



Trademark Search Results: Super Fast PC's

Your trademark is not available to register.

Classes Searched:

Class 42: This class is relevant because it includes scientific and technological services, as well as research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software. Since the description mentions servicing super fast PCs, it implies a service that could involve technological support, software updates, or hardware modifications, which aligns with the offerings covered in Class 42.

Class 37: This class is pertinent as it covers services such as repair; installation services. Servicing PCs would involve repair or maintenance services, making this class relevant to the description provided.

Class 9: This class is applicable because it includes computer hardware and software. Although the description focuses on the service aspect, the underlying products being serviced (PCs) fall into this category.

AI Findings Explained:

Trademarks which are identical or have a close resemblance:

In accordance with your request for a detailed analysis, I have examined the possible conflicts between the intended trademark "Super Fast PC's" and existing trademark registrations within the specific NICE classes 9, 37, and 42. Given the significance of absolute equivalence and close resemblance in evaluating trademark registration risks, here's a nuanced analysis considering both elements in relation to the aforementioned classes.

Absolute Equivalence

Considering the absolute equivalence factor, it appears crucial to examine if any prior trademarks exist which match exactly with the language and NICE classes of your proposed mark:

- For the part "Super Fast" under NICE class 9 and 42, there seems to be no direct conflict as the existing identified similar mark bearing the name "SUPER FAST" falls within class 37 only.
- However, for class 37, this assessment changes. The trademark "SUPER FAST" (Application Number: 90447001), registered under class 37, poses a direct conflict as its textual elements are identical to the "Super Fast" part of your proposed trademark "Super Fast PC's" under the same class. This could very likely prevent the successful registration of your trademark in class 37 for its "Super Fast" part, unless it could be argued that the context and usage in "Super Fast PC's" sufficiently deviates from what's been registered under "SUPER FAST." However, this is a risky avenue and likely to encounter opposition or an outright refusal based on absolute equivalence in words and class.

Close Resemblance

Under the criteria of close resemblance which evaluates potential confusion:

- Within class 37, as previously noted with "SUPER FAST," the close resemblance here is not merely close but exact, which increases the likelihood of confusion among the consumers, thereby strengthening the case against the registration of "Super Fast PC's" in this class.
- For Classes 9 and 42, with the absence of any directly identical trademarks, one might assume lesser risk. However, it's crucial to consider whether elements of the proposed trademark or its entirety ("Super Fast PC's") could resemble any existing trademarks in these classes closely enough to cause confusion. Given no directly similar marks have been mentioned in the provided data for these classes, it seems there are no apparent risks identified in the context of classes 9 and 42 with respect to "Super Fast."

Conclusion

It is advisable to seriously reconsider the filing of the "Super Fast PC's" trademark under class 37 due to the absolute equivalence with an existing mark, which presents significant risks of refusal. For NICE classes 9 and 42, there appears to be more flexibility, yet a detailed and specific search tailored to those classes would help further elucidate any less apparent risks.

This integrated approach, considering the potential clashes with both absolutely equivalent and closely resembling trademarks, should provide a strategic framework to navigate the possible challenges in your trademark registration process for "Super Fast PC's."

Trademarks which wholly incorporate your proposed trademark:

Trademark Analysis: 'Super Fast PC's'

Current Inquiry:

The proposed trademark is 'Super Fast PC's' with intended filing in the USPTO for NICE classes 9, 37, and 42. We have isolated and will analyze the component 'Super Fast' within the same context.

Comparison with Existing Trademark:

The relevant trademark found in the preliminary search is:

- **Trademark:** SUPER FAST
- **Application Number(s):** 90447001
- **NICE class:** 37
- **Type:** Word Mark

Analysis:

Wholly Contained Evaluation:

To determine if the proposed mark "Super Fast PC's" is wholly contained within any existing trademarks, the key component to focus on from your isolated parts is "Super Fast." The existing trademark 'SUPER FAST' is registered under NICE class 37. This overlaps with one of your proposed classes (NICE class 37) for the trademark 'Super Fast PC's.'

Absolute Equivalence:

The absolute identity of a mark pertains to whether the proposed mark or any part of it reproduces the earlier mark identically and covers the same goods or services. From the information available, 'Super Fast' is identical in text to the existing trademark 'SUPER FAST,' and partially equivalent in class specifications (both incorporating class 37).

Implications:

1. **Likelihood of Confusion:** Under the US Trademarks Act (Lanham Act, 1946), section 2(d), there is a prohibition against registration of a mark that so resembles a mark registered in the USPTO such that it is likely to cause confusion, or to cause mistake, or to deceive. Given that 'Super Fast' is identical in verbiage to the existing 'SUPER FAST,' and they overlap in the same class, the proposed use of 'Super Fast PC's' in class 37 faces a significant risk of refusal based on a likelihood of confusion.

