

**This Opinion is Not a
Precedent of the TTAB**

Mailed: January 15, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Trial and Appeal Board
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In re Junk Bros. LLC
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Serial No. 88175907
—

Scott D. Swanson of Shaver & Swanson LLP,
for Junk Bros. LLC.

Marta Stadel, Trademark Examining Attorney, Law Office 123,
Susan Hayash, Managing Attorney.

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Before Kuczma, Goodman and Hudis,
Administrative Trademark Judges.

Opinion by Hudis, Administrative Trademark Judge:

Junk Bros. LLC (“Applicant”) seeks registration on the Principal Register of the proposed mark JUNK BROS. (in standard characters) for “junk, trash and debris removal” services in International Class 39.¹

The Trademark Examining Attorney has refused registration of Applicant’s proposed mark as being merely descriptive of Applicant’s identified services in

¹ Application Serial No. 88175907 was filed on October 31, 2018 pursuant to Trademark Act Section 1(a), 15 U.S.C. § 1051(a), based upon Applicant’s claim of first use anywhere and first use in commerce since at least as early as December 1, 2015.

derogation of Trademark Act Section 2(e)(1), 15 U.S.C. § 1052(e)(1). When the Examining Attorney made the refusal final, Applicant appealed and requested reconsideration. After the Examining Attorney denied the request for reconsideration, the Board resumed the appeal. Applicant and the Examining Attorney filed briefs. We affirm the refusal to register.

I. Applicable Law on Mere Descriptiveness

A mark may not be registered on the principal register if, “when used on or in connection with the [services] ... of the applicant[,]” the mark is “merely descriptive ... of them.” Trademark Act Section 2(e)(1). A mark is merely descriptive if it “consists merely of words descriptive of the qualities, ingredients or characteristics of the goods or services related to the mark.” *DuoProSS Meditech Corp. v. Inviro Medical Devices, Ltd.*, 695 F.3d 1247, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173 (Fed.Cir.2004) (quoting *Estate of P.D. Beckwith, Inc. v. Comm’r of Patents*, 252 U.S. 538, 543 (1920))).

The determination of whether a proposed mark is merely descriptive is made in relation to an applicant’s services, not in the abstract. *DuoProSS*, 103 USPQ2d at 1757. “The question is not whether someone presented with only the mark could guess what the ... services are. Rather, the question is whether someone who knows what the ... services are will understand the mark to convey information about them.” *Id.* (quoting *In re Tower Tech, Inc.*, 64 USPQ2d 1314, 1316-17 (TTAB 2002)).

“The line between a mark that is merely descriptive and may not be registered absent secondary meaning,² and one that is suggestive and may be registered, is that a suggestive mark ‘requires imagination, thought and perception to reach a conclusion as to the nature of the ... [services],’ while a merely descriptive mark ‘forthwith conveys an immediate idea of the ingredients, qualities or characteristics of the ... [services].” *DuoProSS*, 103 USPQ2d at 1755 (citing *In re Abcor Dev. Corp.*, 588 F.2d 811, 200 USPQ 215, 218 (CCPA 1978) (quoting *Abercrombie & Fitch Co. v. Hunting World, Inc.*, 537 F.2d 4, 11, 189 USPQ 759, 765 (2d Cir. 1976))).

Any competent source suffices to show the relevant purchasing public’s understanding of a contested term, including purchaser testimony, consumer surveys, dictionary definitions, trade journals, newspapers and other publications. *Royal Crown Co. v. Coca-Cola Co.*, 892 F.3d 1358, 127 USPQ2d 1041, 1046 (Fed. Cir. 2018) (citing *In re Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 828 F.2d 1567, 4 USPQ2d 1141, 1143 (Fed. Cir. 2000)), as well as “advertising material directed to the ... [services].” *In re Abcor*, 200 USPQ at 218. The public’s understanding of the term also may be obtained from websites and publications, and an applicant’s own specimen[s] of use and any explanatory text included therein. *In re N.C. Lottery*, 866 F.3d 1363, 123 USPQ2d 1707, 1710 (Fed. Cir. 2017); *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564, 1566 (Fed. Cir. 2001).

² Applicant did not request, in the alternative, to register its proposed mark on the Supplemental Register or on the Principal Register with a claim of acquired distinctiveness under Trademark Act Section 2(f), 15 U.S.C. § 1052(f).

