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# UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

U.S. APPLICATION SERIAL NO. 85908330

MARK: CORONA



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**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

**TTAB INFORMATION:**

<http://www.uspto.gov/trademarks/process/appeal/index.jsp>

**APPLICANT:** Land Sky Sea, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

DOUEK 004

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## **EXAMINING ATTORNEY'S APPEAL BRIEF**

Applicant, Land Sky Sea, LLC ("Applicant"), has appealed the final refusal to register the proposed mark CORONA in standard characters for "Electronic cigars, namely, electronic device to heat liquids to create a vapor for a human to inhale by mouth being a battery, an LED light source, a mouthpiece, and a cartomizer, in the nature of a compartment for the fluid to be heated, a heating coil,

and a vaporizing chamber” in International Class 34 under Trademark Act Section 2(e)(1), 15 U.S.C. § 1052(e)(1). Applicant has also appealed the final refusal to register the applied-for mark on the grounds that the mark, under Trademark Act Section 2(d), 15 U.S.C. § 1052(d), is likely to be confused with the registered mark LA CORONA, U.S. Registration No. 0092892, for “cigars” in International Class 34.

### **I. STATEMENT OF FACTS**

On April 18, 2013, Applicant filed an intent-to-use application for the proposed mark CORONA for “Electronic device that utilizes technology to heat liquids to create a vapor for inhaling” in International Class 9.

On August 3, 2013, the Examining Attorney<sup>1</sup> refused registration under Trademark Act Section 2(e)(4) with requirements for a translation, clarification of the identification, and an inquiry into the nature of Applicant’s goods.

On February 3, 2014, Applicant responded to the August 3, 2013 Office action with arguments against the Section 2(e)(4) refusal and responded to the Examining Attorney’s requirements and inquiry.

On March 13, 2014, the Examining Attorney issued an Office action which withdrew the Section 2(e)(4) refusal. The Office action also refused registration under Trademark Act Section 2(d) on the ground that the applied-for mark was confusingly similar to the mark in U.S. Registration No. 0092892. Registration was also refused under Trademark Act Section 2(e)(1) on the ground that the applied-for mark was merely descriptive of a feature of Applicant’s goods. An inquiry was also issued as to the goods.

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<sup>1</sup> The first Examining Attorney assigned to this case issued the August 3, 2013 Office action. The case was subsequently assigned to a second Examining Attorney who issued the March 13, 2014 Office action and the October 21, 2014 final Office action. This case was then assigned to the current Examining Attorney to address the appeal.

On September 15, 2014, Applicant submitted a response to the March 13, 2014 Office action arguing against the Section 2(d) and Section 2(e)(1) refusals. Applicant also amended the identification of goods and submitted additional information in response to the goods inquiry.

On October 21, 2014, the Examining Attorney issued a final refusal under Section 2(d) in connection with U.S. Registration No. 0092892, as well as a final refusal under Section 2(e)(1).

On April 21, 2015, Applicant filed the present appeal with the Trademark Trial and Appeal Board ("Board").

## **II. THE PROPOSED MARK "CORONA" IS LIKELY TO CAUSE CONFUSION WITH THE REGISTERED MARK "LA CORONA" UNDER SECTION 2(d) OF THE TRADEMARK ACT.**

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely that a potential consumer would be confused, mistaken, or deceived as to the source of the goods of Applicant and the registrant. *See* 15 U.S.C. § 1052(d). The court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) listed the principal factors to be considered when determining whether there is a likelihood of confusion under Section 2(d). However, not all the *du Pont* factors are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003).

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods, and similarity of the trade channels of the goods. *See In re Viterro Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012).

### **A. The applied-for mark CORONA is confusingly similar to the registered mark LA CORONA.**

In a likelihood of confusion determination, the marks in their entireties are compared for similarities in appearance, sound, connotation, and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b)-(b)(v). Similarity in any one of these elements may be sufficient to find the marks confusingly similar. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); TMEP §1207.01(b).

