

From: McCray, Renee

Sent: 3/28/2016 3:26:26 PM

To: TTAB E Filing

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Subject: U.S. TRADEMARK APPLICATION NO. 86575117 - DIVEO - N/A - Request for Reconsideration Denied - Return to TTAB

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Files: 86575117.doc

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

**U.S. APPLICATION SERIAL NO.** 86575117

**MARK:** DIVEO



**CORRESPONDENT ADDRESS:**

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**GENERAL TRADEMARK INFORMATION:**

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

[VIEW YOUR APPLICATION FILE](#)

**APPLICANT:** Tiveo, LLC

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

N/A

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**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 3/28/2016

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 following requirement(s) and/or refusal(s) made final in the Office action dated September 6, 2015 are maintained and continue to be final: Section 2(d) likelihood of confusion. 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.

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).

Please note the additional Nexis evidence attached. These excerpted articles further demonstrate that confusion as to source or sponsorship is likely. Accordingly, the Section 2(d) refusal is maintained and continues to be final.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

/Renee McCray/

Trademark Examining Attorney

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PR Newswire

January 21, 2016 Thursday 8:09 AM EST

## Avatar New York Reveals 7 Web **Hosting** Terms You Should Understand

**LENGTH:** 689 words

**DATELINE:** NEW YORK, Jan. 21, 2016

Avatar New York is an award-winning web design company. With innovative **websites** tailored to each business's clientele, AvatarNew York web designhelps companies attract new clients, enhance brand awareness, and increase revenue.

Photo -<http://photos.prnewswire.com/prnh/20160120/324225LOGO>

**Hosting** can be a complex and exasperating part of owning a **website**. It doesn't need to be if you understand the basics as well as your options for purchasing **hosting** services. Below, we discuss seven web **hosting** terms you should understand.

1. Server: A computer or computer program that performs the specific task of "serving" information based on requests from other machines or programs. It's simple in concept, but on the Internet the process occurs amongst many machines over a vast network.

There are many types of servers such as web, database, memcached, and file servers. For example, **websites** are hosted on a web server or a web server combined with other types of servers, such as database servers.

2. IP Address: An IP address is like a telephone number for computers connected to the Internet. A publicly accessible server connected to the Internet has a unique IP address which consists of a series of numbers separated by periods.

3. **Website Hosting**: An Internet service whereby a **website** is hosted on a server and made accessible via the World Wide Web (or the Web) to other machines connected to the Internet. This service is unrelated to email **hosting** which may or may not be provided by the same hosting company.

4. Shared **Hosting**: Shared **hosting** is a **hosting** service where many **websites** are hosted together on a single server. Shared **hosting** is by far the most economical **hosting** option, as many **websites** share the server's resources. Shared **hosting** does have drawbacks such as:

Performance issues caused by one **website** can affect the performance of all other **websites** sharing the same environment. A shared server is generally more restrictive when it comes to specific software versions and settings. A shared server is generally less customizable.

5. Dedicated **Hosting**: Dedicated **hosting** refers to a web server **hosting** a single **website** or multiple **websites**. The main difference between shared and dedicated **hosting** is that the owner of a **website** or web server has control over the server in a dedicated **hosting** environment. Unlike shared **hosting**, dedicated **hosting** provides direct access to and control over the server itself.

Modules, software, or programs can be customized and tailored as needed for a **website**. A dedicated server can also be configured in a way that benefits a particular **website's** performance.

Dedicated **hosting** solutions cost significantly more than shared **hosting**, not only in terms of the server itself, but also in time and the cost to manage it.

6. Virtual Dedicated **Hosting**: Virtual dedicated **hosting** is a software equivalent of dedicated **hosting**. A virtual dedicated server functions like a physical server, but shares an environment with other virtual dedicated servers. Virtual dedicated **hosting** is not like shared **hosting**, since each virtual server is dedicated to a single **hosting** environment, similar to a physical dedicated server.

The cost of virtual dedicated **hosting** plans are more expensive than shared plans but more economical overall than dedicated plans.

7. Managed **Hosting**: A web **hosting** service whereby a **hosting** provider manages services that may include backups, monitoring, patching, and updates, along with a web **hosting** solution. Conversely, unmanaged **hosting** means that the web host provides a web server only.

Avatar New York is an innovating, award-winning web design New York firm dedicated to providing clients with responsive **websites** that help grow brands and convert visitors to customers. With an expertise in web development, branding, cloud **hosting**, mobile app development, and CMS and e-commerce solutions, Avatar New York's top tier designers have the ability to create intelligent **websites** for any type of business.

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SOURCE Avatar New York

## Centex Hosting Launches Newly Redesigned Website To Herald Expansion Into VPS Hosting

Centex Hosting has created a brand new website to make room for brand new services, including VPS hosting and Reseller hosting, using the latest design techniques and approaches.

