

This Opinion is Not a
Precedent of the TTAB

Hearing: March 21, 2023

Mailed: April 3, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Trial and Appeal Board
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In re Fredericia Furniture A/S
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Serial Nos. 79310559 and 79318824
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Mary Frances Love and Rebecca Gan, Muncy, Geissler, Olds & Lowe,
P.C., for Fredericia Furniture A/S.

Andrew Leaser, Trademark Examining Attorney, Law Office 117,
Cynthia Tripi, Managing Attorney.

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Before Zervas, Shaw, and Johnson,
Administrative Trademark Judges.

Opinion by Johnson, Administrative Trademark Judge:

Fredericia Furniture A/S (“Applicant”) seeks registration on the Principal Register of the FREDERICIA¹ standard character mark, and the FREDERICIA

composite mark,  **Fredericia**,² (collectively,

“Applicant’s Marks”) for:

¹ Application Serial No. 79310559 was filed on March 8, 2021, under Section 66(a) of the Trademark Act, 15 U.S.C. § 1141f(a), based on a request for extension of protection of International Registration No. 1590387, registered on March 8, 2021.

² Application Serial No. 79318824 was filed on July 6, 2021, under Section 66(a) of the Trademark Act, 15 U.S.C. § 1141f(a), based on a request for extension of protection of

Lighting installations, and lighting apparatus in the nature of table lamps, floor lamps, pendant lamps, and wall lamps; lamps, in International Class 11;

Furniture, mirrors, picture frames; containers, not of metal or paper, for storage or transport, in International Class 20 (collectively, “Applicant’s Goods”);

and

Advertising; business management; business administration; office functions; wholesale and retail store services featuring apparatus and installations for lighting, lamps, furniture, mirrors, picture frames, containers, not of metal, for storage or transport, household or kitchen utensils and containers, cookware and tableware, except forks, knives and spoons, glassware, porcelain and earthenware, carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings, not of textile, in International Class 35 (“Applicant’s Services”).

The Trademark Examining Attorney refused registration of Applicant’s standard character mark under Section 2(e)(2) of the Trademark Act, 15 U.S.C. § 1052(e)(2), on the ground that the mark is primarily geographically descriptive of Applicant’s Goods and Services. In addition, the Examining Attorney refused registration of Applicant’s composite mark under Trademark Act Section 6(a), 15 U.S.C. § 1056(a),

International Registration No. 1609735, registered on July 6, 2021. The mark is described in the application as follows: “The mark consists of two interlocking letter “F”s forming a square to the left of the word FREDERICIA.” Color is not claimed as a feature of the mark.

Citations to the appeal record are from the publicly available documents in TTABVUE, the Board’s electronic docketing system. *See, e.g., Turdin v. Trilobite, Ltd.*, 109 USPQ2d 1473, 1476 n.6 (TTAB 2014). The number preceding “TTABVUE” corresponds to the docket entry number; the number(s) following “TTABVUE” refer to the page number(s) of that particular docket entry, if applicable.

Citations to the application record are to downloadable .pdf versions of the documents in the Trademark Status and Document Retrieval (TSDR) database of the United States Patent and Trademark Office (USPTO).

on the ground that Applicant failed to comply with the requirement to disclaim “Fredericia” for Applicant’s Goods and Services.

When the refusals were made final, Applicant appealed and requested reconsideration in both applications. After the Examining Attorney denied the requests for reconsideration, the appeals proceeded and a hearing was held. The appeals have been fully briefed. We reverse the refusals to register.

I. Appeals Consolidated

The Examining Attorney moved to consolidate the appeals (13 TTABVUE), and the Board granted the motion, based in part on the similarity of the records (15 TTABVUE). Unless otherwise indicated, we refer to the record in Serial No. 70310559 for the FREDERICIA standard character mark.

