
To: salesforce.com, inc. (tmfilings@dlapiper.com)
Subject: TRADEMARK APPLICATION NO. 78792578 - THE BUSINESS WEB - 349615-157
Sent: 12/31/2007 9:39:15 AM
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UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/792578

MARK: THE BUSINESS WEB

CORRESPONDENT ADDRESS:



HEATHER ANGELINA DUNN, ESQ.
DLA PIPER RUDNICK GRAY CARY US
LLP
153 TOWNSEND ST STE 800
SAN FRANCISCO, CA 94107-1957

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: salesforce.com, inc.

CORRESPONDENT'S REFERENCE/DOCKET
NO: 349615-157
CORRESPONDENT E-MAIL ADDRESS:
tmfilings@dlapiper.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 12/31/2007

Applicant is requesting reconsideration of a final refusal issued/mailed June 11, 2007.

Based upon the applicant's abandonment of the services in International Class 42, and upon further consideration, the Section 2(d) refusal as to U.S. Registration No. 3108337 is hereby withdrawn. TMEP §714.04.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration as to the Section 2(e)(1) refusal and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue. The term WEB has an immediately recognizable meaning. Simply stated, it is understood to reference anything provided on a web site, or via the Internet, or world wide web. See the attached representative sampling of U.S. Registrations wherein the term WEB is either disclaimed or registered on the Supplemental Register or on the Principal register pursuant to a Section 2(f) claim of acquired distinctiveness. Descriptiveness is considered in relation to the relevant goods and/or services. The fact that a term may have different meanings in other contexts is not controlling on the question of descriptiveness. *In re Chopper Industries*, 222 USPQ 258 (TTAB 1984); *In re Bright-Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); *In re Champion International Corp.*, 183 USPQ 318 (TTAB 1974); TMEP §1209.03(e).

Accordingly, applicant's request for reconsideration is *denied* as to the Section 2(e)(1) refusal. The time for appeal runs from the date the final action was issued/mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c). If applicant has already filed a timely notice of appeal, the application will be forwarded to the Trademark Trial and Appeal Board (TTAB).

If applicant has questions about its application, please telephone the assigned trademark examining attorney directly at the number below.

/Andrea Koyner Nadelman/
Andrea Koyner Nadelman
Trademark Attorney
Law Office 110
(571) 272-9370

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

Print: Dec 30, 2007

75364158

DESIGN MARK

Serial Number
75364158

Status
SECTION 8-ACCEPTED

Word Mark
WEBSHOPPER

Standard Character Mark
No

Registration Number
2356322

Date Registered
2000/06/06

Type of Mark
SERVICE MARK

Register
SUPPLEMENTAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
International Data Group, Inc. CORPORATION MASSACHUSETTS 5 Speen
Street Framingham MASSACHUSETTS 01701

Goods/Services
Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: electronic
buying services, namely, computerized on-line ordering services in the
field of computers, computer software, and information technology,
namely, computer hardware, computer peripherals, digital cameras,
keyboards, joysticks, monitors, projectors, printers, scanners,
computer speakers, storage devices, video/graphics cards, computer
cables, surge protectors, network cards, video conferencing equipment
and multiplexors, accessible via a global computer network. First
Use: 1997/11/30. First Use In Commerce: 1997/11/30.

Filing Date
1997/09/29

Amended Register Date
1999/01/13

Examining Attorney

Print: Dec 30, 2007

75364158

CARMINE, F. D.

Attorney of Record
MIRIAM R KARLIN

WEBSHOPPER

DESIGN MARK

Serial Number
75862179

Status
REGISTERED

Word Mark
GLOBAL TRADING WEB

Standard Character Mark
No

Registration Number
2533115

Date Registered
2002/01/22

Type of Mark
SERVICE MARK

Register
SUPPLEMENTAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Commerce One, Inc. CORPORATION CALIFORNIA 1600 Riviera Avenue Walnut
Creek CALIFORNIA 94596

Goods/Services
Class Status -- ACTIVE. IC 042. US 100 101. G & S: computer
consulting services, namely, offering technical assistance to others
in connection with commercial transactions made via electronic
communications networks. First Use: 1999/03/00. First Use In
Commerce: 1999/03/00.

