

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

<b>SERIAL NO.</b> 75/160532 Xerox Corporation		<b>APPLICANT</b>		<b>PAPER NO.</b>	
<b>MARK</b> SCANSOFT				<b>ADDRESS:</b> Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513	
<b>ADDRESS</b> ROBERT L. SHAFTER XEROX CORPORATION PO BOX 1600 STAMFORD CT 06904-1600		<b>ACTION NO.</b> 02			
		<b>MAILING DATE</b> 07/09/97			
		<b>REF. NO.</b> T. 90391			
FORM PTO-1525 (5-90)		U.S. DEPT. OF COMM. PAT. & TM OFFICE			

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

Please provide in all correspondence:

1. Filing Date, serial number, mark and Applicant's name.
2. Mailing date of this Office action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and ZIP code.

**A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID ABANDONMENT.** For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.

RE: Serial Number: 75/160532

This letter responds to the applicant's communication filed on June 3, 1997.

**Prior Pending Application**

Prior pending application No. 75-141386 remains a potential bar to registration of this application.

**Identification**

Applicant's amended identification of services is not acceptable because it merely lists a field of use for the software rather than a function and field of use. In addition to the field of use, the applicant must indicate the the purpose or function of the program. TMEP section 804.03(b). This additional information is necessary to permit this Office to reach judgements concerning possible conflicts between the applicant's mark and other marks. See *In re Linkvest S.A.*, 24 USPQ2d 1716 (TTAB 1992). In this case, the following formulation appears to be appropriate: COMPUTER SOFTWARE FOR USE IN OPTICAL CHARACTER RECOGNITION IN THE FIELD OF \_\_\_\_\_, in International Class 9. The applicant must amend to adopt this identification, if appropriate.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. Section 2.71(b); TMEP section 804.09. Therefore, the applicant may not amend to include any goods that are not within the scope of goods set forth in the present identification.