II. Applicable Law

The test for determining whether a term is primarily geographically descriptive is whether (1) the primary significance of the term in the mark sought to be registered is the name of a place generally known to the public; (2) the public would make an association between the goods or services and the place named in the mark, that is, believe that the goods or services for which the mark is sought to be registered originate in that place; and (3) the source of the goods or services is the geographic region named in the mark. *In re Newbridge Cutlery Co.*, 776 F.3d 854, 113 USPQ2d 1445, 1448-49 (Fed. Cir. 2015) (citing *In re Societe Generale des Eaux Minerales de Vittel S.A.*, 824 F.2d 957, 3 USPQ2d 1450, 1452 (Fed. Cir. 1987) (“*Vittel*”) (elements 1 and 2) (additional citations omitted); *In re Jacques Bernier, Inc.*, 894 F.2d 389,

13 USPQ2d 1725, 1726 (Fed. Cir. 1990) (element 3) (discussing Section 2(e)(2) elements) (additional citation omitted)). The relevant public is the purchasing public, located in the United States, of the specific types of goods and services offered by Applicant. *In re Newbridge Cutlery*, 113 USPQ2d at 1449.

The record must include substantial evidence to support a conclusion that the mark identifies “a place generally known to the public.” *Id.* at 1450. To establish a goods/place (or services/place) association required by the second element of the test, the Office must show “a reasonable predicate for its conclusion that the public would be likely to make the particular goods/place association on which it relies.” *Id.* at 1449 (citing *In re Miracle Tuesday*, 695 F.3d 1339, 104 USPQ2d 1330, 1334 (Fed. Cir. 2012) (internal citations omitted)). “The PTO has long held that where: (1) a location is generally known; (2) the term’s geographic significance is its primary significance; and (3) the goods do, in fact, originate from the named location, a goods/place association can be presumed.” *In re Newbridge Cutlery*, 113 USPQ2d at 1449 (citations omitted).

In addition, an examining attorney may require an applicant to disclaim an unregistrable component of a mark otherwise registrable. 15 U.S.C. § 1056(a). Primarily geographically descriptive terms within a mark are unregistrable under Trademark Act Section 2(e)(2) and, therefore, are subject to disclaimer if the mark is otherwise registrable. Failure to comply with a disclaimer requirement is ground for refusal of registration. *See In re Omaha Nat’l Corp.*, 819 F.2d 1117, 2 USPQ2d 1859,

1861 (Fed. Cir. 1987); *In re Richardson Ink Co.*, 511 F.2d 559, 185 USPQ 46, 47 (CCPA 1975); *In re Ginc UK Ltd.*, 90 USPQ2d 1472, 1477 (TTAB 2007).

III. Evidence and Analysis

Applicant is a furniture design firm located in Fredericia, Denmark.³ The Kingdom of Denmark, which as of 2019 has a population of 5.8 million,⁴ is the smallest of the Scandinavian countries by land mass, “somewhat bigger than Switzerland, or slightly less than twice the size of the U.S. state of Massachusetts.”⁵ According to Statistics Denmark, the city of Fredericia, which is located in the Jutland Peninsula, had a population of 40,886 in 2022.⁶

The Examining Attorney asserts that a goods- and services-place association may be presumed, (11 TTABVUE 10-11), since “substantial evidence supports a finding that Fredericia, Denmark is a generally known place,” (11 TTABVUE 6), and Applicant’s Goods and Services originate in Fredericia. (11 TTABVUE 9). On the other hand, Applicant contends that the Office’s evidence does not demonstrate, by substantial evidence, that Fredericia, Denmark is “a generally known geographic location to the American housewares consumer.” (9 TTABVUE 11).

³ Mar. 8, 2021 Request for Extension of Protection for Serial Number 79310559 at 1. *See also* Jan. 31, 2022 Final Office Action at 30 (Applicant’s LinkedIn.com page), 32 (page from the danishdesignstore.com website), 33 (page from the finnishdesignshop.com website), 34 (page from the haute-living.com website); Aug. 26, 2022 Request for Reconsideration After Final Action Denied (“RFR Denied”) at 79 (history page from Applicant’s fredericia.com website).

