To:	Lawrence A. Baratta(larry@barattaip.com)
Subject:	U.S. Trademark Application Serial No. 99294626 - FACTOR CYBERSECURITY - - SSCTM1006
Sent:	September 10, 2025 04:52:34 PM EDT
Sent As:	tmng.notices@uspto.gov

Attachments

5997580
3227156

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

U.S. Application Serial No. 99294626

Mark: FACTOR CYBERSECURITY

Correspondence Address:
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United States

Applicant: SecurityScorecard Inc.

Reference/Docket No. SSCTM1006

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NONFINAL OFFICE ACTION

Response deadline. File a response to this nonfinal Office action within three months of the "Issue date" below to avoid abandonment of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the "How to respond" section below.

Request an extension. For a fee, applicant may request one three-month extension of the response deadline prior to filing a response. The request must be filed within three months of the "Issue date" below. If the extension request is granted, the USPTO must receive applicant's response to this letter within six months of the "Issue date" to avoid abandonment of the application.

Issue date: September 10, 2025

INTRODUCTION

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SUMMARY OF ISSUES:

- Section 2(d) Refusal - Likelihood of Confusion
- Disclaimer Required

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 Nos. 3227156 and 5997580. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

Applicant seeks to register the mark "**FACTOR CYBERSECURITY**" for use in connection with "Computer security consultancy; Computer security threat analysis for protecting data; Design and development of electronic data security systems; Development of software for secure network operations; Monitoring of computer systems for detecting unauthorized access or data breach; Maintenance of computer software relating to computer security and prevention of computer risks; Testing of security systems; Platform as a service (PAAS) featuring computer software platforms for providing real-time information security intelligence in the fields of computer, data, internet website, and network security; Platform as a service (PAAS) featuring computer software platforms for providing real-time security audits of an online application, network, and host; Application service provider (ASP) featuring software for use in the discovery and analysis of computer security vulnerabilities; Developing customized software in the field of risk assessment and information security for others; Research in the field of artificial intelligence (AI); Application service provider (ASP) featuring software using artificial intelligence (AI) for real-time information security intelligence in the fields of computer, data, internet website, and network security" in International Class 042.

The registered marks are:

> U.S. Reg. No. 3227156 for the mark "**FACTOR**" for use in connection with "Installation of computer software systems and enterprise applications for the petroleum marketing and convenience store industry; Upgrade of computer software; Computer software development; Technical support services namely, troubleshooting of computer hardware and software problems; computer network services, namely, computer network configuration and migration, disaster recovery of computer data, Computer consultation in the field of computer security featuring security assessments, security review, backup/recovery of computer data to guarantee network availability, computer network performance and security, all for the petroleum marketing and convenience store industry; Implementation of computer software systems and enterprise applications for the petroleum marketing and convenience store industry; Integration of computer systems and networks; computer network solution services, namely design of computer networks" in International Class 042.

> U.S. Reg. No. 5997580 for the mark "**FACTR**" for use in connection with "Authentication, issuance and validation of digital certificates in the field of critical research of multimedia

content; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking services in the field of fact checking; computer services, namely, creating an on-line community for registered users to gather, evaluate, and exchange research in order to establish and publish factual information; computer security services in the nature of providing authentication, issuance, validation and revocation of digital certificates, all in the field of critical research of multimedia content; research and development of advanced learning technologies and teaching methods; product development in the field of critical research of multimedia content, deep learning, news gathering, current events, education, social media, and blockchain technology; all the foregoing excluding the features and fields of petroleum marketing, convenience store industry, computer programming, medical, health, biology and life sciences" in International Class 042.

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 goods and/or 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). Any evidence of record related to those factors need be considered; however, "not all of the *DuPont* factors are relevant or of similar weight in every case." *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379, 129 USPQ2d 1160, 1162 (Fed. Cir. 2019) (quoting *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997)).

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 goods and/or 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.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the services, and similarity of the trade channels of the services. *See In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 *et seq.*

Similarity of the Marks

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *In re Charger Ventures LLC*, 64 F.4th 1375, 1380, 2023 USPQ2d 451, at *3 (Fed. Cir. 2023) (citing *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1368, 101 USPQ2d 1713, 1720 (Fed. Cir. 2012); *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371-72, 73 USPQ2d 1689, 1692 (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)), *aff'd per curiam*, 777 F. App'x 516, 2019 BL 343921

(Fed. Cir. 2019); TMEP §1207.01(b).

