

THIS OPINION IS NOT A  
PRECEDENT OF THE TTAB

Hearing: October 7, 2025

Mailed: February 19, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

—  
Trademark Trial and Appeal Board  
—

*In re Paycom Payroll, LLC*  
—

Serial No. 97876391  
—

Zachary A.P. Oubre of McAfee & Taft,  
for Paycom Payroll, LLC.

Alison Pollack, Trademark Examining Attorney, Law Office 106.  
Mary Sparrow, Managing Attorney.

—  
Before Pologeorgis, Lebow and Brock,  
Administrative Trademark Judges.

Opinion by Lebow, Administrative Trademark Judge:

Applicant, Paycom Payroll, LLC, seeks to register the standard-character mark

**GLOBAL HCM**

on the Principal Register for a variety of goods and services and services in the field  
of “human capital management” as set forth below:

Downloadable MP3 files and podcasts in the field of human resources management; Downloadable computer software, namely, mobile applications, for use in managing data and data applications in the field of human resources management, human capital management, and payroll processing (International Class 9);

Human resources management and human resources management in the nature of human capital management; Payroll processing and preparation services; Tax filing services; Human resources analysis and consulting services regarding human capital management tools; Consulting services in the field of human resources development, namely, for the promotion of employee retention, career growth, and increased productivity for employees and employers; Tracking, comparing and monitoring employee expenses for others for cost accounting purposes; Providing business services to employers, namely, payroll processing, human resources management, human resources management in the nature of human capital management, and travel and business expense management services; providing business services in the nature of timekeeping services for others, in particular employee time and attendance record keeping for the purpose of tax filing and human resources and human capital management and analysis; tax reporting, namely, tax filing; business advisory and consulting services relating to software for aiding in compliance with statutory, industry or best practice provisions; computerized database management services; statistical information services for business purposes; providing electronic payroll tax preparation; Providing business management, employment record keeping, statistical information, payroll processing, and financial recordkeeping for human resources and human capital management and analysis; Personnel recruitment consultancy services in the nature of assistance with tools for recruitment and applicant tracking; Providing on-line employment placement services, namely, matching resumes and potential employers via a global computer network; Financial record-keeping for pension accrual and payment purposes; disseminating the advertisements of others via a global computer network; business investigations; conducting business surveys; business research; business auditing; Conducting employee surveys for others for purposes of improving employee performance and morale; Business administration of employee benefit plans concerning legal services; Employment hiring, recruiting, placement, staffing and career networking services; Testing to determine employment skills for training purposes; Business services, namely, timekeeping services for others; providing a web site featuring information for employee benefits brokers and consultants in the field of payroll processing, payroll preparation in the nature of tax deposit filing and reporting, human resources management, human resources management in the nature of human capital

management, business management, employee timekeeping services for others, in particular time and attendance record-keeping for payroll purposes, financial pension record-keeping for administration of pension funds, employee recruiting and outsourcing services; data processing services (International Class 35);

Payroll tax debiting services; Tax payment processing services; Financial transaction services, namely, providing secure commercial transactions and payment options; Administration of employee benefits plans concerning insurance and finance; Providing financial services to employers, namely, payroll tax debiting and, employee financial benefits plans administration, workers compensation claims administration, insurance agency, financial administration of employee pension plans and retirement funds plans financial administration; Insurance claims administration; Financial affairs and monetary affairs, namely, financial information, management and analysis services; Administration of employee benefit plans concerning insurance and finance; Workers compensation claims administration; Financial administration of employee pension plans and retirement plans; Providing a web site featuring information for employee benefits brokers and consultants in the field of insurance and employee financial benefits plans administration and employee health care insurance benefits plans reform (International Class 36);

Educational services, namely, providing podcasts and non-downloadable webinars in the field of human resources management, human capital management, and technology; Educational and training services, namely, providing online classes, seminars, and workshops in the field of human resources management and human capital management; Providing an online educational classroom environment featuring instruction for employers in the field of payroll processing, tax deposit filing and reporting, employee time and attendance record keeping, pension record keeping, employee leasing, submitting and tracking vendor invoices; employee training services in the field of career development; providing on line non downloadable electronic publications, namely, newsletters, white papers, case studies and magazines in the field of human resources, payroll administration, pre-employment and benefits administration, computer security and information technology, career development, disaster planning and computer system security;

providing a website featuring resources, namely, a website featuring non-downloadable publications in the nature of whitepapers and blog articles in the field of human resources (International Class 41); and

