

2/28/01

**THIS DISPOSITION
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Paper No. 15
PTH

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re **United Systems of Arkansas, Inc.**

Serial No. 75/**273,447**

Brian M. Mattson of **Patents+TMS** for **United Systems of Arkansas, Inc.**

Richard S. Donnell, Trademark Examining Attorney, Law Office 106 (**Mary Sparrow**, Managing Attorney).

Before **Seeherman**, **Hairston** and **Rogers**, Administrative Trademark Judges.

Opinion by **Hairston**, Administrative Trademark Judge:

United Systems of Arkansas, Inc. has appealed the refusal of the Trademark Examining Attorney to register the mark GLOBAL POSTAL SYSTEM for "worldwide business consultation, namely, assisting in the development of solutions to problems and needs businesses encounter with regard to mail requiring delivery of the mail by a special

service."¹ Registration has been finally refused pursuant to Section 2(e)(1) of the Trademark Act, 15 U.S.C. 1052(e)(1), on the ground that applicant's mark is merely descriptive of the identified services.

Applicant and the Examining Attorney have submitted briefs, but an oral hearing was not requested.

The Examining Attorney maintains that applicant's mark GLOBAL POSTAL SYSTEM is merely descriptive of the identified services because it immediately conveys that the purpose of applicant's business consulting services is to develop custom mail or postal systems for global or international mail delivery. In support of his position that GLOBAL POSTAL SYSTEM is merely descriptive of the identified services, the following definitions, taken from The American Heritage Dictionary of the English Language (3d. ed. 1992), were made of record:

global: of, or relating to, or involving the entire earth, worldwide

postal: of or relating to a post office or mail service; and

¹ Serial No. 75/273,447, filed April 11, 1997, which alleges a bona fide intention to use the mark in commerce.

system: a group of interacting, interrelated, or interdependent elements forming a complex whole.

In addition, to show the descriptive nature of the individual words in the mark, the Examining Attorney submitted a number of third-party registrations of marks which include the word GLOBAL, POSTAL, or SYSTEM wherein such word is disclaimed.

Applicant, in arguing against the refusal to register, maintains that it is not in the "mail delivery" business. Rather, according to applicant, the basis of its business is to provide forms and systems to companies or individuals to simplify and expedite mail and its delivery by special service such as certified mail, registered mail, insured mail, and return receipt. According to applicant, the mark GLOBAL POSTAL SYSTEM is not merely descriptive of such services. Applicant has submitted third-party registrations for marks which include the word GLOBAL or SYSTEM wherein such word is not disclaimed.

A mark is merely descriptive if it forthwith conveys an immediate idea of the ingredients, qualities or characteristics of the goods or services. In re Abcor Development Corp., 616 F.2d 525, 200 USPQ 215 (CCPA 1978). Moreover, in order to be descriptive, the mark must immediately convey information as to the ingredients,

qualities or characteristics of the goods [or services] with a "degree of particularity." Plus Products v. Medical Modalities Associates, Inc., 211 USPQ 1199, 1204-1205 (TTAB 1981).

As evidenced by the dictionary definitions of record, the individual words, GLOBAL, POSTAL and SYSTEM, each have a descriptive significance in connection with the services. We do not believe, however, that the combination of these words results in a term which, when considered in its entirety, is merely descriptive of the services. That is to say, applicant's mark, as used in connection with consultation services designed to assist businesses with delivery of mail by a special service, does not forthwith convey an immediate idea about the services with any degree of particularity.

Applicant maintains, and indeed the recitation of services would indicate, that applicant is in the consulting business, and not the business of actually delivering mail. In other words, it does not appear that applicant's services are in the nature of a worldwide or global mail delivery system. Prospective purchasers will view the mark as perhaps suggesting that applicant's consulting services are designed to assist businesses worldwide in mail delivery, but will not be immediately

apprised of the exact nature of the services or any feature thereof.

We recognize that there is often a thin line separating merely descriptive from suggestive terms and that judgments in these cases are frequently subjective. However, where there is doubt in the matter, the doubt is to be resolved in applicant's behalf and the mark should be published for opposition. See *In re Rank Organization Ltd.*, 222 USPQ 324, 326 (TTAB 1984) and cases cited therein.

Decision: The refusal to register is reversed.

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