.51–2.54; TMEP §§202.01, 807–807.18);
(2) a verified statement signed by a person properly authorized to sign on behalf of the applicant (15 U.S.C. §1051(a)(3), (b)(3); 37 C.F.R. §2.33; TMEP §§804–804.05);
(3) a written application that includes the following:
(a) the date on which the application was signed (37 C.F.R. §2.32(a)(2); TMEP §804.03);
(b) the applicant's name, and DBA designation if appropriate (37 C.F.R. §2.32(a)(2); TMEP §§803.02–803.02(c));
(c) the applicant's legal entity (TMEP §§803.03–803.03(k));
(d) the country of which the applicant is a citizen, or the state or country of incorporation or organization of a juristic applicant (15 U.S.C. §1051(a)(2), (b)(2); 37 C.F.R. §2.32(a)(3)(i)-(ii); TMEP §803.04);
(e) if the applicant is a domestic partnership or domestic joint venture, the names and citizenship (or state or country of incorporation or organization) of the general partners or active members of the joint venture (37 C.F.R. §2.32(a)(3)(iii), (iv); TMEP §§803.03(b), 803.04);
(f) the applicant's domicile and post office address (15 U.S.C. §1051(a)(2), (b)(2); 37 C.F.R. §2.32(a)(4); TMEP §803.05);
(g) a statement that the applicant is using the mark in commerce in a §1(a) application, or has a bona fide intent to use the mark in commerce in an application under §1(b) or §44 (15 U.S.C. §1051(a)(3)(C), (b)(3)(B), 1126(d)(2), (e); 37 C.F.R. §2.33(b)(1), (b)(2));
(h) an identification of the goods/services (15 U.S.C. §1051(a)(2), (b)(2); 37 C.F.R. §2.32(a)(6); TMEP §§1402–1402.15);
(i) the class(es) of the goods/services, if known to the applicant (37 C.F.R. §2.32(a)(7); TMEP §§1401–1401.14);
(j) the dates when the mark was first used and first used in commerce with the goods/services in each class, in an application under §1(a) (15 U.S.C. §1051(a)(2); 37 C.F.R. §2.34(a)(1)(ii), (iii); TMEP §§903–903.08);
(k) if the applicant claims priority under §44(d), a claim of the benefit of the applicant's first-filed foreign application in a treaty country within the preceding six months, specifying the filing date, country, and serial number of such application (15 U.S.C. §1126(d); 37 C.F.R. §2.34(a)(4); TMEP §§1003–1003.08);
(l) a basis for filing (37 C.F.R. §§2.32(a)(5), 2.34; TMEP §§806–806.05);
(m) an averment by the person making the verification that he or she believes the applicant to be the owner of the mark sought to be registered in an application under §1(a), or to be entitled to use the mark in commerce in a §1(b) or §44 application (15 U.S.C. §1051(a)(3)(A), (b)(3)(A); 37 C.F.R. §2.33(b)(1),(b)(2); TMEP §804.02);
(n) an averment that the mark is in use in commerce in a §1(a) application (37 C.F.R. §§2.33(b)(1), 2.34(a)(1)(i); TMEP §901);
(o) an averment that, to the best of the signatory's knowledge and belief, no other person, firm, corporation, or association has the right to use such mark in commerce either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods of the other person, to cause confusion, or to cause mistake, or to deceive (15 U.S.C. §1051(a)(3)(D), (b)(3)(D); 37 C.F.R. §2.33(b)(1), (b)(2); TMEP §804.02);
(p) a description of the mark, if the mark is not in standard characters (37 C.F.R. §§2.37, 2.52(b)(5); TMEP §§808–808.03(g));
(q) if the mark includes color, a color claim naming the colors that are a feature of the mark, and a separate statement describing where the color(s) appear on the mark. (37 C.F.R. §2.52(b)(1); TMEP §§807.07(a)–807.07(a)(ii));
(r) a translation of non-English wording and transliteration of non-Latin characters in the mark, if any (TMEP §§809–809.03);
(s) a statement that identifies any living individual whose name or likeness the mark comprises and indicates that his or her consent is of record, or a statement that the name or portrait does not identify a living individual, if appropriate (15 U.S.C. §1052(c); TMEP §§813.01–813.01(c));
(t) a claim of the applicant's ownership of prior registrations of the same or similar marks, if any, if the owner(s) last listed in the USPTO's records for such prior registration(s) differs from the owner(s) listed in the application (37 C.F.R. §2.36; TMEP §812); and
(u) if the applicant seeks to register the mark in standard characters, a statement that "The mark consists of standard characters without claim to any particular font style, size, or color" (TMEP §807.03(a));
(4) a designation of a domestic representative is encouraged, if the applicant is not domiciled in the United States (15 U.S.C. §1051(e); 37 C.F.R. §2.24; TMEP §610);
(5) a filing fee for each class of goods/services (15 U.S.C. §1051(a)(1), (b)(1); 37 C.F.R. §2.6(a)(1); TMEP §§810–810.02);
(6) in a §44(e) application, a true copy, a photocopy, a certification, or a certified copy of the registration in the applicant's country of origin, and a translation of the foreign registration if it is not in English (15 U.S.C. §1126(e); 37 C.F.R. §2.34(a)(3)(ii); TMEP §§1004.01–1004.01(b)); and
(7) in a §1(a) application, one specimen for each class (15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a), 2.86(a)(3); TMEP §§904–904.07(b)).

See 15 U.S.C. §§1051(a)(3)(D) and 1052(d), 37 C.F.R. §2.99, and TMEP §1207.04(d)(i) regarding requirements for applications for concurrent use registration.

See 37 C.F.R. §2.44 and TMEP §§1303.01–1303.01(b)(ii) regarding the requirements for collective trademark and collective service mark applications; 37 C.F.R. §2.44 and TMEP §§1304.02–1304.02(d) regarding collective membership mark applications, and 37 C.F.R. §2.45 and TMEP §§1306.02–1306.02(d) regarding certification mark applications.

The following are substantive grounds for refusal. Registration may be refused on the ground that:

(1) The applicant is not the owner of the mark (15 U.S.C. §1051(a)(1); TMEP §1201);
(2) The subject matter for which registration is sought does not function as a mark (15 U.S.C. §§1051, 1052, 1053, 1127) because, for example, the proposed mark:
(a) is used solely as a trade name (TMEP §1202.01);
(b) is functional, i.e., consists of a utilitarian design feature of the goods or their packaging (15 U.S.C. §1052(e)(5); TMEP §§1202.02(a)–1202.02(a)(viii));
(c) is a nondistinctive configuration of the goods or their packaging (TMEP §§1202.02(b)–1202.02(b)(ii));
(d) is mere ornamentation (TMEP §§1202.03–1202.03(g));
(e) is the generic name for the goods or services (TMEP §§1209.01(c)–1209.01(c)(iii)); or
(f) is the title of a single creative work or the name of an author or performing artist (TMEP §§1202.08–1202.08(f), 1202.09–1202.09(b));
(3) The proposed mark comprises immoral or scandalous matter (15 U.S.C. §1052(a); TMEP §1203.01);
(4) The proposed mark is deceptive (15 U.S.C. §1052(a); TMEP §§1203.02–1203.02(g));
(5) The proposed mark comprises matter that may falsely suggest a connection with persons, institutions, beliefs, or national symbols (15 U.S.C. §1052(a); TMEP §§1203.03–1203.03(c)(iii));
(6) The proposed mark comprises the flag, coat of arms, or other insignia of the United States or any State, municipality, or foreign nation (15 U.S.C. §1052(b); TMEP §§1204–1204.05);
(7) The applicant's use of the mark is or would be unlawful because it is prohibited by statute (TMEP §§1205–1205.02);
(8) The proposed mark comprises a name, portrait, or signature identifying a particular living individual without the individual's written consent, or the name, portrait, or signature of a deceased president of the United States during his widow's life, without written consent of the widow (15 U.S.C. §1052(c); TMEP §§1206–1206.05);
(9) The proposed mark so resembles a previously registered mark as to be likely, when used with the applicant's goods and/or services, to cause confusion or mistake, or to deceive (15 U.S.C. §1052(d); TMEP §§1207–1207.04(g)(i));
(10) The proposed mark is merely descriptive or deceptively misdescriptive of the applicant's goods and/or services (15 U.S.C. §1052(e)(1); TMEP §§1209–1209.04);
(11) The proposed mark is primarily geographically descriptive of the applicant's goods and/or services (15 U.S.C. §1052(e)(2); TMEP §1210.01(a));
(12) The proposed mark is primarily geographically deceptively misdescriptive of the applicant's goods and/or services (15 U.S.C. §1052(e)(3); TMEP §1210.01(b));
(13) The proposed mark is primarily merely a surname (15 U.S.C. §1052(e)(4); TMEP §§1211–1211.02(b)(vii)); or
(14) The proposed mark merely identifies a character in a creative work (TMEP §1202.10).