Software as a service (SAAS) services featuring software for use in managing data and data applications in the field of human resources management and human capital management, employee on-boarding, employee records, payroll preparation and processing, payroll tax debiting, benefits administration, performance management, compensation management, succession planning, talent management, and time and labor management; Providing temporary use of online non-downloadable software for providing employers with a compatible interface between payroll processing software and software for financial management and management of human resources; Providing temporary use of online non-downloadable computer software in the field of accounting for preparing and processing business employee payroll for employers, and for printing payroll documents, namely, reports, checks, and tax forms; Providing temporary use of non-downloadable computer software for performing employee and personnel related services, namely, payroll processing, preparation, and administration, payroll tax calculation and preparation, monitoring tax regulation compliance, electronically processing payroll, tax filing and reporting, printing payroll reports, checks, and tax forms, employee benefits administration, managing human resources documents, providing employee risk and safety training, providing information about employee counseling and support programs, administering employee pension and retirement funds and employee flexible spending accounts, administering workers compensation claims and payments, processing and storing employee recruiting documents, conducting pre-employment background screening, processing employee time and attendance records, scheduling appointments, providing information for new employee assimilation, employee recordkeeping management, recording and tracking employee performance management, database management of compensation, providing information about employee job training and professional development and succession planning; providing a web site featuring technology that enables employee benefits brokers and consultant users to view online videos in the field of benefits administration, payroll processing, tax deposit filing and reporting, human resources management, human capital management, business

management, employee time and attendance record keeping, pension record keeping, employee recruiting, pre-employment background screening, outsourcing, health care reform and unemployment compensation management services; Providing a web based system and online portal featuring non-downloadable software for employee benefits brokers and consultants to use in employee benefits administration, pension record keeping, and unemployment compensation management; Application service provider services, namely, hosting, managing, developing, and maintaining software applications of others in the field of employment to allow off-site field employees to submit time and labor data to employers via wireless communication and wireless delivery of content to handheld computers and mobile electronic devices; personnel recruitment tools and software, namely, providing temporary use of online, non- downloadable personnel recruitment software and software development tools for use in data and database management (International Class 42).<sup>1</sup>

After the Trademark Examining Attorney issued a final refusal to register GLOBAL HCM on the ground that it 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), Applicant filed a request for reconsideration, and an appeal.<sup>2</sup> The request for reconsideration was denied, and the appeal resumed.<sup>3</sup> Both Applicant and the Examining Attorney filed briefs,<sup>4</sup> a hearing was conducted on October 7, 2025,<sup>5</sup> and the appeal is now

---

<sup>1</sup> Application Serial No. 97876391 was filed on April 6, 2023, under Section 1(b) of the Trademark Act, 15 U.S.C. § 1051(b), based on Applicant's alleged bona fide intent to use the mark in commerce.

<sup>2</sup> See December 1, 2023 Final Office Action; February 29, 2024 Request for Reconsideration; 1 TTABVUE (Notice of Appeal).

<sup>3</sup> See 4 TTABVUE (Reconsideration Letter); 5 TTABVUE (Order Resuming Appeal).

Citations to the prosecution file refer to the USPTO's Trademark Status & Document Retrieval ("TSDR") system and identify the documents by title, date, and page in the downloadable .pdf version. Citations to the briefs and other materials in the appeal record refer to the Board's TTABVUE online docket system.

<sup>4</sup> 6 TTABVUE (Applicant's Brief); 8 TTABVUE (Examining Attorney's Brief).

<sup>5</sup> 14 TTABVUE.

ready for final decision.<sup>6</sup> For the reasons discussed below, we affirm the refusal.

### **I. Mere Descriptiveness – Applicable Law**

“One basis for refusing a trademark registration is when ‘a mark which ... when used on or in connection with the goods [or services] of the applicant is merely descriptive ... of them.’ 15 U.S.C. § 1052(e)(1).” *Curtin v. United Trademark Holdings, Inc.*, 137 F.4th 1359, 1361 (Fed. Cir. 2025). “A mark is merely descriptive if it immediately conveys knowledge of a quality, feature, function, or characteristic of the goods or services with which it is used.” *Brooklyn Brewery Corp. v. Brooklyn Brew Shop, LLC*, 17 F.4th 129, 146 (Fed. Cir. 2021) (quoting *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1378 (Fed. Cir. 2012) and *In re Bayer Aktiengesellschaft*, 488 F.3d 960, 963 (Fed. Cir. 2007)) (internal punctuation omitted). In contrast, a mark is suggestive if the evidence shows that “imagination, thought and perception” are required to arrive at the features, qualities, or characteristics in question. *See, e.g., In re N.C. Lottery*, 866 F.3d 1363, 1367 (Fed. Cir. 2017); *Earnhardt v. Kerry Earnhardt, Inc.*, 864 F.3d 1374, 1378 (Fed. Cir. 2017).

“A term ‘need not immediately convey an idea of each and every specific feature of the [services] in order to be considered merely descriptive; it is enough if it describes one significant attribute, function or property of the [services].” *In re Korn Ferry*, No. 90890949, 2024 TTAB LEXIS 224, at \*5 (quoting *In re Fat Boys Water Sports LLC*, 2016 TTAB LEXIS 150, at \*5). And “[i]t is well-established that

---

<sup>6</sup> The Examining Attorney also made final a refusal to register the mark on the ground that the identification of goods and services was indefinite, but withdrew that ground for refusal in her brief. *See* 8 TTABVUE 2-3.