⁴ Aug. 26, 2022 RFR Denied at 25.

⁵ *Id.*

⁶ *Id.* at 6.

A. Is the primary significance of FREDERICIA the name of a place generally known to the public?

As evidence that Fredericia, Denmark is a place generally known to the public, the Examining Attorney submitted:

An entry for Fredericia from *The Columbia Gazetteer of the World* (“*Gazetteer*”);⁷

A Wikipedia entry for Fredericia;⁸

Pages from the U.S. Embassy & Consulate in the Kingdom of Denmark website;⁹

An October 2021 online article entitled, “15 Best Places to Visit in Denmark,” published at The Crazy Tourist website;¹⁰

A page from the citypopulation.de website for Fredericia;¹¹

The “Fredericia Travel Guide” at the Expedia.com website;¹²

“Explore Fredericia” at the TripAdvisor.com website;¹³

An entry for Fredericia, Denmark at britannica.com, which describes the town as “a rail junction with a large and varied manufacturing industry”;¹⁴

⁷ Oct. 9, 2021 Non-Final Office Action at 6.

⁸ *Id.* at 7-10. Generally, we find Applicant’s Wikipedia evidence to be only minimally probative. *See In re IP Carrier Consulting Grp.*, 84 USPQ2d 1028, 1032-33 (TTAB 2007) (“The better practice with respect to Wikipedia evidence is to corroborate the information with other reliable sources, including Wikipedia’s sources.”).

⁹ *Id.* at 11-13.

¹⁰ *Id.* at 14-15. The article ranks Fredericia as number 10 out of 15.

¹¹ Jan. 31, 2022 Final Office Action at 6. “.de” is the country code top level domain (ccTLD) for Denmark. Generally, we do not consider websites emanating from foreign countries on issues involving recognition, by the American public, of a mark (or geographic location). Here, we will consider the evidence since it is offered to show the official population of Fredericia.

¹² *Id.* at 7-8.

¹³ *Id.* at 10-11.

¹⁴ *Id.* at 31.

One page of Google search results (19,100,000 results, dated January 31, 2022) for “fredericia”;¹⁵

Articles (printed using the NEXIS database) mentioning Fredericia, Denmark from the following publications:¹⁶ *Miami Herald*, *Houston Chronicle*, *Houston Business Journal*, *Florida Today*, *The Columbian*, *Palm Beach Post*, *Cleveland Plain Dealer*, *San Francisco Chronicle*, *New York Times*, *Albany Times-Union*, *Milwaukee Journal Sentinel*, *Las Cruces Sun-News* (N.M.), *Daily News of Newburyport* (Mass.), *Dayton Daily News*, *The Republican* (Mass.), *Christian Science Monitor*, *Saint Paul Pioneer Press* (Minn.), *Burlington Free Press* (Vt.), *Ithaca Journal* (N.Y.), *Wisconsin State Journal*, *St. Petersburg Times* (Fla.), *Los Angeles Times*, *The Economist*, and *Interior Design*;

Various maps of Denmark that include Fredericia;¹⁷

Webpages from Disney Cruise Line at which Fredericia, Denmark is described as a port that “serves as the gateway to many of Denmark’s most fascinating historical sites,” and as a “popular travel destination”;¹⁸

Webpages from Royal Caribbean International at which Fredericia, Denmark is described as a fortress town founded in 1650 that “offers history around every corner”;¹⁹

A Wikipedia entry entitled, “List of urban areas in Denmark by population,” that includes Fredericia;²⁰

A page from the *CIA World Factbook* website showing Fredericia as one of the “major cities” of Denmark;²¹ and

¹⁵ *Id.* at 36.

¹⁶ Jan. 31, 2022 Final Office Action at 12-29; Aug. 26, 2022 RFR Denied at 42-66, 78.

¹⁷ Aug. 26, 2022 RFR Denied at 15-38.

¹⁸ *Id.* at 11-13.