An applicant may submit a claim and proof of distinctiveness of the mark or a portion of the mark, under §2(f). *See* 15 U.S.C. §1052(f); TMEP §§1212–1212.10.

A mark that is capable of distinguishing the applicant's goods or services may be registrable on the Supplemental Register, in an application under §1 or §44 of the Trademark Act. *See* 15 U.S.C. §§1091–1096; TMEP §§815–815.04.

The examining attorney will require a disclaimer of an unregistrable component of an otherwise registrable mark. *See* 15 U.S.C. §1056; TMEP §§1213–1213.11.

USPTO Design Search Code Manual

ADDITIONAL DESIGN SEARCH CODES AVAILABLE NOW

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TABLE OF CATEGORIES

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GENERAL GUIDELINES

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KEYWORD SEARCH

APPENDIX - 2007 DESIGN CODE UPDATES

ALPHABETICAL INDEX

TABLE OF CATEGORIES

01 **Celestial bodies, natural phenomena, geographical maps**
This category includes objects that appear in the sky, including clouds, stars, moons, sun, planets and constellation. Additionally, designs associated with weather conditions such as rainbows, lightning, and snowflakes are found here. Maps of countries and continents are also in 01.

02 **Human beings**
This category includes representations of men, women and children regardless of the activity they are engaged in or how they are dressed. Stylized humans, those in caricature form, stick figures and parts of the human body are also in this category.

03 **Animals**
This category includes most animals, except mythological animals. Animals found here include mammals, birds, kiwi, kiwi bird, fish, reptiles and insects. Prehistoric animals, stylized animals and animals with human attributes are also coded in category 03.

04 **Supernatural beings, mythological or legendary beings, fantastical beings or unidentifiable beings**
This category includes beings such as devils, angels, leprechauns, witches, and super heroes. Designs that are part human and part animal and mythological animals such as unicorns and Pegasus are in this category. Plants, objects or geometrical figures that represent humans or animals are also in category 04.

05 **Plants**
This category includes almost every type of plant such as flowers, trees, leaves, vegetables, and fruits. Also, decorations made from plants are in this category.

06 **Scenery**
This category includes mountains, lakes, waterfalls, beaches, forests and islands. Also, desert scenery and urban scenery such as skylines and street scenes fall within category 06.

07 **Dwellings, buildings, monuments, stadiums, fountains, structural works and building materials**
This category includes almost any structure that is built by man. All dwellings from igloos to skyscrapers are in 07. Interior and exterior portions of buildings along with building materials such as bricks, wood and cinderblocks are in this category.

08 **Foodstuff**
This category includes goods that are edible such as meat, dairy products, sandwiches, and baked goods. It does not include fruits and vegetables.

09 **Textiles, clothing, headwear, footwear and sewing accessories**
This category includes all types of clothing items and textile goods such as towels, curtains, sheets and carpeting. Also sewing products such as zippers, patterns, and sewing machines can be found in 09.

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Trademark ID Manual

TRADEMARK NEXT GEN

ID Master List

Search

Quick Tips - Getting Started with ID Manual

1 Search

Enter your search terms in the search box, and press the "Search" icon.

Need more search options? Use the Advanced Search feature to see all the filters you can apply.

2 View Results

The results of your search will be displayed in a table of Trademark ID Manual information.

3 Sort on Columns

Click on the table column headers to sort your results.

Want to Show or Hide columns? Use the "..." button in the upper-right side of the results table.

Resources

Searching the ID Manual
Helpful tips and information about searching through the ID Manual system.

Guidance for Users
Information regarding ID Manual features, classification and identification practice, and tips relating to specific goods and services.

Watch Our Filing Basis Video
Need more information on how use in commerce and intent to use are different? This video explains it all.

See the Goods & Services Video
Need more information on how to identify your goods or services? This informative video provides answers.

Nice Classification

The Nice Classification (NCL), established by the Nice Agreement (1957), is an international classification of goods and services applied for the registration of marks. A new edition is published every five years and, since 2013, a new version of each edition is published annually. Find out more about the NCL.

Access the Nice Classification

Supporting resources

- NCLRMS
- E-Forum
- WIPO recommendations
- Frequently asked questions

TMOG

The MAN from PLANET X
Presented by SHERRILL CORWIN
starring ROBERT CLARKE • MARGARET FIELD
WILLIAM SCHALLERT and the Strange Man from Planet X!
Directed by Edgar G. Ulmer. Written and Produced by Aubrey Wisberg and Jack Pollexfen.
Released thru United Artists
The Deadliest Enemy the World has ever Known!

X-Search
summaries -

let examiners do (some of)
the work for you

☐	Mar. 21, 2018	Offc Action Outgoing	MULTI
☐	Mar. 21, 2018	XSearch Search Summary	XML
☐	Mar. 06, 2018	Filing Receipt Trademark Application	XML
☐	Feb. 22, 2018	Application	MULTI
☐	Feb. 22, 2018	Drawing	JPEG

BEAUTY IS A RARE THING

ornette coleman the complete atlantic recordings

THE BEATLES

SEVEN NEW SONGS

also starring

LEO McKERN

ELEANOR BRON

VICTOR SPINETTI

ROY KINNEAR

HELP!

