

**To:** EDWARD F MALUF([emaluf@seyfarth.com](mailto:emaluf@seyfarth.com))  
**Subject:** U.S. Trademark Application Serial No. 97427678 - VINT - - 105820-6  
**Sent:** April 23, 2024 09:18:06 AM EDT  
**Sent As:** [tmng.notices@uspto.gov](mailto:tmng.notices@uspto.gov)

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**Attachments**

[vint applicant's website.jpg](#)

**United States Patent and Trademark Office (USPTO)**  
**Office Action (Official Letter) About Applicant's Trademark Application**

**U.S. Application Serial No.** 97427678

**Mark:** VINT

**Correspondence Address:**

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**Applicant:** Constellation Brands U.S. Operations, Inc.

**Reference/Docket No.** 105820-6

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## REQUEST FOR RECONSIDERATION AFTER FINAL ACTION DENIED

**Issue date:** April 23, 2024

**Applicant's request for reconsideration is denied.** *See* 37 C.F.R. §2.63(b)(3). The trademark examining attorney has carefully reviewed applicant's request and determined the request did not: (1) raise a new issue, (2) resolve all the outstanding issue(s), (3) provide any new or compelling evidence with regard to the outstanding issue(s), or (4) present analysis and arguments that were persuasive or shed new light on the outstanding issue(s). TMEP §§715.03(a)(ii)(B), 715.04(a).

### **Section 2(e)(1) Refusal - Merely Descriptive**

In the Office action issued on March 16, 2023, registration was refused because the applied-for mark merely describes a feature or characteristic of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 et seq.

In the responses filed on May 5, 2023, and August 1, 2023, applicant provided arguments against the refusal.

A final Office action was issued on September 6, 2023, continuing the Section 2(e)(1) refusal.

In the request for reconsideration filed on March 5, 2024, applicant provides additional arguments against the refusal. This request for reconsideration was denied.

On April 16, 2024, applicant requested the application be remanded back to the examining attorney in order to provide the required requested information that was made final in the Office action issued on September 6, 2023. On April 18, 2024, jurisdiction was restored to the examining attorney to review applicant's provided information.

Based on information provided in request for remand filed on April 16, 2024, and in addition to the evidence already of record supporting the refusal, the examining attorney has attached evidence from applicant's website that states the following:

"Vint, meaning to make wine..."

See attached evidence from <https://www.robertmondaviprivateselection.com/pages/about-robert-mondavi>.

As such, the applied-for mark immediately describes the process of making the identified goods, namely, making wine from fruit.

Accordingly, the following refusal made final in the Office action dated March 21, 2024, is **maintained and continued**:

- Section 2(e)(1) Refusal

See TMEP §§715.03(a)(ii)(B), 715.04(a).

In addition, based on the information provided in the request for remand filed on April 16, 2024, the following requirement made final in that Office action is **satisfied**:

- Information about goods requirement

See TMEP §§715.03(a)(ii)(B), 715.04(a).

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

**If applicant has not filed an appeal** and time remains in the response period for the final Office action, applicant has the remainder of that time to (1) [file another request for reconsideration](#) that complies with and/or overcomes 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).

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## VINT, THE NEXT CHAPTER OF ROBERT MONDAVI PRIVATE SELECTION

Robert Mondavi Private Selection was launched in 1994 with Mondavi's vision of bringing the high-quality wines from California to every table in America. Since its inception, the brand has fulfilled this vision. To celebrate our 30<sup>th</sup> anniversary, we modernized with a new name: Vint by Robert Mondavi Private Selection. Vint, meaning to make wine, honors the rich tradition of winemaking that Robert Mondavi inspired.

Starting in 2024, Vint is carrying the winemaking tradition of Robert Mondavi Private Selection forward. It's giving new meaning to this classic wine portfolio. Vint is our same timeless approach with a renewed ambition: the same great California wines, our celebrated Bourbon Barrel-Aged Cabernet and our Buttery Chardonnay are joined by a full portfolio of varietal wines from high-quality vineyards in the Central Coast.

With Vint, we honor Robert Mondavi's vision because we know it takes vision to imagine what wine can be and great wine isn't made overnight. Introducing Vint, it's Decades in the Making.

WHERE TO BUY

## NEW LOOK, SAME GREAT TASTE

Vint California brings the same taste experience as Robert Mondavi Private Selection, which has been enjoyed for 30 years and counting.

Offering a robust range of varietals including Cabernet Sauvignon, Chardonnay, Pinot Noir, Merlot, Sauvignon Blanc, Red Blend, and Pinot Grigio.

Robert Mondavi inspired a rich tradition of winemaking in California, which these wines honor.

WHERE TO BUY



## United States Patent and Trademark Office (USPTO)

### USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued  
on April 23, 2024 for  
**U.S. Trademark Application Serial No. 97427678**

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS) or the Electronic System for Trademark Trials and Appeals (ESTTA), as appropriate. Your response and/or appeal must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be **[abandoned](#)**. See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

### GENERAL GUIDANCE

- **[Check the status of your application periodically](#)** in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).

- **[Hiring a U.S.-licensed attorney.](#)** If you do not have an attorney and are not required to have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.