‘[d]escriptiveness of a mark is not considered in the abstract,’” but instead “must be ‘considered in relation to the particular goods [or services] for which registration is sought, the context in which it is being used, and the possible significance that the term would have to the average purchaser of the goods because of the manner of its use or intended use.’” *Coach Servs.*, 668 F.3d at 1378 (quoting *Bayer*, 488 F.3d at 963-64).

A term, letters, an initialism, or an acronym is merely descriptive when it is a recognized abbreviation for the goods or services in the application, or is otherwise understood as being “substantially synonymous” with the merely descriptive words it represents. *In re Thomas Nelson, Inc.*, Serial No. 76681269, 2011 TTAB LEXIS 9, at \*14-15 (TTAB 2011) (citing *Modern Optics, Inc. v. Univis Lens Co.*, 234 F.2d 504, 506 (CCPA 1956) (holding NKJV substantially synonymous with merely descriptive term “New King James Version” and thus merely descriptive of bibles)); *see also In re BetaBatt Inc.*, Serial No. 77036122, 2008 TTAB LEXIS 59, at \*9-11 (TTAB 2008) (holding DEC substantially synonymous with merely descriptive term “direct energy conversion” and thus merely descriptive of a type of batteries and battery related services).

We “consider the commercial impression of a mark as a whole[.]” *Real Foods Pty Ltd. v. Frito-Lay N. Am., Inc.*, 906 F.3d 965, 974 (Fed. Cir. 2018) (italics omitted). “Where a mark consists of multiple words, the mere combination of descriptive words does not necessarily create a non-descriptive word or phrase.” *Zuma Array*, 2022 TTAB LEXIS 281, at \*8 (quoting *In re Omniome, Inc.*, No. 87661190, 2019 TTAB

LEXIS 414, at \*12). “[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.” *Omniome*, 2019 TTAB LEXIS 414, at \*12. Only where the combination of merely descriptive terms creates a unitary mark, or a mark with a unique, incongruous, or otherwise nondescriptive meaning in relation to the goods or services is the mark registrable as suggestive. *See In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1174 (Fed. Cir. 2004) (citing *In re Nat’l Data Corp.*, 753 F.2d 1056, 1058 (Fed. Cir. 1985)).

Refusals for mere descriptiveness, like other refusals, are based on evidence bearing on public perception of the mark. *See, e.g., In re Slokevage*, 441 F.3d 957, 960 (Fed. Cir. 2006); *In re Nett Designs, Inc.*, 236 F.3d 1339, 1341 (Fed. Cir. 2001). Evidence that a term is merely descriptive to the relevant purchasing public may be obtained from any competent source, *Nett Designs*, 236 F.3d at 1341, such as dictionaries, newspapers, or surveys. *Bayer*, 488 F.3d at 964. It also may be obtained from websites and publications. *N.C. Lottery*, 866 F.3d at 1368. “The determination of whether a mark is merely descriptive is a question of fact.” *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1252 (Fed. Cir. 2012).

## **II. The Examining Attorney’s Evidence and Arguments**

As noted above, the Application identifies a variety of goods and services in the field of “human capital management.” According to the Examining Attorney:

The evidence in the record shows that the wording “GLOBAL HCM” is commonly used in connection with human capital management software and human capital management consulting, finance and training services, and that competitors

use the wording “GLOBAL HCM” to describe a feature of their human capital management software and human capital management, consulting, finance and training services. Thus, the wording “GLOBAL HCM” immediately conveys to consumers that Applicant provides human capital management goods and services on a global or worldwide scale.<sup>7</sup>

The Examining Attorney cites *inter alia* to the follow evidence of record for support (emphasis added):

- An entry from THE AMERICAN HERITAGE Dictionary defines “global” as “[o]f, relating to, or involving the entire earth; worldwide; [e.g.,] *global war*; *global monetary policies*”; “comprehensive; total.”<sup>8</sup>
- Four third-party registrations of the marks RE GLOBAL and Design, GLOBAL PMI PARTNERS and Design, BLUEBACK GLOBAL, and MANNING GLOBAL for goods or services that the Examining Attorney asserts are the same or similar to Applicant’s goods or services; which disclaim the term GLOBAL.<sup>9</sup>
- An entry from the website Acronym Finder (acronymfinder.com) indicates that that “**HCM stands for Human Capital Management,**” and explains that this definition “appears very frequently and is found in the following Acronym Finder categories: • Business, finance, etc.”<sup>10</sup>
- Gartner (gartner.com) provides an information technology glossary that defines “**Human Capital Management (HCM)**” as “a set of practices related to people resource management” that are “focused on the organizational need to provide specific competencies and are implemented in three categories: workforce acquisition, workforce management and workforce capitalization.”<sup>11</sup>

---

<sup>7</sup> 8 TTABVUE 6 (Examining Attorney’s Brief).

<sup>8</sup> May 24, 2023 Office Action, at TSDR 11.