*Centex Hosting has created a brand new website to make room for brand new services, including VPS hosting and Reseller hosting, using the latest design techniques and approaches.*

Hosting is the foundation stone upon which the internet is built, and having fast, high quality and reliable hosting can make the difference between a website that delivers a great experience to potential customers and a frustrating experience that will see them go elsewhere for their products and services. Centex Hosting understands this, and has just launched a suite of new hosting services together with a full redesign of its own website, to demonstrate best practices in design and create a new showcase for the new services.

The first of these services is **VPS hosting**, which enables people to not only host their site but to host their files and sensitive data in a secure location online, to be accessed quickly from anywhere on any device. The second is **reseller hosting**, designed to help marketers discover a great product offer that will practically sell itself.

The website redesign has been undertaken with the latest design ideas in mind, using a fully responsive architecture to load seamlessly and beautifully on any device, with graphic and multimedia elements helping to present their services in the best light possible.

A spokesperson for Centex Hosting explained, “We are thrilled to be able to launch our new online presence with an expanded range of services to offer. We have been working hard for years to create the ultimate hosting package and we are at a point where we can proudly say our services are some of the best available anywhere in the world. The new website can help people understand exactly how and why that is, while at the same time introducing people to our new opportunities. This is an exciting time for our business, and an exciting time for others to get the best for their business from us.”

### **About Centex Hosting:**

Centex Hosting aim to combine best in class technology with best in class software, and a support team that loves to help. They are committed to building long term partnerships with all clients, by providing personalized solutions to every hosting need. With 24/7 support, creative innovation, and affordable prices, the company is ideally positioned to be the best solution for businesses of all scales.

For more information please visit: <https://centexhosting.com/>

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M2 PressWIRE

July 15, 2013 Monday

## Paradux Media Group Offers Managed **Hosting** For WordPress

**LENGTH:** 385 words

July 15, 2013

Paradux Media Group's premium WordPress **website hosting** for business offers worry-free, hassle-free, high speed safe managed WordPress **hosting**.

Eagle Point, United States - A company's **website** is a reflection of the business, when it is running slow, or has malware: it affects the company's reputation. That is why Paradux Media Group offer state-of-the-art managed WordPress **website hosting** for business. As people connect more and more online, having a **website** is one of the best things a business can do to support their brand. The **website** acts a portal to a business. The

**website** should be engaging, entertaining, and informative to attract new visitors and keep existing ones.

If a business owner is not comfortable self-**hosting their website** and want to find an easier way, Paradux Media Group offer a variety of **website hosting** plans to meet their needs. Managed WordPress **hosting** allows business owners to relax, have fun with their **websites**. Paradux Media Group has got everyone covered.

Paradux Media Group is pleased to offer state-of-the-art managed WordPress **hosting** for business. Managed Web **Hosting** occurs when, the business owner, outsources the management and **hosting** of their **website** to a reputable business that takes care of the server setup, server management, **website** backups, **website** upgrades, defending against malware, and generally looking after all the technical aspects of the **website**. In a managed web **hosting** situation, the business owner has the freedom and ability to access and add content to their **website**, but they don't have to worry about it being there when they want it. Managed web **hosting** provides the piece of mind that is critical for a business **website**.

Once a business gets control of their **website** with managed web **hosting**, they are able to launch the latest campaign with the **website**, drive traffic to a landing page on the site, track a sale's progress by tracking the hits to the landing page, and close the deal online - that's smart and effective marketing.

Visit <http://paraduxmedia.com/services-specialties/website-hosting/> for more information.

PRWeb Newswire

July 11, 2014

InMotion **Hosting** Announces Improved Shared **Hosting**

## With SSDs.

**LENGTH:** 549 words

Los Angeles, CA (PRWEB) July 11, 2014

Leading **website hosting** company InMotion **Hosting** recently announced a series of upgrades to their shared web **hosting** service, including free solid-state drives (SSDs), secure shell access (SSH), unlimited **websites** on their Business-Class Pro plan web **hosting**, and a slew of new tools for developers.

Already providers of industry-leading web **hosting** at the dedicated server level, InMotion **Hosting** now turns its focus to providing the best technology in shared **hosting** as well. SSD **hosting**, free to all new InMotion **Hosting** customers, means **websites** will run at blazing speeds, far faster than even the fastest **websites** run on traditional hard disks. Customers choosing the top-tier Pro plans from InMotion **Hosting** will also enjoy unlimited **websites**, and a unique Service-Level Agreement (SLA), guaranteeing their **websites'** uptimes, backed by InMotion **Hosting's** award-winning customer service.

