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Search

- In the **Search** field, enter the search query.



The screenshot shows a search interface with the following elements highlighted by red boxes:

- The **Settings** and **Help** dropdown menus in the top right corner.
- The search input field containing the query `2(e)(1) descriptive`.
- The search icon (magnifying glass) on the right side of the input field.
- The search options: TMEP, Notes, and Index.
- The **Operator** dropdown menu, which is currently set to **ADJ**.

- Click the **Run Search** icon  or press the **Enter** key to invoke the search.
- The search is conducted against the checked areas: TMEP, Notes, and/or Index.
- Searches can use Boolean and Proximity operators.
- ADJ (adjacent) is the default operator, unless the user has changed this default via the Settings options.
- Terms within quotation marks are searched as entered.

Search Syntax

Search Syntax – Boolean Operators

Operator	Example	Meaning
OR	A OR B	Term A or term B or both
AND	A AND B	Both term A and term B
NOT	A NOT B	Term A but not term B
XOR	A XOR B	Term A or term B but not both

Example: 2(e)(1) and descriptive

Search Syntax – Proximity Operators

Operator	Example	Meaning
ADJ	A ADJ B	Term A and term B as a phrase in the specified order
NEAR	A NEAR B	Term A within 10 words (by default) of term B, in either order
NEAR/n	A NEAR/5 B	Term A within n words of term B, in either order, where $n \leq 99$

NEAR operators must be UPPERCASE.

Example: 2(e)(1) NEAR descriptive

ADJ is the default operator.

Example: **final action** is searched as **final adj action**.

Search Syntax – Wildcard Symbols

Symbol	Meaning
*	Represents zero to n characters in a term
?	Represents one character in a term

Wildcard symbols can be used at the beginning, middle, or end of a term.

Examples:

- ?con* - Retrieves *economic, icon, icons, iconic*
- ?con? - Retrieves *icons*, but not *icon*
- Catalog* - Retrieves *catalog, catalogs, catalogue*
- Adv?e - Retrieves *advise, advice*

Please note: the previous TMEP search system would automatically search for common plural forms of search keywords. Unfortunately, this feature is not yet available in this system. To search for a plural form of a word, please use the Wildcards as described here. If this feature becomes available in a future release, we will inform all users.

Likewise, users should be aware that any search for the plural form of a word will only return matches to that plural form. For example, a search for the word "mattresses" will not find the word "mattress." However, a search for "mattress*" (without the quotation marks) will find both "mattress" and "mattresses."

Search Syntax – Punctuation and Special Characters

Punctuation and special characters:

- Can be included within a search query.
 - Are not required.
 - May be replaced with a space.

Examples:

- 35 U.S.C. is searched as **35 u.s.c.** or as **35 u s c**
- 2(e)(1) is searched as **2(e)(1)** or as **2 e 1**

Search Query Examples

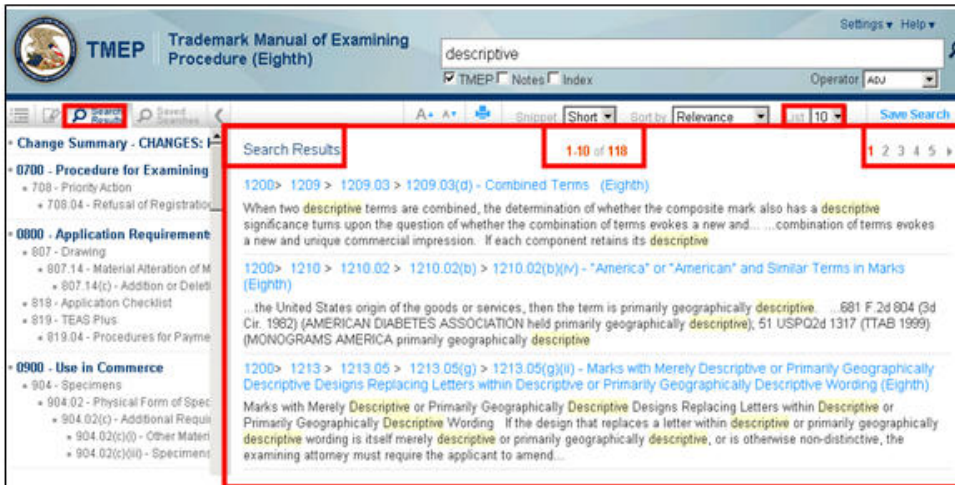
	Requested Search	Sample Queries		
1	request for continued suspension	request for continued suspension "request for continued suspension" request ADJ for ADJ continued ADJ suspension		
2	2(e)(1)	2(e)(1)	2 e 1	
3	six-month	six-month	six month	
4	TMEO/LO/101	TMEO/LO/101	tmeo lo 101	
5	Comm'r	comm'r	comm r	
6	35 U.S.C. 1021	35 u.s.c. 1021	35 u s c 1021	1021
7	WIPO International CL.16	CL.16	CL 16	
8	37 CFR 2.21	2.21	2 21	
9	non-final	non-final OR nonfinal	(non final) OR nonfinal	

