

This Opinion is Not a
Precedent of the TTAB

Mailed: January 28, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board

In re Douglas Wood

Serial Nos. 88388867 and 88388875

Hillary A. Brooks of Brooks Quinn, LLC
for Douglas Wood.

Brian Pino, Trademark Examining Attorney, Law Office 114,
Laurie Kaufman, Managing Attorney.

Before Kuczma, Adlin and English, Administrative Trademark Judges.

Opinion by Adlin, Administrative Trademark Judge:

Applicant Douglas Wood seeks Principal Register registrations for the proposed mark MISSIONAL MILLIONAIRE, in standard characters, for:

books in the field of faith-based coaching, personal development, motivational and inspirational topics; books in the nature of memoirs; personal development books; printed matter, namely books, booklets, curricula, newsletters, magazines, printed periodicals in the field of personal development, in International Class 16; and

life coaching services in the field of personal development; faith-based life coaching services in the field of personal development; arranging and conducting educational conferences in the field of personal development; educational and entertainment services, namely, providing motivational speaking services in the field of self-

improvement, personal development, and emotional well-being, in International Class 41.¹

The Examining Attorney refused each application on two grounds: (1) Applicant failed to adequately respond to requests for information under Trademark Rule 2.61(b), 37 C.F.R. § 2.61(b); and (2) Applicant's proposed mark is merely descriptive of the identified goods and services under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1). After the refusals became final, Applicant appealed and Applicant and the Examining Attorney filed briefs.

I. Appeals Consolidated

These appeals involve common questions of law and fact and the records are similar. Accordingly, we consolidate and decide both appeals in this single decision. *See In re Binion*, 93 USPQ2d 1531, 1533 (TTAB 2009); TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 1214 (2020).²

II. Evidentiary Objection

The Examining Attorney objects to Applicant fully responding, for the first time in his Appeal Brief, to Request for Information No. 1 in the Class 16 Application. Specifically, Request for Information No. 1 is "Does MISSIONAL, MILLIONAIRE, or MISSIONAL MILLIONAIRE have any significance as applied to the goods and/or services other than trademark and/or service mark significance?" July 1, 2019 Office Action TSDR 5. During prosecution, Applicant responded "No" to this request, but

¹ Application Serial Nos. 88388867 (the "Class 16 Application") and 88388875 (the "Class 41 Application"), respectively, both filed April 16, 2019 under Section 1(b) of the Trademark Act, 15 U.S.C. § 1051(b), based on an alleged bona fide intent to use the mark in commerce.

² Citations are to the record in the Class 16 Application, unless otherwise indicated.

Serial Nos. 88388867 and 88388875

inaccurately quoted it as “Does MISSIONAL MILLIONAIRE have any significance as applied to the goods and/or services other than trademark and/or service mark significance?” January 2, 2020 Office Action response TSDR 8. In other words, Applicant deleted the individual terms MISSIONAL and MILLIONAIRE from the question, and thus did not fully respond to the portion of the information request concerning those individual terms. However, in his Appeal Brief, Applicant reproduced the question accurately, and responded “No.,” 4 TTABVUE 8, thus addressing for the first time the information request with respect to the two individual terms MISSIONAL and MILLIONAIRE that Applicant failed to address during prosecution.

The objection is sustained to the extent that Applicant effectively seeks in its Appeal Brief to supplement his response to the Request. Trademark Rule 2.142(d), 37 C.F.R. § 2.142(d) (“The record in the application should be complete prior to the filing of an appeal.”). Furthermore, as explained in more detail below in connection with the substantive refusal, we draw an adverse inference from Applicant’s failure to timely respond (during prosecution) to the portion of Request No. 1 regarding the individual words MISSIONAL and MILLIONAIRE (as opposed to the composite term MISSIONAL MILLIONAIRE).

III. Requests for Information

Under Trademark Rule 2.61(b), “[t]he Office may require the applicant to furnish such information ... as may be reasonably necessary to the proper examination of the application.” See TRADEMARK MANUAL OF EXAMINING PROCEDURE (TMEP) § 814 (Oct. 2018) (“TMEP”). Equivocal, vague or evasive responses are unacceptable.

