

THIS DISPOSITION IS NOT CITABLE AS PRECEDENT
OF THE TTAB

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Hearing:
February 18, 1997

Paper No. XXX
XXX/BPR

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re International Multi-Media Corporation

Serial No. 74/528,720

Stuart E. Beck for International Multi-Media Corporation.

Mary E. Crawford, Trademark Examining Attorney, Law Office
102 (Mary Sparrow, Managing Attorney).

Before Cissel, Seeherman and Hanak, Administrative Trademark
Judges.

Opinion by Hanak, Administrative Trademark Judge:

International Multi-Media Corporation (applicant) seeks registration of INTERNATIONAL MULTI-MEDIA CORPORATION in typed capital letters for "financial services, namely, financial analysis and consultation in the field of wireless telecommunications" and "consulting and research services for others in the field of wireless communications." The intent-to-use application was filed on May 24, 1994.

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Applicant disclaimed the exclusive right to use the term CORPORATION.

The examining attorney refused registration pursuant to Section 2(e)(1) of the Lanham Trademark Act on the basis that applicant's mark is merely descriptive of applicant's services.

When the refusal was made final, applicant appealed to this Board. Applicant and the examining attorney filed briefs. Applicant requested a hearing which was held before this Board on February 18, 1997.

In order to be held merely descriptive, a term must convey an immediate idea about the ingredients, qualities or characteristics of applicant's goods or services with a "degree of particularity." In re TMS Corp. of the Americas, 200 USPQ 57, 59 (TTAB 1978); In re Entenmann's Inc., 15 USPQ2d 1750, 1751 (TTAB 1990), aff'd 90-1495 (Fed.Cir. February 13, 1991). When used in conjunction with applicant's services, the individual terms INTERNATIONAL and MULTI-MEDIA (as well as the composite term INTERNATIONAL MULTI-MEDIA) are quite vague, and simply do not convey an immediate idea about the qualities or characteristics of applicant's services with the aforementioned required "degree of particularity." Thus, the refusal to register is reversed.

According to the examining attorney, the term INTERNATIONAL MULTI-MEDIA CORPORATION, when used in connection with applicant's services, "describes a corporation with international scope, which offers financial, consulting and research services to international companies involved with multi-media applications."

(Examining attorney's brief pages 2-3).

However, considering first the term INTERNATIONAL, we note that said term is somewhat vague in that it has a number of possible meanings when used in connection with applicant's services. For example, applicant has noted that this term can suggest "cosmopolitan knowledge and expertise," or that it can likewise suggest "polish and sophistication." (Applicant's brief page 5). We concur. The term INTERNATIONAL is quite similar to such "vague indications such as NATIONAL or CONTINENTAL." 2 J.McCarthy, McCarthy on Trademarks and Unfair Competition Section 14:6 at page 14-9 (4th ed. 1996). Indeed, this Board has previously held that the term INTERNATIONAL can even indicate a "theme." International House of Pancakes, Inc. v. Elca Corp., 216 USPQ 521, 525 (TTAB 1982).

Considering next the term MULTI-MEDIA, applicant notes that its "financial services and its consulting and research services are provided in the field of wireless telecommunications ... [and that] multi-media is a different

field." (Applicant's brief page 7). In response, the examining attorney has acknowledged that the two fields are different. Nevertheless, the examining attorney argues that "the multi-media and telecommunications fields are closely related fields." (Examining attorney's brief page 7). In support of her contention, the examining attorney has made of record excerpts of articles from the NEXIS database which would indicate that some companies operating in one field are expanding into the other field. However, such expansion does not mean that the term MULTI-MEDIA is merely descriptive of the services as set forth in the present application. There is absolutely nothing in the record to indicate that applicant's services, as described in its application, are broad enough to include multi-media services.

Decision: The refusal to register is reversed.

R. F. Cissel

E. J. Seeherman

E. E. W. Hanak
Administrative Trademark
Judges
Trademark Trial and
Appeal Board

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