<sup>9</sup> December 1, 2023 Final Office Action, at 3, 9-15, 20-21. A fifth registration for the mark GLOBAL PAYROLL CALCULATOR that disclaimed “GLOBAL” was not considered because it was cancelled. *See Made in Nature, LLC v. Pharmavite LLC*, No. 91223352, 2022 TTAB LEXIS 228, at \*31 (“A cancelled or expired registration has no probative value other than to show that it once issued.”).

<sup>10</sup> May 24, 2023 Office Action, at TSDR 13.

<sup>11</sup> *Id.* at 24-25.

- Oracle (oracle.com) provides software as a service (SAAS) that it refers to as “Oracle **Human Capital Management (HCM)**,” a “complete cloud solution that connects every human resource process—and every person—across [one’s] enterprise.” This software allows companies to “[e]ffectively manage a **global** workforce,” namely to “[p]lan, manage, and optimize **global** people process with one common data source.”<sup>12</sup>

“The term **HCM** can refer both to a business strategy and to a set of modern IT applications and other technologies that are used to implement that strategy.”<sup>13</sup>

And under the heading “**HCM**—A brief history,” Oracle explains:

The term “human capital” was first used in the 1950s and 60s as computing began to accelerate the automation that had begun in the industrial age. ...

Not surprisingly, the term returned to prominence with the rise of the internet in the late 1990s. New technologies were rapidly automating a whole new set of business process. While the internet changed the how employers and managers collaborated. All of this change meant that workforce leaders had to transform how they went about attracting, retaining, and engaging talent in an evolving set of job roles.

This decade could be called The Golden age of **HCM**. ....<sup>14</sup>

- Ceridian (ceridian.com) refers to its Dayforce software for providing a “global people platform” to “Empower people, simplify compliance, and unlock workforce intelligence” as “**Global HCM Software**.”<sup>15</sup>
- Goldman Sachs (goldmansachs.com) explains on its website, under the heading “Human Capital Management,” that “**Human Capital Management (HCM)** takes a strategic approach to attracting, developing and managing a global workforce.”<sup>16</sup>
- The **Global HCM** Institute (ghcinstitute.com) provides consulting,

---

<sup>12</sup> *Id.* at 17-23.

<sup>13</sup> *Id.* at 30.

<sup>14</sup> *Id.* at 34.

<sup>15</sup> *Id.* at 16.

<sup>16</sup> *Id.* at 46-47.

training, certification, and applied research in the field of HCM. “As a member of HCI, USA we have an international recognition in **human capital management** field.”<sup>17</sup>

- ADP (adp.com) answers the question, “What is **human capital management (HCM)**?” According to ADP, “**Human capital management (HCM)** is the process of hiring the right people, managing workforces effectively and optimizing productivity,” which “has evolved from a mostly administrative function to a critical enable of business value.” Among other things, “**HCM** technology ... can help you: ... • improve regulatory compliance[.] **Global** and local monitoring capabilities may allow you s stay current with changing regulations.”<sup>18</sup>
- ClearCourse Consulting describes itself on LinkedIn describes itself as “Human Capital Management Experts.” In a November 8, 2023 article on LinkedIn titled “Navigating the **Global HCM** vendor Selection Process: Pitfalls to Watch For.”<sup>19</sup> The article explains:

The process of selecting a **global HCM** vendor is a substantial undertaking that can significantly impact your organization’s ability to manage its workforce efficiently and effectively. By being aware of the potential pitfalls and taking steps to mitigate them, you can increase your chances of a successful vendor selection process and a seamless **global HCM** implementation. Prioritizing factors such as compliance, scalability, cultural adaptation, integration, user experience, data security, and total cost of ownership will lead to a more informed decision and a better long-term outcome for your organization. Remember that careful planning and consideration can make all the difference in your **global HCM** journey.<sup>20</sup>

Based on the foregoing, the Examining Attorney contends that “the relevant public understands that the wording ‘HCM’ identifies an acronym for “Human Capital Management,” and that “GLOGAL HCM” is highly descriptive in relationship

---

<sup>17</sup> December 1, 2023 Final Office Action, TSDR 30-36.

<sup>18</sup> *Id.* at 37-44.

<sup>19</sup> *Id.* at 45-49.

<sup>20</sup> *Id.* at 49.

to Applicant's goods and services ... ."21

Notably, while the Examining Attorney argues that "Applicant's mark is merely descriptive of Applicant's goods and services,"22 and, more specifically, that "the wording 'GLOBAL HCM' immediately conveys to consumers that Applicant provides human capital management goods and services on a global or worldwide scale,"23 the Examining Attorney does not discuss the identification of goods and services on a class-by-class basis to ensure that the mark is indeed descriptive of at least one good or services in each class of the application. But to refuse registration of the application in its entirety, the Examining Attorney must show that the subject mark is merely descriptive of at least one of each of the goods and services in each class of the application. *In re Chamber of Commerce of the U.S.*, 675 F.3d 1297, 1301 (Fed. Cir. 2012) (citing *In re Stereotaxis Inc.*, 429 F.3d 1039, 1041 (Fed. Cir. 2005)).