Serial Nos. 88388867 and 88388875

In re AOP LLC, 107 USPQ2d 1644, 1651 (TTAB 2013). In fact, noncompliance with an information requirement is an independent ground for refusing registration, separate and apart from any substantive grounds for refusal. *In re Cheezwhse.com Inc.*, 85 USPQ2d 1917, 1919 (TTAB 2008); *In re DTI P'ship. LLP*, 67 USPQ2d 1699, 1701-02 (TTAB 2003); TMEP § 814. And when an applicant fails to provide requested information, it may be presumed that had the information been provided, it would have been unfavorable to the applicant. *See In re Cheezshse.com*, 85 USPQ2d at 1919, 1921.

Here, in connection with the Class 16 Application, the Examining Attorney required Applicant to respond to the following four questions about the proposed mark and the goods to be offered thereunder:

1. Does MISSIONAL, MILLIONAIRE, or MISSIONAL MILLIONAIRE have any significance as applied to the goods and/or services other than trademark and/or service mark significance?
2. Does MISSIONAL, MILLIONAIRE, or MISSIONAL MILLOIONAIRE have any significance in the relevant trade or industry other than trademark and/or service mark significance?
3. If available, the applicant will provide a website address at which the mark is used. If no website is available, then the applicant will state this fact for the record.
4. Will any of the goods be about and/or related to a millionaire that is missional?

July 1, 2019 Office Action TSDR 5.

As indicated, in responding to these questions, Applicant purported to quote them prior to answering, but incorrectly quoted the first question, as a result of which Applicant's response to Request for Information No. 1 is as follows:

1. Does MISSIONAL MILLIONAIRE have any significance as applied to the goods and/or services other than trademark and/or service mark significance? **No.**

January 2, 2020 Office Action response TSDR 8.

The Examining Attorney also takes issue with Applicant's response to Request for Information No. 4:

4. Will any of the goods be about and/or related to a millionaire that is missional? **The goods are authored by and could appeal to someone who is a millionaire, or aspires to be a millionaire, and someone could potentially consider the subject matter religious in some aspects in a very broad sense, however thought or imagination would be required to arrive at that conclusion. Applicant adopted the mark to be source-indicating and to relate to someone doing something with purpose.**

Id.

In connection with the Class 41 Application, the Examining Attorney asked six similar or analogous questions, only one of which remains at issue. That question, and Applicant's response, is as follows:

6. Will any of the services be provided by a person that is missional? **Missional was adopted to be source-indicating and refer (sic) to someone doing something with purpose, as though 'on a mission.' It is possible that those receiving the services will find them to be faith-based and inspirational. However, as a coined term, there is no understood meaning of Missional Millionaire.**

Serial Nos. 88388867 and 88388875

January 2, 2020 Office Action response TSDR 8.

During prosecution, Applicant only partially responded to Request for Information No. 1 in the Class 16 Application, because he did not answer two parts of the question posed: (1) whether MISSIONAL (by itself) has “any significance as applied to the goods and/or services other than trademark and/or service mark significance?”; and (2) whether MILLIONAIRE (by itself) has “any significance as applied to the goods and/or services other than trademark and/or service mark significance?” Therefore, “we deem it appropriate to presume, for purposes of the Section 2(e)[(1)] refusal,” that MISSIONAL and MILLIONAIRE each have significance as applied to Applicant’s Class 16 goods, other than trademark and/or service mark significance. *See In re Cheezshse.com*, 85 USPQ2d at 1919, 1921. We hasten to add, however, that even if we did not so presume, the record clearly establishes that both words have significance, by themselves, as applied to Applicant’s goods and services, and therefore the presumption arising from Applicant’s incomplete response to Request for Information No. 1 is merely cumulative. In fact, our ultimate decision on the substantive refusal would be the same even if we had not drawn an adverse inference from Applicant’s failure during prosecution to fully answer Request for Information No. 1 in the Class 16 Application.

