To:	Hurvitz, Philip Michael (philthy@philthysanchez.com)
Subject:	U.S. TRADEMARK APPLICATION NO. 85081964 - PHILTHY SANCHEZ - N/A
Sent:	1/24/2011 2:22:07 PM
Sent As:	ECOM112@USPTO.GOV
Attachments:	Attachment - 1 Attachment - 2 Attachment - 3 Attachment - 4 Attachment - 5 Attachment - 6 Attachment - 7 Attachment - 8 Attachment - 9

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 85081964

MARK: PHILTHY SANCHEZ

85081964

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/teas/eTEASpageD.htm

CORRESPONDENT ADDRESS:
HURVITZ, PHILIP MICHAEL
1410 NE 70TH ST
SEATTLE, WA 98115-5633

APPLICANT: Hurvitz, Philip Michael

CORRESPONDENT'S REFERENCE/DOCKET NO:
N/A

CORRESPONDENT E-MAIL ADDRESS:
philthy@philthysanchez.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST

RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: **1/24/2011**

Applicant may wish to hire an attorney to assist in prosecuting this application because of the legal technicalities involved. The Office, however, cannot aid in the selection of an attorney. 37 C.F.R. §2.11. Applicant may wish to consult a local telephone directory for a listing of attorneys specializing in trademark or intellectual property law, or seek guidance from a local bar association attorney-referral service.

Upon further review, it has been determined that the applicant's mark is immoral or scandalous. Accordingly, registration is refused under Section 2(a) of the Trademark Act.

I. The Mark Is Immoral or Scandalous

Registration is refused because the applied-for mark consists of or comprises immoral or scandalous matter. Trademark Act Section 2(a), 15 U.S.C. §1052(a); *see* TMEP §1203.01. According to the attached evidence from The Urban Dictionary and various websites, the applied-for mark PHILTHY SANCHEZ, which is the phonetic equivalent of the term FILTHY SANCHEZ, describes an obscene sex act and is thus scandalous because it is shocking to a sense of decency, and will be scene as offensive.

To be considered "scandalous," a mark must be "shocking to the sense of truth, decency or propriety; disgraceful; offensive; disreputable; . . . giving offense to the conscience or moral feelings; . . . [or] calling out [for] condemnation," in the context of the marketplace as applied to goods and/or services described in the application. *In re Mavety Media Group Ltd.*, 33 F.3d 1367, 1371, 31 USPQ2d 1923, 1925 (Fed. Cir. 1994) (internal punctuation omitted) (quoting *In re Riverbank Canning Co.*, 95 F.2d 327, 328, 37 USPQ 268, 269 (C.C.P.A. 1938)); *In re Wilcher Corp.*, 40 USPQ2d 1929, 1930 (TTAB 1996); *see* TMEP §1203.01. Scandalousness is determined from the standpoint of "not necessarily a majority, but a substantial composite of the general public, . . . and in the context of contemporary attitudes." *In re Mavety Media Group Ltd.*, 33 F.3d at 1371, 31 USPQ2d at 1925 (internal punctuation omitted) (quoting *In re McGinley*, 660 F.2d 481, 485, 211 USPQ 668, 673 (CCPA 1981) and *In re Old Glory Condom Corp.*, 26 USPQ2d 1216, 1219 (TTAB 1993) ; *see* TMEP §1203.01.

Here, the applicant is applying to register the mark PHILTHY SANCHEZ. PHILTHY SANCHEZ is the phonetic equivalent of FILTHY SANCHEZ, which is defined as, "a sexual act where one fingers one's partner's anus and then gives oneself or one's partner a mustache with the filthy finger." *See attached screenshot from The Urban Dictionary.*

Evidence that a mark is vulgar is sufficient to establish that it is scandalous or immoral. *In re Boulevard Entm't, Inc.*, 334 F.3d 1336, 1340, 67 USPQ2d 1475, 1477 (Fed. Cir. 2003). Dictionary evidence may be sufficient to show that a term is vulgar if multiple dictionaries, including at least one standard dictionary, uniformly indicate that the term's meaning is vulgar, and the applicant's use of the term is clearly limited to the vulgar meaning. TMEP §1203.01; *see In re Boulevard Entm't, Inc.*, 334 F.3d at 1336, 67 USPQ2d at 1475 (holding the wording 1-800-JACK-OFF and JACK OFF scandalous where all dictionary definitions of "jack-off" were considered vulgar);*In re Tinseltown, Inc.*, 212 USPQ 863 (TTAB 1981) (holding the wording BULLSHIT scandalous where multiple dictionary definitions showed the primary

definition is vulgar).