Fortuitously for the Examining Attorney, it is obvious from Applicant's identification of goods and services, itself, in Classes 9, 35, 41 and 41 that HCM is descriptive of a characteristic, function, feature, purpose or use of at least one good or services in each such class:

Class 9 identifies goods including "Downloadable computer software, namely, mobile applications, for use in managing data and data applications in the field of human resources management, **human capital management**, and payroll processing (International Class 9);

Class 35 identifies services including "Human resources management and human resources management in the nature of **human capital**

---

<sup>21</sup> 8 TTABVue 8-9 (Examining Attorney's Brief).

<sup>22</sup> *Id.* at 1.

<sup>23</sup> *Id.* at 6.

**management**; Human resources analysis and consulting services regarding **human capital management** tools; Providing business services to employers, namely, payroll processing, human resources management, human resources management **in the nature of human capital management**; providing business services in the nature of timekeeping services for others, in particular employee time and attendance record keeping for the purpose of tax filing and human resources and **human capital management** and analysis; and human resources management **in the nature of human capital management**”;

Class 41 identifies services including “Educational services, namely, providing podcasts and non-downloadable webinars in the field of human resources management, **human capital management**, and technology; Educational and training services, namely, providing online classes, seminars, and workshops **in the field of** human resources management and **human capital management**; and

Class 42 identifies services including “Software as a service (SAAS) services featuring software for use in managing data and data applications **in the field of** human resources management and **human capital management**.

It is less obvious that HCM describes a characteristic, function, feature, purpose, or use of the services in Class 36, which identifies:

Payroll tax debiting services; Tax payment processing services; Financial transaction services, namely, providing secure commercial transactions and payment options; Administration of employee benefits plans concerning insurance and finance; Providing financial services to employers, namely, payroll tax debiting and, employee financial benefits plans administration, workers compensation claims administration, insurance agency, financial administration of employee pension plans and retirement funds plans financial administration; Insurance claims administration; Financial affairs and monetary affairs, namely, financial information, management and analysis services; Administration of employee benefit plans concerning insurance and finance; Workers compensation claims administration; Financial administration of employee pension plans and retirement plans; Providing a web site featuring information for employee benefits brokers and consultants in the field of insurance and employee financial benefits plans administration and employee health care insurance benefits plans reform.

But we nevertheless find that it does. Specifically, the third-party evidence of record describes HCM (or “human capital management”) as an integrated business strategy and technology suite for acquiring, managing, compensating, and optimizing a global workforce:

- Gartner defines HCM as practices focused on workforce acquisition, workforce management, and workforce capitalization.<sup>24</sup>
- Oracle positions its HCM cloud solution as connecting every HR process across the enterprise, expressly including the ability to “plan, manage, and optimize global people process[es]” and to manage a global workforce.<sup>25</sup>
- Goldman Sachs describes HCM as a strategic approach to “attracting, developing and managing a global workforce.”<sup>26</sup>
- ADP explains that HCM has evolved into a critical enabler of business value through technology that improves regulatory compliance, with “global and local monitoring capabilities” for changing regulations.<sup>27</sup>
- Ceridian markets its Dayforce platform as “Global HCM Software” that empowers people, simplifies compliance, and unlocks workforce intelligence.<sup>28</sup>
- And the ClearCourse Consulting article and the Global HCM institute further treat HCM as the overarching field encompassing global vendor selection, compliance, scalability, and workforce-related financial and administrative functions.<sup>29</sup>

Thus, the acronym HCM (or “human capital management”) is descriptive of the

---

<sup>24</sup> See note 9 supra.

<sup>25</sup> See note 10 supra.

<sup>26</sup> See note 14 supra.

<sup>27</sup> See note 16 supra.

<sup>28</sup> See note 13 supra.

<sup>29</sup> See notes 15 and 18, supra.

employee compensation services identified in Class 36.

### III. Applicant's Evidence and Argument

Applicant acknowledges the test set forth in *Thomas Nelson*, 2011 TTAB LEXIS at \*14-15, for determining whether a mark or term is an abbreviation, acronym, or initialism for the merely descriptive wording that it represents:<sup>30</sup>

A mark consisting of an abbreviation, acronym, or initialism will be considered substantially synonymous with descriptive wording if: (1) the applied-for mark is an abbreviation, acronym, or initialism for specific wording; (2) the specific wording is merely descriptive of applicant's goods and/or services; and (3) a relevant consumer viewing the abbreviation, acronym, or initialism in connection with applicant's goods and/or services will recognize it as an abbreviation, acronym, or initialism of the merely descriptive wording that it represents.

*Id.* at \*15. Applicant does not dispute that the first two prongs of that test—that HCM is an acronym for the wording “Human Capital Management” (Prong 1) and that “Human Capital Management” is merely descriptive of the goods or services identified in the application (Prong 2)—have been satisfied in this case.<sup>31</sup> Applicant, instead, maintains that “the evidence of record fails to support the Examining Attorney’s conclusion with respect to the third prong of this test,”<sup>32</sup> which is that relevant consumers of Applicant’s goods and services will recognize HCM as an acronym for “Human Capital Management.”

