

THIS OPINION IS NOT A
PRECEDENT OF THE TTAB

Hearing: July 29, 2025

Mailed: August 21, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re VCDF

Serial No. 97795205

Katie M. Charleston, Katie Charleston Law, PC
for VCDF.

Gidette Cuello, Trademark Examining Attorney, Law Office 125,
Robin Mittler, Managing Attorney.

Before Zervas, Goodman, and O'Connor,
Administrative Trademark Judges.

Opinion by O'Connor, Administrative Trademark Judge:

VCDF (“Applicant”) seeks registration on the Principal Register of the proposed standard character mark WORLDWIDECRYPTO for “cryptocurrency exchange services; cryptocurrency exchange services featuring blockchain technology; cryptocurrency payment processing; cryptocurrency trading services,” in International Class 36.¹

¹ Application Serial No. 97795205 was filed on February 15, 2023 under Section 1(b) of the Trademark Act, 15 U.S.C. § 1051(b), based on Applicant’s claim of a bona fide intent to use the proposed mark in commerce.

The Examining Attorney refused registration under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1), on the ground that the proposed mark is merely descriptive of Applicant's identified services. After the Examining Attorney made the refusal final, Applicant appealed and requested reconsideration, which was denied. Applicant requested and was granted a further remand so that the Examining Attorney could consider additional evidence, but the refusal was maintained. The appeal was resumed, the appeal has now been fully briefed, and a hearing was held. For the reasons discussed below, we affirm the refusal to register.

I. Evidentiary Objection

In her brief the Examining Attorney objects to exhibits attached to Applicant's brief on the grounds that they are new evidence and were not properly made of record or are repetitive.² See Trademark Rule 2.142(d), 37 C.F.R. § 2.142(d); TRADEMARK BOARD MANUAL OF PROCEDURE ("TBMP") §§ 1203.02(e), 1207.01 (2025). Inasmuch as the exhibits attached to Applicant's brief were made of record upon remand and considered by the Examining Attorney in issuing a subsequent final refusal, the objection is moot. We remind Applicant that "[i]t is not necessary to attach as exhibits to a brief evidence that is already in the application because the appeal brief is associated with the application, and the Board strongly discourages this practice."

² 11 TTABVUE 3. References to the briefs refer to the Board's TTABVUE docket system. Page references to the application record refer to the online database of the USPTO's Trademark Status & Document Retrieval (TSDR) database. All citations to documents in the TSDR database are to the downloaded .pdf versions. See *In re Peace Love World Live, LLC*, Ser. No. 86705287, 2018 TTAB LEXIS 220, at *3 n.4 (TTAB 2018).

TBMP § 1203.02(e) (citing inter alia *In re Info. Builders Inc.*, Ser. No. 87753964, 2020 TTAB LEXIS 20, at *5 n.4 (TTAB 2020)).³

II. Mere Descriptiveness

In the absence of acquired distinctiveness, which Applicant does not claim here, Section 2(e)(1) of the Trademark Act prohibits registration on the Principal Register of “a mark which, (1) when used on or in connection with the goods [or services] of the applicant is merely descriptive ... of them.” 15 U.S.C. § 1052(e)(1). A term is “merely descriptive” within the meaning of Section 2(e)(1) “if it immediately conveys information concerning a feature, quality, or characteristic of the goods or services for which registration is sought.” *In re N.C. Lottery*, 866 F.3d 1363, 1367 (Fed. Cir. 2017) (citing *In re Bayer A.G.*, 488 F.3d 960, 963 (Fed. Cir. 2007)); *see also In re Chamber of Com. of the U.S.*, 675 F.3d 1297, 1300 (Fed. Cir. 2012). In contrast, a mark is suggestive if it requires imagination, thought, or perception to arrive at the qualities or characteristics of the goods or services. *In re Gyulay*, 820 F.2d 1216, 1217 (Fed. Cir. 1987). Suggestive marks, unlike merely descriptive terms, are registrable on the Principal Register without proof of acquired distinctiveness. *See In re Nett Designs, Inc.*, 236 F.3d 1339, 1341 (Fed. Cir. 2001).

Whether a proposed mark is merely descriptive is determined in relation to the

³ In its remand request, Applicant properly submitted status and title information for the third-party registrations referenced in its brief. Thus, Applicant’s request that we take judicial notice of these registrations is moot. We note, however, that the Board’s “well-established practice is not to take judicial notice of third-party registrations” during the course of an appeal, even when requested. *In re Seminole Tribe of Fla.*, No. 87890892, 2023 TTAB LEXIS 184, at *8-9 (TTAB 2023); TBMP § 1208.04 (explaining reasons for this practice).

goods or services for which registration is sought, not in the abstract. *In re TriVita, Inc.*, 783 F.3d 872, 874 (Fed. Cir. 2015). “The question is not whether someone presented with only the mark could guess what the goods or services are. Rather, the question is whether someone who knows what the goods and services are will understand the mark to convey information about them.” *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1254 (Fed. Cir. 2012) (citation omitted).