Here, the evidence from The Urban Dictionary provides multiple related definitions for the wording FILTHY SANCHEZ. Moreover, the term appears to be synonymous with the term DIRTY SANCHEZ, which regularly appears in The Urban Dictionary and other third party websites which defined vulgar terms.

The applicant's mark is the phonetic equivalent of the wording FILTHY SANCHEZ. The fact that the mark is not spelled the same as the offending language is of no consequence, as the mark elicits the same reaction from the consumer.

Accordingly, registration is refused because the mark is immoral or scandalous. Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

A mark that is deemed scandalous under Trademark Act Section 2(a) is not registrable on either the Principal or Supplemental Register. TMEP §1203.01; *see* 15 U.S.C. §1052(a).

TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE

Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. §2.23(a)(1). For a complete list of these documents, see TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of $50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

/Eli J. Hellman/
Trademark Examining Attorney
U.S. Patent and Trademark Office
Law Office 112
eli.hellman@uspto.gov
571.272.8276 (phone)

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) response form at http://teasroa.uspto.gov/roa/. Please wait 48-72 hours from the issue/mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint

applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at http://tarr.uspto.gov/. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see http://www.uspto.gov/trademarks/process/status/.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at http://www.uspto.gov/teas/eTEASpageE.htm.

http://www.urbandictionary.com/define.php?term=filthy%20sanchez 01/24/2011 01:58:51 PM

urban DICTIONARY

look up any word: filthy sanchez search

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random A B C D E F G H I J K L M N O P Q R S T U V W X Y Z # new

filthy ramiriz
Filthy Ramone
filthy raymirez
Filthy Ricardo
filthy rich
Filthy rich and catflap
filthy rob
Filthy Robertson
Filthy Robitussin
filthy rodeo clown
filthy rodrigez
Filthy Roger
filthy ronald
Filthy Runescaper
Filthy Russian
filthy sanchez
filthy sancho
Filthy Sandkiss
Filthy Sandwhich
filthy santa
filthy scrag
Filthy scum
Filthy seagull
Filthy Shulte
Filthy sick
filthy simian
Filthy SkeeBall
Filthy Sknowcone
Filthy Skunk drunk
Filthy Slipper
filthy smoker
filthy smoker
filthy smut
Filthy Snowcone
Filthy Sundae
filthy sunrise
Filthy Swine
filthy taquito

filthy sanchez | dirty sanchez | hot carl | donkey punch | rusty trombone | angry pirate | cleveland steamer | angry dragon | strawberry shortcake | sex | hot lunch | penis | hot karl | chili dog | vagina | blumpkin | cincinatti bowtie | a marlin | facial | doggy style | pink sock | shit | chilli dog | anal sex | period | hitler

1. filthy sanchez

390 up, 98 down

buy filthy sanchez mugs, tshirts and magnets

a sexual act where one fingers one's partner's anus and then gives oneself or one's partner a mustache with the filthy finger

That Jessica's such a slut - she's given half the boys in school a filthy sanchez.

by Sanchez Aug 13, 2004 share this

2. Filthy Sanchez

246 up, 95 down

buy filthy sanchez mugs, tshirts and magnets

1. the sexual act of following anal sex immediately with oral sex, which causes residual fecal matter to coagulate on the recipient's upper lip, resembling a Mexican handlebar moustache

2. Unexplained sexual position taught by South Park character Mr. Garrison to his kindergarten class.

(1) 'Naw, I gave that slut Jessica a Filthy Sanchez, dude, not the other way around!'
(2) 'Ike, do you know what a "Filthy Sanchez" is?'

by 1337 d00d Jul 1, 2005 share this

3. Filthy Sanchez

43 up, 482 down

filthy taquito
Filthy Tater tot
Filthy Teeter
filthy thompson

3. Filthy Sanchez

Receiving oral sex while taking a shit on the toilet.

This slut at the taqueria follwed me into the restroom and give me a filthy sanchez.

by Zrabbit Aug 10, 2005 share this

Dirty Sanchez (sexual act)

From Wikipedia, the free encyclopedia

For other uses, see Dirty Sanchez (disambiguation).