As for Request for Information No. 4 in the Class 16 Application, we understand the Examining Attorney’s frustration with Applicant answering questions that were not asked. Nevertheless, we find Applicant’s answer acceptable, because Applicant conceded that its goods are authored or could be provided by a millionaire and could

Serial Nos. 88388867 and 88388875

appeal to millionaires or those who aspire to be millionaires. Similarly, Applicant conceded that “missional” conveys “doing something with purpose,” and that the subject matter of his books and publications could be considered “religious in some aspects in a very broad sense.”

Applicant did not, however, adequately respond to Request for Information No. 6 in the Class 41 Application. That question as posed is whether the provider of the Class 41 services is “missional.” Applicant’s concession that the services may be provided by someone “on a mission,” or acting with purpose, and that the services may be “faith-based and inspirational,” is not a complete response to the question. Indeed, the question is about the word “missional,” and specifically whether the provider of the services is “missional.” We therefore also draw an adverse inference that the services will be provided by a person “that is missional.” We again hasten to add, however, that even if we did not draw this adverse inference, our ultimate decision on the substantive refusal would be the same.

In short, the refusals based on Applicant’s failure to comply with the information requirements (Request for Information No. 1 in the Class 16 Application and Request for Information No. 6 in the Class 41 Application) are affirmed.

IV. Descriptiveness

Because the evidence and arguments are substantially the same for both the Class 16 goods and Class 41 services, we consider the two descriptiveness refusals together.

A. Evidence and Arguments

The Examining Attorney relies on the following dictionary definitions of the proposed mark’s constituent terms:

MISSIONAL—“related to or connected to a religious mission”

MILLIONAIRE—“a person whose wealth amounts to at least a million dollars, pounds, or the equivalent in other currency”

July 1, 2019 Office Action TSDR 8, 10. He also relies on the following third-party registrations which, he claims, establish the descriptive nature of these individual terms in the context of Applicant’s goods and services:

<u>Mark/Reg. No.</u>	<u>Goods/Services</u>
<p>MILLIONAIRE Section 2(f) Reg. No. 1570858</p>	<p>printed publications namely magazines</p>
<p>PARTNERSHIP FOR MISSIONAL CHURCH “MISSIONAL CHURCH” disclaimed Reg. No. 3469435</p>	<p>training manuals, newsletters, brochures, handouts and journals, all in the field of religion providing consulting services and online information services, all in the field of religion</p>
<p>MISSIONAL MARKETPLACE SUMMIT #GREATERWORK “MISSIONAL MARKETPLACE SUMMIT” disclaimed Reg. No. 4816030</p>	<p>religious and spiritual services, namely, providing gatherings and retreats to develop and enhance the spiritual lives of individuals</p>
<p>MISSIONAL INTELLIGENCE “MISSIONAL” disclaimed Reg. No. 5829619</p>	<p>Christian ministry services</p>