Display of Search Results

The screenshot shows the TMEP (Trademark Manual of Examining Procedure) search interface. The search term is "descriptive". The results page displays a table of contents (TOC) on the left and search results on the right. Red boxes highlight the "Search Results" tab, the page count "1.10 of 118", and the navigation buttons "1 2 3 4 5".

- The TOC is focused on the **Search Results** tab which reflects the sections where the hits were found.
- 10 results per page display (default).
- The total number of hits.
- Denotes the number of result pages and the ability to navigate to a specific result page.

Search Results – Short or Long Snippet



The screenshot shows the Trademark Manual of Examining Procedure (TMEP) search results page. The search term is "descriptive". The results are sorted by Relevance, and the snippet length is set to "Short". The search results are displayed in a list format, with the first result highlighted. The snippet for the first result is:

1200> 1209 > 1209.03 > 1209.03(d) - Combined Terms (Eighth)
When two **descriptive** terms are combined, the determination of whether the composite mark also has a **descriptive** significance turns upon the question of whether the combination of terms evokes a new and... combination of terms evokes a new and unique commercial impression. If each component retains its **descriptive**

"Short" decreases the amount of text displayed
(default display)

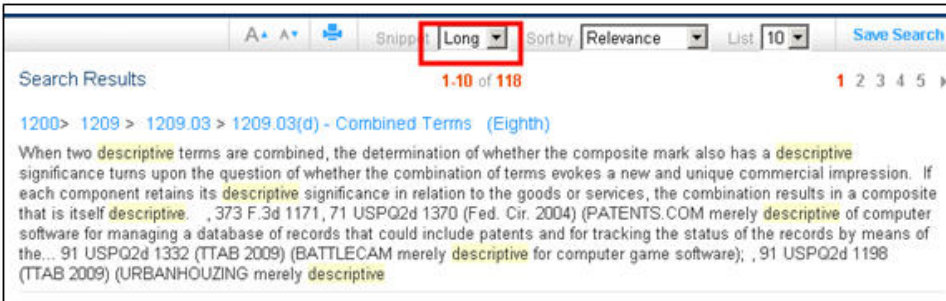


The screenshot shows the same TMEP search results page, but with the snippet length set to "Long". The search results are displayed in a list format, with the first result highlighted. The snippet for the first result is:

1200> 1209 > 1209.03 > 1209.03(d) - Combined Terms (Eighth)
When two **descriptive** terms are combined, the determination of whether the composite mark also has a **descriptive** significance turns upon the question of whether the combination of terms evokes a new and... combination of terms evokes a new and unique commercial impression. If each component retains its **descriptive**

"Long" increases the amount of text displayed

Search Results Sorted



The screenshot shows a search results interface. At the top, there is a navigation bar with a search icon, a 'Snippet' dropdown menu, a 'Sort by' dropdown menu set to 'Relevance', a 'List' dropdown menu set to '10', and a 'Save Search' button. Below the navigation bar, the text 'Search Results' is displayed, followed by '1.10 of 118' and a pagination control '1 2 3 4 5 >'. The main content area shows a breadcrumb trail: '1200 > 1209 > 1209.03 > 1209.03(d) - Combined Terms (Eighth)'. Below the breadcrumb trail, there is a paragraph of text starting with 'When two descriptive terms are combined, the determination of whether the composite mark also has a descriptive significance turns upon the question of whether the combination of terms evokes a new and unique commercial impression. If each component retains its descriptive significance in relation to the goods or services, the combination results in a composite that is itself descriptive. . . . 373 F.3d 1171, 71 USPQ2d 1370 (Fed. Cir. 2004) (PATENTS.COM merely descriptive of computer software for managing a database of records that could include patents and for tracking the status of the records by means of the... 91 USPQ2d 1332 (TTAB 2009) (BATTLECAM merely descriptive for computer game software); . 91 USPQ2d 1198 (TTAB 2009) (URBANHOUSING merely descriptive'.