Dirty Sanchez is the apocryphal act of smearing feces on the upper lip during (or following) various types of anal sex in order to make the partner to look like he or she is wearing a mustache.[1][2]

Legal issues [edit]

The US Federal Communications Commission (FCC) has ruled that the term is actionably indecent. WKRK-FM in Detroit, Michigan has twice been fined for using the term on air.[3][4] However, Rosenblat notes that the act was discussed and the term used frequently by Howard Stern.[5]

Use in media [edit]

A 2004 advertisement for a Mexican Pot Noodle called Seedy Sanchez[6] featured a Mariachi band singing a jingle with very heavily implied descriptions of the sex act in the lyrics, which include a description of the male protagonist seeking "backstreet action".[7] The advertisement, created by HHCL/Red Cell and titled "Mariachi's Shame," won several creative awards.[8]

In the Ben Stiller movie *Dodgeball* the team led by Vince Vaughan regularly go to a bar named the Dirty Sanchez. During the February 24, 2010 episode of Tosh.0, host Daniel Tosh used the term in referring to a Hispanic man defecating in a shopping mall. It was also briefly mentioned as "Filthy Sanchez" in the *South Park* episode "Proper Condom Use." The term was also used in Robot Chicken during the episode "Please Do Not Notify Our Contractors" while Kal-El Superman is traveling to Earth. Jor-El tells him "The Dirty Sanchez is a popular dance on Krypton and they have it on Earth as well."

The term was used in the movie *The 40 Year Old Virgin.* Also, on an episode of *The Colbert Report*, one of Stephen Colbert's jokes involved using a rubber glove indicating he would perform a digital rectal exam, and subsequently used a gloved finger to wipe his upper lip, alluding to the 'Dirty Sanchez'. During the October 4, 2010, episode of the *Daily Show with Jon Stewart*, Jon Stewart when talking about the recent controversy with former CNN host Rick Sanchez alluded to the term by using the headline "Hurty Sanchez."

See also [edit]

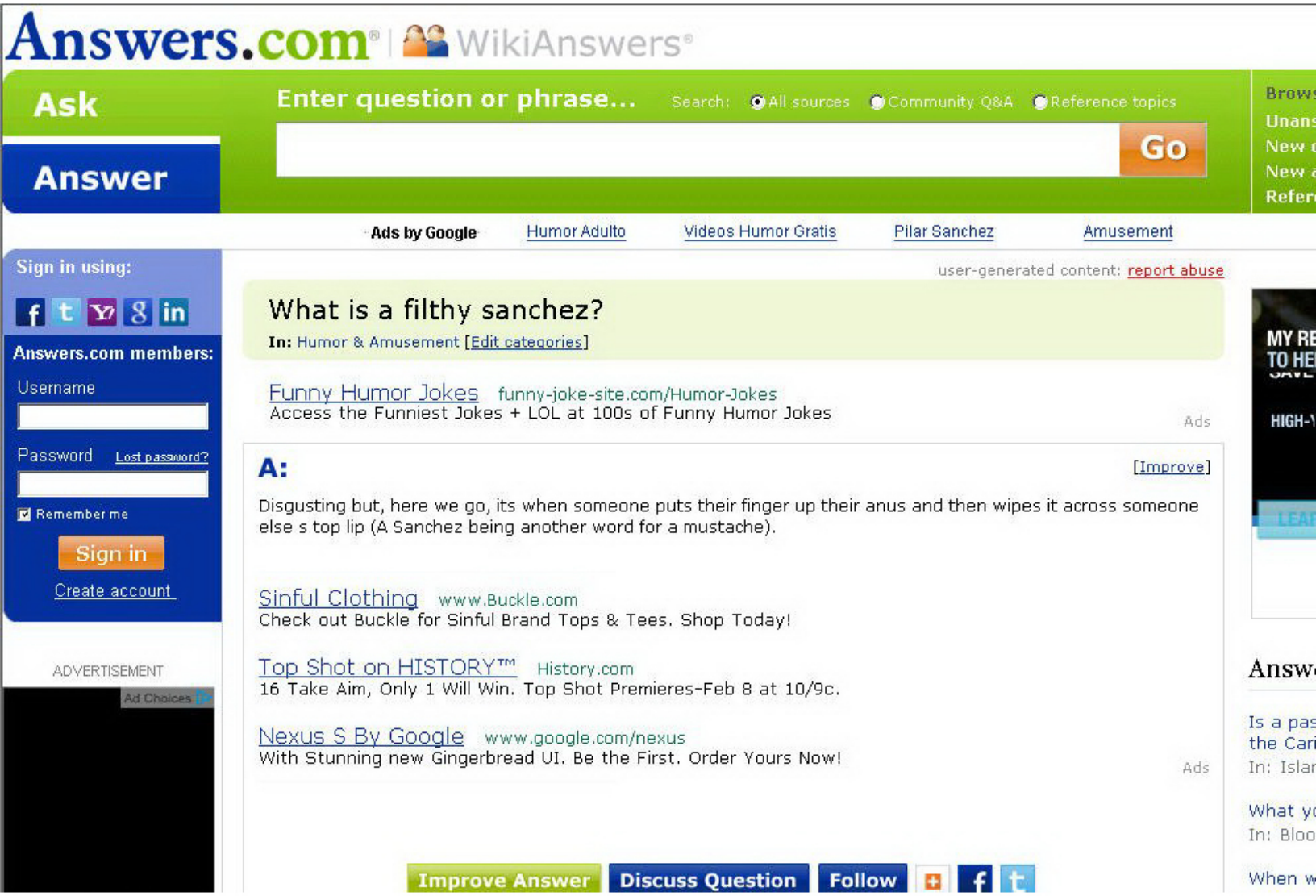
- Coprophilia, other sexual practices involving feces.