Applicant argues that the Examining Attorney’s reliance on the Acronym Finder

---

<sup>30</sup> 6 TTABVUE 6 (Applicant’s Brief).

<sup>31</sup> Notwithstanding Applicant’s apparent concession as to the first two prongs of the *Thomas Nelson* test, we review *infra* HCM’s descriptiveness as to the goods and services in each class of the application.

<sup>32</sup> *Id.*

website is “misplaced” because:

[Acronym Finder] shows at least **34** possible meanings for HCM. Among these are “High Capacity Multiplexing,” “Horizontal Connection Module,” and “Handset Configuration Manager,” all of which are used in relation to software and data and are pertinent here as Applicant’s Services include software and data processing services. The Examining Attorney’s evidence also reflects that HCM is a known acronym for the heart disease “hypertrophic cardiomyopathy,” which acronym has become even more well-known following a thirteen-billion-dollar campaign by Bristol Myers to advertise treatment for the same.<sup>33</sup>

But it is Applicant’s argument that is misplaced. “Descriptiveness of a mark is not considered in the abstract. Rather, it is considered in relation to the particular goods [and services] for which registration is sought, the context in which it is being used, and the possible significance that the term would have to the average purchaser of the goods because of the manner of its use or intended use.” *Bayer*, 488 F.3d at 964 (citing *In re Abcor Dev. Corp.*, 588 F.2d 811, 813 (CCPA 1978)). A word, phrase or acronym may have different meanings in different contexts, but the question here is what HCM means to relevant consumers who see it used in connection with Applicant’s goods or services pertaining to Human Capital Management. *Id.*

Applicant asserts that “[t]he Examining Attorney’s conclusion mistakenly reasons that, because HCM is an acronym for ‘human capital management,’ it is necessarily substantially therewith.”<sup>34</sup> For support, Applicant *Modern Optics*, where the Federal Circuit’s predecessor, the Court of Customs and Appeals, found the record “unconvincing” in showing that “CV” is substantially synonymous with “continuous

---

<sup>33</sup> *Id.* at 7 (emphasis in original).

<sup>34</sup> *Id.*

vision.”<sup>35</sup> *Modern Optics*, 234 F.2d at 506. In doing so, the Court cautioned that “[i]t does not follow, however, that all initials of combinations of descriptive words are ipso facto unregistrable.”<sup>36</sup> This is a strawman argument, as the Examining Attorney does not contend, as Applicant claims, that because HCM is an acronym for “human capital management,” it is per se unregistrable. Rather, as the Examining Attorney notes in her response:

In this case, Applicant’s goods and services include downloadable computer software, namely, mobile applications, for use in managing data and data applications in the field of human capital management, human resources management in the nature of human capital management, educational services, namely, providing podcasts and nondownloadable webinars in the field of human capital management, and Software as a service (SAAS) services featuring software for use in managing data and data applications in the field of human capital management. Thus, consumers would interpret “HCM” to mean “Human Capital Management” in relation to the relevant goods and services rather than the other meanings on AcronymFinder.com, such as Ho Chi Minh City or Hypertrophic Cardiomyopathy.<sup>37</sup>

*Modern Optics* emphasized that “each case must be decided on the basis of the particular facts involved.” 234 F.2d at 506.

Applicant contends that while the Examining Attorney’s third-party evidence shows use of both “human capital management” and “HCM,” “none of these additional references use the acronym HCM alone without the phrase ‘human capital management.’”<sup>38</sup> Applicant asserts that “this too supports Applicant as there would

---

<sup>35</sup> *Id.*

<sup>36</sup> *Id.* at 8.

<sup>37</sup> 8 TTABVUE 9 (Applicant’s Brief).

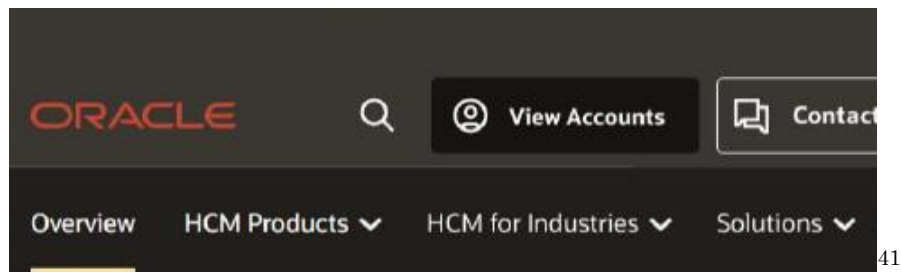
<sup>38</sup> 6 TTABVUE 8 (Applicant’s Brief).

be no need to identify the full wording ‘human capital management’ if the acronym HCM is substantially synonymous with the phrase as the Examining Attorney concludes.”<sup>39</sup> According to Applicant, “[t]his was the reasoning of *In re Life cycle Eng., Inc.*, No. 85692710, [2014 TTAB LEXIS 319] (non-precedential),” where “the Board found the evidence of record failed to show RBAM was substantially synonymous with ‘risk-based-asset-management’ because ‘the examples of use that [were] of record never show[ed] the expression RBAM alone [without] ‘risk-based asset management[.]’” *Id.* at \*22.