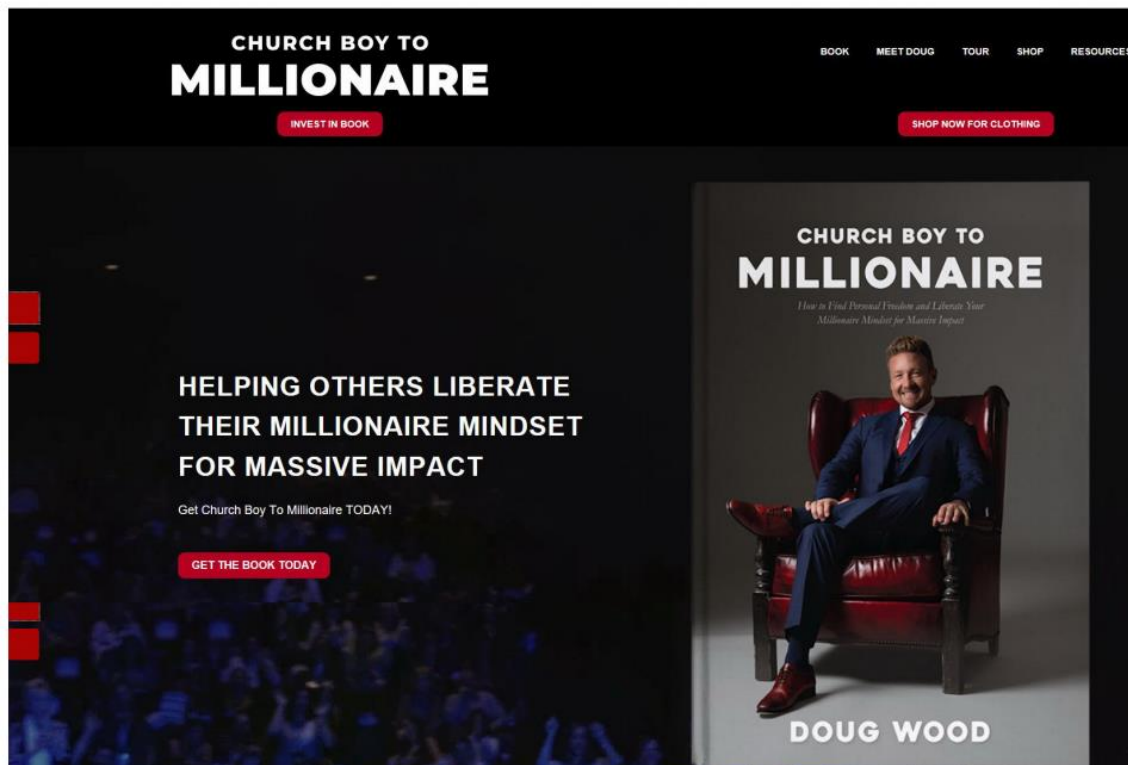
Id. at 11-14; January 14, 2020 Office Action TSDR 24-27. Where, as in the examples above, a term is disclaimed or registered with a claim of acquired distinctiveness, that

Serial Nos. 88388867 and 88388875

is evidence that the term has been found descriptive. *See Alcatraz Media Inc. v. Chesapeake Marine Tours Inc.*, 107 USPQ2d 1750, 1762 (TTAB 2013), *aff'd*, 565 Fed. App'x. 900 (Fed. Cir. 2014) and *Bass Pro Trademarks LLC v. Sportsman's Warehouse Inc.* 89 USPQ2d 1844, 1851 (TTAB 2008) (disclaimers); *see also Cold War Museum, Inc. v. Cold War Air Museum, Inc.*, 586 F.3d 1352, 92 USPQ2d 1626, 1629 (Fed. Cir. 2009) (where “an applicant seeks registration on the basis of Section 2(f), the mark’s descriptiveness is a nonissue; an applicant’s reliance on Section 2(f) during prosecution presumes that the mark is descriptive”).

The Examining Attorney also relies on evidence about Applicant himself which shows that he is a religious millionaire. For example, Applicant offers an apparently autobiographical book entitled Church Boy to Millionaire which helps others to “liberate their millionaire mindset”:

<https://churchboytomillionaire.com/> 01/08/2020 07:33:05 AM



Serial Nos. 88388867 and 88388875

January 14, 2020 Office Action TSDR 7. The promotional material for the book promises “leaders who want to maximize impact” that they will understand from the book “why our business IS our ministry.” *Id.* at 8. Amazon ranks the book as the 2,523rd-ranked title on its list of “Christian Self Help best sellers,” and the 2,827th-ranked title on its list of “Christian Personal Growth best sellers.” *Id.* at 18. Applicant’s Massive Momentum Tour features Applicant and his wife Thea Wood sharing “their transformation stories of going from struggling in their faith, finances, and marriage, to thriving in each area.” *Id.* at 12.³

The Examining Attorney argues, based on this evidence, that the proposed mark is merely descriptive because Applicant’s goods and services are about or provided by, or directed to, “a millionaire that is missional.” 6 TTABVUE 11 in Class 16 Application; 6 TTABVUE 9 in Class 41 Application.