“When determining whether a mark is merely descriptive, the Board must consider the commercial impression of a mark as a whole. ... Because a mark must be considered as a whole, the Board may not ‘dissect’ the mark into isolated elements.” *DuoProSS*, 103 USPQ2d at 1756 (internal citation omitted). On the other hand, we may consider the significance of each element separately in the course of evaluating the proposed mark as a whole. *Id.* at 1757 (noting that “[t]he Board to be sure, can ascertain the meaning and weight of each of the components that makes up the mark.”). Thus, “[w]hen two or more merely descriptive terms are combined, ... [i]f each component retains its merely descriptive significance in relation to the goods or services, the combination results in a composite that is itself merely descriptive.” *In re Phoseon Tech., Inc.*, 103 USPQ2d 1822, 1823 (TTAB 2012). Only where the combination of descriptive terms creates a unitary mark with a unique, incongruous, or otherwise non-descriptive meaning in relation to the services is the combined mark registrable. *See In re Colonial Stores, Inc.*, 394 F.2d 549, 157 USPQ 382, 384 (CCPA 1968); *In re Positec Grp. Ltd.*, 108 USPQ2d 1161, 1162-63 (TTAB 2013).

II. Examination of the Record on the Question of Mere Descriptiveness

In view of the above principles, we now review the record to determine the relevant purchasing public’s understanding of the terms “Junk” and “Bros.,” as well as the proposed mark JUNK BROS. as a whole.

A. The Relevant Purchasing Public

“Whether a mark is merely descriptive or not is ‘determined from the viewpoint of the relevant purchasing public.’” *In re Stereotaxis, Inc.*, 429 F.3d 1039, 77 USPQ2d 1087, 1090 (Fed. Cir. 2005) (quoting *In re Bed & Breakfast Registry*, 791 F.2d 157,

229 USPQ 818, 819 (Fed. Cir. 1986)). Consistent with Applicant's identification of services as "junk, trash and debris removal" (with no other limitations on customers or channels of trade), the "About Us" page on Applicant's website states that it offers "on demand junk removal [services] for both residential and commercial customers."³ Thus, customers of all types requiring junk removal services are the relevant purchasing public.

B. Dictionary Definitions

Applicant and the Examining Attorney made of record the following dictionary definitions:

- JUNK – "old iron, glass, paper, or other waste that may be used again in some form;" "secondhand, worn, or discarded articles."⁴
- JUNK – Noun: "discarded material, such as glass rags, paper, or metal, some of which may be reused in some form;" "articles that are worn-out or fit to be discarded;" "cheap or shoddy material." Adjective: "cheap, shoddy or worthless."⁵
- BROS. – an abbreviation for the term "brothers."⁶
- BROS. – an abbreviation for the term "brothers;" "a brother;" "a male friend or buddy;" "a guy or fellow: used as a term of address;" "a fellow black male; soul

³ Applicant's website, submitted with the Office Action of September 4, 2019 at TSDR 13. Page references herein to the application record refer to the online database of the USPTO's Trademark Status & Document Retrieval ("TSDR") system. All citations to documents contained in the TSDR database are to the downloadable .pdf versions of the documents in the USPTO TSDR Case Viewer. *See, e.g., In re Peace Love World Live, LLC*, 127 USPQ2d 1400, 1402 n.4 (TTAB 2018). References to the briefs on appeal refer to the Board's TTABVUE docket system. Before the TTABVUE designation is the docket entry number; and after this designation are the page references, if applicable.

⁴ Definition of JUNK from MERRIAM-WEBSTER, submitted with the Office Action Response of August 7, 2019 at TSDR 7.

⁵ Definition of JUNK from THE FREE DICTIONARY, *Id.* at 8.

