



Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Date: January 19, 2012

JungJin Lee
Lee, Lee & Associates, P.C.
Suite 234
2531 Jackson Road
Ann Arbor, MI 48103

Re: Trademark Registration No. 4,085,335
Mark: .bank

Dear JungJin Lee:

A letter of protest was filed against this application on January 6, 2012, several days prior to its registration on the Supplemental Register, and was not processed to consider the protest raised therein prior to registration. The letter of protest raised, *inter alia*, the USPTO's established policy, articulated in Trademark Manual of Examining Procedure 1215.02(d), that a mark such as this one that is composed solely of a top level domain (TLD) for domain name registration services "must be refused registration under Trademark Act §§1, 2, 3, and 45 ... on the ground that the TLD would not be perceived as a mark." The imminent expansion of available generic TLDs underscores the consumer perception that TLDs used in connection with domain name registration services would be perceived as TLDs rather than as source indicators. The amendment of the application to the Supplemental Register prevented both a post publication letter of protest and an opposition.

The USPTO has broad authority to correct mistakes. *Last Best Beef, LLC v. Dudas*, 506 F.3d 333, 340-41, 84 USPQ2d 1699, 1704 (4th Cir. 2007); *see also BlackLight Power, Inc. v. Rogan*, 295 F.3d 1269, 1273-74, 63 USPQ2d 1534, 1537-38 (Fed. Cir. 2002). In view of the receipt of the letter of protest prior to registration and the clear violation of the USPTO's established policy that marks such as this do not function as trademarks, this registration is cancelled as inadvertently issued in accordance with the attached order. The registration certificate is invalid and has no force or effect. The USPTO has restored the application to pendency as Serial No. 85120345 and forwarded the file to the examining attorney to issue a refusal of registration.

Sincerely,

A handwritten signature in black ink that reads "Ralph Williams".

Ralph Williams
Supervisory Paralegal Specialist
Office of the Commissioner
for Trademarks
(571) 272-8950

UNITED STATES
PATENT AND TRADEMARK OFFICE

Cancellation Order

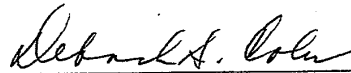
WHEREAS Registration No. 4,085,335 was issued to Asif on January 10, 2012, for the mark .bank; and

WHEREAS due to a clerical error by the U.S. Patent and Trademark Office, Registration No. 4,085,335 was inadvertently issued on the Supplemental Register;

THEREFORE, Registration No. 4,085,335, having been issued inadvertently and not in accordance with the procedures required by 15 U.S.C. §§1062(a) and 1063, is hereby ordered cancelled.

JAN 19 2012

(Date)



Deborah S. Cohn
Commissioner for Trademarks