Applicant did not introduce any evidence. He argues, however, that MISSIONAL may be used “in a non-religious context,” and that the evidence about Applicant upon which the Examining Attorney relies “does not expressly mention religion in any context, other than the title of his Church Boy to Millionaire book and inclusion of the word ‘church’ in the URL for the site.” 4 TTABVUE 7-8, 10. More specifically, “[i]n

³ To the extent that Applicant objects to evidence from his own website or third-party websites related to his other products and services because the evidence does not mention the involved mark, 4 TTABVUE 6-7, the objection is overruled. Applicant’s background and related goods and services are directly relevant, because this evidence reveals how consumers may perceive Applicant’s goods and services and Applicant himself, and because this evidence depicts Applicant’s use of MILLIONAIRE, one of the elements of Applicant’s involved mark MISSIONAL MILLIONAIRE. *See In re N.C. Lottery*, 866 F.3d 1363, 123 USPQ2d 1707, 1709-10 (Fed. Cir. 2017); *In re Bayer Aktiengesellschaft*, 482 F.3d 960, 82 USPQ2d 1828, 1833 (Fed. Cir. 2007); *In re Hunter Fan Co.*, 78 USPQ2d 1474, 1476 (TTAB 2006) (“applicant’s own use of the term ERGONOMIC ... highlights the descriptive nature of this term”).

no way is a religious connotation the central message of Applicant's goods and services, although candidly and as responded, there is a faith-based component at some level, but it does not have the significance the Examining Attorney suggests." *Id.* at 11. Applicant similarly argues that "the sheer magnitude of the possibility of meanings for 'millionaire' in this context demonstrate the type of multi-stage reasoning process which precludes the immediacy necessary for holding a mark merely descriptive." *Id.* at 11-12.

Applicant points out that "the Examining Attorney cites no third-party uses of the combined term MISSIONAL MILLIONAIRE, no commonly understood meaning for the term, and no need for competitors to use the term." *Id.* at 13. Applicant argues that the proposed mark is a double entendre because it could refer to "someone purposeful in doing something," which is what Applicant intended, or it could refer to some type of religious mission. *Id.* at 19. Finally, Applicant claims that MISSIONAL MILLIONAIRE is incongruous because the term "combines religious or spiritual services with great wealth, in a way that is contrary to the commonly understood notions of both of those terms. Missions are associated with religious-based services for the poor, while millionaires are traditionally seeking to make money for themselves." *Id.* at 21.

B. Analysis

Here, the record leaves no doubt that MISSIONAL MILLIONAIRE is merely descriptive of Applicant's goods and services because it "immediately conveys knowledge of a quality, feature, function, or characteristic" of them. *In re Chamber of Commerce of the U.S.*, 675 F.3d 1297, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012)

Serial Nos. 88388867 and 88388875

(quoting *In re Bayer AG*, 488 F.3d 960, 82 USPQ2d 1828, 1831 (Fed. Cir. 2007)); *In re Abcor Dev.*, 588 F.2d 811, 200 USPQ 215, 217-18 (CCPA 1978). Indeed, Applicant, a millionaire whose books may appeal to millionaires or those aspiring to be millionaires, is “missional,” either in the religious sense reflected in the dictionary definition, or in the sense that he is “*acting with purpose to help others lead a life of abundance.*” 4 TTABVUE 12. In fact, Applicant’s website indicates that “our mission” is “Empowering people to live on purpose by creating abundance in their life, family, and finances.” January 14, 2020 Office Action TSDR 12. In either event, Applicant is a missional millionaire.

Where, as here, a term identifies the source of goods or services, such as a MILLIONAIRE or a MISSIONAL MILLIONAIRE, it may be found merely descriptive. *See In re Major League Umpires*, 60 USPQ2d 1059 (TTAB 2001) (MAJOR LEAGUE UMPIRE merely descriptive of clothing, face masks and chest protectors provided by a company owned and operated by Major League Baseball umpires because it describes the provider and designer of the goods); *In re E.I. Kane, Inc.*, 221 USPQ 1203 (TTAB 1984) (OFFICE MOVERS, INC. generic for moving services for offices); *In re Career Emp’t. Servs., Inc.*, 219 USPQ 951, 952 (TTAB 1983) (THE PROFESSIONAL HEALTHCARE PEOPLE generic for providing temporary employment services for medical personnel because the term refers to the applicant and its employees who place temporary workers); *In re Old Boone Distillery Co.*, 172 USPQ 697, 698 (TTAB 1972) (DISTILLER’S LIGHT merely descriptive of scotch whisky because it “conveys the information that applicant’s product is a distiller’s

