

This Opinion is Not a
Precedent of the TTAB

Mailed: May 26, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Trial and Appeal Board
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In re P&P Imports LLC
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Serial No. 98559658
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Kevin S. White for P&P Imports LLC.

Claudia A. Kopenski, Trademark Examining Attorney, Law Office 129,
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Before Wellington, Larkin, and Cohen,
Administrative Trademark Judges.

Opinion by Wellington, Administrative Trademark Judge:

P&P Imports LLC (“Applicant”) seeks registration on the Principal Register of the proposed standard-character mark WOVN for “recreational furniture” in Class 20.¹

The Examining Attorney refused registration under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1), on the ground that Applicant’s mark is merely

¹ Application Serial No. 98559658, filed on May 20, 2024, is based on Applicant’s allegation of first use of the mark anywhere and in commerce on August 15, 2024, under Section 1(a) of the Trademark Act, 15 U.S.C. § 1051(a).

descriptive of the applied-for goods. After the Examining Attorney issued a final refusal, Applicant appealed. We affirm the refusal to register.

I. Merely Descriptive – Applicable Law

Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1), prohibits registration on the Principal Register of “a mark which, (1) when used on or in connection with the goods of the applicant is merely descriptive . . . of them,” unless the mark has acquired distinctiveness under Section 2(f) of the Act, 15 U.S.C. § 1052(f).²

A term is “merely descriptive” within the meaning of Section 2(e)(1) if it “immediately conveys knowledge of a quality, feature, function, or characteristic of the goods or services with which it is used.” *In re Chamber of Com. of the U.S.*, 675 F.3d 1297, 1300 (Fed. Cir. 2012) (quoting *In re Bayer AG*, 488 F.3d 960, 963 (Fed. Cir. 2007)). “A mark need not recite each feature of the relevant goods or services in detail to be descriptive, it need only describe a single feature or attribute.” *Id.* at 1300 (cleaned up; citation omitted).

“Descriptiveness must be evaluated ‘in relation to the particular goods 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.’” *Chamber of Com.*, 675 F.3d at 1300 (quoting *Bayer AG*, 488 F.3d at 963-64). Descriptiveness is not considered “in the abstract or on the basis of guesswork.” *In re Fat Boys Water Sports, LLC*, No. 86490930, 2016

² Applicant does not claim the proposed mark is registrable because it has acquired distinctiveness. Thus, Section 2(f) is not pertinent to our decision.

TTAB LEXIS 150, at *4 (TTAB 2016) (citing *In re Abcor Dev. Corp.*, 588 F.2d 811, 814 (CCPA 1978)). “The 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, 1254 (Fed. Cir. 2012) (citation omitted).

“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, 1043 (Fed. Cir. 2005) (citation omitted). The relevant consumers here are purchasers of recreational furniture.

A. Will Consumers Perceive WOVN as a Variant of “Woven”?

A misspelling, novel spelling, or variation of a descriptive term does not transform it into a registrable mark. *See Bayer AG*, 488 F.3d at 963 (affirming Board’s finding that “the term ASPIRINA is merely descriptive of analgesic goods as a variation or misspelling of aspirin”); *In re Quik-Print Copy Shop, Inc.*, 616 F.2d 523, 524 n.9 (CCPA 1980) (QUIK-PRINT merely descriptive of printing and copying services, finding “[t]here is no legally significant difference here between ‘quik’ and ‘quick’”); *In re Ginc UK Ltd.*, No. 78618843, 2007 TTAB LEXIS 83, at *6 (TTAB 2007) (“The generic meaning of ‘togs’ is not overcome by the misspelling of the term as TOGGS in applicant’s mark. A slight misspelling is not sufficient to change a descriptive or generic word into a suggestive word.”).

In determining whether WOVN is sufficiently similar to the term “woven” that consumers will perceive Applicant’s proposed mark as a variation of that term, we

consider “the relevant features of the mark . . . including appearance, sound, and meaning.” *Bayer AG*, 488 F.3d at 964.