EASTMAN COLOUR

UNITED ARTISTS

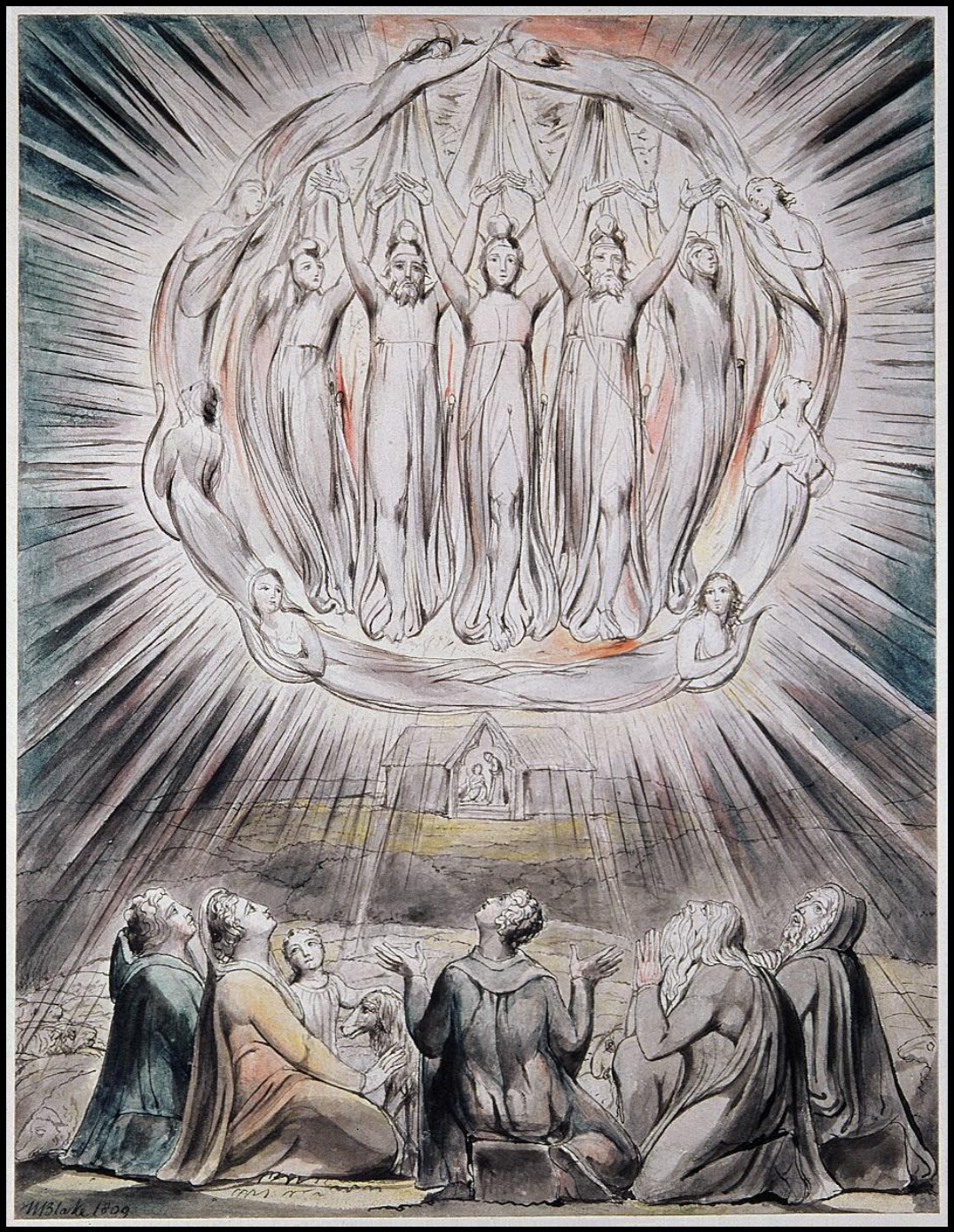
A WALTER SHENSON SUBAFILMS Production

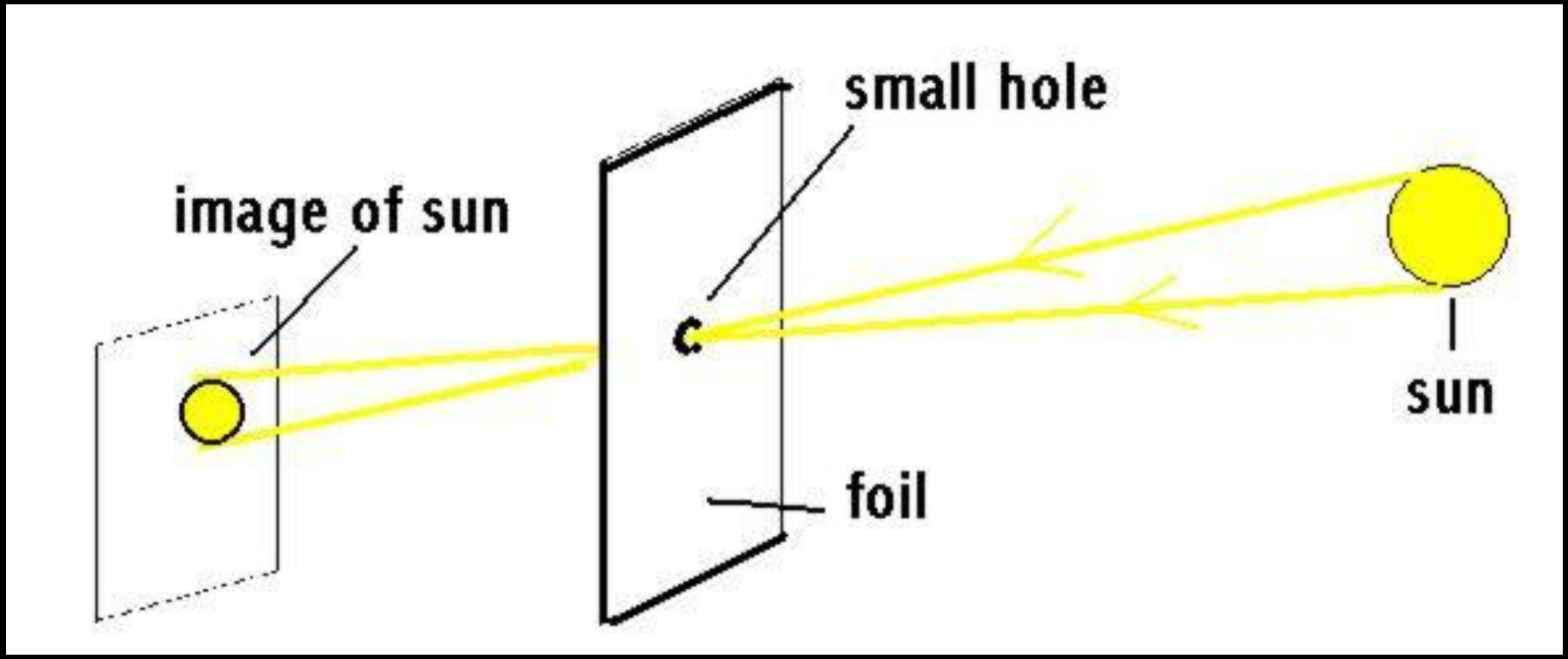
produced by WALTER SHENSON screenplay by MARC BEHM & CHARLES WOOD story by MARC BEHM directed by RICHARD LESTER