Goods/Services
Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: business
services, namely, connecting buyers and sellers of a variety of goods
and services via electronic communications networks; business
consultation services, namely, consulting with others concerning the
establishment and maintenance of electronic marketplaces. First Use:
1999/03/00. First Use In Commerce: 1999/03/00.

Disclaimer Statement
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE
MARK AS SHOWN.

Print: Dec 30, 2007

75862179

Filing Date
1999/12/01

Amended Register Date
2001/10/02

Examining Attorney
GEARIN, AMY

GLOBAL TRADING WEB

Print: Dec 30, 2007

76202050

TYPED DRAWING

Serial Number

76202050

Status

REGISTERED

Word Mark

THE CARCONNECTION.COM THE WEB'S AUTOMOTIVE AUTHORITY

Standard Character Mark

No

Registration Number

2701774

Date Registered

2003/04/01

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

D.A. Acquisition, Inc. CORPORATION MICHIGAN 22 Cambridge Pleasant Ridge MICHIGAN 48069

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Providing online directory information services also featuring hyperlinks to other websites; providing information via the Internet and the World Wide Web in the fields of the automotive industry, vehicle manufacturers, directory of individuals in the automotive industry, trends in the automotive industry, automotive after market products and accessories, location and dates of auto shows, job opportunities in the automotive industry, excerpts from books about the automotive industry, and buying and selling of vehicles. First Use: 1996/06/30. First Use In Commerce: 1996/06/30.

Goods/Services

Class Status -- ACTIVE. IC 038. US 100 101 104. G & S: Providing online chat rooms for transmission of messages among computer users concerning automobiles and the automotive industry. First Use: 1996/06/30. First Use In Commerce: 1996/06/30.

Goods/Services

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: providing information via the Internet and the World Wide Web in the fields of contests, racing events, news reports, driving schools, traffic reports, photo gallery of vehicles, reviews of vehicles, and "spy photos" of vehicles not yet commercially released. First Use: 1996/06/30. First Use In Commerce: 1996/06/30.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB'S AUTOMOTIVE" APART FROM THE MARK AS SHOWN.

Filing Date

2001/01/30

Examining Attorney

DAWE, BILL

Attorney of Record

Susan M Kornfield

Print: Dec 30, 2007

76400046

DESIGN MARK

Serial Number
76400046

Status
REGISTERED

Word Mark
WELLESLEY WEB

Standard Character Mark
No

Registration Number
2749710

Date Registered
2003/08/12

Type of Mark
SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Straus, Francine DBA Straus Publications INDIVIDUAL UNITED STATES 94
Rice Street Wellesley MASSACHUSETTS 024826020

Owner
Straus, Jonathan O. DBA Straus Publications INDIVIDUAL UNITED STATES
94 Rice Street Wellesley MASSACHUSETTS 024826020

Goods/Services
Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Providing
information on businesses and community activities and services within
cities and towns. First Use: 1995/11/02. First Use In Commerce:
1995/11/02.

Disclaimer Statement
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE
MARK AS SHOWN.

Section 2f Statement
2(F) ENTIRE MARK

Filing Date

Print: Dec 30, 2007

76400046

2002/04/23

Examining Attorney

WILLIS, PAM

Attorney of Record

STANLEY M SCHURGIN

WELLESLEY WEB

Print: Dec 30, 2007

76659518

DESIGN MARK

Serial Number

76659518

Status

REGISTERED

Word Mark

WEB WEAVER

Standard Character Mark

Yes

Registration Number

3195586

Date Registered

2007/01/09

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

PGT Industries, Inc. CORPORATION FLORIDA 1070 Technology Drive North
Venice FLORIDA 34275

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Online
wholesale ordering services for dealers featuring windows and doors.
First Use: 2002/11/01. First Use In Commerce: 2003/03/17.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE
MARK AS SHOWN.