¹⁹ *Id.* at 39-41.

²⁰ *Id.* at 7-9. Fredericia is ranked 17th out of 35 urban areas in Denmark, and does not appear on the map at this webpage.

²¹ *Id.* at 14.

A page from the shipnext.com website discussing Fredericia, Denmark as a “large, well situated, well equipped port capable of handling a variety of cargo.”²²

The Examining Attorney also submitted:

Pages from Applicant’s website, fredericia.com, showing that Applicant was established in 1911, the Scandinavian Furniture Fair was established in 1913, and showing six retailers that offer Applicant’s Goods in the United States;²³

A LinkedIn page for Applicant showing 10,899 “followers” of the page;²⁴

Pages featuring Applicant’s furniture at the websites of four furniture retailers: danishdesignstore.com, finnishdesignshop.com, haute-living.com (of Chicago, Illinois), and lekkerhome.com (of Boston, Massachusetts);²⁵

Printed pages from various online dictionaries with printed editions that show no definitions or results for “fredericia”;²⁶

Google Maps search results (dated Aug. 18, 2022) for “furniture manufacturing fredericia,” which show four furniture manufacturers, five furniture stores, one home goods store, and one hardware store in Fredericia and the surrounding area;²⁷

Search results from babynames.com and the Social Security website showing no results for “fredericia”;²⁸

Data from the United States Census *American Community Survey* website for “Selected Social Characteristics in the United States”

²² Aug. 26, 2022 RFR Denied at 10.

²³ *Id.* at 79-80.

²⁴ Jan. 31, 2022 Final Office Action at 30. The LinkedIn page does not indicate whether the 10,899 followers are located in the United States or elsewhere.

²⁵ *Id.* at 32-34, 37-38.

²⁶ Aug. 26, 2022 RFR Denied at 73-76.

²⁷ *Id.* at 77. The search results with four furniture manufacturers also includes one cabinet maker. One store is listed just as “manufacturer.” It is unknown, from reading the search results, whether that store is a furniture manufacturer.

²⁸ *Id.* at 71-72.

showing that in 2020, 1,244,498 people in the United States were of Danish ancestry, representing 0.4% of the population;²⁹ and

Pages from *The 2020 Yearbook of Immigration Statistics*, published by the U.S. Department of Homeland Security Office of Immigration Statistics, showing the number of persons obtaining lawful permanent resident status by region and selected country of last residence from 1910 to 2020.³⁰

We begin with a finding that, based on the identifications of goods and services, the relevant purchasing public for the goods and services at issue consists of the general public located in the United States who purchase lighting installations, lamps, furniture, mirrors, picture frames, and related goods and services.

Turning to whether Fredericia is the name of a place generally known to the relevant public, there is no dispute that Fredericia is a city in Denmark. Based on the evidence of record, Fredericia is the 17th largest urban area in Denmark, with a port “capable of handling a variety of cargo.”³¹ Fredericia is included on maps of Denmark proffered by the Examining Attorney, and can be found on Expedia.com and Tripadvisor.com, two travel websites of interest to travelers.

We acknowledge that the relevant purchasing public could include persons of Danish ancestry in the United States, but according to U.S. Census data, proffered by the Examining Attorney, those persons represented only 0.4% of the population — fewer than 1.3 million people — in 2020. There is no reason to believe that a person with Danish ancestry residing in the United States would know of Fredericia, or any

²⁹ Aug. 26, 2022 RFR Denied at 67.

³⁰ *Id.* at 68-70. We omit the data from 1910 to 1999 here, but it is included in the record.

³¹ Aug. 26, 2022 RFR Denied at 10.

of the cities and towns in Denmark which are not the largest or primary cities and towns, simply because of their ancestry.

