

To: Suo, Michael (suo.michael@gmail.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86589725 - NO FUCKS GIVEN - N/A
Sent: 7/21/2015 3:37:22 PM
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[Attachment - 5](#)
[Attachment - 6](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 86589725

MARK: NO FUCKS GIVEN

86589725

CORRESPONDENT ADDRESS:

SUO, MICHAEL
63 Wall St Apt 2102
New York, NY 10005-3017

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APPLICANT: Suo, Michael

CORRESPONDENT'S REFERENCE/DOCKET NO :

N/A

CORRESPONDENT E-MAIL ADDRESS:

suo.michael@gmail.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 7/21/2015

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

SEARCH OF OFFICE'S DATABASE OF MARKS

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

REFUSAL – Mark is Scandalous

Registration is refused because the applied-for standard character mark, **NO FUCKS GIVEN** consists of or includes immoral or scandalous matter. Trademark Act Section 2(a), 15 U.S.C. §1052(a); *see* TMEP §1203.01.

The words "immoral" and "scandalous" may have somewhat different connotations; however, immoral matter has been included in the same category as scandalous matter. TMEP §1203.01; *see In re McGinley*, 660 F.2d 481, 484 n.6, 211 USPQ 668, 673 n.6 (C.C.P.A. 1981) (Because of the court's holding that appellant's mark was scandalous, "it [was] unnecessary to consider whether appellant's mark [was] 'immoral.' [The court] note[d] the dearth of reported trademark decisions in which the term 'immoral' [had] been directly applied.").

For a mark to be "scandalous," the evidence must show that the mark would be considered shocking to the sense of decency or propriety, giving offense to the conscience or moral feelings, or calling out for condemnation. *In re Fox*, 702 F.3d 633, 635, 105 USPQ2d 1247, 1248 (Fed. Cir. 2012) (quoting *In re Mavety Media Grp. Ltd.*, 33 F.3d 1367, 1371, 31 USPQ2d 1923, 1925 (Fed. Cir. 1994)); *see* TMEP §1203.01.

A mark is scandalous when the evidence demonstrates that a substantial composite of the general public (although not necessarily a majority) would consider the mark to be scandalous in the context of contemporary attitudes and the relevant marketplace. *See In re Fox*, 702 F.3d at 635, 105 USPQ2d at 1248 (quoting *In re Mavety Media Grp. Ltd.*, 33 F.3d at 1371, 31 USPQ2d at 1925-26); *In re The Boulevard Entm't, Inc.*, 334 F.3d 1336, 1340, 67 USPQ2d 1475, 1477 (Fed. Cir. 2003); TMEP §1203.01.

In this case, applicant seeks registration of **NO FUCKS GIVEN** for *hats, headbands, hooded sweatshirts, pants, shirts, and wraps*.

NO FUCKS GIVEN is the standard unit of measurement used to describe the amount an individual cares about something. *See definition – Exhibit 1* It is a modified version of "I don't give a fuck." *See Exhibit 1a*

The attached evidence from Merriam-Webster and Cambridge Dictionaries Online, and others, shows the term, **FUCK(S)** which is obscene means to engage in coitus with. Therefore, the word **FUCK(S)** is scandalous because it conveys the commercial connotation of "no coitus given".

A mark is scandalous when the evidence demonstrates that a substantial composite of the general public (although not necessarily a majority) would consider the mark to be scandalous in the context of contemporary attitudes and the relevant marketplace. *See In re Fox*, 702 F.3d 633, 635, 105 USPQ2d 1247, 1248 (Fed. Cir. 2012) (quoting *In re Mavety Media Grp. Ltd.*, 33 F.3d 1367, 1371, 31 USPQ2d 1923, 1925-26 (Fed. Cir. 1994)); *In re The Boulevard Entm't, Inc.*, 334 F.3d 1336, 1340, 67 USPQ2d 1475, 1477 (Fed. Cir. 2003); TMEP §1203.01. To consider the views only of a subset of the public who consume applicant's goods is inappropriate. *In re Manwin/RK Collateral Trust*, 111 USPQ2d 1311, 1315 (TTAB 2014).

Evidence that a mark is vulgar is sufficient to establish that the mark is scandalous within the meaning of

Trademark Act Section 2(a). *In re Fox*, 702 F.3d 633, 635, 105 USPQ2d 1247, 1248 (Fed. Cir. 2012) (citing *In re The Boulevard Entm't, Inc.*, 334 F.3d 1336, 1340, 67 USPQ2d 1475, 1477 (Fed. Cir. 2003)); see *In re Michalko*, 110 USPQ2d 1949, 1951 (TTAB 2014); TMEP §1203.01.