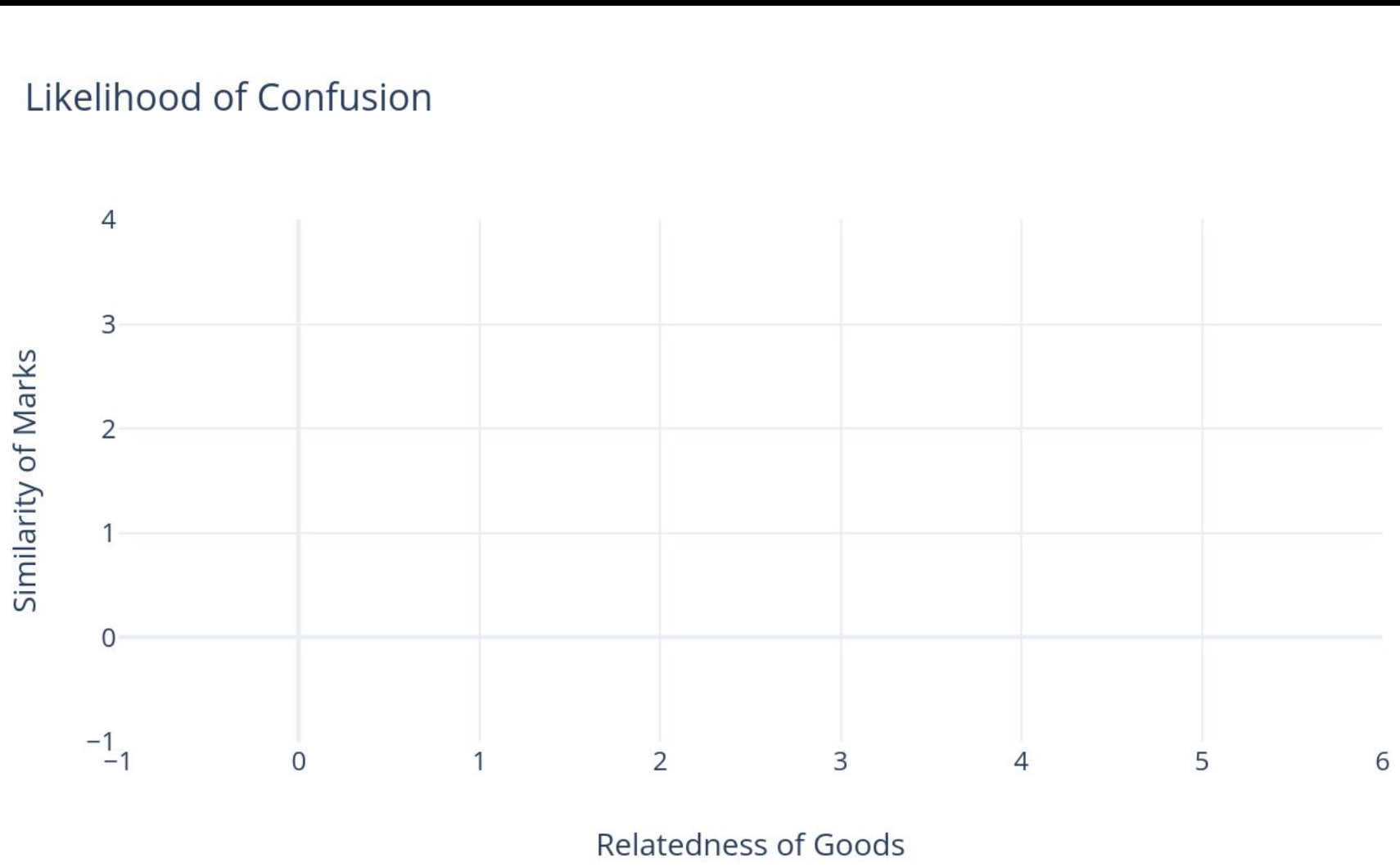
Distinctive marks* will be registered

*Some exceptions apply

distinctiveness


W Blake 1809


small hole
image of sun
c
sun
foil


Likelihood of Confusion
Similarity of Marks
4
3
2
1
0
−1
−1
0
1
2
3
4
5
6
Relatedness of Goods

Similarity of Marks	Relatedness of Goods
Sound	Used together
Appearance	3rd party registrations
Meaning	Natural scope of expansion

penumbras

Similarity of Marks		Relatedness of Goods	
Sound	* $? {“ “} { }	Used together	cc
Appearance	md de dc	3rd party registrations	ic cc ow
Meaning	ti	Natural scope of expansion	cc

Truncation	
*	zero or more continuous characters Limited to: [BI [MI] [PI] [TI]
$	zero or more continuous characters
?	single non-blank character

Truncation Operators

Operator	Meaning and Use
$	Matches zero or more continuous characters. The $ truncation operator can be used in any search field to represent 0, 1, or more than one character other than a blank space character. It is recommend that $ not be used to designate left and/or right truncation when searching the Basic Index.
$*n*	Matches between zero and *n* continuous characters. By including a numeric value following the $ truncation operator, the $ operator is limited to at most *n* characters.
?	Matches a single non-blank character.
*	The asterisk (*) is a special truncation operator for the permuted Basic Index [BI], Mark Index [MI], Pseudo Mark Index [PI] and Translation Index [TI] search fields only. The * symbol matches zero or more continuous characters. The permuted BI, MI, PI and TI search fields have been especially constructed to allow for the use of the * truncation operator for very fast double truncation searches. For example, the search *DOG*[BI] retrieves all marks containing the three consecutive character DOG and should perform that search much more quickly than by using the standard TESS truncation search DOG[BI]. Note that the asterisk truncation operation is not appropriate for use as an internal truncation operator. For example, the search NUT*AL[BI] will not retrieve hits like nutritional from the BI or TI index. Use the $ or ? truncation operators for internal truncation searches (e.g., NUT$AL[BI]).

Pattern Matching

Additionally, TESS includes a CLASS concept for searches. You can use classes to specify which of all the searchable characters should or should not be included in your results. For your search, enclose the class operator within braces {}. For example, the class V represents the vowels A, E, I, O, U or Y. The search H{V}T[MN] will search the MN (Mark Non-Punctuated) index for all occurrences of HAT, HET, HIT, HOT, HUT, or HYT.

CLASS	CLASS CONTENTS
A	The *alphabet* characters A through Z.
C	The *consonants* (the letters B, C, D, F, G, H, J, K, L, M, N, P, Q, R, S, T, V, W, X, Y and Z).
D	The *decimal* digits 0 through 9.
E	The *even* digits 0, 2, 4, 6, or 8.
M	The *mixed* set of characters A through Z and digits 0 through 9.
O	The *odd* digits 1, 3, 5, 7, or 9. (Use the letter O, not the digit 0.)
V	The *vowels* A, E, I, O, U, or Y.

penumbras

Timberlake

timber lake

timberland

timbr

timberlake

The MAN from PLANET X
Presented by SHERRILL CORWIN
starring ROBERT CLARKE • MARGARET FIELD
WILLIAM SCHALLERT and the Strange Man from Planet X!
Directed by Edgar G. Ulmer. Written and Produced by Aubrey Wisberg and Jack Pollexfen.
Released thru United Artists
The Deadliest Enemy the World has ever Known!

*** User:lestrada ***

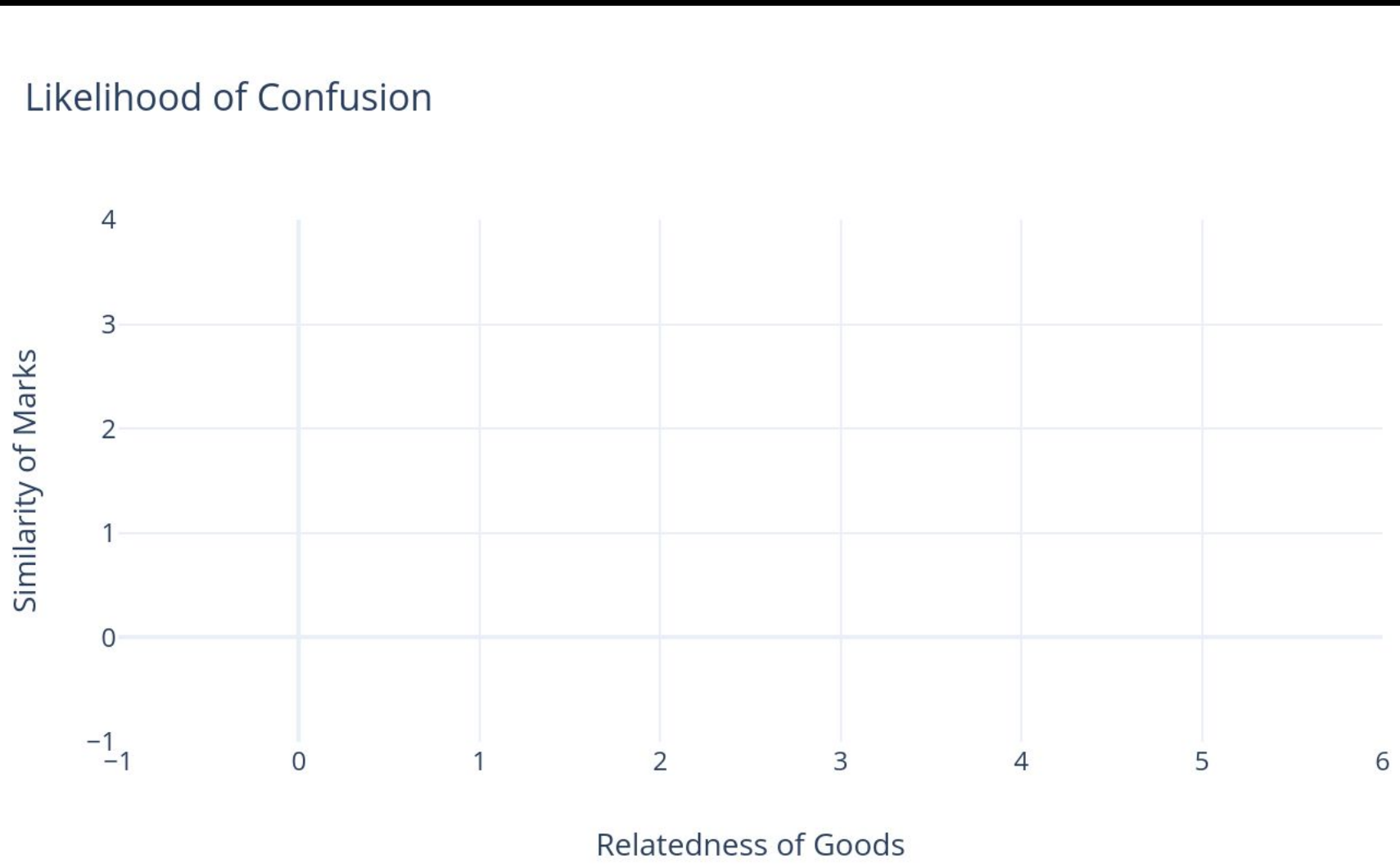
#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	85853509[SN]
02	13442	N/A	0	0	0:02	*ju{"szc"}t*[bi,ti]
03	1484	N/A	0	0	0:02	*t{'iye"}m{'vb"}{v}r*[bi,ti]
04	1484	N/A	0	0	0:02	*t{'iye"}m{'vb"}{v}r*[bi,ti]
05	9	2	7	7	0:01	2 and 3
06	46173	N/A	0	0	0:01	*la{"ckqx"}*[bi,ti]
07	64	30	34	29	0:01	3 and 6
08	0	0	0	0	0:01	*ju{"szc"}t4n*[bi,ti]
09	775	N/A	0	0	0:02	*ju{"szc"}t$n*[bi,ti]
10	307	0	307	277	0:01	9 not dead [ld]
11	1255422	N/A	0	0	0:02	"026"[cc]
12	223	N/A	0	0	0:01	3 and 11
13	100	0	100	84	0:02	12 not dead [ld]