The sole visual difference between Applicant’s mark WOVN and the word “woven” is merely the omission of the letter E. *See id.* at 965 (“Adding an ‘a’ to aspirin results in virtually no distinction with respect to the visual impressions of the terms.”); *In re Carlson*, No. 78752616, 2009 TTAB LEXIS 438, at *16 (TTAB 2009) (“URBANHOUSING in standard character form, will be immediately and directly perceived by consumers as the equivalent of the admittedly descriptive term URBAN HOUSING . . .”). Given such close visual similarity, and despite the omission of the letter “e,” consumers are very likely to see Applicant’s mark as a phonetic equivalent and thus pronounce it the same as “woven.” *See In re Organik Techs., Inc.*, No. 74553323, 1997 TTAB LEXIS 2, at *14 (TTAB 1997) (“ORGANIK . . . is the phonetic equivalent of the term ‘organic’”); *In re Calphalon Corp.*, No. 86356713, 2017 TTAB LEXIS 98, at *34 (TTAB 2017) (proposed mark SHARPIN was descriptive because it is “the phonetic equivalent of the word ‘sharpen,’ which the record shows means ‘to make or become sharp or sharper’”).

Given the strong visual similarity and likely phonetic equivalency, any meaning attributed to Applicant’s mark will be the same as the word “woven.”

Accordingly, given the similarities in sight, sound, and meaning, we find that consumers will perceive Applicant’s proposed mark WOVN as a mere variant of the word “woven,” and we will analyze whether Applicant’s mark is descriptive accordingly.

B. Is the Term “Woven” Merely Descriptive of Recreational Furniture?

Applicant’s goods are identified as “recreational furniture,” and we need to look to see how consumers will perceive the term “Woven” in the context of those goods.

The Examining Attorney submitted dictionary evidence defining “woven” to mean “a woven fabric” and the past participle of the verb “weave.”³ The term “weave” is defined as “(transitive verb) ... to make (something, such as a basket) by intertwining” and “to interlace especially to form a texture, fabric, or design.”⁴ *See Bayer AG*, 488 F.3d at 964 (“Evidence that a term is merely descriptive to the relevant purchasing public may be obtained from any competent source, such as dictionaries”) (citation omitted).

Although the Examining Attorney did not submit any evidence showing how the term “woven” is applicable in the context of recreational furniture, she points to the specimen of record submitted by Applicant with its amendment to allege use to support the descriptiveness refusal. Specifically, she argues that the specimen “clearly shows that applicant’s recreational furniture, namely, beach and camping chairs, are composed of woven fabric and feature an overall woven design that clearly depicts the hallmark weaves seen in woven fabrics and woven designs.”⁵ The

³ Definition from online MERRIAM-WEBSTER DICTIONARY, attached to December 6, 2024 Office Action, TSDR 5-6.


⁴ We take judicial notice of the meaning of the word from the MERRIAM-WEBSTER DICTIONARY, accessed on May 24, 2026. <https://www.merriamwebster.com/dictionary/weave>. *Shenzhen IVPS Tech. Co. v. Fancy Pants Prods., LLC*, No. 91263919, 2022 TTAB LEXIS 383, at *41 (TTAB 2022) (taking judicial notice of dictionary definition).

⁵ 6 TTABVUE 5.

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specimen appears, in part, below, and depicts Applicant's goods in an Amazon listing:⁶

Sports & Outdoors » Outdoor Recreation » Camping & Hiking » Camping Furniture » Chairs



Help

GoSports WOVN Premium Beach & Camping Chairs - Folding Backpack Chairs for Adults - 9 Styles Available

Visit the GoSports Outdoors Store
5.0 ★★★★★ 3 ratings | Search this page

\$119⁹⁹
Or **\$12.06**/mo (12 mo). Select from 1 plan
FREE Returns

Get \$60 off instantly; Pay \$59.99 upon approval for Amazon Visa. No annual fee.

Color: Drifter

Brand	GoSports Outdoors
Color	Drifter
Size	WOVN
Included Components	(1) WOVN Chair with Backpack Straps and Cup Holder
Model Name	WOVN Premium Beach & Camping Chair - Folding Backpack Chair for Adults - Drifter

Material	polyester, Aluminum
Item Weight	10.36 Pounds

About this item

- **THE WOVN DIFFERENCE:** WOVN Chairs are crafted for those who appreciate superior products that prioritize durability and comfort over cutting corners; Once you experience a WOVN Chair, you'll never go back to low tier discount chairs
- **PREMIUM QUALITY:** Made from an overkill, no-rattle, powder coated aluminum frame to support up to 400 lbs; Taller (16") seat height provides a natural sitting position; Armrests are handcrafted from sustainably sourced hardwood for a premium look & feel
- **HIGH END PATTERNS:** Stand out from the crowd with our professionally designed, all-weather, woven jacquard straps; Choose from a fun selection of modern designs that elevate your outdoor experience beyond boring budget chairs
- **ULTRA PORTABLE:** Foldable compact design features backpack straps for easy transport; Folds out for use & includes an attachable universal cup holder; Weighs 10 lbs

In particular, the Examining Attorney relies on specific language in the above listing and highlighted below, touting a feature of the folding chairs, arguing “Applicant’s own product description confirms the descriptiveness of ‘WOVN’ by stating that its chairs feature ‘woven jacquard straps’”:

⁶ Specimen submitted November 19, 2024, at TSDR p. 5.