Where a proposed mark consists of multiple words, the mere combination of descriptive words does not necessarily create a non-descriptive word or phrase. *In re Phoseon Tech., Inc.*, Ser. No. 77963815, 2012 TTAB LEXIS 306, at *3 (TTAB 2012); *In re Associated Theatre Clubs Co.*, Ser. No. 73557499, 1988 TTAB LEXIS 48, at *6 (TTAB 1988). In assessing whether a composite mark is merely descriptive, we consider the mark as a whole, weighing the individual components to determine the overall impression or the descriptiveness of the mark and its various components. *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1174 (Fed. Cir. 2004) (citation omitted). Where the components individually are merely descriptive of an aspect of the goods or services, we must consider whether the mark as a whole conveys a distinctive source-identifying impression; if each component retains its merely descriptive significance in relation to the goods or services, the combination results in a composite that is itself merely descriptive. *Id.* However, the combination of merely descriptive components is registrable if it creates a unitary mark with a nondescriptive meaning or if the composite has a bizarre or incongruous meaning as applied to the goods or services. *See, e.g., In re Colonial Stores Inc.*, 394 F.2d 549, 551-52 (CCPA 1968)

“SUGAR & SPICE” for baked goods was “more than a mere description of the ingredients of the goods” because it evoked well-known nursery rhyme).

Evidence that a term is merely descriptive to the relevant purchasing public “may be obtained from any competent source, such as dictionaries,” *In re Bayer AG*, 488 F.3d at 964, websites, publications and advertising material. *In re N.C. Lottery*, 866 F.3d at 1368. “It is the Examining Attorney’s burden to show, prima facie, that a mark is merely descriptive of an applicant’s goods or services.” *In re Fat Boys Water Sports LLC*, Ser. No. 86490930, 2016 TTAB LEXIS 150, at *5 (TTAB 2016) (citing *In re Gyulay*, 820 F.2d at 1217). If the Examining Attorney establishes a prima facie case, the burden shifts to the applicant to rebut that case. *Id.* (citation omitted). The Board resolves any doubts as to mere descriptiveness in favor of the applicant. *Id.*

Here the Examining Attorney argues that WORLDWIDECRYPTO is merely descriptive of Applicant’s services because the terms “worldwide” and “crypto” are each descriptive of Applicant’s services and the combination WORLDWIDECRYPTO does not create a unique, incongruous or otherwise nondescriptive meaning. In support, the Examining Attorney relies on evidence including the following:

Definitions

- Worldwide: “throughout the world,”⁴ “extending throughout the world,”⁵

⁴ December 7, 2023 Nonfinal Office Action, TSDR 6 (MERRIAM-WEBSTER DICTIONARY (adverb form of “worldwide”)). This Office action superseded a prior Section 2(e)(1) refusal issued on November 28, 2023 to also require a street address, which Applicant provided.

⁵ January 30, 2025 Subsequent Final Office Action, TSDR 6 (<https://www.yourdictionary.com/worldwide>); 13, 16 (COLLINS DICTIONARY, defining “worldwide” in American English as “adjective extending or spread throughout the world”).

and “spanning the world; global.”⁶

- Crypto: “cryptocurrency.”⁷

Website evidence

- Worldwide:

- www.bitstamp.net, “trusted crypto exchange” states “Live customer support available to all customers worldwide by phone or email.”⁸
- www.binance.com, cryptocurrency exchange claims that “Our platform is trusted by millions worldwide....”⁹
- www.crypto.com, cryptocurrency trading platform states “Trusted by over 80 million users worldwide.”¹⁰
- www.etoro.com, website for investing app that offers a marketplace for “crypto, stocks, and beyond” states “Trusted worldwide. Discover why millions of investors from over 100 countries joined eToro.”¹¹
- www.bybit.com, website for cryptocurrency exchange offers the Bybit card to “Seamlessly convert and pay with crypto worldwide.”¹²

- Crypto:

- www.crypto.com states that it is “America’s Premier Crypto Trading

⁶ *Id.* at 4 (<https://en.wiktionary.org/wiki/worldwide>).

⁷ December 7, 2023 Nonfinal Office Action, TSDR 12 (MERRIAM-WEBSTER DICTIONARY). *See also* April 11, 2024 Final Office Action, TSDR 8 (ENCYCLOPEDIA BRITANNICA Money article discusses “Cryptocurrencies (or ‘crypto’ for short)”; 15 (Wikipedia entry for “Cryptocurrency” describes it as “cryptocurrency, crypto-currency or crypto”); January 30, 2025 Subsequent Final Office Action, TSDR 82 (CAMBRIDGE DICTIONARY defining “crypto” as “short form of cryptocurrency”).

⁸ April 11, 2024 Final Office Action, TSDR 60, 65.

⁹ *Id.* at 69-70.

¹⁰ *Id.* at 78.

¹¹ *Id.* at 90-91, 95.