- **Relevance** (default) displays the results in descending order based upon the number of hits in a section.
- **Section order** displays the results in the numerical order of the Table of Contents Search Results tab.

View Search Results Section via Hyperlink

Select the rightmost hyperlink to directly access the section containing the highlighted hit terms.

Search Results 1-10 of 118

1200> 1209 > 1209 03 > [1209 03\(d\) - Combined Terms \(Eighth\)](#)

When two **descriptive** terms are combined, the determination of whether the composite mark also has a **descriptive** significance turns upon the question of whether the combination of terms evokes a new and... combination of terms evokes a new and unique commercial impression. If each component retains its **descriptive**

1200> 1210 > 1210.02 > 1210.02(b) > [1210.02\(b\)\(iv\) - "America" or "American" and Similar Terms in Marks \(Eighth\)](#)

...the United States origin of the goods or services, then the term is primarily geographically **descriptive**. ...681 F.2d 804 (3d Cir. 1982) (AMERICAN DIABETES ASSOCIATION held primarily geographically **descriptive**); 51 USPO2d 1317 (TTAB 1999) (MONOGRAMS AMERICA primarily geographically **descriptive**)

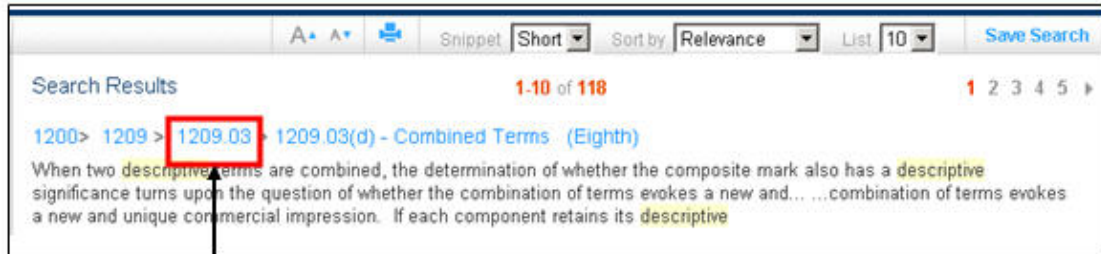
1210.02(b)(iv) 1200 > 1210 > 1210.02 > 1210.02(b) > 1210.02(b)(iv) 1210.02(c) □

1210.02(b)(iv) "America" or "American" and Similar Terms in Marks

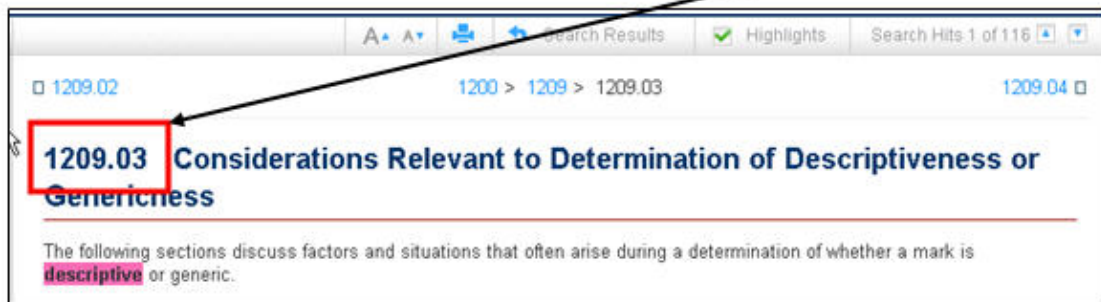
When terms such as "AMERICA," "AMERICAN," and "USA" appear in marks, determining whether the term or the entire mark should be considered geographic can be particularly difficult. There is no simple or mechanical answer to the question of how to treat "AMERICA" or "AMERICAN" in a mark. The examining attorney must evaluate each mark on a case-by-case basis. The examining attorney must consider the entire context, the type of goods or services at issue, the geographic origin of the goods or services and, most importantly, the overall commercial impression engendered by the mark at issue. The following principles, developed in the case law, should provide guidance in reaching a judgment in a given case.