Filing Date

2006/05/03

Examining Attorney

BAKER, JORDAN

Attorney of Record

Lori T. Milvain

WEB WEAVER

DESIGN MARK

Serial Number

77048589

Status

REGISTERED

Word Mark

UROLOGY WEB

Standard Character Mark

No

Registration Number

3305529

Date Registered

2007/10/09

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner

UrologyWeb, LLC LTD LIAB CO FLORIDA Suite 400 1725 University Drive
Coral Springs FLORIDA 33071

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Advertising and marketing; Advertising services, namely, promoting and marketing the goods and services of others through all public communication means; Advertising, marketing and promotion services; Business marketing services; Cooperative advertising and marketing services by way of solicitation, customer service and providing marketing information via websites on a global computer network; Marketing services, namely providing informational web pages designed to generate sales traffic via hyperlinks to other web sites; Promotion and marketing services and related consulting; Providing advertising, marketing and promotional services for the pharmaceutical and medical industry; Providing advertising, marketing and promotional services for the pharmaceutical and medical products of others. First Use: 1999/02/27. First Use In Commerce: 1999/02/27.

Prior Registration(s)

2404938

Description of Mark

The mark consists of The mark consists of the words "Urology" and "Web" with "Urology" in typed, bold font and "web" below Urology in lower case letters.

Colors Claimed

Color is not claimed as a feature of the mark.

Section 2f Statement

2(F) ENTIRE MARK

Filing Date

2006/11/21

Examining Attorney

RINKER, ANTHONY

Attorney of Record

Gabrielle C. Bozza

UROLOGY *web*

Print: Dec 30, 2007

77049474

DESIGN MARK

Serial Number

77049474

Status

REGISTERED

Word Mark

WEB BUSTERS

Standard Character Mark

Yes

Registration Number

3292950

Date Registered

2007/09/18

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

MACY'S, INC. CORPORATION DELAWARE 7 WEST SEVENTH STREET CINCINNATI
OHIO 45202

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: ON-LINE
RETAIL DEPARTMENT STORE SERVICES; ELECTRONIC RETAILING IN THE FIELD OF
GENERAL MERCHANDISE BY MEANS OF A GLOBAL COMPUTER NETWORK. First Use:
2006/11/14. First Use In Commerce: 2006/11/14.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE WEB APART FROM THE MARK
AS SHOWN.

Filing Date

2006/11/22

Examining Attorney

MICHELI, ANGELA M.

Attorney of Record

Chester Rothstein, Esq.

WEB BUSTERS

Print: Dec 30, 2007

77129373

DESIGN MARK

Serial Number

77129373

Status

REGISTERED

Word Mark

WEB UNTANGLER

Standard Character Mark

Yes

Registration Number

3343417

Date Registered

2007/11/27

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Holmes & Associates SOLE PROPRIETORSHIP NEW YORK PO Box 295 Saranac
Lake NEW YORK 12983

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Business
marketing consulting services. First Use: 2007/03/12. First Use In
Commerce: 2007/03/12.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE
MARK AS SHOWN.

Filing Date

2007/03/13

Examining Attorney

MANIOS, SANDRA

Web Untangler

Print: Dec 30, 2007

78005737

DESIGN MARK

Serial Number

78005737

Status

REGISTERED

Word Mark

THE WEB DIRECTOR

Standard Character Mark

No

Registration Number

2441162

Date Registered

2001/04/03

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

McGonigal, Joseph William INDIVIDUAL UNITED STATES 5115 Sagatoo Rd.
Standish MICHIGAN 486589332

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: providing
an on-line directory service via global computer networks featuring
the names and URLs of the web sites of others. First Use: 1999/05/09.
First Use In Commerce: 1999/05/09.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE
MARK AS SHOWN.