*** User:lestrada ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	85853509[SN]
02	13442	N/A	0	0	0:02	*ju{"szc"}t*[bi,ti]
03	1484	N/A	0	0	0:02	*t{'iye"}m{'vb"}{v}r*[bi,ti]
04	1484	N/A	0	0	0:02	*t{'iye"}m{'vb"}{v}r*[bi,ti]
05	9	2	7	7	0:01	2 and 3
06	46173	N/A	0	0	0:01	*la{"ckqx"}*[bi,ti]
07	64	30	34	29	0:01	3 and
08	0	0	0	0	0:01	*ju{"szc"}t4n*[bi,ti]
09	775	N/A	0	0	0:02	*ju{"szc"}t$n*[bi,ti]
10	307	0	307	277	0:01	9 not dead [ld]
11	1255422	N/A	0	0	0:02	"026"[cc]
12	223	N/A	0	0	0:01	3 and 11
13	100	0	100	84	0:02	12 not dead [ld]

timberlake								
	t	i	m	b	e	r		
*	t	{'iye"}	m	{'vb"}	{v}	r	*	[bi,ti]

	l	a	k	e	
*	l	a	{"ckqx"}	*	[bi,ti]


Likelihood of Confusion
Similarity of Marks
4
3
2
1
0
−1
−1
0
1
2
3
4
5
6
Relatedness of Goods

International Trademark Class Numbers and Short Titles

GOODS

001 Chemicals	018 Leather Goods
002 Paints	019 Non-metallic Building Materials
003 Cosmetics and Cleaning Preparations	020 Furniture and Articles Not Otherwise Classified
004 Lubricants and Fuels	021 Housewares and Glass
005 Pharmaceuticals	022 Cordage and Fibers
006 Metal Goods	023 Yarns and Threads
007 Machinery	024 Fabrics
008 Hand Tools	025 Clothing
009 Electrical and Scientific Apparatus	026 Fancy Goods
010 Medical Apparatus	027 Floor Coverings
011 Environmental Control Apparatus	028 Toys and Sporting Goods
012 Vehicles	029 Meats and Processed Foods
013 Firearms	030 Staple Foods
014 Jewelry	031 Natural Agricultural Products
015 Musical Instruments	032 Light Beverages
016 Paper Goods and Printed Matter	033 Wines and Spirits
017 Rubber Goods	034 Smokers' Articles

SERVICES

035 Advertising and Business	041 Education and Entertainment
036 Insurance and Financial	042 Computer, Scientific and Legal
037 Construction and Repair	043 Hotels and Restaurants
038 Communication	044 Medical, Beauty and Agricultural
039 Transportation and Storage	045 Personal
040 Material Treatment	

Other

200 Collective Membership Mark

A Goods Certification Mark

B Services Certification Mark

penumbras

Coordinated Class [CC]

Search the **Coordinated Class** field to retrieve marks from International Classes related to a specific International Class. The search **"009"[CC]** will retrieve marks in coordinated class 009, i.e., marks related to International Class 009. Usually, this search field is used in conjunction with other search fields.

This field is not displayed; consequently, search terms for searches of this field will not be highlighted.

The Coordinated Class Table (revised April 2006) was designed to automatically include related International Classes in the search results when the primary International Class is searched. For example, a search for the International Class 007 utilizing the Coordinated Class index to designate that the search is for the Coordinated Classes associated with International Class 007 will include results containing any of the following International Class designations: 007, 008, 011, 012, 035, 037, 040, 042, A, B, 200.

Primary International Class	Related International Classes
001	005, 017, 035, 042, 044, A, B, 200
002	017, 019, 035, 037, 040, 042, A, B, 200
003	005, 021, 035, 042, 044, A, B, 200
004	001, 035, 037, 042, A, B, 200
005	001, 003, 010, 035, 042, 044, A, B, 200
006	011, 017, 019, 020, 035, 037, 040, 042, A, B, 200
007	008, 011, 012, 035, 037, 040, 042, A, B, 200
008	007, 021, 035, 037, 040, 042, 045, A, B, 200
009	010, 016, 028, 035, 038, 041, 042, 044, A, B, 200
010	005, 035, 042, 044, A, B, 200

*** User:lestrada ***

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12	223	N/A	0	0	0:01	3 and 11
13	100	0	100	84	0:02	12 not dead [ld]

IGUANA

☐	Mar. 21, 2018	Offc Action Outgoing	MULTI
☐	Mar. 21, 2018	XSearch Search Summary	XML
☐	Mar. 06, 2018	Filing Receipt Trademark Application	XML
☐	Feb. 22, 2018	Application	MULTI
☐	Feb. 22, 2018	Drawing	JPEG

USPTO TSDR Case Viewer

Case Id	Document Description	Mail/Create Date
79227517	26. XSearch Search Summary	Mar. 21, 2018

*** User:rmittler ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
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02	1715	N/A	0	0	0:03	*{"gj"}{"uw":2}{v:2}n*[bi,ti] not dead[ld]
03	895	N/A	0	0	0:02	2 and ("018" "025" "028")[cc]
04	346	N/A	0	0	0:10	*{v}{"gj":2}{"uw":2}{v:2}{"n":2}{v}*[bi,ti] not dead[ld]
05	281	0	281	274	0:01	4 not 1
06	1139	N/A	0	0	0:02	*g{"uw":2}{v:2}n*[bi,ti] not dead[ld]
07	601	N/A	0	0	0:01	6 and ("018" "025" "028")[cc]
08	540	0	47	45	0:01	7 not (1 5)
09	87	N/A	0	0	0:02	*iguan*[bi,ti] not dead[ld]
10	12	0	12	12	0:01	9 not (1 5)
11	103	N/A	0	0	0:02	*guana*[bi,ti] not dead[ld]
12	29	0	29	28	0:01	11 not (1 5 10)
13	10	1	9	9	0:01	"ms trademarks"[ow]