In this case, the applicant's mark **FACTOR CYBERSECURITY** creates a similar overall commercial impression to the cited registered mark **FACTOR** and **FACTR** because the first and dominant element in the applied-for mark is identical to or phonetically equivalent to the entirety of the registered mark with the additional matter being descriptive wording. Consumers are generally more inclined to focus on and remember the first word, prefix, or syllable in a 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"); *Sage Therapeutics, Inc. v. SageForth Psych. Servs., LLC*, Opp. No. 91270181, 2024 TTAB LEXIS 139, at *14-15 (2024) (finding similarity between SAGEFORTH and SAGE CENTRAL, in part because the "common 'sage' element" was dominant in both marks" as "the first elements"); TMEP §1207.01(b)(viii).

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). Matter that is descriptive of or generic for a party's goods and/or services is typically less significant or less dominant in relation to other wording in a mark. *See Anheuser-Busch, LLC v. Innvopak Sys. Pty Ltd.*, 115 USPQ2d 1816, 1824-25 (TTAB 2015) (citing *In re Chatam Int'l Inc.*, 380 F.3d 1340, 1342-43, 71 USPQ2d 1944, 1946 (Fed. Cir. 2004)).

In the present case, the applicant's identification shows that the wording **CYBERSECURITY** in the applied-for mark is merely descriptive of or generic for applicant's goods and/or services. Thus, this wording is less significant in terms of affecting the mark's commercial impression, and renders the wording **FACTOR** the more dominant element of the mark.

Lastly, the term **FACTOR** and **FACTR** in the marks are essentially phonetic equivalents and thus sound similar. Similarity in sound alone may be sufficient to support a finding that the compared marks are confusingly similar. *In re 1st USA Realty Prof'ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007) (citing *Krim-Ko Corp. v. Coca-Cola Bottling Co.*, 390 F.2d 728, 732, 156 USPQ 523, 526 (C.C.P.A. 1968)); TMEP §1207.01(b)(iv).

As such, the marks are confusingly similar, and likely to cause confusion when used in connection with similar services.

Relatedness of the Relevant Services

The goods and/or 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). Determining likelihood of confusion is based on the description of the goods and/or 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 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325 (Fed. Cir. 2017)).

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 goods and/or 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); *see Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at *44 (TTAB 2022) (quoting *In re Jump Designs LLC*, 80 USPQ2d 1370, 1374 (TTAB 2006)).

Applicant identifies "Computer security consultancy; Computer security threat analysis for protecting data; Design and development of electronic data security systems; Development of software for secure network operations; Monitoring of computer systems for detecting unauthorized access or data breach; Maintenance of computer software relating to computer security and prevention of computer risks; Testing of security systems; Platform as a service (PAAS) featuring computer software platforms for providing real-time information security intelligence in the fields of computer, data, internet website, and network security; Platform as a service (PAAS) featuring computer software platforms for providing real-time security audits of an online application, network, and host; Application service provider (ASP) featuring software for use in the discovery and analysis of computer security vulnerabilities; Developing customized software in the field of risk assessment and information security for others; Research in the field of artificial intelligence (AI); Application service provider (ASP) featuring software using artificial intelligence (AI) for real-time information security intelligence in the fields of computer, data, internet website, and network security".

Registrants identify "Installation of computer software systems and enterprise applications for the petroleum marketing and convenience store industry; Upgrade of computer software; Computer software development; Technical support services namely, troubleshooting of computer hardware and software problems; computer network services, namely, computer network configuration and migration, disaster recovery of computer data, Computer consultation in the field of computer security featuring security assessments, security review, backup/recovery of computer data to guarantee network availability, computer network performance and security, all for the petroleum marketing and convenience store industry; Implementation of computer software systems and enterprise applications for the petroleum marketing and convenience store industry; Integration of computer systems and networks; computer network solution services, namely design of computer networks" and "Authentication, issuance and validation of digital certificates in the field of critical research of multimedia content; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking services in the field of fact checking; computer services, namely, creating an on-line community for registered users to gather, evaluate, and exchange research in order to establish and publish factual information; computer security services in the nature of providing authentication, issuance, validation and revocation of digital certificates, all in the field of critical research of multimedia content; research and development of advanced learning technologies and teaching methods; product development in the field of critical research of multimedia content, deep learning, news gathering, current events, education, social media, and blockchain technology; all the foregoing excluding the features and fields of petroleum marketing, convenience store industry, computer programming, medical, health, biology and life sciences".