⁶ Definition of BROS. from the AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE, ("AMERICAN HERITAGE DICTIONARY"), submitted with the Office Action of February 7, 2019 at TSDR 7.

brother;” “a young, usually white male variously and often negatively characterized as being preppy, party-loving, egotistical, sexist, etc.”⁷

- BROTHER (including its plural: BROTHERS) – “A male having the same parents as another or one parent in common with another;” “one who shares a common ancestry, allegiance, character, or purpose with another or others, especially: a kinsman, a fellow man, a fellow member, as of a fraternity, trade union, or panel of judges on a court, a close male friend, a comrade, a fellow African American man or boy;” “something, such as a corporation or institution, that is regarded as a member of a class.”⁸

C. Applicant’s Website

The Examining Attorney made of record portions of Applicant’s website at <http://junk-bros.com> throughout the prosecution of the JUNK BROS. Application. The following are quotes from the pages of the website that were submitted (emphasis added):

- “**JUNK BROS. Junk Removal**”, “**PICK MY JUNK UP!**”, “**#1 JUNK REMOVAL AND HAULING SERVICE ...**”, “Guaranteed competitive pricing on all **junk** removal services...”, and “We make sure your **junk** is properly disposed and gets donated and recycled....”⁹
- **Junk Bros.** is a family owned and operated company based in the Treasure Valley. We are 100% dedicated in supporting local and becoming the number one **junk** removal company in the Boise, Idaho area. ... We will always ... provide the best service in the industry.¹⁰
- “[T]he entire **Junk Bros.** team (including Dad) ...”, “Residential **Junk Removal**”, “Residential **Junk Hauling**”, “We specialize in removing all household **junk** efficiently making sure to properly sort through all the items we pick up for proper disposal. Whether it gets recycled, donated, or dumped we focus on providing eco-friendly **junk** removal and take the time to sort through and organize each load”, customer testimonial: “We bought a home that needed so much help and we just didn’t have the time or vehicles to haul

⁷ Definition of BROS. from DICTIONARY.COM, submitted with Request for Reconsideration of March 4, 2020 at TSDR 94-95.

⁸ Definition of BROTHER(S) from the AMERICAN HERITAGE DICTIONARY, *Id.* at 9.

⁹ Applicant’s specimen of use submitted with Application on October 31, 2018 at TSDR 7-8.

¹⁰ FAQs from Applicant’s website submitted with the Office Action of February 7, 2019 at TSDR 11.

away all of the **junk** that accumulated. They [**Junk Bros.**] took a lot off of our plate”, “Our team of **junk** removal experts ... [who] are professional, courteous, and focused in providing the best customer service possible” (Ryan Gregory and **brother** as youngsters and adults (wearing **Junk Bros.** shirts and hats) pictured), customer testimonial: “I’ll happily recommend these guys and this company to anyone needing disposal service”, customer testimonial: “These are actual **brothers** who do very impressive work, very quickly! They got to my mess the same day I called ..., and got it done right away. [T]hese are life-long local, personable, hard-working guys ...”, “**Junk Bros.** is the #1 rated **junk** removal and hauling service in Boise. Our trash disposal is easy and worry free. ... **Junk Bros.** offers professional **junk** removal ... We remove **junk** for both residential and commercial customers, and are dedicated to providing superior service”, “**Junk Bros.** is a locally owned and operated company We serve ... your **junk** removal needs and take pride in providing superior and honest service ... (Ryan Gregory and **brother** as adults (wearing **Junk Bros.** shirts and hats) pictured). “We make sure your **junk** is properly disposed and gets donated and recycled”¹¹

D. Third-Party Trademark and Service Mark Registrations

Applicant made of record active third-party registrations, and one pending application, for marks including the term “Bros”, “Bros.” or “Bro” for a variety goods and services unrelated to Applicant’s junk, trash and debris removal services.¹² Applicant submitted these third-party registrations as “strong evidence that Applicant’s mark ‘JUNK BROS’ [without the period] is not merely descriptive of ‘junk, trash, and debris removal’ services.”¹³ We disagree.

We find the third-party registrations for marks outside the relevant field of Applicant’s services to be of marginal, if any, relevance. *In re Thor Tech Inc.*, 90 USPQ2d 1634, 1639 (TTAB 2009) (“the third-party registrations are of limited

¹¹ Multiple pages from Applicant’s website submitted with the Office Action of September 4, 2019 at TSDR 5, 8-10, 13-18, 20.

¹² Third-party registrations submitted with Request for Reconsideration of March 4, 2020 at TSDR 18-93.