The term **FUCK(S)** is usually obscene and means to engage in coitus with. See definitions – Exhibits 1, 2, 3 and 4 Excerpts are provided below.

Merrian-Webster

FUCK usually obscene – to engage in coitus with. See Exhibit 2

The Free Dictionary by Farlee

FUCK vulgar slang See Exhibit 3

Vocabulary.com

“**Fuck** is one of the most common words in English — it's also one of the *most offensive*. It's main meaning is ‘have sex,’ ...” See Exhibit 4

Cambridge Dictionaries Online

FUCK - offensive to have sex with someone See Exhibit 5

Dictionary definitions alone may be sufficient to show that a term is vulgar if multiple dictionaries, including at least one standard dictionary, uniformly indicate that the term’s meaning is vulgar, and the applicant’s use of the term is clearly limited to that vulgar meaning. See *In re The Boulevard Entm't, Inc.*, 334 F.3d at 1341, 67 USPQ2d at 1478 (holding 1-800-JACK-OFF and JACK-OFF scandalous where all dictionary definitions of “jack-off” were considered vulgar); *In re Michalko*, 110 USPQ2d at 1953 (holding ASSHOLE REPELLENT scandalous where multiple dictionary definitions of “asshole” were considered vulgar); TMEP §1203.01.

The fact that profane words may be uttered more freely in contemporary American society than in the past does not render such words any less profane. *In re Tinseltown, Inc.*, 212 USPQ 863, 866 (TTAB 1981) (holding the mark BULLSHIT scandalous for handbags and other personal accessories); see *In re Michalko*, 110 USPQ2d 1949, 1953 (TTAB 2014) (holding the mark ASSHOLE REPELLENT scandalous for a spray can gag gift).

For these reasons, applicant’s mark, **NO FUCKS GIVEN** is scandalous and registration is refused. Although the trademark examining attorney has refused registration, applicant may submit evidence and arguments in support of registration.

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 \$50 per international 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 without incurring this additional fee.

If the Applicant has *questions* about its application or needs assistance in responding to this Office action, please telephone the assigned Trademark Examining Attorney directly at the number below, or email.

/Odessa Bibbins/
Attorney Advisor
Law Office 118
Odessa.Bibbins@USPTO.GOV
571-272-9425 :Telephone
571-273-9425: Fax

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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1 definition by **No fucks given**

TOP DEFINITION

Fucks

The standard unit of measurement used to describe the amount an individual cares about something.

Fucks are an unofficial part of the metric system and follow the same rules. ie: one-thousand fucks are equal to one kilofuck.

The fuck is almost always used to describe how little someone cares about something and the amount of fucks someone gives can be detected by a fuck-o-meter.

Guy 1: You ready for the spanish exam today?

Guy 2: nope.

Guy 1: I was up studying all night and I'm still screwed.

Guy 2: I give... zero fucks.

Fuck-o-meter confirms 0 fucks given

by **No fucks given** July 17, 2011

111 | 28



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PROTIP: Press 'i' to view the image gallery, 'v' to view the video gallery, or 'r' to view a random entry.



Year
2010
Origin
4chan
Tags
4chan, image macro, catchphrase, /b/, disregard, dismiss
Additional References
Meme Generator

- 1,271 views
- Tap Twice Games**
5,176 views
- Jelly Bean Challenge**
1,324 views
- This Is Just To Say Parody**
2,862 views
- "Planned Parenthood Sells Parts" Controversy**
9,254 views

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About

"**And Not a Single Fuck Was Given That Day**" is a modified version of the colloquial phrase "I don't give a fuck" which is usually applied to images wherein the subject generally appears relaxed or carefree. Similar to Come at me bro, the catchphrase can be paired with various images and portraits, as long as they fit the theme.

Origin

The image and phrase began to gain popularity starting around March of 2010; however, examples of the phrase "and not a single fuck was given that day" appear online as early as 2009. Usage of this phrase and image macros has been steadily growing on 4chan since March 2010, and has become a popular macro on Reddit.

"Not a Single Fuck Was Given That Day" also has a [Facebook group](#) with over 4000 members.

Interest over time. Web Search. Worldwide, 2004 - present.