In this case, the application use(s) broad wording to describe "Computer security consultancy; Computer security threat analysis for protecting data; Design and development of electronic data security systems; Monitoring of computer systems for detecting unauthorized access or data breach", which presumably encompasses all goods and/or services of the type described, including registrants' more narrow "Computer consultation in the field of computer security featuring security assessments, security review, backup/recovery of computer data to guarantee network availability, computer network performance and security, all for the petroleum marketing and convenience store industry" and "computer security services in the nature of providing authentication, issuance, validation and revocation of digital certificates, all in the field of critical research of multimedia content". *See, e.g., Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at *44 (TTAB 2022); *In re Solid State Design Inc.*, 125 USPQ2d 1409, 1412-15 (TTAB 2018); *Sw. Mgmt., Inc. v. Ocinomled, Ltd.*, 115 USPQ2d 1007, 1025 (TTAB 2015). Thus, applicant's and registrant's services are legally identical. *See, e.g., In re i.am.symbolic, llc*, 127 USPQ2d 1627, 1629 (TTAB 2018) (citing *Tuxedo Monopoly, Inc. v. Gen. Mills Fun Grp., Inc.*, 648 F.2d 1335, 1336 (C.C.P.A. 1981); *Inter IKEA Sys. B.V. v. Akea, LLC*, 110 USPQ2d 1734, 1745 (TTAB 2014); *Baseball Am. Inc. v. Powerplay Sports Ltd.*, 71 USPQ2d 1844, 1847 n.9 (TTAB 2004)).

Additionally, the goods and/or services of the parties have no restrictions as to nature, type, channels of trade, or classes of purchasers and are "presumed to travel in the same channels of trade to the same class of purchasers." *In re Viterra Inc.*, 671 F.3d 1358, 1362 (Fed. Cir. 2012) (quoting *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268 (Fed. Cir. 2002)); *see Cai v. Diamond Hong, Inc.*, 901 F.3d 1367, 1372 (Fed. Cir. 2018).

Lastly, the Court of Appeals for the Federal Circuit and the Trademark Trial and Appeal Board have held that various electronic goods are sufficiently related to computer or technology-related services such that a likelihood of confusion exists when the marks at issue are otherwise identical or highly similar. *See Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268, 62 USPQ2d 1001, 1005 (Fed. Cir. 2002) (holding PACKARD TECHNOLOGIES, with "technologies" disclaimed, for "electronic transmission of data and documents via computer terminals" to be sufficiently related to HEWLETT PACKARD marks for facsimile machines, computers, and computer software such that confusion would be likely where the marks at issue convey a similar commercial impression); *MSI Data Corp. v. Microprocessor Sys., Inc.*, 220 USPQ 655, 659-60 (TTAB 1983) (holding MSI for "computer hardware manufacturing services to the order of or specification of others" likely to be confused with MSI for "electronic ordering systems for gathering and transmitting source data comprising a recorder-transmitter and data receiver").

Thus, applicant's and registrant's goods and/or services are related.

Conclusion

Because the marks are identical in part or phonetically equivalent, and the services are legally identical, there is a likelihood of confusion as to the source of applicant's services. Therefore, registration must be refused pursuant to Section 2(d) of the Trademark Act.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration. However, if applicant responds to the refusal(s), applicant must also respond to the requirement(s) set forth below.

DISCLAIMER REQUIRED

Applicant must disclaim the wording "CYBERSECURITY" because it is merely descriptive of an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's goods and/or services. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

A "disclaimer" is a statement in the application record that an applicant does not claim exclusive rights to an unregistrable component of the mark. See Schwarzkopf v. John H. Breck, Inc., 340 F.2d 978, 979-80, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213. A disclaimer does not physically remove the disclaimed matter from the mark or otherwise affect the appearance of the mark. See Schwarzkopf v. John H. Breck, Inc., 340 F.2d at 979, 144 USPQ2d at 433; TMEP §1213.

This wording is encompassed by the applicant's identification of services, which includes "computer security."

Applicant may respond to this issue by submitting a disclaimer in the following format:

> **No claim is made to the exclusive right to use "CYBERSECURITY" apart from the mark as shown.**

For an overview of disclaimers and instructions on how to provide one using the electronic response form, see the Disclaimer webpage.

COMMENTS

Applicant may call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

Response guidelines. For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see the Responding to Office Actions webpage for more information and tips on responding.

How to respond. File a **response form to this nonfinal Office action** or file a **request form for an extension of time to file a response**.

/Andrew Clark/
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RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to abandon.** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) system availability could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.