References [edit]

1. ^ *Gentlemen's Quarterly* (July): 112
2. ^ "Sexual Terminology--D". Hawai'i AIDS Education and Training Center.
3. ^ "NOTICE OF APPARENT LIABILITY FOR FORFEITURE". Federal Communications Commission. 2003-03-28.
4. ^ "NOTICE OF APPARENT LIABILITY FOR FORFEITURE". Federal Communications Commission. 2004-03-08.
5. ^ Rosenblat, Geoffrey (2006). "Stern Penalties: How the Federal Communications Commission look to crackdown on indecent broadcasting". *Villanova Sports & Entertainment Law Journal LIES* (13): 167.
6. ^ "Pot Noodle Ad - Seedy Sanchez".
7. ^ "Pot Noodle continues innuendo in new TV ad". Brand Republic. 2004-03-05.
8. ^ Fred K. Beard (2008). *Humor in the Advertising Business: Theory, Practice, and Wit*. Rowman & Littlefield. p. 177.

Categories: Sexual acts | Sexual slang

http://wiki.answers.com/Q/What_is_a_filthy_sanchez 01/24/2011 02:01:45 PM



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Improve Answer | Discuss Question | Follow

First answer by Einsteinslovechild. Last edit by Einsteinslovechild. Contributor trust: 29 [recommend contributor]. Question popularity: 0 [recommend question].

Can you answer these jokes brain teasers and other fun questions questions?

- How does a semi govt runs
- Where is the section for riddles and jokes in wikianswers
- Who is Max Gingham I need to meet this woman
- What happen if you didn't examined your life

Related answers:

Are Diego **Sanchez** and Mark **Sanchez** related?
Yes

Who is monica **Sanchez**?
A very amazing girl! Loves a girl named lynnsee! yay! : A very amazing girl! Loves a girl named lynnsee! yay! :

Who is yancarlos **sanchez**?
He is a musician from PA He has a couple of videos on youtube I like ""kalimba heathnx"" check it out

Who is Ashley **Sanchez**?
Take your pick, see links below.

Is Chalino **Sanchez** related to Adan Chalino **Sanchez**?
es la misma persona pendejo No es la misma persona, Adan es hijo de Chalino.

Related ads:

Our contributors said this page should be displayed for the questions below. (*Where do these come from*)
If any of these are *not* a genuine rephrasing of the question, please help out and edit these alternates.

What does filthy sanchez mean? What is a Nasty Sanchez?

The Secrets of "Proper Condom Use"

by Wild Willie Westwood, with sources from all over the Web

"I'm milking the dog. They make dog milk." — Cartman's milking the wrong gender.

In the Marsh's Book of the Month Club: we have the moms and dads of Stan, Butters (Mom: Carol), Tweek (Dad: Richard), Craig (Dad: Tom), and Token. Bob and Linda are thus Token's parents.

First lesson: education begins at home. This should go for sexual education as well. After all, your parents had to have sex to have you, so they can answer what questions you have. And they need the courage to do so.

Mr. Mackey teaches the boys, Ms. Choksondik teaches the girls, and Mr. Garrison teaches the kindergartners.

Sixteen boys, but no Terrence, Bill, Fosse, or DogPoo (Dirt). Four of the boys are new to the class.