2. Caution in Class 37: While the full phrase 'Super Fast PC's' introduces additional elements ('PC's'), the inherent dominance and distinctiveness of the phrase 'Super Fast' might not sufficiently differentiate the marks in the marketplace concerning class 37 related services. This risk decreases in classes 9 and 42 where the pre-existing mark 'SUPER FAST' does not hold any registration.

Conclusion:

Given the registration of 'SUPER FAST' in NICE class 37, the proposed trademark 'Super Fast PC's' spanning NICE classes 9, 37, and 42 poses a considerable risk of registration refusal in terms of the overlapping class 37. It is strongly advised to reconsider the usage of the term 'Super Fast' in this class or to seek a consent agreement or coexistence agreement with the owner of the 'SUPER FAST' trademark to mitigate the risk of refusal. This strategy can be more crucial if the usage in class 37 is crucial for your client's business.

In classes 9 and 42, the term poses less risk but still warrants cautious phrase differentiation and market positioning to avoid potential conflicts or confusion.

This analysis and advice should guide the structuring and finalizing of trademark application strategies moving forward in context to the registration of the trademark 'Super Fast PC's.'

Usage of Generic Terms:

Analysis of the Proposed Trademark "Super Fast PC's" for Generic Term Usage

Understanding the Terminology: Generic Terms

Generic terms in trademark law refer to words or phrases that the relevant purchasing public understands primarily as the common or class name for the goods or services. These terms are inherently incapable of functioning as source identifiers and are not registrable under the Lanham Act (the U.S. Trademarks Act 1946) on either the Principal Register or Supplemental Register without proof of distinctiveness.

Detailed Analysis of the Proposed Trademark "Super Fast PC's"

The proposed trademark "Super Fast PC's" contains elements that may warrant scrutiny under genericness and descriptiveness criteria, especially considering the classes specified.

1. Element Breakdown:

- **"Super Fast"**: This phrase could be seen as a descriptive term, particularly when applied to

computers and technological services. It implies a qualitative advantage (speed) which is a potential selling point and characteristic of the products or services.

- **"PC's"**: This is clearly generic when related to goods in Class 9 (computer hardware), as it directly refers to "personal computers."

2. Analysis by Classes:

- **Class 9 (Computer and Technology Products)**: In this class, both "Super Fast" and "PC's" could be problematic. "PC's" is definitely generic since it describes the goods themselves (personal computers). "Super Fast" may be seen as merely descriptive, portraying a characteristic of the PCs (speed/performance).

- **Class 37 (Repair and Installation Services)**: Here, "PC's" might not be generic but could still be considered descriptive, as these services are directly linked to PCs (personal computers). "Super Fast," in this context, might imply a promise of quick service, which is again descriptive of the service speed.

- **Class 42 (Technology Services)**: This class, encompassing software as a service and other tech-related services, would also find "PC's" to be on the borderline between descriptive and generic. "Super Fast" would likely be descriptive, indicating the speed and efficiency of the provided technology services.

Potential Registration Issues:

Under the Lanham Act, particularly Section 2(e), marks that are merely descriptive of the goods or services may not be registered on the Principal Register absent a showing of acquired distinctiveness (secondary meaning). Furthermore, generic terms are ineligible for trademark protection altogether.

Conclusion and Recommendations:

Given the analysis above, the proposed trademark "Super Fast PC's" is likely to face significant hurdles during the registration process for being either generic (in the case of "PC's") or descriptive (in the case of "Super Fast") across all the intended classes. It is crucial to consider strategies such as developing a distinctive logo or using a less descriptive component in conjunction with "Super Fast PC's" to enhance its distinctiveness. Alternatively, demonstrating significant use and recognition among the relevant public could help in arguing for acquired distinctiveness, though this is usually a more lengthy and uncertain strategy.

This detailed perspective should help in strategizing the filing appropriately to combat potential refusals based on the genericness or descriptiveness of the terms involved in the proposed trademark in its intended classes. The challenge will be significant, and the above strategies are crucial in preparing for successful registration.

Conclusion:

Based on the comprehensive analysis of the proposed trademark "Super Fast PC's" against the backdrop of existing registrations and legal stipulations outlined in the US Trademarks Act (Lanham Act, 1946), particularly sections regarding absolute equivalence and likelihood of confusion, it is evident that there is a substantial risk associated with registering this trademark under all proposed NICE classes (9, 37, and 42).