U.S. Department of Homeland Security data, also proffered by the Examining Attorney, indicates that during the twenty-year period from 2000 to 2020, only 11,690 persons from Denmark obtained lawful permanent resident status in the United States. Specifically, from 2000-2009, 6,049 persons from Denmark obtained lawful permanent resident status in the United States.³² During the decade from 2010 to 2019, that number decreased to 5,200 persons,³³ and in 2020, only 441 persons from Denmark obtained lawful permanent resident status in the United States.³⁴ The number of persons who have moved from Denmark to the United States and who are more likely to have some knowledge of Frederica presents a very small segment of the U.S. population.

As to the maps, which all display Fredericia, we do not consider them as persuasive evidence that a geographic location is generally known, given the multiple geographic locations, large and small, that appear on maps. *But cf. In re Newbridge Cutlery*, 113 USPQ2d at 1451 (“That Newbridge, Ireland, is not generally known is supported by the fact that certain maps and atlases do not include it.”). For example, the WorldAtlas map of Denmark is in the record:

³² *Id.* at 70.

³³ *Id.*

³⁴ *Id.*



This map shows Fredericia in smaller, unbolded type, smaller than Copenhagen, Aarhus, Odense, Ålborg, and Esbjerg, suggesting that Fredericia is less significant than these towns. The map also shows all of the other towns, such as Horsens, Kolding, Haderslev, and Åbenrå, which are of equal prominence to Fredericia. We

³⁵ *Id.* at 27 (www.worldatlas.com/maps/denmark).

note that while Fredericia can be seen on all of the maps submitted by the Office, it is somewhat prominently featured on only one of the non-thematic maps, shown below, which increases the font size of a city's name in accordance with its population:



³⁶ Aug. 26, 2022 RFR Denied at 29 (www.worldometers.info/maps/Denmark-road-map-full/).

The Examining Attorney also submitted evidence from the *Gazetteer*, the *CIA World Factbook*, and select pages from the website of the U.S. Embassy & Consulate in Denmark. The *Gazetteer* entry reads:

Fredericia (fri-dthuh-REE-tsyah), city (2000 estimated population 38,791), **Vejle** county, central **Denmark**, on the **Lille Bælt**; 55°36'N 09°43'E. It is a port, an industrial center, and an important railroad junction. Manufactures include refined petroleum, chemicals, textiles, frozen fish, machinery, steel pipe and tubing, small appliances, and tobacco; brewery. Pipeline terminus from **North Sea** oil fields. Fredericia was built in 1650 by Frederick III as the principal fortress on **Jylland** and was not permitted to expand beyond its ramparts. In 1849 the Danes defeated the Prussians here. The fortress was closed in 1909, and the city's modern development began.

37

The Board has used *Gazetteer* evidence to find that a term has geographic significance. See *In re Loew's Theatres, Inc.*, 769 F.2d 764, 226 USPQ 865, 868 (Fed. Cir. 1985) (finding evidence from a *Gazetteer* and dictionary showing that tobacco is a crop produced and marketed in Durango, Mexico sufficient to establish a prima facie goods/place association). More recently, however, regarding *Gazetteer* evidence, the Federal Circuit has stated the following:

To be clear, we do not foreclose the PTO from using gazetteer entries or internet websites to identify whether a location is generally known. (citation omitted). ... Gazetteer entries and internet websites are valuable for the information they provide. But the mere entry in a gazetteer or the fact that a location is described on the internet does not necessarily evidence that a place is known generally to the relevant public. (citation omitted).

In re Newbridge Cutlery, 113 USPQ2d at 1450-51. See also TRADEMARK MANUAL OF EXAMINING PROCEDURE § 1210.02(b) (July 2022) (“A gazetteer entry alone, or a description of the place on the internet, does not necessarily evidence that a place is

³⁷ Oct. 9, 2021 Non-Final Office Action at 6.

generally known to the relevant American consuming public. Such evidence must, therefore, be supported by evidence showing the extent to which relevant American consumers would be familiar with the location.” (citation omitted)).