In the present case, the marks are virtually identical in sound, appearance, and commercial impression. Applicant's mark is CORONA in standard character format and registrant's mark is LA CORONA in typed form. The marks differ by a single word, "la," which translates to "the." See the attached dictionary definition from Collins Spanish-English Dictionary.<sup>2</sup> When comparing similar marks, the Trademark Trial and Appeal Board has found that inclusion of the term "the" at the beginning of one of the marks will generally not affect or otherwise diminish the overall similarity between the marks. See *In re Thor Tech Inc.*, 90 USPQ2d 1634, 1635 (TTAB 2009) (finding WAVE and THE WAVE "virtually identical" marks; "[t]he addition of the word 'The' at the beginning of the registered mark does not have any trademark significance."). Similarly, in the present case, the addition of the foreign article meaning "the" does not differentiate the marks because the sound and appearance of the marks are virtually identical. Further, the connotation and commercial impression of the marks are virtually identical when considered in connection with applicant's and registrant's goods. Therefore, the marks are confusingly similar.

Also, in its appeal brief, Applicant did not contest the similarity of the marks. Therefore, it is presumed that Applicant is conceding that the two marks are similar under Section 2(d).

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<sup>2</sup> The examining attorney respectfully requests that the board take judicial notice of the attached definition of "la" from the Collins Spanish-English Dictionary. The Trademark Trial and Appeal Board may take judicial notice of dictionary definitions that are the electronic equivalent of a print reference work. TBMP §1208.04; see *In re Dietrich*, 91 USPQ2d 1622, 1631 n.15 (TTAB 2009) (taking judicial notice of definition from *Merriam-Webster Online Dictionary* at [www.merriam-webster.com](http://www.merriam-webster.com)); TMEP §710.01(c); see also Fed. R. Evid. 201; 37 C.F.R. §2.122(a).

**B. Applicant's goods are closely related to registrant's goods.**

A likelihood of confusion analysis is concerned with the likelihood of confusion as to the source of the goods being provided, not necessarily the particular differences between the goods. *In re Majestic Distilling Co.* at 1316; TMEP §1207.01. Where the marks of the respective parties are identical or virtually identical, the relationship between the relevant goods need not be as close to support a finding of likelihood of confusion. *See In re House Beer, LLC*, 114 USPQ2d 1073, 1077 (TTAB 2015); TMEP §1207.01(a).

Confusion as to the source of the goods is likely in the present case because, as shown from the third party registrations attached to the March 13, 2014 Office action at pages 4-21, a single entity will manufacture both cigars and electric cigarettes and electric vaporizers under the same mark. For example, U.S. Registration No. 4485695, ZEN, lists in the identification of goods electric vaporizers as well as cigars. *See* March 13, 2014 Office action at pages 6-8. Also, U.S. Registration No. 4399587, B BOGE, lists cigars in the identification of goods, as well as electric cigarettes. *Id.* at 16-18. Further, and in addition to the third-party registration, as shown from the Smokers Outlet Online and BnBTobacco websites, cigars and electronic smoking devices are sold by the same entity and, therefore, travel in the same channels of trade. *See* Smokers Outlet Online and BnBTobacco attached to the March 13, 2014 Office action at pages 22-33. Therefore, because Applicant's and registrant's goods can be manufactured by the same entity and travel in the same trade channels, the goods are considered closely related.

Applicant contends that the channels of trade for Applicant's and registrant's goods are different. However, neither the application nor the registration contain any limitations regarding trade channels for the goods and, therefore, it is assumed that Applicant's and registrant's goods are sold everywhere that is normal for such items, e.g., cigar shops. *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101

USPQ2d 1905, 1908 (Fed. Cir. 2012). Indeed, as shown from the third party registrations attached to the March 13, 2014 Office action, manufacturers of cigars also manufacture electronic smoking devices. Further, both goods are sold at the same place, as shown from the Smokers Outlet Online and BnBTobacco evidence. Therefore, the channels of trade for Applicant's and registrant's goods are the same.