Session started 3/21/2018 4:53:02 PM
Session finished 3/21/2018 5:02:02 PM
Total search duration 0 minutes 29 seconds
Session duration 9 minutes 0 seconds
Defaut NEAR limit=1ADJ limit=1

iguana

iguan*

guan

gwan

*** User:rmittler ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	65	0	65	62	0:02	iguana[bi,ti] not dead[ld]
02	1715	N/A	0	0	0:03	*{"gj"}{"uw":2}{v:2}n*[bi,ti] not dead[ld]
03	895	N/A	0	0	0:02	2 and ("018" "025" "028")[cc]
04	346	N/A	0	0	0:10	*{v}{"gj":2}{"uw":2}{v:2}{"n":2}{v}*[bi,ti] not dead[ld]
05	281	0	281	274	0:01	4 not 1
06	1139	N/A	0	0	0:02	*g{"uw":2}{v:2}n*[bi,ti] not dead[ld]
07	601	N/A	0	0	0:01	6 and ("018" "025" "028")[cc]
08	540	0	47	45	0:01	7 not (1 5)
09	87	N/A	0	0	0:02	*iguan*[bi,ti] not dead[ld]
10	12	0	12	12	0:01	9 not (1 5)
11	103	N/A	0	0	0:02	*guana*[bi,ti] not dead[ld]
12	29	0	29	28	0:01	11 not (1 5 10)
13	10	1	9	9	0:01	"ms trademarks"[ow]

Kevin Casini
@KCEsq

San Marzanos, right? Wrong. Grown & packed in the USA. Designed to deceive? Can on the left says “San Merican” 🤨

Refine Search "simpson imports"[ow] and 3[md] not dead[ld] Submit

Current Search: S3: **"simpson imports"[ow] and 3[md] not dead[ld]** docs: 2 occ: 5

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	86624709	4929080	SMT SAN MERICAN TOMATO	TSDR	LIVE
2	76079508	2575335	SAN MARZANO	TSDR	LIVE

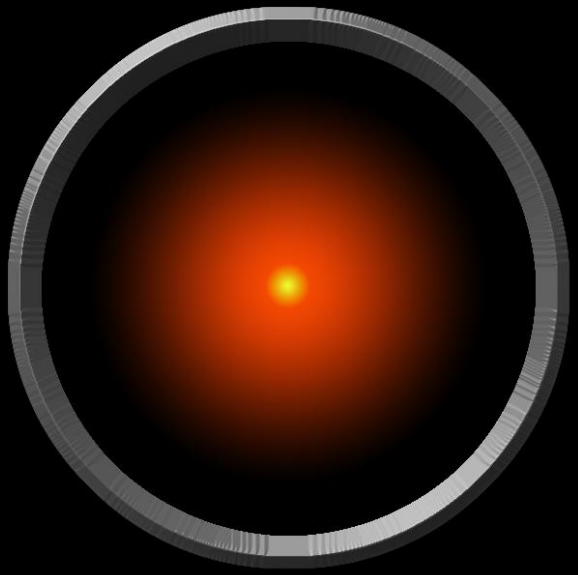
Improve your search strategies by:

-reading lots of poetry
-doing crossword puzzles
-listening to the sounds of words
-appreciating puns
-picking up on idioms
-generally paying attention to what words are doing
-visual arts

278

Look back
On time
With kindly
Eyes-
He doubtless
did his best-
How softly
sinks his ~~that~~
trembling Sun
In Human
Natures West-

I’m sorry Dave,
I’m afraid I can’t do that.



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Search Fields

This page contains definitions of search fields and tips on the use of fields in your TESS searches.

The TESS database contains many searchable fields. By narrowing your search to terms in a field that you specify, you can greatly decrease the likelihood of retrieving extraneous documents.

This page shows a list of all the available fields, defines each field, shows the abbreviated field name or code, and provides examples of how do field searching.

[AD] Abandonment Date
[AF] Affidavits
[AR] Assignment Recorded
[AT] Attorney of Record
[BI] Basic Index
[CB] Current Basis
[CC] Coordinated Class
[CD] Cancellation Date
[CR] Change in Registration
[DC] Design Search Code
[DD] Design Description
[DE] Description of Mark
[DM] Decimal Mark
[DS] Disclaimer
[FD] Filing Date
[FM] Full Mark
[GS] Goods and Services
[IC] International Class
[IR] International Registration
[LD] Live/Dead
[MD] Mark Drawing Code
[MI] Mark Index
[MN] Mark Non-Punctuated
[MP] Mark Punctuated [Word Mark]
[OB] Original Filing Basis
[OD] Other Data
[ON] Owner Name
[OW] Owner Name and Address
[PD] Priority Date
[PF] Physical Filing Date
[PI] Pseudo Mark Index
[PM] Pseudo Mark
[PO] Published for Opposition
[PR] Prior Registrations
[RD] Registration Date
[RE] Renewals
[RG] Register
[RN] Registration Number
[SF] Section 44 Indicator
[SD] Single Design Code
[SN] Serial Number
[SO] Serial - Other Formats
[SR] Date Amended to Current Register
[ST] Standard Characters Claimed
[TC] TSF Classification Code Index (limited to 8-28-07 through 1-31-11)
[TD] Total Designs
[TF] Distinctiveness Limitation Statement
[TI] Translation Index
[TL] Translation
[TM] Type of Mark
[UD] Update/Load Date
[US] US Class

Inclusion	Exclusion
	ld
bi	rg
ti	cc
ds	ic
dc	fm
md	ow

6[md]

6[md] not dead[ld]

6[md] not dead[ld] not supplemental[rg]

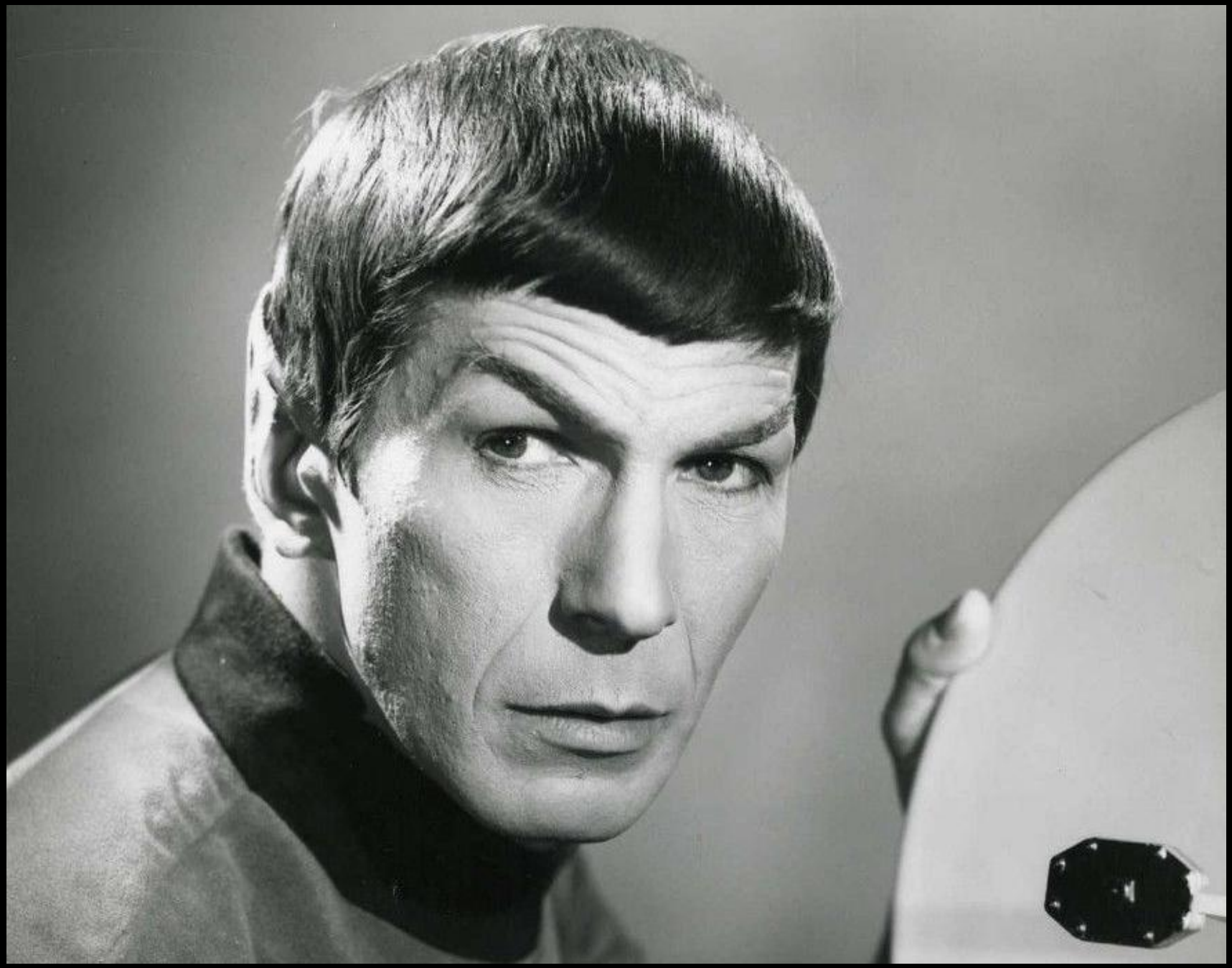
6[md] not dead[ld] not supplemental[rg] and `rn > "0"

