

From: Robertson, Deirdre G.

Sent: 5/31/2016 3:13:39 PM

To: TTAB EFiling

CC:

Subject: U.S. TRADEMARK APPLICATION NO. 86513069 - CHRONIC ILLNESS ASSOCIATION - 26429 -
Request for Reconsideration Denied - Return to TTAB

Attachment Information:

Count: 11

Files: Chronic Illness Association_Page_01.jpg, Chronic Illness Association_Page_02.jpg, Chronic Illness Association_Page_03.jpg, Chronic Illness Association_Page_04.jpg, Chronic Illness Association_Page_05.jpg, Chronic Illness Association_Page_06.jpg, Chronic Illness Association_Page_07.jpg, Chronic Illness Association_Page_08.jpg, Chronic Illness Association_Page_09.jpg, Chronic Illness Association_Page_10.jpg, 86513069.doc

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

U.S. APPLICATION SERIAL NO. 86513069

MARK: CHRONIC ILLNESS ASSOCIATION



CORRESPONDENT ADDRESS:

MATTHEW H SWYERS

THE TRADEMARK COMPANY PLLC

344 MAPLE AVENUE WEST PMB 151

VIENNA, VA 22180

GENERAL TRADEMARK INFORMATION:

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

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Carden, Harvey

CORRESPONDENT'S REFERENCE/DOCKET NO:

26429

CORRESPONDENT E-MAIL ADDRESS:

mswyers@thetrademarkcompany.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 5/31/2016

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The Section 2(e)(1) refusal made final in the Office action dated 5/8/2016 is maintained and continues to be final. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final

Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

Specifically, applicant argues that the applied-for mark CHRONIC ILLNESS ASSOCIATION, in standard characters, for "charitable fundraising services for people with chronic illnesses" is suggestive and not merely descriptive. The trademark examining attorney respectfully disagrees.

As stated in the Final action dated 5/8/2015, both the individual components and the composite result are descriptive of applicant's services and do not create a unique, incongruous or nondescriptive meaning in relation to the services.

First, the wording "CHRONIC ILLNESS" merely indicates the purpose of applicant's services, i.e., the charitable fundraising services is intended to benefit people with chronic illness. *See the identification of services indicating as much; see also the attached excerpt from applicant's Facebook® page indicating that applicant is an "[a]ssociation intended to help people with chronic illnesses deal with life."*

Second, the term "ASSOCIATION" merely indicates the type of applicant's entity, i.e., an organization of people with a common interest. *See the excerpt(s) attached to the first Office action from an online dictionary; see also the attached excerpt from applicant's Facebook® page indicating that applicant is an "[a]ssociation intended to help people with chronic illnesses deal with life."*

When combined, the composite simply continues each of these meanings to obtain the expected connotation, i.e., a group organized for the purpose raising funds for people with chronic illness.

As for applicant's argument that the applied-for mark is not a well-known or popular acronym for the wording at issue, the trademark examining attorney notes that the applied-for mark contains only wording and not acronyms, and perhaps this argument was included in the Request for Reconsideration in error.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP

§715.03(a)(ii)(B); *see* 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); *see* TMEP §§715.03, 715.03(a)(ii)(B), (c).

/Deirdre G Robertson/

Deirdre G. Robertson

Trademark Examining Attorney

Law Office 111

Phone No. (571) 272-8806

deirdre.robertson@uspto.gov

facebook
Sign Up

 Email or Phone
 Password
Log In
For got account?

#May

#EndME/CFS

Chronic Illness Association
is on Facebook.

To connect with Chronic Illness Association, sign up for Facebook today.

Sign Up
Log In

Create Page



12th of May
Light up the night for
Myalgic Encephalomyelitis

Alone we can do so little
together we can do
so much.