Applicant also asserts that the customers of Applicant's goods and registrant's goods are different. Applicant states that its "customers are specifically purchasers of an electronic, non-tobacco product," but Applicant's identification does not state this. See Applicant's Appeal Brief at 9. Further, while Applicant's consumers purchase its goods, it does not mean that those same consumers do not also purchase other goods. As shown from the Internet evidence ElectricCigars.net, Smart Smoke, Vaporillo's, ecigopedia, and Info-Electronic-Cigarette.com, retail cigar shops and electronic cigar manufacturers market to both Applicant's ideal consumer and to the consumers of registrant's goods, i.e., the consumers of cigars. See ElectricCigars.net attached to the March 13, 2014 Office action at pages 43-47; Smart Smoke, The Premium E-Cigarette, attached to the March 13, 2014 Office action at pages 48-50; Vaporillo's, attached to the March 13, 2014 Office action at pages 51-53; ecigopedia, attached to the October 21, 2014 Office action at pages 4-5; and Info-Electronic-Cigarette.com, attached to the October 21, 2014 Office action at pages 8-16. Therefore, the customers of Applicant's and registrant's goods are the same.

Since both Applicant's e-cigars and traditional cigars are offered at the same stores to the same customer, the channels of trade and consumers of both goods are the same. Therefore, confusion as to the source of Applicant's and registrant's goods is likely under Trademark Act Section 2(d).

**C. Conclusion that likelihood of confusion would result if the applied-for mark is allowed to register.**

Applicant's applied-for mark CORONA and registrant's mark LA CORONA are likely to be confused by potential consumers. Confusion is likely because the marks are virtually identical and create identical commercial impressions. Further, both Applicant and registrant offer closely-related goods and Applicant's and registrant's consumers and trade channels overlap.

In addition, any doubt regarding this likelihood of confusion determination must be resolved in favor of the registrant. TMEP §1207.01(d)(i); *see Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002). Therefore, because confusion as to the source of the goods is likely and any doubt must be resolved in favor of the registrant, the applied-for mark must be refused registration under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

**III. PROPOSED MARK "CORONA" IS MERELY DESCRIPTIVE AS USED IN CONNECTION WITH APPLICANT'S ELECTRONIC CIGARS WITHIN THE MEANING OF SECTION 2(e)(1) OF THE TRADEMARK ACT.**

Trademark Act Section 2(e)(1) bars registration on the Principal Register of an applied-for mark that is merely descriptive in connection with the goods listed in the application without sufficient proof of acquired distinctiveness. *See* 15 U.S.C. §1052(e)(1). This prohibition includes an applied-for mark that merely describes a feature of a product. *See* TMEP § 1209.01(b).

In this case, Applicant's applied-for mark, CORONA, is merely descriptive of Applicant's electronic cigars because the mark conveys an immediate idea of the features and characteristics of Applicant's goods.

**A. "Corona" is merely descriptive of Applicant's goods.**

A term that describes the shape or form of a product is merely descriptive. *In re Metcal Inc.*, 1 USPQ2d 1334 (TTAB 1986) (holding SOLDER STRAP merely descriptive of self-regulating heaters in the form of flexible bands or straps). As noted in the March 13, 2014 Office action, "corona" is defined as "a

long cigar having the sides straight to the end to be lit and being roundly blunt at the other end.”

*Merriam-Webster* definition on pages 34-38 of the March 13, 2014 Office action. Corona is also known to be a type of cigar. See Cigar Aficionado webpages attached to the Office action dated March 13, 2014 at pages 39-40(giving an overview of cigars including the various types of cigars such as Parejos, Corona, Petit Corona.) Based on the definition and the fact that “corona” is a type of cigar, cigar consumers will directly and immediately connect the word “corona” with cigars, including Applicant’s electronic cigars. Therefore, CORONA is merely descriptive of a feature and characteristic of Applicant’s goods, being the shape and type of Applicant’s electronic cigars.

Applicant, however, argues that its product is not a traditional cigar, but “an electronic inhaling device.” Applicant’s Appeal Brief at 2. Applicant states that the evidence submitted by the Examining Attorney is not probative because it does not refer to electronic cigars. However, a mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose, or use of an applicant’s goods. TMEP §1209.01(b); see, e.g., *In re TriVita, Inc.*, 783 F.3d 872, 874, 114 USPQ2d 1574, 1575 (Fed. Cir. 2015) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)). In this case, as shown above, the word “corona” is associated with cigars and features and characteristics of cigars. Further, electronic cigar consumers also describe electronic cigars using the term “corona.” See ElectricCigars.net attached to the March 13, 2014 Office action at pages 43-47(describing an electronic cigar as a “Cuban or Havana cigar in the Corona style”); HD Smoke attached to the March 13, 2014 Office action at pages 41-42(describing its product as HD CORONA DISPOSABLE ELECTRONIC CIGAR); Smart Smoke, the Premium E-Cigarette, attached to the March 13, 2014 Office action at pages 48-50(comparing its product to traditional Grand Corona cigars); Vaporillo’s attached to the March 13, 2014 Office action at pages 51-53(comparing its product to “your favorite 7” Corona style cigar”); Totally Wicked ELiquid attached to the October 21, 2014 Office action at pages 6-7(comparing its product to a Corona cigar).Therefore, consumers will recognize Applicant’s e-cigars as being in the