The screen is halfway down the chalkboard when first we see Mr. Mackey instructing the boys. Next time Mr. Mackey is seen, the screen is all the way down. He must have lowered it real quiet-like.

The chalkboard is clean when first we see Ms. Choksondik instructing the girls. Next time Ms. Choksondik is seen, the board has "SEXUALLY TRANSMITTED DISEASES" written on it. She must have written it real quiet-like. But wait, when we see her again, the board is clean again, and THEN she writes "SEXUALLY TRANSMITTED DISEASES" on the board.

There are 28 students in 4th grade: 12 girls and 16 boys

"Children in America are having sex at younger and younger ages." — There was a time when we worried about 17-year-olds having pre-marital sex. In my day that was down to 15. These days 12- and 13-year olds are having sex. In my day, sex ed took place in tenth grade; now it takes place in fifth grade.

"Ha-I'll be nine next week." — will we see a party for Butters, now that we've seen his parents and learn a new character is arriving near his birthday?

Gladiator reference — Gladiator Condoms: For Maximus Protection

"my head just sorta seemed to get bigger while the rest of my body stayed the same" — In "Ike's Wee Wee," Mr. Mackey's head deflated when he took off his tie, and swelled again when he put his tie on. But in this episode it doesn't deflate, even when he's naked. Also, one can cite the scenes in which Mr. Mackey enjoyed one form of sex or another, in "Ike's Wee Wee" (Mr. Mackey and the hippie chick in bed, and their clothes on the floor) and "Fingerbang" (Mr. Mackey, and Ms. Cartman as dominatrix), so he did have sex before. He might even have consummated it with the hippie chick, but forgot about the event, since he was under the influence of LSD at the time.

The afterbirth shown is that of an animal, not a human.

OOPS!!!... Flora or Sally? — Sally is the one who mentions the **Filthy Sanchez**, but Mr. Garrison calls her Flora.

Mad Max reference — the boys in their vehicles and attire approaching the girls in their stronghold. Butters quotes The Humungus from "Mad Max 2: Road Warrior": "Just walk away. You can put a stop to all of this, if you just walk away,"

The Sexual Positions Mr. Garrison Discussed

Don't read below this line if you don't want to know, or if you're too young for this.

---

1. Missionary — man before woman, woman on her back.
2. Wrap-around Butt Grab — Missionary, with the woman grabbing onto her partner's ass.
3. Doggie — man behind woman.
4. **Filthy Sanchez** — aka Dirty Sanchez, a "dirty" finger just rubbed into your partner's anus and then rubbed under your partner's nose making a mustache of stink for her to remember the session by. Done with doggie style.
5. Fish-eye — From behind, you shove your finger in her ass. Thereupon she turns around in a one-eyed winking motion to see what the hell you are doing.
6. Donkey Punch — Banging a girl doggie style and then moments before you cum, sticking your dick in her ass, and then punching her in the back of the head. This gives a tremendous sensation, but for it to work correctly, the girl must be knocked out so that her asshole tightens up.
7. Pile driver — a standing 69, from the wrestling move of the same name.
8. Hot Karl — You perform anal sex on your partner, and then they turn around right afterwards and give you a blowjob.
9. Reverse Cowgirl — Woman on top, with her back to her partner. Each partner can see the other's ass this way, so also the "reciprocal sight of posteriors".
10. Hot Lunch — While receiving head from a woman, you proceed to shit on her chest. (A.k.a. the Cleveland Steamer).
11. Chili dog — Taking a shit on a girl's tits and then proceeding to titty-fuck her.
12. Glass-bottom boat — Putting saran wrap over your partner's face and proceeding to lay a hot shit there.

To:	Hurvitz, Philip Michael (philthy@philthysanchez.com)
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Attachments:	

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 85081964) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office ("USPTO")has written a letter (an "Office Action") on 1/24/2011 to which you must respond. Please follow these steps:

1. Read the Office letter by clicking on this **link** **OR** go to **http://tmportal.uspto.gov/external/portal/tow** and enter your serial number to **access** the Office letter.

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

2. Respond within 6 months, calculated from **1/24/2011** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System **Response to Office Action form.** If you have difficulty using the USPTO website, contact TDR@uspto.gov.

3. Contact the examining attorney who reviewed your application with any questions about the content of the office letter:

/Eli J. Hellman/
Trademark Examining Attorney
U.S. Patent and Trademark Office
Law Office 112
eli.hellman@uspto.gov
571.272.8276 (phone)

WARNING

Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.
Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, please use the Trademark Electronic

Application System Response to Office Action form.