¹³ Applicant’s Brief, 9 TTABVUE 9.

probative value because the goods identified in the registrations appear to be in fields which are far removed from ... [Applicant's goods].”). Moreover, third-party applications are evidence only of the fact that they have been filed, *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1270 n.8 (TTAB 2009), and have no other probative value, *Interpayment Services Ltd. v. Docters & Thiede*, 66 USPQ2d 1463, 1468 n.6 (TTAB 2003).

The Examining Attorney made of record two categories of third-party registrations; that is, for marks including the term: (1) “Bros” or “Bros.” for a variety goods and services unrelated to Applicant’s services in which the included term was disclaimed and/or the entire mark was registered on the Supplemental Register; and (2) “Junk” for services similar to or the same as those of Applicant in which the included term was disclaimed, the registration included a claim of acquired distinctiveness under Trademark Act Section 2(f), 15 U.S.C. § 1052(f), or the entire mark was registered on the Supplemental Register.

We find the first category of third-party registrations the Examining Attorney made of record to be of low probative value for the same reasons discussed above as to the third-party registrations Applicant made of record. We find the second category of third-party registrations the Examining Attorney made of record (for marks including the term “Junk” for services similar to or the same as those of Applicant where “Junk” was disclaimed, the registration included a Section 2(f) claim, or the entire mark was registered on the Supplemental Register) to be relevant evidence on the issue of descriptiveness of “Junk” in connection with Applicant’s services. *See*,

e.g., In re Morinaga Nyugyo Kabushiki Kaisha, 120 USPQ2d 1738, 1745 (TTAB 2016) (quoting *Inst. Nat’l des Appellations D’Origine v. Vintners Int’l Co.*, 958 F.2d 1574, 22 USPQ2d 1190, 1196 (Fed. Cir. 1992) (“Third party registrations show the sense in which the word is used in ordinary parlance and may show that a particular term has descriptive significance as applied to certain goods or services.”)); *In re Box Solutions Corp.*, 79 USPQ2d 1953, 1955 (TTAB 2006) (finding third-party registrations containing disclaimers of the disputed term or including a claim of a acquired distinctiveness under Trademark Act Section 2(f) to be relevant). These third-party registrations are as follows:¹⁴

Mark and Treatment	U.S. Reg. No.	Goods/Services
JUNK 2 B ("Junk" disclaimed)	3939023	Junk, trash and debris removal, Cl. 39
1-800-JUNK-USA (Section 2(f), entire mark)	4063075	Garbage collection, Cl. 39
THE JUNK REMOVERS BIG JIM WWW.THEJUNKREMOVERS.COM and Design (Entire word portion of mark disclaimed)	4117900	Junk, trash and debris removal, Cl. 39
NOVA JUNK ("Junk" disclaimed)	4746221	Junk, trash and debris removal, Cl. 39
AMERICAN JUNK SOLUTIONS (Supplemental Register; "Junk" disclaimed)	4638797	Junk, trash and debris removal, Cl. 39
JUNK BUSTERS ("Junk" disclaimed)	4695333	Junk removal, Cl. 39
THE JUNK JUGGLER ("Junk" disclaimed)	5049159	Junk, trash and debris removal, Cl. 39
JUNK LION ("Junk" disclaimed)	5240813	Garbage collection; Junk removal; Junk, trash and debris removal, Cl. 39
JUNK CLEAN ("Junk" disclaimed)	5275277	Junk, trash and debris removal, Cl. 39
JUNK BUS	5284837	Junk, trash and debris removal, Cl. 39

¹⁴ Third-party registrations submitted with Denial of Request for Reconsideration of April 14, 2020 at TSDR 9-10, 15-19, 26-33, 41-42, 46-51, 54-55.

Mark and Treatment	U.S. Reg. No.	Goods/Services
(“Junk” disclaimed) VETS MOVE JUNK (Supplemental Register)	5494222	Junk removal, Cl. 39

E. Applicant’s Admissions

In its appeal brief, Applicant made the following factual admissions:¹⁵

- “[T]he term ‘Junk’ may relate to junk, trash and debris removal services”
- “Ryan Gregory is the sole member of JUNK BROS LLC[,]¹⁶ [a]lthough Ryan’s family participates in Applicant’s services and Ryan’s brother works for Applicant”
- “Applicant has a team of individuals that performs junk, trash and debris removal services.”