corona style and use the word “corona” to describe this particular feature of Applicant’s goods. Thus, the applied-for mark, CORONA, merely describes Applicant’s goods.

Applicant further argues that “Applicant’s product has different dimensions and a different shape than a tobacco-based CORONA styled conventional cigar.” Applicant’s Appeal Brief at 10. While Applicant has not provided its cigar’s dimensions, instead stating that “Applicant is willing to describe its product as not having these conventional dimensions, if the PTO requires it,” in Applicant’s Appeal Brief at 7, Applicant did attach to its September 13, 2014 Response at pages 13-14 photographs of its goods. Applicant’s goods in these photographs look like a long cigar having the sides straight to the end and being roundly blunt at the other end, like a Corona cigar. Applicant also described its goods as “electronic inhalers or vaporizers, shaped like a cigar.” Applicant’s September 13, 2014 Response at 10. Therefore, Applicant’s argument that its goods are not traditional cigars is unpersuasive because its goods resemble the definition of a corona cigar, and, as established above, there are electronic corona cigars.

As demonstrated above, “corona” is a type of cigar and the term “corona” is used to describe electronic cigars. Therefore, when hearing or seeing the word “corona” consumers will immediately think of the dimensions and image of a Corona cigar. Thus, while Applicant’s goods are not traditional cigars, Applicant’s goods are electronic cigars with long straight sides and a roundly blunt end, which is the shape of a Corona cigar. Consequently, the word “corona” immediately conveys to Applicant’s consumers a connection to traditional Corona cigars and the applied-for mark CORONA merely describes a feature of Applicant’s goods.

**B. Third parties use the word “corona” to describe their products.**

Two major reasons for not protecting descriptive marks are (1) to prevent the owner of a descriptive mark from inhibiting competition in the marketplace and (2) to avoid the possibility of costly

infringement suits brought by the trademark or service mark owner. *In re Abcor Dev. Corp.*, 588 F.2d 811, 813, 200 USPQ 215, 217 (C.C.P.A. 1978); TMEP §1209. Businesses and competitors should be free to use descriptive language when describing their own goods to the public in advertising and marketing materials. *See In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1527 (TTAB 2001). In the present case, other producers and sellers of electronic cigars describe their goods as “corona” cigars. *See* HD Smoke attached to the March 13, 2014 Office action at pages 41-42; Smart Smoke attached to the March 13, 2014 Office action at pages 48-50; Vaporillo’s attached to the March 13, 2014 Office action at pages 51-53; and Totally Wicked Eliquid Attached to the October 21, 2015 Office action at pages 6-7. If registration of the applied-for mark was allowed, these producers and sellers would not be able to describe their goods with the word “corona” and their use of the word “corona” could also result in infringement suits by Applicant, which would negate the purpose of determining whether marks are merely descriptive.

Because of the use of the term “corona” by third parties to describe their electronic cigars, registration of the applied-for mark should be refused under Trademark Act Section 2(e)(1).

**C. Applicant’s review of the case law is incorrect.**

Applicant also argues that the term “corona” when applied to its goods is an arbitrary or coined term because a “substantial portion’ of U.S. consumers [would not] understand the term **CORONA** to refer to or merely describe the features of an *electronic inhaling device* which does not contain tobacco.” Applicant’s Appeal Brief at 5-6, emphasis in the original. Applicant relies on the cases *Blisscraft of Hollywood v. United Plastics Co.* and *In re Omaha Nat’l Corp.* for its analysis. *Id.* at 6. However, Applicant has misstated the case law. The test is not whether “a substantial portion” of U.S. consumers would understand the term to refer to or merely describe a feature of the goods, but whether the purchasing public would find the term merely descriptive in connection with the goods. *See Blisscraft of*