正覺

Mark Information

Expand All

Mark Literal Elements:	None
Standard Character Claim:	No
Mark Drawing Type:	2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)
Description of Mark:	The mark consists of a design of a right human hand with the middle finger bent and slightly touching the thumb over a white cloud design with both the hand and the cloud outlined in black, above two Chinese characters appearing in black, with a background in dark purple.
Color Drawing:	Yes
Color(s) Claimed:	The color(s) black, dark purple, and white is/are claimed as a feature of the mark.
Transliteration:	The non-Latin characters in the mark transliterate to cheng and chueh and this means pure and awakening in English.
Design Search Code(s):	01.15.06 - Clouds; Fog; Advertising, skywriting 02.11.07 - Fingers; Arms; Human hands, fingers, arms; Hands 26.11.21 - Rectangles that are completely or partially shaded 28.01.03 - Japanese and Chinese characters; Japanese characters; Chinese characters



Logical Operators

The logical operators for TESS are described in the following table.

Operator	Meaning
AND	Boolean AND - Records retrieved will contain the each of the search terms specified. The order of occurrence of the search terms in the record is not restricted.
OR	Boolean OR - Records retrieved will contain at least one of the search terms specified.
NOT	Boolean NOT - Records retrieved will not include the search term following the NOT operator. NOT may be used with the SAME or WITH operators to retrieve documents that contain the first term but do not contain the second term in the same paragraph or sentence.

XOR	Exclusive OR - For two search terms, records will include either the first term or the second term, but not both.
SAME	The search terms occur in the same paragraph. This operator may be useful for searches of Goods and Services (i.e., searching for two or more terms within the same Goods and Services entry).
WITH	The search terms occur in the same sentence.
ADJ#	The search terms occur in the adjacent to each other in the order specified in the search. A numeric qualifier (1-99) can be appended to ADJ to allow additional words to be between the two search terms.
NEAR#	The search terms occur in the same sentence within the specified number of words of each other. For example, the search DOG NEAR2 CAT will retrieve records for which the words DOG and CAT appear in the same sentence with at most one word between them in any order.

Trade Dress Trademarks

md	2 6 0
de	configuration dimensional shape sound scent motion texture
ic	
ow	

Code	Description
0	UNKNOWN
1	TYPED DRAWING
2	DESIGN ONLY
3	DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
4	STANDARD CHARACTER MARK
5	WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED
6	FOR SITUATIONS FOR WHICH NO DRAWING IS POSSIBLE, SUCH AS SOUND

Trade Dress

Trademarks from the records of the U.S. (Patent &) Trademark Office

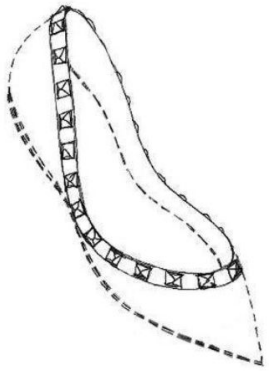
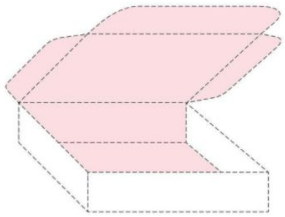
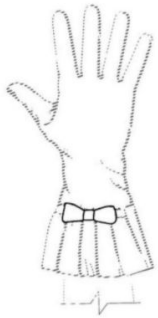
Collected by Ed Timberlake

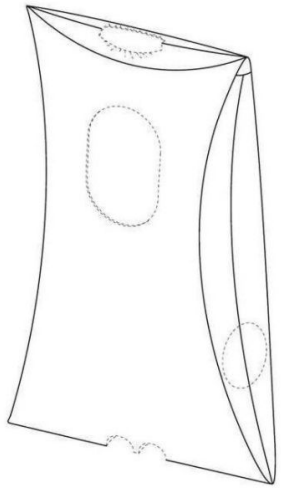
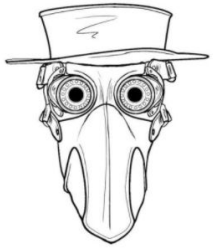
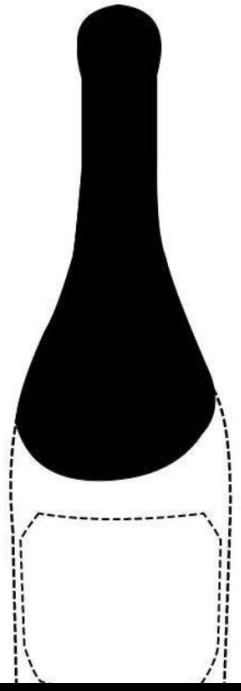
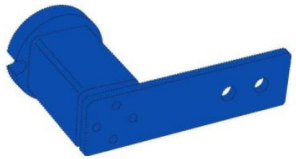
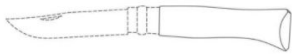
Trademarks Are Magic

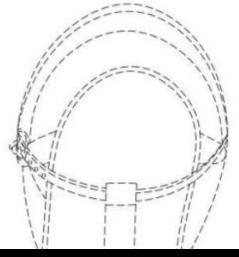
TMEP 1202.02

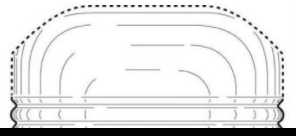
Twitter

Search





The MAN from PLANET X
Presented by SHERRILL CORWIN
starring ROBERT CLARKE • MARGARET FIELD
WILLIAM SCHALLERT and the Strange Man from Planet X!
Directed by Edgar G. Ulmer. Written and Produced by Aubrey Wisberg and Jack Pollexfen.
Released thru United Artists
The Deadliest Enemy the World has ever Known!