But as the Examining Attorney points out, the facts here are not analogous to *Life Cycle Eng.*:

In this case, the evidence shows “HCM” frequently used without the phrase “Human Capital Management” nearby. Indeed, Oracle uses “HCM Products” and “HCM for Industries” as a header on their website page and The Global HCM Institute uses “HCM” in its business name. Websites and webpages, dictionaries, and publications are generally competent sources for determining how the public perceives the mark in connection with applicant’s goods and/or services.<sup>40</sup>

Excerpts of these uses are shown below:



---

<sup>39</sup> *Id.*

<sup>40</sup> 8 TTABVUE 10 (Examining Attorney’s Brief).

<sup>41</sup> May 24, 2023 Office Action, at TSDR 17.



42

We recognize that, when a long phrase is used repeatedly in an article, it is a common practice to indicate to the reader that subsequent references will be by certain initials or by a single word. But in many of the third-party pages and articles of record, HCM is clearly not being used solely as the author’s shorthand for “human capital management,” but rather as an alternative for that term. For instance, the Ceridian website mentioned above, which does not use parentheses when it mentions human capital management, does not use HCM and the spelled-out terms together, and otherwise uses HCM prominently:

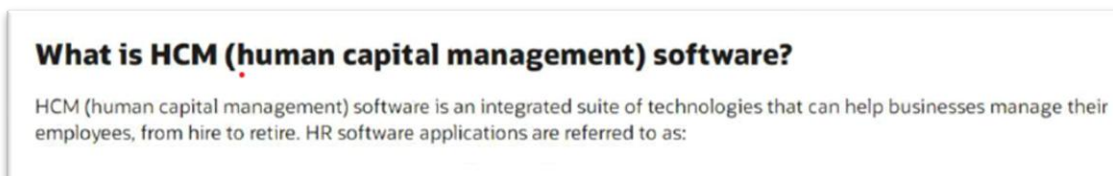
---

<sup>42</sup> December 1, 2023 Final Office Action, at TSDR 30.



43

Other pages, such as the Oracle website, use acronyms or initialisms in parentheses for abbreviations that are commonly understood, such as “HR,” thus undercutting the suggestion that the acronym is used in parentheses merely to educate the reader on the author’s shorthand.<sup>44</sup> Oracle also uses the reverse order; that is, putting “human capital management” in parentheses, followed by HCM, to explain HCM software:



45

Separately, Applicant argues that “[t]he Examining Attorney has failed to support the conclusion that GLOBAL is merely descriptive.”<sup>46</sup> According to Applicant, the Court of Customs and Patent Appeals (predecessor to the Court of Appeals for the

---

<sup>43</sup> *Id.* at 22-29.

<sup>44</sup> *Id.* at 30.

<sup>45</sup> *Id.* at 33 (initial caps in original).

<sup>46</sup> 6 TTABVUE 10 (Applicant’s Brief).

Federal Circuit) was instructive in this regard, holding “the word ‘Globe’ is **not** merely a geographical name or term in the sense in which the phrase is used in the statute.”<sup>47</sup> See *Champion Spark Plug Co. v. Globe-Union Mfg. Co.*, 88 F.2d 970, 972 (CCPA 1937). “Said another way,” continues Applicant, “because ‘globe’ has no specific geographic significance, it cannot be merely descriptive of any location.”<sup>48</sup>

This argument is unavailing, as we need not reach back to the 1930s to know that “global”—which means “[o]f, relating to, or involving the entire earth; worldwide; [e.g.,] *global war; global monetary policies*” “comprehensive; total”<sup>49</sup>—is a different word that “globe,” which is just “something spherical or rounded: such as ... a spherical representation of the earth, a celestial body, or the heavens.”<sup>50</sup> We find that the GLOBAL is clearly descriptive of Applicant’s goods and services in the field of human capital management that are provided globally, or comprehensively.

Applicant contends that GLOBAL cannot be descriptive because it has multiple meanings:

Additionally, GLOBAL is only merely descriptive if it “**immediately** conveys knowledge of a quality, feature, function, or characteristic of” Applicant’s Services. [TRADEMARK MANUAL OF EXAMINING Procedure] TMEP §1209.01(b) (emp. added). That is not the case here as **GLOBAL could signify several meanings within Applicant’s Services, including that the services are offered worldwide, or a consumer’s placement of personnel around the world, or use of**

---

<sup>47</sup> *Id.* (emphasis in original).

<sup>48</sup> *Id.*

<sup>49</sup> May 24, 2023 Office Action, at TSDR 11.

<sup>50</sup> <https://www.merriam-webster.com/dictionary/globe> (accessed February 17, 2026). See *University of Notre Dame du Lac v. J. C. Gourmet Food Imports Co.*, No. 91061847, 1982 TTAB LEXIS 146, at \*7 (“[T]he Board may take judicial notice of use of a term in dictionaries.”).