Serial Nos. 88388867 and 88388875

light blended scotch whisky”). Moreover, Applicant essentially concedes the proposed mark’s descriptiveness in his response to Request for Information No. 4 in the Class 16 Application: “The goods are authored by and could appeal to someone who is a millionaire, or aspires to be a millionaire” January 2, 2020 Office Action response TSDR 8.

While Applicant’s response to the request goes on to argue that “thought or imagination would be required to arrive at [the] conclusion” that the subject matter of Applicant’s goods and services is “religious in some aspects in a very broad sense,” and Applicant claims in response to the same information request in the Class 41 Application that his “services do not involve providing religious missions,” these denials are not probative and are of no help to Applicant. The problem is that Applicant’s identifications of goods and services define them (in Applicant’s own words) as “faith-based.”⁴

In descriptiveness cases, “[t]he question is not whether someone presented with only the mark could guess what the goods or services are. Rather, the question is whether someone who knows what the goods or services are will understand the mark to convey information about them.” *DuoProSS Meditech Corp. v. Inviro Med. Devices Ltd.*, 695 F.3d 1247, 103 USPQ2d 1753, 1757 (Fed. Cir. 2012) (quoting *In re Tower Tech Inc.*, 64 USPQ 2d 1314, 1316-17 (TTAB 2002)). Here, consumers who know that Applicant’s goods and services are “faith-based” will immediately understand

⁴ Included among Applicant’s Class 16 goods are “books in the field of faith-based coaching,” and included among Applicant’s Class 41 services are “faith-based life coaching services in the field of personal development.”

Serial Nos. 88388867 and 88388875

MISSIONAL MILLIONAIRE to convey information about them (and even if some consumers perceive MISSIONAL as meaning “acting with purpose,” or “on a [secular] mission,” the proposed mark would still describe Applicant’s goods and services). Thus, Applicant’s focus on the “multiple meanings” of “missional” is misplaced. *In re Chopper Indus.*, 222 USPQ 258, 259 (TTAB 1984) (“It is well settled that so long as any one of the meanings of a term is descriptive, the term may be considered to be merely descriptive.”). *See also, In re IP Carrier Consulting Grp.*, 84 USPQ2d 1028, 1034 (TTAB 2007); *In re Bright-Crest, Ltd.*, 204 USPQ 591, 593 (TTAB 1979).

Stated differently, we do not determine descriptiveness in the abstract, but rather in relation to the goods or services for which registration is sought, the context in which it is being used on or in connection with the goods or services, and the possible significance that the mark would have to the average purchaser of the goods or services because of the manner of its use. *In re Bright-Crest*, 204 USPQ at 593. Therefore, Applicant’s argument that MISSIONAL MILLIONAIRE is “incongruous” fails. In the context of “books in the field of faith-based coaching” and “faith-based life coaching services in the field of personal development,” there is no incongruity. “Coaching” products and services would be expected to lead to personal gains of some type, perhaps including financial gains, and consumers of these products and services who are interested in improving their financial situations could very well be interested in “coaching” or advice provided by wealthy individuals such as millionaires. To these consumers, the meaning of MISSIONAL MILLIONAIRE would be immediately clear. *Cf. In re Calphalon* 122 USPQ2d 1153, 1163 (TTAB 2017) (“For

purposes of Section 2(e)(1), incongruity exists, for example, where a term evokes an immediate association with something unrelated to the goods or services.”).