- **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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Factr

Word Mark	FACTR
Goods/Services	IC 036 US 100 102 101 Financial services, namely, providing a virtual currency for use by members of an on-line community via a global computer network; Financial services, namely, providing electronic transfer of a virtual currency for use by members of an on-line community via a global computer network; Issuance of tokens of value; all the foregoing excluding the features and fields of petroleum marketing, convenience store industry, and computer programming FIRST USE: 2019-12-18. FIRST USE IN COMMERCE: 2019-12-18. IC 042 US 100 101 Authentication, issuance and validation of digital certificates in the field of critical research of multimedia content; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking services in the field of fact checking; computer services, namely, creating an on-line community for registered users to gather, evaluate, and exchange research in order to establish and publish factual information; computer security services in the nature of providing authentication, issuance, validation and revocation of digital certificates, all in the field of critical research of multimedia content; research and development of advanced learning technologies and teaching methods; product development in the field of critical research of multimedia content, deep learning, news gathering, current events, education, social media, and blockchain technology; all the foregoing excluding the features and fields of petroleum marketing, convenience store industry, computer programming, medical, health, biology and life sciences FIRST USE: 2019-12-18. FIRST USE IN COMMERCE: 2019-12-18. IC 045 US 100 101 Internet-based social networking services; Online social networking services accessible by means of downloadable mobile applications; Providing on-line computer databases and on-line searchable databases in the field of social networking; all the foregoing excluding the features and fields of petroleum marketing, convenience store industry, and computer programming FIRST USE: 2019-12-18. FIRST USE IN COMMERCE: 2019-12-18.

Register	PRINCIPAL
Serial Number	87790243
Filing Date	2018-02-08T00:00:00
Original Filing Basis	1a
Current Filing Basis	1a
Publication Date	2019-04-23
Registration Number	5997580
Date Registered	2020-02-25
Owner	(REGISTRANT) Clay, Christophe Carlo (INDIVIDUAL; USA); 6227 NE 19th ave, Portland, OREGON 97211, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Live Dead Indicator	LIVE
Status	REGISTERED
Attorney of Record	Jason D. Stone

Print: September 10, 2025 3:48 PM

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FACTOR

Word Mark	FACTOR
Goods/Services	IC 035 US 100 102 101 Business management consultancy services, namely, account and project management, business reviews, workflow optimization for the petroleum marketing and convenience store industry; computer network solution services, namely, operation of computer networks for others FIRST USE: 2004-04-15. FIRST USE IN COMMERCE: 2004-04-15. (CANCELLED) IC 037 US 100 103 106 [[computer network solution services, namely, installation of computer networks]] FIRST USE: 1983-11-07. FIRST USE IN COMMERCE: 1983-11-07. IC 041 US 100 101 107 Computer education training services in the use of computer software programs and enterprise applications for the petroleum marketing and convenience store industry FIRST USE: 1983-11-07. FIRST USE IN COMMERCE: 1983-11-07. IC 042 US 100 101 Installation of computer software systems and enterprise applications for the petroleum marketing and convenience store industry; Upgrade of computer software; Computer software development; Technical support services namely, troubleshooting of computer hardware and software problems; computer network services, namely, computer network configuration and migration, disaster recovery of computer data, Computer consultation in the field of computer security featuring security assessments, security review, backup/recovery of computer data to guarantee network availability, computer network performance and security, all for the petroleum marketing and convenience store industry; Implementation of computer software systems and enterprise applications for the petroleum marketing and convenience store industry; Integration of computer systems and networks; computer network solution services, namely design of computer networks FIRST USE: 1983-11-07. FIRST USE IN COMMERCE: 1983-11-07.
Register	PRINCIPAL

Serial Number	78774839
Filing Date	2005-12-16T00:00:00
Original Filing Basis	1a
Current Filing Basis	1a
Publication Date	2007-01-23
Registration Number	3227156
Date Registered	2007-04-10
Owner	• (REGISTRANT) WR Hess Company (CORPORATION; OKLAHOMA, USA); 3030 N.W. Expressway, Suite 1500, Oklahoma City, OKLAHOMA 73112, UNITED STATES • (LAST LISTED OWNER) PDI TECHNOLOGIES, INC. (CORPORATION; TEXAS, USA); 14241 DALLAS PARKWAY, SUITE 350, DALLAS, Texas 75254, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Live Dead Indicator	LIVE
Status	REGISTERED AND RENEWED
Attorney of Record	Alicia Morris Groos

Print: September 10, 2025 3:48 PM

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on September 10, 2025 for
U.S. Trademark Application Serial No. 99294626

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

(1) Read the Office action. This email is NOT the Office action.

(2) Respond to the Office action by the deadline using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be abandoned. See the Office action itself regarding how to respond.

(3) Direct general questions about using USPTO electronic forms, the USPTO website, the application process, the status of your application, and whether there are outstanding deadlines to the Trademark Assistance Center (TAC).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

GENERAL GUIDANCE

- **Check the status of your application periodically** in the Trademark Status & Document Retrieval (TSDR) database to avoid missing critical deadlines.

- **Update your correspondence email address** to ensure you receive important USPTO notices about your application.

- **Beware of trademark-related scams**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, TSDR, to confirm that it appears under the "Documents" tab, or contact the Trademark Assistance Center.

- **Hiring a U.S.-licensed attorney.** If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.