**services from different global locations.** Consequently, there is no immediately conveyed meaning of GLOBAL in relation to Applicant's Services.<sup>51</sup>

This too is an unavailing argument, as well as a concession that GLOBAL has three descriptive meanings when applied to Applicant's goods and services in the field of human capital management. "That a term may have meanings in different contexts is not controlling on the question of descriptiveness." *In re NextGen Mgmt.*, No. 85050089, 2012 TTAB LEXIS 448, at \*8 (citing *In re RiseSmart Inc.*, No. 85050089, 2012 TTAB LEXIS 448, at \*8). *See also In re Bright-Crest, Ltd.*, No. 73131713, 1979 TTAB LEXIS 80, at \*8-9 ("[T]he fact that a term may have meanings other than the one the Board is concerned with is not controlling on the question."); TRADEMARK MANUAL OF EXAMINING PROCEDURE § 1209.03(e) (Nov. 2025). "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." *In re Chopper Indus.*, 1984 TTAB LEXIS 118, at \*5-6. Because the standard for determining mere descriptiveness assumes that the relevant public knows what the goods or services are, *see, e.g., DuoProSS Meditech*, 695 F.3d at 1254, our analysis must focus on the definition relevant to the goods and services identified in the application. *See, e.g., In re IP Carrier Consulting Grp.*, No. 78542726, 2007 TTAB LEXIS 66, at \*18-19.

Applicant argues that the Examining Attorney's third-party registration evidence is not probative because "none of the [third-party] registrations relied upon [by the

---

<sup>51</sup> 6 TTABVUE 10 (Applicant's Brief).

Examining Attorney] claim rights in connection with human capital management.”<sup>52</sup> “At most,” asserts Applicant, these third-party registrations show other applicants for other services chose not to contest mere descriptiveness rejections.”<sup>53</sup> We disagree. The four third-party registrations submitted by the Examining Attorney are highly probative of the descriptiveness of GLOBAL in the field of human capital management. The relevant inquiry is whether the services fall within the HCM field established by the record evidence; they plainly do. Each registration covers services that constitute core components of HCM as defined in the record (workforce acquisition, management, compensation, benefits/financial administration, and global operations), even though the exact phrase “human capital management” does not appear:

- RE GLOBAL and Design (Reg. No. 7489220) recites services that include human resources management and business management consulting (Class 35);
- GLOBAL PMI PARTNERS (Reg. No. 7028212) recites services that include human resources management, consultancy, and related training (Classes 35, 41);
- BLUEBACK GLOBAL (Registration No. 6675878) recites services that include payroll administration and management, human resources management, accounting, tax and regulatory compliance services, and SaaS for HR and financial transactions (Classes 35, 42); and
- MANNING GLOBAL (Reg. No. 6458157) recites services that include human resources management and personnel recruitment, financial valuations of employment compensation, and related training and IT services (Classes 35, 41, 42).

---

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

By expressly disclaiming GLOBAL in each registration, the owners conceded that the term is, at a minimum, merely descriptive when used in connection with these HCM-related services. *See In re Pollio Dairy Prods. Corp.*, No. 73596577, 1988 TTAB LEXIS 45, at \*3-4 n.4 (“By its disclaimer of the word LITE, applicant has conceded that the term is merely descriptive as used in connection with applicant's goods.”) (citing *State Oil Refining Corp. v. Quaker Oil Corp.*, 161 USPQ 547 (TTAB 1969), *aff'd*, 453 F.2d 1296 (CCPA 1972)). Third-party registrations showing disclaimers of a term for similar or overlapping services are competent evidence of descriptiveness. *Stereotaxis*, 429 F.3d at 1041; TMEP § 1209.03(a) (Nov. 2025).

Having found that GLOBAL and HCM are each merely descriptive of at least one or more goods and services in each class of the application, we further find that their combination does not create a unitary mark with a unique, incongruous, or otherwise nondescriptive meaning in relation to those goods and services. Rather, each component retains its merely descriptive significance when used together in the field of human capital management. *See In re Omniome, Inc.*, 87661190, 2019 TTAB LEXIS 414, at \*12 (“[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 Oppedahl & Larson LLP*, 373 F.3d 1171, 1174 (Fed. Cir. 2004). The composite GLOBAL HCM immediately conveys to relevant consumers—employers and employee-benefits brokers and consultants—that Applicant offers human capital management goods and services on a global or comprehensive scale.

#### **IV. Conclusion**

In sum, the record demonstrates that HCM is a widely recognized acronym for the merely descriptive phrase “human capital management,” and that relevant consumers will immediately understand it as such when encountered in connection with Applicant’s identified goods and services. The term GLOBAL is likewise merely descriptive of the worldwide or comprehensive scope of those offerings, as shown by dictionary definitions and third-party usage in the HCM field. When the two terms are combined, each retains its descriptive significance, yielding a composite mark that is itself merely descriptive. Applicant’s arguments to the contrary are unpersuasive for the reasons set forth above.

***Decision:*** The refusal to register is affirmed under Section 2(e)(1) of the Trademark Act.