1. **Regarding Class 37:** The direct conflict with the pre-existing "SUPER FAST" trademark, which covers similar goods or services, represents a significant barrier. This scenario falls squarely within the prohibitions against registering a mark that could cause confusion as outlined in Section 2(d) of the Lanham Act. Thus, a filing in class 37 seems inadvisable without significant modification or agreement with the existing holder of "SUPER FAST".

2. **For Classes 9 and 42:** Although no immediate trademark barriers are identified for these classes based on the information provided, practical considerations about the descriptiveness of the terms 'Super Fast' and its combination with 'PC's' suggest that these elements do not inherently function as strong source identifiers without acquired distinctiveness. This means that while filing may be technically feasible, the risk of challenge based on descriptiveness, or refusal based on failure to function, remains meaningful under Section 2(e) of the Lanham Act, requiring a careful weighing of whether the potential benefits of registration outweigh these risks.

Conclusively, considering the importance of a trademark functioning as a clear identifier of the source of goods and services to the consumer, and given the substantial legal hurdles outlined, **it is highly recommended that the filing of the "Super Fast PC's" trademark under the current composition, particularly in class 37, should not proceed.** For classes 9 and 42, while it may be possible to proceed, doing so should involve further strategic considerations to enhance the distinctiveness of the mark, including potentially restructuring the trademark or combining it with more distinctive elements.

Trademarks Found:

1. Mark: SUPER FAST

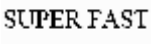
Application Number(s): 90447001

Owner: Super Fast Electric, LLC___Super Fast Electric, LLC___Super Fast Electric, LLC

NICE classes: 37

Type: Word Mark

Application Date: 04 January 2021

Logo: The logo consists of the words "SUPER FAST" in a bold, sans-serif font. The text is white and is set against a dark, rectangular background that has a slight gradient and a shadow effect.

2. Mark: SUPER-FAST

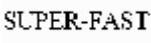
Application Number(s): 88160508

Owner: ThermoWorks, Inc.___ThermoWorks, Inc.___ThermoWorks, Inc.

NICE classes: 9

Type: Word Mark

Application Date: 18 October 2018

Logo: The logo consists of the words "SUPER-FAST" in a bold, sans-serif font. The text is white and is set against a dark, rectangular background that has a slight gradient and a shadow effect.

3. Mark: SUPER FAST ELECTRIC

Application Number(s): 88921131

Owner: Super Fast Electric, LLC___Super Fast Electric, LLC___Super Fast Electric, LLC

NICE classes: 37

Type: Word Mark


Application Date: 18 May 2020

Logo: The logo features the words "SUPER FAST" in a bold, sans-serif font, with "ELECTRIC" in a smaller font size below it. The text is white and is set against a dark, rectangular background that has a slight gradient and a shadow effect.


4. Mark: 812 SUPERFAST

Application Number(s): 79229104

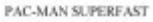
Owner: FERRARI S.P.A.___FERRARI S.P.A.___FERRARI S.P.A.

NICE classes: 9
Type: Word Mark
Application Date: 03 July 2017
Logo: 

5. Mark: SUPERFAST POWER PACK

Application Number(s): 97699812
Owner: Samsung Electronics Co., Ltd.
NICE classes: 9
Type: Word Mark
Application Date: 01 December 2022
Logo: 

6. Mark: PAC-MAN SUPERFAST

Application Number(s): 98153500
Owner: Kabushiki Kaisha Bandai Namco Entertainment
NICE classes: 9
Type: Word Mark
Application Date: 28 August 2023
Logo: 

7. Mark: LOGITECH G PRO X SUPERFAST

Application Number(s): 98269353
Owner: Logitech Europe S.A.
NICE classes: 9
Type: Word Mark
Application Date: 14 November 2023
Logo: 

8. Mark: SAMSUNG SUPERFAST PORTABLE POWER

Application Number(s): 97690011

Owner: Samsung Electronics Co., Ltd.

NICE classes: 9

Type: Word Mark

Application Date: 23 November 2022

Logo:  Samsung Superfast Portable
Power

9. Mark: SUPERFASTBUSINESS

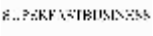
Application Number(s): 87281627

Owner: Flowstrategy Pty Ltd___Flowstrategy Pty Ltd___Flowstrategy Pty Ltd

NICE classes: 9

Type: Word Mark

Application Date: 27 December 2016

Logo:  SUPERFASTBUSINESS

10. Mark: FASTCASH SUPERAPP

Application Number(s): 97585507

Owner: Yates, Rodney___Yates, Rodney

NICE classes: 9

Type: Word Mark

Application Date: 09 September 2022

Logo:  FASTCASH SUPERAPP