Chronic Illness Association

Health/Medical/Pharmaceuticals

Timeline
About
Photos
Likes
Videos

PEOPLE

69 likes

ABOUT

- This Association is intended to help people with chronic illnesses deal with life.
- <http://ChronicIllnessAssociation.org/>

PHOTOS



VISITOR POSTS

Maddie Stone

January 25 at 11:10am

<https://www.gofundme.com/4a5dxchg>

Like
Comment
Share

Angela Marie Sanders

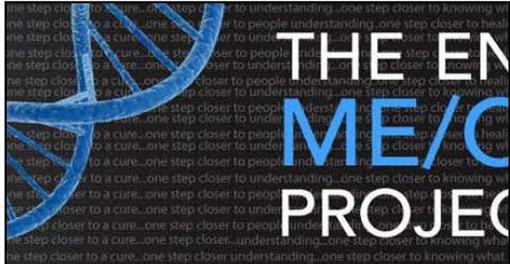
January 21 at 5:55pm

News Feed

Chronic Illness Association

April 26 · 🌐

Take a look at our Spring 2016 Newsletter. We're making progress in the Severely Ill-BIG DATA Study, with over 2/3 of the planned blood draws already completed! So many data points will need to be analyzed in the Severely Ill-BIG DATA Study—literally millions and millions—that we are creating a unique computer program to analyze all the data. There is more news to catch up on so check out our latest newsletter in full at <http://bit.ly/1XQxMUL>. And sign up for the OMF Newsletter at <http://bit.ly/1QKnrjKm>



Spring 2016 Newsletter

Nonprofit fundraising and support for a cure for Neuro-Immune Disease, Chronic Fatigue Syndrome, ME, Autism, Lyme Fibromyalgia and engages patients in research.

OPENMEDICINEFOUNDATION.ORG

1 Share
Share

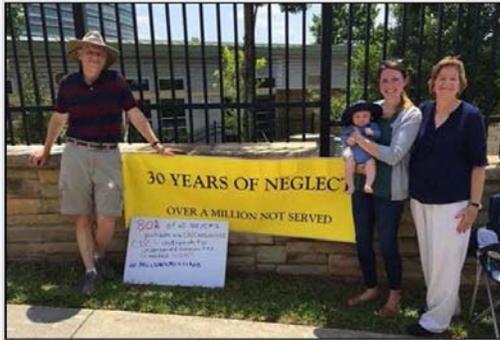
RECENT POSTS

News Feed

Chronic Illness Association shared Black Dress Day's photo.

6 hrs · 🌐

https://www.facebook.com/permalink.php?story_fbid=1456517227820579&id=701085586697084&comment_tracking=%7B%22h%22%3A%22O%22%7D[5/31/2016 3:08:47 PM]



Mary Prior added 3 new photos — with Tom Prior and Amanda Bloch Prior.
May 27 at 5:56am · 🌐

Tom, Mary, Amanda and Rowan Prior participated in the May 25 #MillionsMissing protest at Atlanta's Center for Disease Control, helping to support the million...

[See More](#)

👍 Like 💬 Comment

 **Chronic Illness Association** shared a photo.
May 26 at 1:12pm · 🌐

#MillionsMissing Day 2:

Just got out of an HOUR LONG mtg with Sen. McCain's health staffer and the Senator himself. Totally unheard of to meet with a Senate office for that long. Sen McCain and his staffer were AMAZING! Promised to take steps to raise awareness and support more research money for ME.

Thank you, Senator John McCain, I know you'll keep your word to ME patients!



Sonya Heller Irely
May 26 at 10:27am · 🌐

#MillionsMissing Day 2:

Just got out of an HOUR LONG mtg with Sen. McCain's health staffer, and the Senator

himself joined for part of it. Totally unheard o...

[See More](#)

[Like](#) [Comment](#)

Chronic Illness Association

May 26 at 7:10am · [🌐](#)

Lots of great photos from San Francisco #MillionsMissing protest



Millions Missing Protest in San Francisco, 25 May 2016 - symbiote

A global day of protest against the lack of research on the diagnosis and therapy of ME/CFS (myalgic encephalomyelitis / chronic fatigue syndrome). Here are photos...

SYMBIOTE.SMUGMUG.COM

[Like](#) [Comment](#) [Share](#)

Chronic Illness Association

May 25 at 1:12pm · [🌐](#)

From Australia...

"#Millions Missing is a global day of protest for the millions missing from work, life, school, and families because of the devastating Neuroimmune illness ME/CFS (Myalgic Encephalomyelitis/Chronic Fatigue Syndrome).

#MillionsMissing Melbourne will join protests in the U.S., U.K and Canada on May 25th 2016 from 12-2 pm, on the lawn of the Victorian State."



Melbournians Join Global Protest #MillionsMissing Melbourne

#Millions Missing Melbourne. ME/CFS awareness. Myalgic Encephalomyelitis/Chronic Fatigue Syndrome.Melbourne, 25th May 2016, State...

