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genus or category of product.² The record in *In re Brink* had more evidence of genericness than the present record, and still the Board reversed the refusal to register. Accordingly, the genericness refusal in the present case should be withdrawn.

In another apt case, *In re Festival of Vitamins, LLC*, Serial No. 85/33160 (TTAB 2013) (non-precedential, copy attached as **Exhibit B**), the applicant applied to register ANTI-AGING NATURALS for dietary and nutritional supplements. The Examining Attorney refused registration on the grounds that the mark was generic for the goods, citing to dictionary definitions of “anti”, “anti-aging” and “natural,” evidence from the internet showing use of the terms “anti-aging” and “natural” as adjectives modifying the names of various products, including dietary or nutritional supplements, and evidence from the internet showing use of “anti-aging” and “natural” together as modifiers, *e.g.*, “The anti aging natural supplements that used to be...”, “PureZen Anti Aging Natural supplements” and similar evidence.

While the evidence indicates that “anti-aging natural” may be considered an appropriate chain of descriptors for goods such as applicant’s supplements, it does not show that these words are a unitary phrase rather than individual adjectives that happen to be placed together. To the contrary, the record contains numerous examples of use of these words in formats that are inconsistent with use of a unitary, generic term. In particular, these words have been placed in reverse order; separated by a comma or other punctuation; separated by other words; or other variations. For example, the advertisements at <juvenon.com> and

² The Office Action issued June 30, 2014 once again includes the same URL’s previously included, namely, www.bookingbuddy.com, fastbooking-hotels.com, www.marriott.com/online-hotel-booking.mi, www.hotelbooking.com, www.francehotelbooking.com, www.hotelbookingsolutions.com, www.instantworldbooking.com, and www.securehotelbooking.com. As Applicant previously noted, examples of websites containing the character string “booking” somewhere in the URL does not demonstrate a competitive need for others to use BOOKING.COM to name or describe their product or service. Applicant does not claim exclusive rights to “booking”; it claims exclusive rights to BOOKING.COM (Stylized). None of the URL evidence shows a competitive need for third parties to use BOOKING.COM to describe or name their product or service; indeed only one of the websites uses the character string “booking.com” as part of the actual trademark for the website, but it does not use the term “booking.com” alone as a trademark. Moreover, URL’s such as www.bookingbuddy.com, fastbooking-hotels.com, www.marriott.com/online-hotel-booking.mi, and www.hotelbookingsolutions.com, are wholly irrelevant because they do not even contain the letter string “booking.com” anywhere in the URL.

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