- **HIGH END PATTERNS: Stand out from the crowd with our professionally designed, all-weather woven jacquard straps. Choose from a fun selection of modern designs that elevate your outdoor experience beyond boring budget chairs**

We take judicial notice, at the Examining Attorney’s request, that a “jacquard” is “a fabric of intricate variegated weave or pattern.”⁷

In response to the refusal, Applicant argues that WOVN is “not immediately descriptive of any particular recreational furniture or of any required constituent elements of recreational furniture,” and that the mark “carries with it many hallmarks of a fanciful, arbitrary, or at least suggestive mark.”⁸ Applicant also points to its specimen of use and argues that it shows that its chairs:⁹

... do not match any of the definitions provided by the Examining Attorney: the back and seat are not textiles formed by weaving, or interlaced threads, or made of yarn, and do not stretch diagonally, as required by the Wikipedia reference, nor do they constitute a woven fabric (they are layered lattice of free-standing separate straps that aren’t woven to each other or to the chair frame).

Applicant’s arguments, however, are belied by its own specimen of use. *See In re N.C. Lottery*, 866 F.3d 1363, 1367-68 (Fed. Cir. 2017) (applicant’s specimen of use and any explanatory text included therein is relevant evidence of descriptiveness). There is no “incongruity,” as Applicant asserts, and the mark WOVN, which consumers will

⁷ Definition from online MERRIAM-WEBSTER DICTIONARY, attached to Examining Attorney’s Brief, at 6 TTABVUE 11.

⁸ 4 TTABVUE 3.

⁹ 4 TTABVUE 4. Applicant’s mention of a “Wikipedia reference” refers to the Examining Attorney’s attachment of an online Wikipedia dictionary entry for “woven fabric” (attached to December 6, 2024 Office Action, at TSDR pp. 5-6) stating that that “Woven fabrics only stretch diagonally on the bias (between the warp and weft directions), unless the threads used are elastic.”

immediately understand as an obvious misspelling of “woven,” immediately describes a quality or feature of Applicant’s goods. As illustrated in the Amazon listing for its goods, and as Applicant describes its own chairs, they are “professionally designed” with “all-weather, woven jacquard straps.” Indeed, this “high end pattern” is one of four key features that Applicant, itself, attributes to its chairs on the Amazon website.

Applicant further argues that its proposed mark, WOVN, or the term “woven” has multiple meanings, and there is a need “to contemplate other meanings of WOVEN that are even more fanciful and arbitrary with respect to the applied-for goods but are equally as relevant, such as: a complex story or pattern made from a number of interconnected elements – such as stories of recreational exploits told around a campfire, while sitting.”¹⁰ However, while the term “woven” may be used in various contexts with different meanings, we must consider Applicant’s mark WOVN in relation to the involved goods, i.e., recreational furniture, and its possible significance to the purchasers of these goods. *Chamber of Com.*, 675 F.3d at 1300. And, in contemplating the term in the context of goods that include recreational chairs, consumers will readily understand the term’s meaning as identifying a woven pattern or feature of the chairs, as Applicant’s specimen makes clear. Moreover, “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 Mueller Sports Med., Inc.*, No. 87209946, 2018 TTAB LEXIS 156, at *18 (TTAB 2018).

¹⁰ 4 TTABVUE 7.

II. Conclusion

Upon consideration of the applicable law, the evidence of record, and the arguments of Applicant and the Examining Attorney, we find that Applicant's proposed mark WOVN will be understood by consumers as an obvious misspelling of the word "woven," a term that immediately conveys to consumers a feature or quality of Applicant's recreational furniture, and WOVN thus is merely descriptive of the goods.

Decision: We affirm the refusal to register Applicant's mark WOVN under Section 2(e)(1) of the Trademark Act.