WWW.NEWSMAKER.COM.AU

[Like](#) [Comment](#) [Share](#)

Chronic Illness Association shared a live video.

May 25 at 1:06pm · [🌐](#)

#MillionsMissing





9,716 Views

Jamie Dubin was live.
May 25 at 12:44pm · 🌐

Janet Dafoe and Ron Davis, a scientist that worked on the Human Genome Project speak at the Millions Missing protest about their incredibly sick son, Whitney, and how desperately we need research and funding. #MillionsMissing

👍 Like 💬 Comment ➦ Share



Chronic Illness Association shared a live video.

May 25 at 12:54pm · 🌐



9,716 Views

Jamie Dubin was live.
May 25 at 12:44pm · 🌐

Janet Dafoe and Ron Davis, a scientist that worked on the Human Genome Project speak at the Millions Missing protest about their incredibly sick son, Whitney, and how desperately we need research and funding. #MillionsMissing

👍 Like 💬 Comment ➦ Share

 **Chronic Illness Association** shared The #MEAction Network's live video.
May 25 at 9:02am · 🌐

#MillionMissing protest in DC



27,079 Views

The #MEAction Network was live.
May 25 at 9:00am · 🌐
#MillionMissing protest in DC

👍 Like 💬 Comment ➦ Share

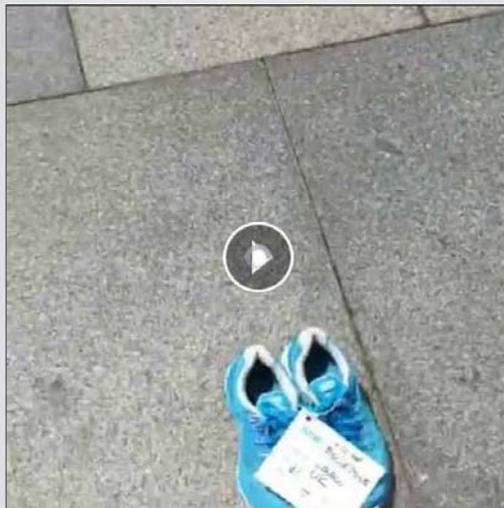
Wendie Brock likes this.

Top Comments -

Comments

 **Wendie Brock** Thank you!
👍 1 · May 26 at 5:27am

 **Chronic Illness Association** shared Forgotten Flague's live video.
May 25 at 8:48am · 🌐



9,079 Views

Forgotten Plague was live.
May 25 at 8:20am · 🌐

ME Action Protest

👍 Like 💬 Comment ➦ Share

Chronic Illness Association
May 25 at 4:19am · 🌐

Get to sharing. We need to get Ron Davis to this conference. Very important.

Janet Dafoe on Twitter
"Is anybody well enough and close enough and free enough to come help me with Whitney while Ron's gone? I would pay. <https://t.co/dlwsjeCJZg>"
TWITTER.COM | BY JANET DAFOE

👍 Like 💬 Comment ➦ Share

Chronic Illness Association shared USA May 12 MECFS Awareness Day Light Up the Night Campaign's photo.
May 24 at 4:22pm · 🌐

Yay Marc Camenzind!

A certificate of recognition from the City of Los Angeles. The certificate is titled "Certificate of Recognition" and is awarded to "Myalgic Encephalomyelitis/Chronic Fatigue Syndrome Awareness Day". The text on the certificate describes the challenges of these conditions and expresses appreciation for the awareness day. It is signed by the Mayor of Los Angeles.

USA May 12 MECFS Awareness Day Light Up the Night Campaign
May 24 at 4:20pm · Meredith, MI, United States · 🌐

Yay Marc Camenzind!

👍 Like 💬 Comment

Chronic Illness Association shared Bateman Home Center's post.
May 23 at 5:53am · 🌐

Bateman Home Center
May 18 at 4:11pm · 🌐

Dr. Bateman is determined to bring world-class care to ME/CF/S and FM patients, to chase down biomarkers, and to offer real help and hope... Please share this important message.

BHC Wings to Fly - Dr. Bateman
Dr. Lucinda Bateman shares her vision for the future of the Bateman Home Center - excellence in care for patients, the discovery of biomarkers to improve di...
YOUTUBE.COM