III. Discussion and Analysis on the Question of Mere Descriptiveness

Having reviewed the record in its entirety, for the reasons that follow, we find that, as a whole, JUNK BROS. is merely descriptive of Applicant’s services.

Viewing the dictionary definitions made of record in the context of Applicant’s identified services, the term “junk” means discarded articles or material; “Bros.” (with the period) is an abbreviation for the term “brothers”; and “brothers” are two (or more) males having the same parents or one parent in common with one another. It is this “dictionary sense” in which Applicant uses “Junk” and “Bros.” in connection with the advertising of its junk, trash and debris removal services on its website, and most often not in a service mark (source-identifying) manner.

¹⁵ Applicant’s Brief, 9 TTABVUE 4

¹⁶ To demonstrate that Ryan Gregory is its sole member, Applicant made of record and relies upon the Idaho Certificate of Organization of Junk Bros. LLC, submitted with Applicant’s Request for Reconsideration of March 4, 2020 at TSDR 99. The Certificate of Organization shows Ryan Gregory as Applicant’s sole registered agent, governor and organizer.

As noted above, the third-party registrations Applicant and the Examining Attorney submitted for marks including the term “Bros”, “Bros.” or “Bro” for goods and services unrelated to Applicant’s services are of little probative value. On the other hand, we find the third-party registrations the Examining Attorney submitted for marks including the term “Junk” for services similar to or the same as those of Applicant where “Junk” was disclaimed, the registration included a Section 2(f) claim, or the entire mark was registered on the Supplemental Register are “relevant to prove that [this] segment of [Applicant’s] ... composite mark[] ... has a normally understood and well recognized descriptive ... meaning ...” *Juice Generation, Inc. v. GS Enters. LLC*, 794 F.3d 1334, 115 USPQ2d 1671, 1674-75 (Fed. Cir. 2015) (quoting 2 J. T. McCarthy, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION § 11:88 (4th ed. 2015)); *See also Tektronix, Inc. v. Daktronics, Inc.*, 534 F.2d 915, 189 USPQ 693, 695 (CCPA 1976) (“[T]hird-party registrations ... may be given some weight to show the meaning of a mark in the same way that dictionaries are used.”).

We further find Applicant’s own website promoting its services to be probative and “the most damaging evidence” in showing how the relevant public perceives terms in the proposed JUNK BROS. mark. *In re Mecca Grade Growers, LLC*, 125 USPQ2d 1950, 1957 (TTAB 2018) (citing *Princeton Vanguard, LLC v. Frito-Lay N. Am., Inc.*, 786 F.3d 960, 114 USPQ2d 1827, 1831 (Fed. Cir. 2015); *In re Gould Paper Corp.*, 834 F.2d 1017, 5 USPQ2d 1110, 1112 (Fed. Cir. 1987)). Over and over, Applicant uses the term “Junk” to directly describe its “junk, trash and debris removal” services. Further, numerous times, regardless of how Applicant’s company is actually owned

or managed (that is, by a single person), Applicant represents to the public that its business is family owned and operated by “brothers.” In fact, a customer testimonial that Applicant chose to publish on its website discloses at least one client who believes that Applicant’s business is conducted by “actual brothers.” Additionally, there are at least two locations on Applicant’s website depicting photographs of Ryan Gregory and his brother dressed in hats and shirts bearing the proposed mark and company logo. To the consumer, this is a graphic representation that Applicant is operated by two brothers.

All of the above evidence may be aptly summarized by Applicant’s admissions in its brief that the term “Junk” relates to junk, trash and debris removal services; the family of Applicant’s sole member (Ryan Gregory) participates in Applicant’s services; Mr. Gregory’s brother works for Applicant; and that Applicant has a team of individuals who perform junk, trash and debris removal services. Thus, the record in its entirety, supports our finding that, as a whole, the proposed mark JUNK BROS. is merely descriptive, and not suggestive, of Applicant’s services.

IV. Applicant’s Assertion that JUNK BROS. serves as a Double Entendre

Applicant further asserts that “JUNK BROS. ... serves as a double entendre because it describes brothers who are cheap, shoddy, or worthless.”¹⁷ We find this argument to be without merit.

¹⁷ Applicant’s Brief, 9 TTABVEU 6.