For power users and developers, InMotion **Hosting** is also rolling out a series of tools to ensure they have everything they need to make their web **hosting** experience the best in the business. SSH makes it easy and secure to work on your **website** from anywhere in a granular way. Plus, InMotion **Hosting's** shared **hosting** plans now support Ruby and PostgreSQL, two powerful and popular languages that many **website** backends use. Power users will also appreciate that InMotion **Hosting** runs all of its services on Better Linux, a faster, more reliable server operating system.

Finally, InMotion **Hosting** announced that all of its shared servers will feature improved integration with

users to run their apps on InMotion **Hosting** served **websites**.

"We're tremendously excited about the new features of our shared **hosting**," said Todd Robinson, CEO of InMotion **Hosting**. "Hardware upgrades like SSDs make our web servers among the fastest you can host on anywhere, and we provide them free to our customers. Plus, all the tools and features we offer make our platform unparalleled for web developers. So, whether you're a blogger looking to take your site to the next level, or a web business wanting to drive heavy traffic, our new features deliver what you need at the best prices in the industry."

To learn more about InMotion **Hosting's** new shared web **hosting** services and their features, visit their Business Class **hosting website**.

#### About InMotion **Hosting**

Founded in 2001 in Los Angeles, CA, InMotion **Hosting** has grown to become one of the world's leading **website hosting** companies, providing shared **hosting**, virtual private servers (VPS), reseller **hosting** and dedicated servers, for businesses of all sizes, bloggers, and other individuals. InMotion **Hosting** has always been committed to the principles upon which it was founded: offering customers top-quality products at the best prices, backed up by personalized service that consistently thrills them by exceeding their expectations. For more information, please visit InMotion **Hosting** at

<http://www.inmotionhosting.com>

, or email [sales\(at\)inmotionhosting\(dot\)com](mailto:sales@inmotionhosting.com).

Read the full story at

Las Vegas Business Press

September 4, 2012

## Business-**website hosting** shouldn't leave you broke

**BYLINE:** Staff Writer

**SECTION:** COLUMNISTS

**LENGTH:** 575 words

A client once told me, "I don't understand all that **website-hosting** technical lingo and how it works. I just want a good working **website** for my business and I just got it developed and hosted through a popular national company because I figured that they know what they are doing."

She also said her **website-hosting** fee with basic updates/maintenance costs hundreds of dollars per month, and that she signed a two-year contract. I learned that by the end of two years her **website-hosting** fees will total more than \$8,000. Within the next 10 to 15 minutes of conversation she realized she had made an expensive transaction.

Getting a business **website** developed through a professional can be pricey, but the cost of **hosting** a **website** doesn't have to be. Sometimes consumers who want to learn the process don't know exactly where to start and what to look for, which at times results in unnecessary expense.

Most Web-**hosting** service providers offer the following plans:

SHARED WEB **HOSTING**

Many small-business owners host their **website** through shared Web **hosting**. This type of **hosting** is inexpensive; it costs as little as a few dollars a month depending on the features added on to a site. Shared **hosting** generally means that one server might be **hosting** hundreds of **websites**. However, files of each **website** reside in their own private folder within the server. It's like several people living in one big room, sharing common resources but having private living areas.

#### VIRTUAL PRIVATE SERVER **HOSTING**

Also known as VPS. This is a step up from shared **hosting**. Some technical knowledge is required because it offers some configuration control. VPS costs about \$10 to \$100 a month, depending on the hardware and configuration requirement. Server administrators partition a hard drive within the server with a special software that virtually divides the hard drive into several sections. These sections are then individually made available to host a **website**. The **website** resides in its own private area and files are secured in their own space. It's like living in a condominium unit that is part of a multiunit building. Each unit offers privacy and has its own resources, and you are responsible for managing the living area.

#### DEDICATED SERVER **HOSTING**

This simply means your **website** is hosted on a dedicated server. This type of **hosting** is expensive. It is for someone who understands network and server configurations. The server hosts only your **website**; you control and configure the server. This is like living in a house that offers complete privacy and the use of a house is your responsibility.

#### CLOUD WEB **HOSTING**

This a different **hosting** concept than what we have learned so far. Unlike shared, virtual private server and dedicated server, cloud **hosting** relies on multiple servers rather than one, which is referred to as "load balance computing." It's like a farm of servers with a wide range of resources. Cloud **hosting** is known for its reliability because it does not rely on one server but bounces to the next best resource within that farm of servers. The main benefits are faster connection to a **website** and no downtime. The hard- drive space and memory are scalable based on the amount of resources needed to host a **website**, which means you are billed based on the usage.

Raj Tumber specializes in strategic development. He is a published writer and a certified business mentor with Southern Nevada SCORE. Contact him at [relations@rajtumber.com](mailto:relations@rajtumber.com) .