(1) If "AMERICA" or "AMERICAN" is used in a way that primarily denotes the United States origin of the goods or services, then the term is primarily geographically **descriptive**. See, e.g., *American Diabetes Ass'n, Inc. v. National Diabetes Ass'n*, 533 F. Supp. 16, 214 USPO 231 (C.D. Pa. 1981), *aff'd*, 681 F.2d 804 (3d Cir. 1982) (AMERICAN DIABETES ASSOCIATION held primarily geographically **descriptive**); *In re Monograms America, Inc.*, 51 USPO2d 1317 (TTAB 1999) (MONOGRAMS AMERICA primarily geographically **descriptive** of consultation services for owners of monogramming shops); *In re BankAmerica Corp.*, 231 USPO 873 (TTAB 1986) (BANK OF AMERICA held primarily geographically **descriptive**); *American Paper & Plastic Products, Inc. v. American Automatic Vending Corp.* 152 USPO 117 (TTAB 1966) (AMERICAN AUTOMATIC VENDING held primarily geographically **descriptive**).

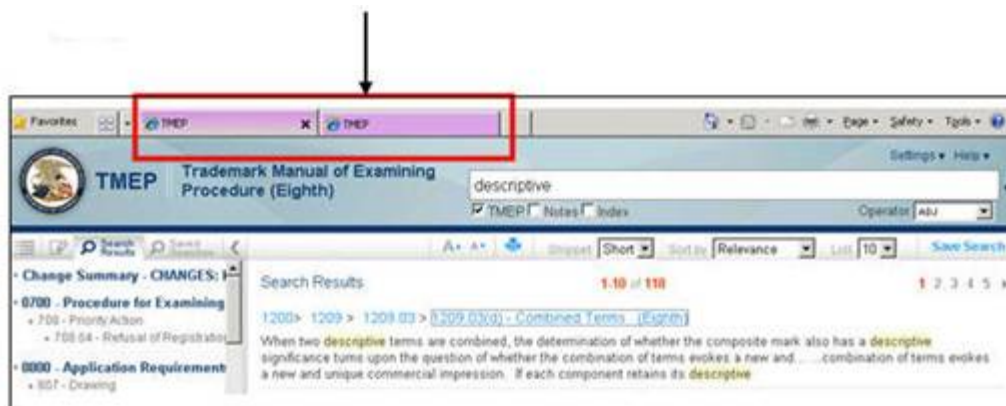
Search Results – Hierarchical Hyperlinks



Click a hyperlink to view the section at that level.

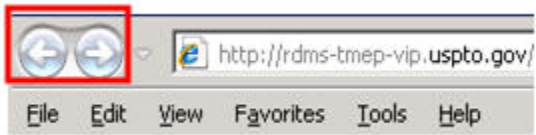


Right-click a hyperlink to open that section in a new tab or window.

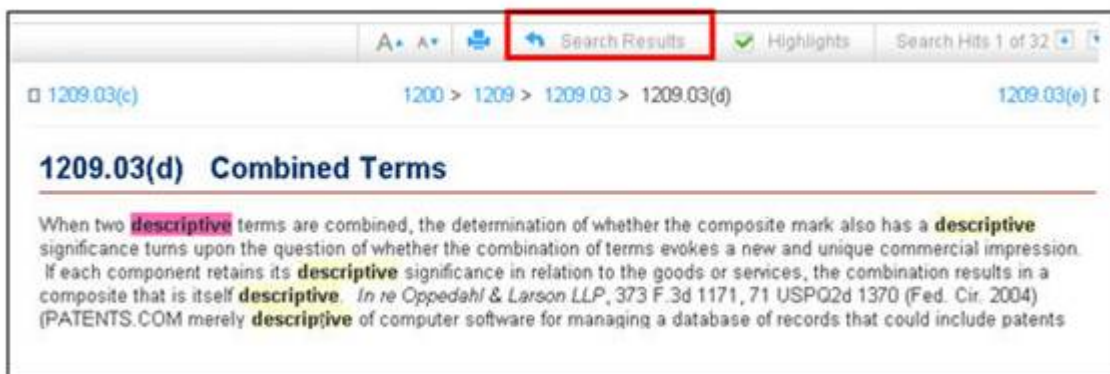


Search result navigation

Navigate to Another Search Result Section



Click the browser navigation arrows to page back and forward.