In view of the Federal Circuit’s comments, we look to the specifics of what the *Gazetteer* states regarding Fredericia, and find that furniture and lighting — the goods identified in Applicant’s application — are not identified in the *Gazetteer*. The *Gazetteer* also mentions that Fredericia was the “principal fortress on Jylland,”³⁸ and that the Danes defeated the Prussians in Fredericia in 1849. While the Examining Attorney does argue that Fredericia would be of interest to people who are generally interested in history or visiting historical sites, (*see* 11 TTABVUE 7), he does not detail why the historical aspects of Fredericia would be of interest to American consumers, or American consumers of furniture and lighting. Thus, while the *Gazetteer* evidence may be considered, its probity is limited.

Furthermore, the record offers information that suggests a lack of significance of Fredericia to American consumers of the involved goods and services. For example, from the Disney Cruise Line website:

³⁸ Jylland is the Danish name for Jutland. MERRIAM-WEBSTER DICTIONARY (2023) (<https://www.merriam-webster.com/dictionary/jylland>) (last accessed Mar. 31, 2023). The Board may take judicial notice of dictionary definitions, including online dictionaries that exist in printed format or have regular fixed editions. *In re tapio GmbH*, 2020 USPQ2d 11387, at *3 n.10 (TTAB 2020).

Things to See and Do

Learn about the must-see sites to visit around Fredericia. Stroll charming streets and see the beautiful churches and old houses. Explore the park area that's home to Northern Europe's best-preserved system of ramparts, built in the 17th century. Take a 15-minute taxi ride to an old, distinctive bridge and enjoy bridge-walking across it to view the town and environs from its unique perspective.

39

From the Royal Caribbean CruiseWeb page:⁴⁰

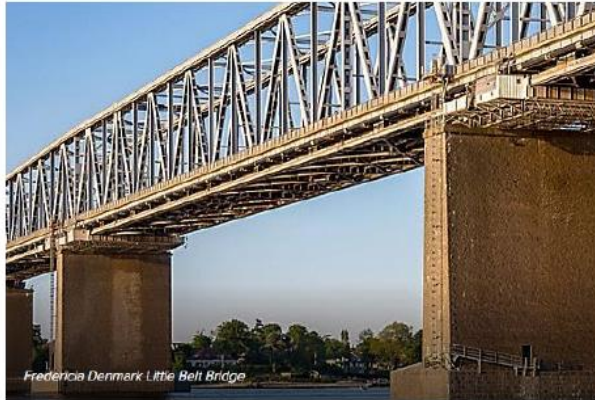
Here are some of our favorite experiences while visiting the cruise port of Fredericia, Denmark”:

- To get a look at the ramparts and cannons that once defended the city, visit Fredericia Vold. With views of the water and the town, there's also a walking path with several fitness stations if you want to test your endurance.
- Fredericia's major landmark is the statue called Landsoldaten (“The Brave Soldier”), unveiled on July 6, 1858. Landsoldat Square, which houses the statue, is the site of the annual celebrations; residents place red and white flowers at the base as a memorial.
- Originally a German church, Sct. Michaelis Kirke was taken over by Fredericia's residents in 1867. You can hear the small carillon chiming several times a day, and the real attraction is out back: the church's historic cemetery flanked by a beautiful garden.
- For a break from history and to visit with the animals, visit Madsby Parken. Most of the attractions are geared more toward kids, but there's also a nice picnic area and a place to buy snacks and coffee when you need a rest.

³⁹ Aug. 26, 2022 RFR Denied at 12.

⁴⁰ *Id.* at 39.

THINGS TO DO IN FREDERICIA



WALK OVER WATER

If adventure is your thing, Europe's only bridge walk on the old Little Belt bridge takes you to heart-stopping heights. Take in the unimpeded views across the fjord — you'll see not only Fredericia but also Middelfart to the south. Trained guides join you on the 60-meter ascent, filling you in on the history of the area.

41



PADDLE FOR A PORPOISE

Fredericia is a playground for water sports enthusiasts. View the town from the calm waters of the Little Belt strait, paddling along in a kayak or canoe. You may even come across seals or a porpoise on your journey.