"not a single fuck was given"

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Dictionary

fuck 

verb | \ˈfʌk\

SAVE POPULARITY  

Definition of FUCK

intransitive verb

- 1 *usually obscene* : COPULATE
- 2 *usually vulgar* : MESS 3 —used with *with*

transitive verb



From Septon to Smallclothes: **The real history behind 10 Game of Thrones words** »

- 1 *usually obscene* : **to engage in coitus with** —sometimes used interjectionally with an object (as a personal or reflexive pronoun) to express anger, contempt, or disgust
- 2 *usually vulgar* : **to deal with unfairly or harshly** : CHEAT, SCREW

See fuck defined for English-language learners

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Words at Play

It is? Or sho When to Use It's vs. Its
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12 Political Putdowns



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fuck

Fuck is one of the most common words in English — it's also one of the most offensive. It's main meaning is "have sex," but it has hundreds of other uses.

This slang term for sexual intercourse is not a word to be used lightly — it's an obscenity that, if used on some television networks, could cost the person who "dropped the f-bomb" thousands of dollars. Despite all the people who don't want to hear it, *fuck* is one of the most common obscenities, and can be used as a noun, verb, adjective, and adverb. It's often used as a modifier to add emphasis to another word, as in "that's so *fucking* stupid!"

Definitions of fuck

1. **f** slang for sexual intercourse

Synonyms: [ass](#), [fucking](#), [nookie](#), [nooky](#), [piece of ass](#), [piece of tail](#), [roll in the hay](#), [screw](#), [screwing](#), [slag](#), [shtup](#)

Type of: [carnal knowledge](#), [coition](#), [coitus](#), [congress](#), [copulation](#), [intercourse](#), [relation](#), [sex act](#), [sexual congress](#), [sexual intercourse](#), [sexual relation](#)

the act of sexual procreation between a man and a woman; the man's penis is inserted into the woman's vagina and excited until orgasm and ejaculation occur

v have sexual intercourse with

Synonyms: [bang](#), [be intimate](#), [bed](#), [bonk](#), [do it](#), [eff](#), [get it on](#), [get laid](#), [have a go at it](#), [have intercourse](#), [have it away](#), [have it off](#), [have sex](#), [hump](#), [jazz](#), [know](#), [lie with](#), [love](#), [make love](#), [make out](#), [roll in the hay](#), [screw](#), [sleep together](#), [sleep with](#)

[make out](#), [neck](#)

kiss, embrace, or fondle with sexual passion

Types: [show 6 types...](#)

Type of: [copulate](#), [couple](#), [mate](#), [pair](#)

engage in sexual intercourse

Quiz yourself:

cow means to:

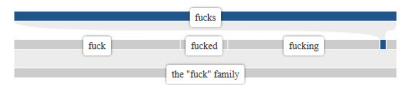
- intimidate
- nurture
- apologize
- deceive

ASSESSMENT: 100 POINTS

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Word Family



Usage Examples

- All Sources
- Fiction
- Arts / Culture
- News
- Business
- Sports
- Science / Med
- Technology

And that's what fucks white progressives up all the time, right?

Salon Jun 15, 2015

"Up in the hills we say that autumn kisses you, but winter fucks you hard. This is only autumn's kiss."

A Dance with Dragons

That's the thing about genuinely mature artists: You really can express so much when you have no fucks left to give.

Slate Dec 18, 2014

When asked by a reporter why he continued to love playing football, Butkus roared: "Hell. That's like asking a guy why he fucks!"

The Guardian Sep 6, 2014

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Sent As: ECOM118@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **7/21/2015** FOR U.S. APPLICATION SERIAL NO. 86589725

Your trademark application has been reviewed. The trademark examining attorney assigned by the USPTO to your application has written an official letter to which you must respond. Please follow these steps:

(1) **READ THE LETTER** by clicking on this [link](#) or going to <http://tsdr.uspto.gov/>, entering your U.S. application serial number, and clicking on “Documents.”

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **RESPOND WITHIN 6 MONTHS** (*or sooner if specified in the Office action*), calculated from **7/21/2015**, using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

Do NOT hit “Reply” to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions.

(3) **QUESTIONS** about the contents of the Office action itself should be directed to the trademark examining attorney who reviewed your application, identified below.

/Odessa Bibbins/
Attorney Advisor
Law Office 118
Odessa.Bibbins@USPTO.GOV
571-272-9425 :Telephone
571-273-9425: Fax

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

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