Return to Search Results is only viewable when a search result section is displayed.

Navigate to Another Search Result Section via TOC



- When a search query is invoked, the TOC will automatically select the **Search Results** tab.
- Click a TOC link to directly view that section which contains the highlighted hit terms.

Navigate to the Next Hit Term

807.14(c) Addition or Deletion of Punctuation

Punctuation, such as quotation marks, hyphens, periods, commas, and exclamation marks generally does not significantly alter the commercial impression of the mark. See, e.g., *In re Litehouse, Inc.*, 82 USPQ2d 1471 (TTAB 2007) and cases cited therein. See also *In re Promo Ink*, 78 USPQ2d 1301, 1305 (TTAB 2006) (the Board found the mark PARTY AT A DISCOUNTI to be merely **descriptive**, specifically noting that "[t]his punctuation mark does not significantly change the commercial impression of the mark. It would simply emphasize the **descriptive** nature of the mark to prospective purchasers...").

However, punctuation may be incorporated into a mark in such a way that the commercial impression of the mark would be changed by the addition or deletion of such punctuation. See *Richards-Wilcox Mfg. Co.*, 181 USPQ 735 (Comm'r Pats. 1974), *overruled on other grounds*, *In re Umax Data System, Inc.*, 40 USPQ2d 1539 (Comm'r Pats. 1996) (proposed change of FYE[R-W]ALL and design to FYER-WALL in block letters denied as material alteration, in part, because brackets changed commercial impression of mark as the initial letters of applicant's name, "R" and "W," were no longer emphasized). For example, unlike most cases where the addition of an exclamation point does not affect the commercial impression of a mark, the addition of an exclamation point to the mark MOVE IT transforms the words from a mere command to relocate an object to an exclamatory statement – MOVE IT! – often used to order a person out of the way, and, therefore, changes the commercial impression of the mark.

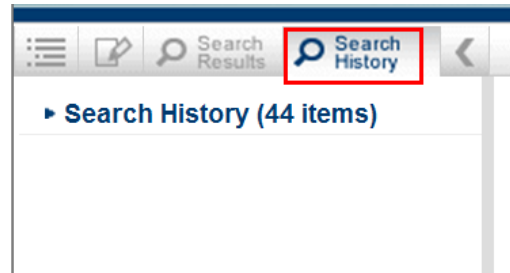
Some other examples, though not exhaustive, are:

- In **Search Hits # of #**, click the **down** or **up arrow** to navigate forward or backward between each individual word in the search query.
- The pink highlight denotes the cursor location.
- **Search Hits # of #** is only viewable when a section is displayed.

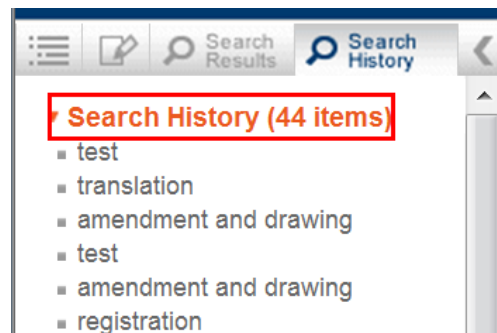
Access and Invoke Search History Queries

To access a search query from the current session:

1. In the TOC, click the **Search History** tab.



2. Click the **Search History** link.



3. Click the desired search query.

This search query will be invoked automatically and the search results displayed.

Search the Subject Matter Index

- In the Search field, enter the search query.




descriptive

TMEP Notes Index

Operator AND



- Ensure that at least the **Index** box is checked.
- Click the **Run Search** icon  or press the **Enter** key to invoke the search.
- The search results are displayed within the **Search Results** document viewer:



Search Results 13 of 3 1

TMEP - Subject Matter Index (Eighth)
repetition of descriptive term of pictorial representations of descriptive matter

TMEP - Subject Matter Index (Eighth)
Geographically descriptive marks

TMEP - Subject Matter Index (Eighth)
may be geographically descriptive