A “double entendre” is a word or expression capable of more than one interpretation.¹⁸ “For trademark purposes, a ‘double entendre’ is an expression that has a double connotation or significance **as applied to the goods or services**. [According to guidance to examining attorneys provided by the USPTO,] [t]he mark that comprises the ‘double entendre’ will not be refused registration as merely descriptive if one of its meanings is not merely descriptive in relation to the goods or services.” TRADEMARK MANUAL OF EXAMINING PROCEDURE (TMPEP) § 1213.05(c) (October 2018).

However, the multiple interpretations that make an expression a “double entendre” must be associations that the public would make fairly readily, and must be readily apparent from the mark itself. *See In re RiseSmart Inc.*, 104 USPQ2d 1931, 1934 (TTAB 2012) (finding that TALENT ASSURANCE does not present a double entendre such that “the merely descriptive significance of the term [TALENT] is lost in the mark as a whole”); *In re Wells Fargo & Co.*, 231 USPQ 95, 99 (TTAB 1986) (holding EXPRESSERVICE merely descriptive for banking services, despite applicant’s argument that the term also connotes the Pony Express or the Old West; the Board finding that, in the relevant context, the public would not make that association).

¹⁸ Definition of “double entendre” from MERRIAM-WEBSTER online dictionary (<https://www.merriam-webster.com/dictionary/double%20entendre>, last visited January 14, 2021). The Board may take judicial notice of dictionary definitions, including online dictionaries that exist in printed format or have regular fixed editions. *See In re Cordua Rests. LP*, 110 USPQ2d 1227, 1229 n.4 (TTAB 2014), *aff’d*, 823 F.3d 594, 118 USPQ2d 1632 (Fed. Cir. 2016).

While, according to one of the definitions of “Junk” Applicant made of record, the term (as an adjective) does mean “cheap, shoddy or worthless,” it does not follow that, in the context of Applicant’s identified services, “Junk Bros.” readily means to consumers “brothers being cheap, shoddy, or worthless.” It makes no sense for Applicant to adopt and use a mark that would describe its services rendered by brothers as being cheap, shoddy, or worthless. In fact, the above-quoted marketing language Applicant uses on its website suggests the opposite: it is a “#1 junk removal and hauling service”, “provid[ing] the best service in the industry”, as “junk removal experts ... [who] are professional, courteous, and focused in providing the best customer service” by “providing superior and honest service.”

V. Applicant’s Contention that All Doubt must be Resolved in its Favor

Finally, Applicant argues that to the extent there is any doubt whether its proposed JUNK BROS. mark is suggestive or merely descriptive, such doubt must be resolved in Applicant’s favor by finding the proposed mark suggestive.¹⁹ *In re Conductive Systems, Inc.*, 220 USPQ 84, 86 (TTAB 1983); *In re Pennwalt Corp.*, 173 USPQ 317, 319 (TTAB 1972); *In re Morton-Norwich Prods., Inc.*, 209 USPQ 791, 791 (TTAB 1981) (“[T]here is a thin line between a suggestive and a merely descriptive designation, and where reasonable ... [persons] may differ, it is the Board’s practice to resolve the doubt in the applicant’s favor and publish the mark for opposition.”). However, in the present case, the evidence of record leaves no doubt that the proposed JUNK BROS. mark is merely descriptive.

¹⁹ Applicant’s Brief, 9 TTABVUE 10-11.

VI. Conclusion

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 against others who use the proposed mark when advertising or describing their own services. *In re Abcor*, 200 USPQ at 217. “The intent of [Trademark Act] Section 2(e)(1) is to protect the competitive needs of others, that is, ‘descriptive words must be left free for public use.’” *In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1527 (TTAB 2001) (quoting *In re Colonial Stores, Inc.*, 157 USPQ at 383). The dictionary definitions, relevant third-party registrations, and portions of Applicant’s website, as well as Applicant’s admissions made in its brief, point to one conclusion. JUNK BROS. is merely descriptive of the qualities or characteristics of Applicant’s identified services related to the proposed mark. This term should be free for others to use in connection with the marketing and rendering of junk, trash and debris removal services.

Decision:

The refusal to register Applicant’s proposed mark JUNK BROS. on the ground of mere descriptiveness pursuant to Trademark Act Section 2(e)(1) is affirmed.