LOCAL CUISINE

Fredericia runs the culinary spectrum. Stop into a local cafe for open-faced sandwiches — classic combos include roast beef with horseradish and herring with pickled onion and dill. Try freshly baked *wienerbrod*, a multilayered puff pastry filled with jam, marzipan or custard. Higher-end options present modern interpretations of the land's bounty — think snow crab with pickled celery and apple, or pan-fried local monkfish with Jerusalem artichokes.



SHOPPING

Fredericia's town center is filled with a wide range of specialty shops focused on Danish design — a modern, minimalist look that brings a feeling of space to your home. Both shops and markets offer local ceramics and other handicrafts. Head home with some authentic Danish knitwear, with its earth tones and classic geometric patterns. Or pick up a handmade work of art from one of the many galleries just across the bridge in Middelfart.

42

None of these features or activities are such that American consumers, or American tourists who are also consumers of Applicant's Goods and Services, would find Fredericia as a destination to visit, or particularly memorable.

⁴¹ *Id.* at 41.

⁴² *Id.*

Turning to the full text of articles from major American publications such as *The New York Times*, *Miami Herald*, *Houston Chronicle*, *San Francisco Chronicle*, *Los Angeles Times*, *Cleveland Plain Dealer*, and the *Milwaukee Journal Sentinel*, this evidence also suffers in its probity. Fredericia is only mentioned in passing in these articles, which focus on topics as varied as offshore wind development, chamber music, musical theatre, oil, renewable energy, Danish soccer and other Danish sports, recycling, cheese, birthdays, train derailments, cruises, the Euro, public art projects, and restaurants. One article discusses a biannual office design trade fair in Germany, and Applicant's "Trinidad chair" is briefly mentioned.⁴³ None of the articles discuss, meaningfully, the city of Fredericia or its purported furniture and design industry.

Overall, while the record includes evidence from websites such as Expedia and Trip Advisor that we presume may be visited by the general American public who have a reason to look for travel-related information to Denmark, we find that as a whole, this record lacks the substantial evidence necessary to support a finding that the relevant purchasing public in the United States — here, purchasers of lighting installations, lamps, furniture, mirrors, picture frames, and related goods and services — has been exposed to the term "Fredericia" and are aware of its geographic significance. Therefore, we cannot conclude that Fredericia is the name of "a place generally known to the public."


⁴³ *Id.* at 78.

IV. Conclusion

In sum, the record does establish that Fredericia is a city in Denmark, but on this record, substantial evidence does not support a conclusion that Fredericia is generally known to the relevant American purchasing public, despite being included on maps, in the *Gazetteer*, and at a few travel-focused websites. Because we have doubt as to the primary significance of FREDERICIA to the relevant American purchasing public, we resolve it in Applicant's favor. *In re John Harvey & Sons Ltd.*, 32 USPQ2d 1451, 1455 (TTAB 1994). We need not address the remaining elements of the test. *See In re Newbridge Cutlery*, 113 USPQ2d at 1451 ("Prong one of the test for primarily geographically descriptive marks is therefore not met. Accordingly, we need not and do not separately consider whether a goods/place association exists.").

Furthermore, because we find FREDERICIA is not primarily geographically descriptive, there is no need for "Fredericia" to be disclaimed in Applicant's composite mark. *See In re Consol. Foods Corp.*, 218 USPQ 184, 187 (TTAB 1983) (requirement to disclaim "Lauderdale" in LAUDERDALE FARM, for "fresh and processed meats and poultry," reversed; evidence insufficient, under Trademark Act Section 2(e)(2), to find that the relevant consumers associate "Lauderdale" with applicant's goods emanating from Lauderdale County, Alabama).

Decision: The refusal to register Applicant's standard character mark FREDERICIA of Application Serial No. 79310559, under Trademark Act Section 2(e)(2), is reversed.

The refusal to register Applicant's composite mark  **Fredericia** of application Serial No. 79318824, under Trademark Act Section 6(a), is also reversed.