*Hollywood v. United Plastics Co.*, 294 F.2d 694, 698-99 (2d Cir. N.Y. 1961), TMEP § 1209.01(b). Further, one cannot discount the experts in a field who also happen to be consumers. As stated by the court in *In re Omaha Nat'l Corp.*, “[d]escriptiveness is not determined by its meaning only to the class of regular customers with the largest head count,” but also includes those customers who may be more knowledgeable about the goods and the terms used therein. *In re Omaha Nat'l Corp.*, 819 F.2d 1117, 1119 (Fed. Cir. 1987).

Applicant does not have any restrictions on its consumers in its identification of goods. Therefore, the goods could be marketed not only to those people unfamiliar with cigar terminology, but “could also be offered to persons having knowledge of the technical meaning” of the words. *In re Bhasin Enter. Corp.*, 2015 TTAB Lexis 7 (Trademark Trial & App. Bd. Jan. 2, 2015)(citing *In re BetaBatt, Inc.*, 89 USPQ2d 1152 (TTAB 2008)).

In the case at hand, the evidence attached to the March 13, 2014 and October 21, 2014 Office actions demonstrates that the purchasing public would understand what “corona” means when applied to electronic cigars, whether experts in cigars or not. See *Merriam-Webster* attached to the March 13, 2014 Office action at pages 34-38; *Cigar Aficionado* attached to the March 13, 2014 Office action at pages 39-40(giving an overview of different types of cigars); *ElectricCigars.net* attached to the March 13, 2014 Office action at pages 43-47(comparing electronic cigars to “Cuban or Havana cigar in the Corona style”); *HD Smoke* attached to the March 13, 2014 Office action at pages 41-42(describing its product as HD CORONA DISPOSABLE ELECTRONIC CIGAR); *Smart Smoke* attached to the March 13, 2014 Office action at pages 48-50(comparing its product to traditional Grand Corona cigars); *Vaporillo’s* attached to the March 13, 2014 Office action at pages 51-53(comparing its product to “your favorite 7” Corona style cigar”); *Totally Wicked ELiquid* attached to the October 21, 2014 Office action at pages 6-7(comparing its product to a Corona cigar). As shown from this evidence, “corona” is a word that has a standard

dictionary definition and is accessible to consumers of cigars and used by consumers of electronic cigars to describe the cigars.

Further, Applicant has not provided any evidence of a unique or nondescriptive meaning of the applied-for mark in connection with the goods listed in the application. Applicant merely contends that the applied-for mark is an arbitrary or coined term in connection with its goods because its goods are not traditional cigars. Applicant's Appeal Brief at 6. However, as shown above, the term "corona" has a connection to cigars, including a dictionary definition, Applicant's goods are electronic cigars, and the term "corona" is used to describe a particular type of electronic cigar. Therefore, when considered in connection with Applicant's goods and the relevant purchasing public, the applied-for mark CORONA merely describes a feature of Applicant's goods.

**D. Applicant's review of evidence attached to October 21, 2014 Office action is unpersuasive.**

Applicant's review of the evidence attached to the October 21, 2014 Office action is unpersuasive because Applicant mischaracterizes the tests for reviewing evidence. Applicant argues that the evidence from HDSMOKE.com is "not admissible to retroactively prove that Applicant's trademark was descriptive as of Applicant's filing date." Applicant's Appeal Brief at 4. However, Applicant has failed to cite any case law for this statement and registrability is determined at the time registration is sought, which includes during examination and any related appeal, and not at the time that the application was filed. *In re Chippendales USA Inc.*, 622 F.3d 1346, 1354, 96 USPQ2d 1681, 1686 (Fed. Cir. 2010).

Applicant also argues that its product does not resemble a traditional Corona cigar; however, the issue is not whether Applicant's goods resemble a traditional cigar, but that the word "corona" has been used to describe electronic cigars. As shown above, "corona" is used to describe electronic cigars. Further, while Applicant protests that its goods do not resemble traditional cigars, Applicant has described its goods as "electronic inhalers or vaporizers, shaped like a cigar," thereby acknowledging

that its goods do resemble cigars. Applicant's September 15, 2014 Response to the March 13, 2014 Office action at 10. Therefore, because Applicant's goods are electronic cigars, and "corona" has been used to describe these cigars, the applied-for mark CORONA is merely descriptive of Applicant's goods.