Furthermore, not only are the terms “missional” and “millionaire” each merely descriptive of Applicant’s goods and services, but when those terms are combined, the resulting combination MISSIONAL MILLIONAIRE does not evoke a new or unique commercial impression. To the contrary, in Applicant’s proposed mark, each component retains its merely descriptive significance in relation to the goods and services, and Applicant does not suggest any alternative commercial impression resulting from the combination of these immediately descriptive terms. The composite term MISSIONAL MILLIONAIRE is therefore merely descriptive.⁵ See, e.g., *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 71 USPQ2d 1370 (Fed. Cir. 2004) (PATENTS.COM merely descriptive of computer software for managing a database of records that could include patents, and for tracking the status of the records by means of the Internet); *In re Petroglyph Games, Inc.*, 91 USPQ2d 1332 (TTAB 2009) (BATTLECAM merely descriptive for computer game software); *In re Carlson*, 91 USPQ2d 1198 (TTAB 2009) (URBANHOUSING merely descriptive of real estate brokerage, real estate consultation and real estate listing services); *In re Tower Tech Inc.*, 64 USPQ2d 1314 (TTAB 2002) (SMARTTOWER merely descriptive of commercial and industrial cooling towers); *In re Sun Microsystems Inc.*, 59 USPQ2d

⁵ Applicant’s argument that the proposed mark is unitary is not well-taken. In fact, the elements of a unitary mark are “inseparable,” in that “the mark has a distinct meaning of its own independent of the meaning of its constituent elements.” *Dena Corp. v. Belvedere Int’l, Inc.*, 950 F.2d 1555, 21 USPQ2d 1047, 1052 (Fed. Cir. 1991). As stated, that is not the case here.

Serial Nos. 88388867 and 88388875

1084 (TTAB 2001) (AGENTBEANS merely descriptive of computer programs for use in developing and deploying application programs).

Thus, we are not persuaded that MISSIONAL MILLIONAIRE is a double entendre. Applicant's proffered secondary meaning of MISSIONAL MILLIONAIRE is "someone purposeful in doing something." However, as indicated, this alleged secondary meaning is also descriptive, because "coaching," "personal development" and other elements of Applicant's goods and services necessarily involve being purposeful in doing something – a coach must be purposeful in order to coax and model personal development, and individuals may not develop personally without purposeful action. Thus, "to the extent [Applicant's proposed mark] does present two meanings they are both merely descriptive of" his goods and services. *In re RiseSmart, Inc.*, 104 USPQ2d 1931 1934 (TTAB 2012); *see also*, TMEP § 1213.05(c) ("If all meanings of a 'double entendre' are merely descriptive in relation to the goods, then the mark comprising the 'double entendre' must be refused registration as merely descriptive.").⁶

Finally, the absence of evidence that anyone else is using the proposed mark MISSIONAL MILLIONAIRE is irrelevant. *In re Fat Boys Water Sports LLC*, 118 USPQ2d 1511, 1514 (TTAB 2018) ("The fact that Applicant may be the first or only user of a term does not render that term distinctive ..."); *In re Sun Microsystems*,

⁶ Applicant essentially concedes that the proposed mark has multiple descriptive meanings, as it argued during prosecution that "it is equally probable that Applicant's goods could be directed at a group of consumers who are missional and millionaires." January 2, 2020 Office Action TSDR 7.

Serial Nos. 88388867 and 88388875

Inc., 59 USPQ2d at 1087. *Cf. KP Permanent Make-Up, Inc. v. Lasting Impression I, Inc.*, 543 U.S. 111, 72 USPQ2d 1833, 1838 (2004) (trademark law does not countenance someone obtaining “a complete monopoly on use of a descriptive term simply by grabbing it first”).

V. Conclusion

There is no doubt that MISSIONAL MILLIONAIRE is merely descriptive of Applicant’s “faith-based” goods and services, which, as Applicant concedes, come from a millionaire and may appeal to other millionaires. Applicant’s failure to completely respond to the Examining Attorney’s information requests also warrants refusal of registration.

Decision: The refusal to register Applicant’s proposed mark on the Principal Register because Applicant failed to comply with requests for information under Trademark Rule 2.61(b), and because the proposed mark is merely descriptive under Section 2(e)(1) of the Trademark Act, is affirmed on both grounds in each application.