If you notice anything,
It leads you to notice
more
and more.

know your
limitations

[rg]

Register

not supplemental[rg]

Caveats

- not on Principal doesn't necessarily mean no common law rights

- registration on Supplemental doesn't = nothing

- on Supplemental doesn't necessarily mean never on Principal

[ld]

live/dead

live[ld]

not dead[ld]

Caveats

- more “not dead” than “live” records (so use “not dead[ld]” query)

- “dead” records status doesn’t necessarily mean no trademark rights

[rn]

registration number

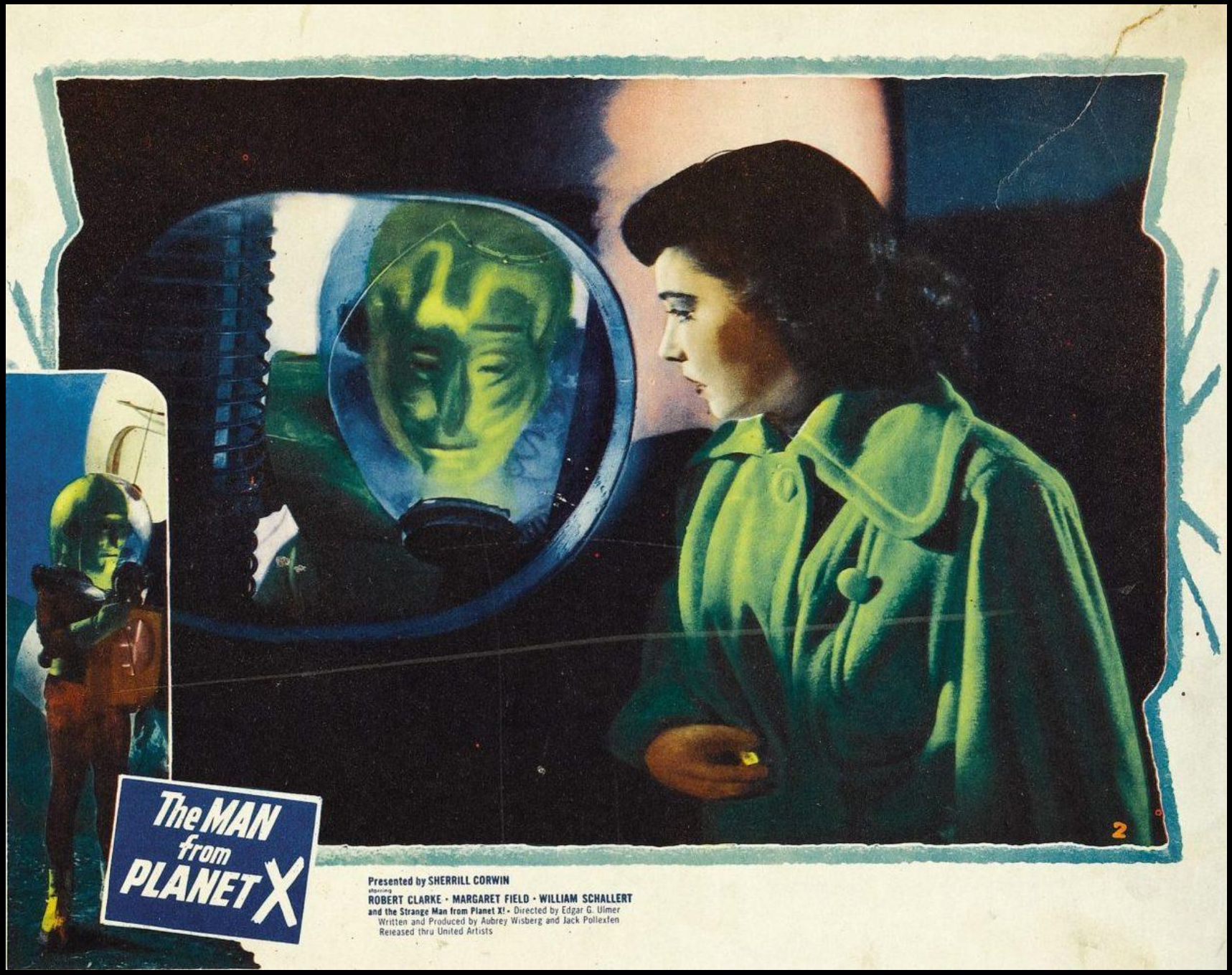
`rn > “0”

Caveats

- no registration number doesn't necessarily mean no record

- no registration doesn't necessarily mean no rights

- no registration number doesn't necessarily mean no priority



Presented by SHERRILL CORWIN

starring

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and the Strange Man from Planet X! · Directed by Edgar G. Ulmer

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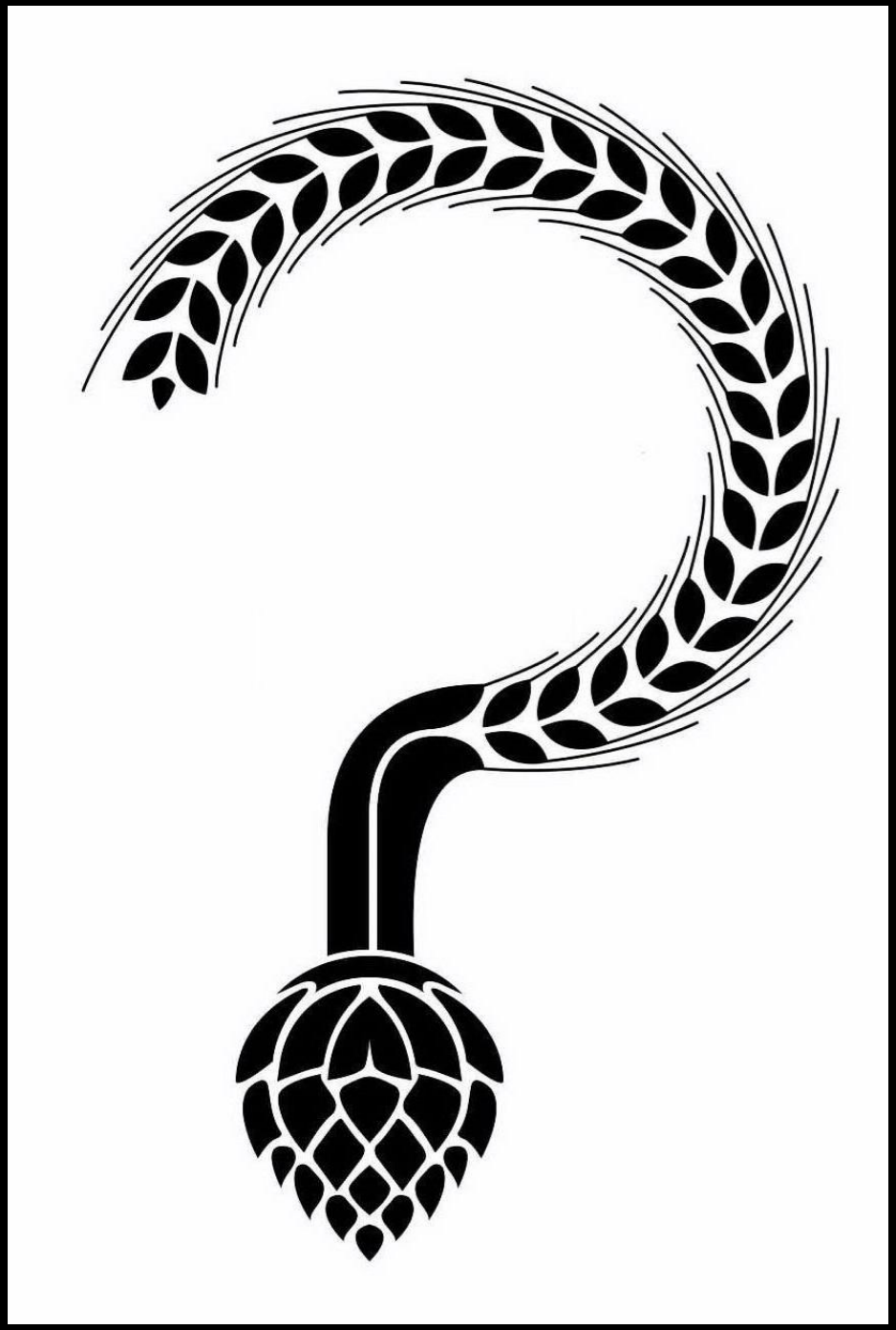
April 13, 2020

SEARCH TESS LIKE A TRADEMARK EXAMINER

The End