**E. Prior Registration of LA CORONA does not diminish descriptiveness of Applicant's applied-for mark.**

It is well settled that each case must be decided on its own facts and the Trademark Trial and Appeal Board is not bound by prior decisions involving different records. *See In re Datapipe, Inc.*, 111 USPQ2d 1330, 1336 (TTAB 2014); TMEP §1209.03(a). The question of whether a mark is merely descriptive is determined based on the evidence of record at the time each registration is sought and each case must be taken on its own facts. *In re theDot Commc'ns Network LLC*, 101 USPQ2d 1062, 1064 (TTAB 2011); TMEP §1209.03(a).

Therefore, Applicant's argument that the prior registration of LA CORONA, Registration No. 0092892, for cigars means that "the term **CORONA** was held distinctive and not merely descriptive of conventional tobacco cigars," is unpersuasive. Applicant's Appeal Brief at 8, emphasis in the original.

The fact that a third-party registration exists for a mark similar to applicant's mark is not conclusive on the issue of descriptiveness. *See In re Scholastic Testing Serv., Inc.*, 196 USPQ 517, 519 (TTAB 1977); TMEP §1209.03(a). An applied-for mark that is merely descriptive does not become registrable simply because other seemingly similar marks appear on the register. *In re Scholastic Testing Serv., Inc.*, 196 USPQ at 519; TMEP §1209.03(a).

Further, as Applicant notes, LA CORONA was registered in 1913. It has been held that a term that was once arbitrary or suggestive may lose its distinguishing and origin-denoting characteristics through use in a descriptive sense over a period of time, and come to be regarded by the purchasing public as nothing more than a descriptive designation. *In re Digital Research, Inc.*, 4 USPQ2d 1242, 1243

(TTAB 1987); *In re Int'l Spike, Inc.*, 190 USPQ 505, 507 (TTAB 1976). That may have been the case in here, although no evidence has been presented on this point. Nevertheless, because this Board is not bound by third-party registrations and instead reviews whether a mark is merely descriptive based on the evidence of record at the time each registration is sought, at this time and with this record, Applicant's applied-for mark is merely descriptive of its goods. Thus registration should be refused under Trademark Act Section 2(e)(1).

**F. Conclusion that Applicant's applied-for mark is merely descriptive.**

The applied-for mark is merely descriptive of a feature and characteristic of Applicant's electronic cigars and the style of Applicant's cigars. Therefore, because the applied-for mark is merely descriptive, registration must be refused under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1).

**IV. CONCLUSION**

Applicant's applied-for mark CORONA and the registrant's mark LA CORONA are likely to be confused by potential consumers. Confusion is likely because the marks are virtually identical and create a similar overall commercial impression, and because Applicant's and registrant's goods are closely related. Therefore, since confusion is likely, the applied-for mark must be refused registration under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

Applicant's applied-for mark is also merely descriptive of a characteristic and feature of its goods, namely, that it has a particular shape and is of a particular style unique to Corona cigars. Therefore, because the applied-for mark is merely descriptive, registration must be refused under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1).

For the foregoing reasons, the undersigned respectfully requests that the refusals under Trademark Act Section 2(d), § 1052(d), and Section 2(e)(1), 15 U.S.C. § 1052(e)(1).

Respectfully submitted,

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Managing Attorney

Law Office 120



Translations

personal pronoun

(refiriéndose a ella) her  
(refiriéndose a usted) you  
(refiriéndose a una cosa, un animal) it  
see also lo, mismo

la

Translations

masculine noun

(music) la, A → la menor A minor

el or la or los or las

Translations

definite article

1. (con nombres de referente único o concreto) the → el sol the sun → perdi el autobús I missed the bus → ¿está fría el agua? is the water cold? → ¿ha llegado ya el abogado? has the lawyer arrived yet? → el tío ese (informal) that chap