Filing Date

2000/04/26

Examining Attorney

SUAREZ, MARIA-VICTORIA

THE WEB DIRECTOR

DESIGN MARK

Serial Number

78294099

Status

REGISTERED

Word Mark

WEB ONLY

Standard Character Mark

No

Registration Number

2877618

Date Registered

2004/08/24

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Draper's & Damon's, Inc. CORPORATION CALIFORNIA 9 Pasteur Irvine
CALIFORNIA 92618

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: ON-LINE
RETAIL STORE SERVICES FEATURING CLOTHING, HEADWEAR, FOOTWEAR,
HANDBAGS, BELTS AND JEWELRY. First Use: 2003/08/26. First Use In
Commerce: 2003/08/27.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB ONLY" APART FROM
THE MARK AS SHOWN.

Filing Date

2003/08/29

Examining Attorney

COWARD, JEFFERY

Attorney of Record

Stacey R. Halpern



Print: Dec 30, 2007

78462700

DESIGN MARK

Serial Number

78462700

Status

REGISTERED

Word Mark

PROMO WEB

Standard Character Mark

Yes

Registration Number

3004205

Date Registered

2005/10/04

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Healthcare Recruiters of Florida, Inc. CORPORATION FLORIDA 29 Arbor Club Drive Suite 209 Ponte Vedra Beach FLORIDA 32082

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Providing online interactive employment recruiting services for others via a global computer network. First Use: 2004/04/23. First Use In Commerce: 2004/04/23.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE MARK AS SHOWN.

Filing Date

2004/08/05

Examining Attorney

MCMORROW, RONALD

Attorney of Record

Mark J. Young

PROMO WEB

Print: Dec 30, 2007

78689926

DESIGN MARK

Serial Number

78689926

Status

REGISTERED

Word Mark

THE PLASTICS WEB

Standard Character Mark

Yes

Registration Number

3131461

Date Registered

2006/08/15

Type of Mark

SERVICE MARK

Register

SUPPLEMENTAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

IDES Inc. CORPORATION WYOMING 209 Grand Avenue Laramie WYOMING 82070

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Providing a searchable online commercial information directory for plastics suppliers and materials on the Internet. First Use: 2005/08/01. First Use In Commerce: 2005/08/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB" APART FROM THE MARK AS SHOWN.

Filing Date

2005/08/10

Amended Register Date

2006/06/14

Examining Attorney

GAST, PAUL FRANCIS

The Plastics Web

Print: Dec 30, 2007

74696130

DESIGN MARK

Serial Number
74696130

Status
REGISTERED

Word Mark
BUSINESSWEB

Standard Character Mark
No

Registration Number
2857110

Date Registered
2004/06/29

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Management Science Associates, Inc. CORPORATION PENNSYLVANIA 6565 Penn
Avenue at Fifth Pittsburgh PENNSYLVANIA 15206

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
software program which permits access and analysis of business data.
First Use: 1995/06/03. First Use In Commerce: 1995/08/10.

Section 2f Statement
2(F) ENTIRE MARK

Filing Date
1995/07/03

Examining Attorney
FISHER, HANNAH M.

Attorney of Record
JON HOGUE

BusinessWEB

To: salesforce.com, inc. (tmfilings@dlapiper.com)
Subject: TRADEMARK APPLICATION NO. 78792578 - THE BUSINESS WEB - 349615-157
Sent: 12/31/2007 9:39:19 AM
Sent As: ECOM110@USPTO.GOV
Attachments:

IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 12/31/2007 FOR
APPLICATION SERIAL NO. 78792578

Please follow the instructions below to continue the prosecution of your application:

VIEW OFFICE ACTION: Click on this link http://tportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=78792578&doc_type=REC&mail_date=20071231 (or copy and paste this URL into the address field of your browser), or visit <http://tportal.uspto.gov/external/portal/tow> and enter the application serial number to **access** the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable **response time period**. Your response deadline will be calculated from **12/31/2007**.

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**