2. (en algunos casos no se traduce)

a. (con nombres propios) → La India India → en el México de hoy in present-day Mexico → el Real Madrid ganó la liga Real Madrid won the league → el General Prim General Prim → ¿qué manda la señora? what would madam like? → ha llamado el Sr. Sendra Mr. Sendra called → dásele a la Luisa (informal) give it to Luisa

b. (con nombres en sentido genérico) → me gusta el baloncesto I like basketball → no me

definite article

1. (con nombres de referente único o concreto) the → el sol the sun → perdi el autobús I missed the bus → ¿está fría el agua? is the water cold? → ¿ha llegado ya el abogado? has the lawyer arrived yet? → el tío ese (informal) that chap

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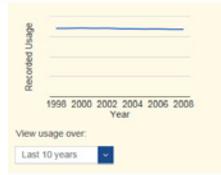
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- LC
- la
- la (Santa) Inquisición
- la (archaic)

All Spanish words that begin with 'L'

"la" photos from Flickr

Word usage trends for "la"

- d. (*con nombres en sentido genérico*) → **me gusta el baloncesto** I like basketball → **no me gusta el pescado** I don't like fish → **está en la cárcel** he's in jail
- c. (*con infinitivo*) → **el hacerlo fue un error** doing it was a mistake, it was a mistake to do it
- d. (*con cifras, proporciones*) → **la mitad de la población** half of the population → **ahora ganan el 3% más** I now earn 3% more
- 3. (*traducción por el posesivo*) → **se lavó las manos** he washed his hands → **me he cortado el pelo** I've had my hair cut → **ayer me lavé la cabeza** I washed my hair yesterday → **me puse el abrigo** I put my coat on
- 4. (*con expresiones temporales*) → **a las ocho** at eight o'clock → **a los quince días** after a fortnight → **vendrá el lunes que viene** he's coming next Monday → **la reunión será el 15 de abril** the meeting's on 15 April → **en el mes de julio** in (the month of) July
- 5. (*- uso abreviado*) → **cuesta dos euros el kilo** it costs two euros a kilo
- 6. (*en exclamaciones*) → **¡el frío que hacía!** it was freezing!
- 7. (*posesivo*)  
**el de** → **mi libro y el de usted** my book and yours → **este jugador y el de la camiseta azul** this player and the one in the blue shirt → **el del sombrero rojo** the one with o in the red hat → **es un traje bonito, pero prefiero el de Ana** it's a nice suit, but I prefer Ana's → **y el de todos los demás** and that of everybody else, and everybody else's → **el idiota de Pedro no me contestó al teléfono** that idiot Pedro didn't answer the phone
- 8. **el que**
  - a. (*- indicative*) → **el que compramos no vale** the one we bought is no good → **a los que mencionamos añádase este** add this one to the ones we mentioned → **yo fui el que lo encontró** I was the one who found it → **él es el que quiere** it's he who wants to, he's the one who wants to → **los que hacen eso son tontos** anyone who does that is a fool, those who do so are foolish
  - b. (*- subjunctive*) whoever → **el que quiera, que lo haga** whoever wants to can do it



► 'la' in Other Languages

Arabic: لا	Brazilian Portuguese: ela
Chinese: 她	Croatian: njej
Czech: ona	Danish: hende
Dutch: haar	European Spanish: la
Finnish: hän	French: elle
German: sie	Greek: αυτή
Italian: lei	Japanese: 彼女
Korean: 그녀	Norwegian: henne
Polish: jej	Portuguese: ela
Romanian: ea	Russian: ее
Spanish: la	Swedish: henne
Thai: เธอ	Turkish: onu, ona

Ukrainian: бова

Vietnamese: cò áy

► Example Sentences Including 'la'

A sólo unos centímetros, incómodos por la estrechez y la situación, no encontraban la postura en sus bancos Ammar, Karim, Bekacem, Mohamed, Taleb y Hamid.  
EL MUNDO DEL SIGLO VEINTIUNO (1994)

Assumo la responsabilidad de todo lo que he escrito en esta obra.

Ismael Llanos López CÓMO VIVIR BIEN EN PARAJA

HUESCA LE sacaron del primer sueño a base de golpes. " Me desperté cuando alguien me dio con un palo en la cabeza mientras dos personas más me golpeaban en la espalda.  
EL MUNDO DEL SIGLO VEINTIUNO (1994)

## Document Translation Spanish

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