¹² *Id.* at 98-100. The Examining Attorney points to other websites using “world,” “global” or “international” in connection with financial services or services relating to cryptocurrency, but these uses are not particularly probative because they involved different services and did not feature the word “worldwide.” *See* January 30, 2025 Subsequent Final Office Action, TSDR 102-08 (Mastercard), 112-15 (Applicant’s website).

Platform.”¹³

- www.coinbase.com states “Jump start your crypto portfolio. Coinbase is the easiest place to buy and sell cryptocurrency.”¹⁴
- www.kraken.com states “Millions choose Kraken to buy and trade crypto.”¹⁵

- Worldwide and Crypto:

- www.worldwidecryptotrading.com bears logo with the words WORLDWIDE CRYPTO TRADING and offers an “easy way to invest in crypto” to “make good returns from cryptocurrency.”¹⁶

Publications

- Cryptocurrency services offered worldwide:

- Reuters, stating that Binance is “the world’s largest crypto exchange and a key cog in the worldwide crypto market.”¹⁷
- World Economic Magazine, describing Bitcoin as the “largest crypto currency worldwide.”¹⁸
- Statista, discussing the “worldwide” reach of cryptocurrency.¹⁹

Third party registrations

- “Worldwide” disclaimed or mark on Supplemental Register:²⁰

¹³ April 11, 2024 Final Office Action, TSDR 78.

¹⁴ *Id.* at 105.

¹⁵ *Id.* at 116.

¹⁶ *Id.* at 125.

¹⁷ *Id.* at 136, 141.

¹⁸ January 30, 2025 Subsequent Final Office Action, TSDR 50.

¹⁹ *Id.* at 73-74.

²⁰ A registrant’s disclaimer of a word or registration of a mark on the Supplemental Trademark Register is a concession that the term is at best merely descriptive. *See, e.g., Quaker State Oil Refining Corp. v. Quaker Oil Corp.*, 453 F.2d 1296, 1299 (CCPA 1972); *see also In re Alpha Analytics Inv. Group, LLC*, Ser. No. 75829220, 2002 TTAB LEXIS 7, at *15-16 (TTAB 2002) (“third-party registrations for similar goods and services in which the registrants have either disclaimed ANALYTICS or sought to register it under Section 2(f) or

- TRAVELEX WORLDWIDE MONEY, for services including “money exchange services”; WORLDWIDE MONEY disclaimed.²¹



-  for services including “currency trading”; TRADERS CLUB WORLDWIDE disclaimed.²²



-  for services including “banking”; WORLDWIDE disclaimed.²³
- BLUECARD WORLDWIDE for services including “prepaid financing and administration of medical, hospital and related health care services”; WORLDWIDE disclaimed.²⁴
- BHS PARTNERING WORLDWIDE for services including “real estate brokerage”; PARTNERING WORLDWIDE disclaimed.²⁵
- AFRO INTERNATIONAL WORLDWIDE EXPRESS MONEY TRANSFERS for services including “money transfer”; INTERNATIONAL WORLDWIDE EXPRESS MONEY TRANSFERS disclaimed.²⁶
- HELP WORLDWIDE for services including “charitable fund raising”; WORLDWIDE disclaimed.²⁷

on the Supplemental Register, although not conclusive evidence, are probative evidence of mere descriptiveness at least to the extent that they may suggest that ANALYTICS has been deemed and/or acknowledged to be not inherently distinctive by the Office and/or by the prior registrants”).

²¹ April 11, 2024 Final Office Action, TSDR 147-48.

²² *Id.* at 150-51.

²³ *Id.* at 152-53.

²⁴ September 12, 2024 Denial of Request for Reconsideration, TSDR 5.

²⁵ *Id.* at 7.

²⁶ *Id.* at 9.

²⁷ *Id.* at 11-12.

-  for services including “providing residential and commercial real estate listings via the Internet”; MLS WORLDWIDE disclaimed.²⁸
- ACI WORLDWIDE for “financial services, namely, providing services for managing and processing electronic payments for banks, processors, merchants and corporations”; WORLDWIDE disclaimed.²⁹
- WORLDWIDE ATM for services including “ATM banking services, namely, processing credit card and debit card transactions, processing electronic fund transfers”; registered on Supplemental Register.³⁰
- CWW C WORLDWIDE for services including “payment transaction processing services”; WORLDWIDE disclaimed.³¹
- CARTA WORLDWIDE for services including “banking services”; WORLDWIDE disclaimed.³²
- C WORLDWIDE for services including “payment transaction processing service”; WORLDWIDE disclaimed.³³

- “Crypto” disclaimed:

- CRYPTO STOIC for services including “cryptocurrency trading services”; CRYPTO disclaimed.³⁴
- QUEST CRYPTO for “cryptocurrency exchange services featuring blockchain transactions, namely, tokenized real estate lending”; CRYPTO disclaimed.³⁵
- CRYPTO VALLEY for services including “providing of training in the fields of business management and cryptographic technologies and their

²⁸ *Id.* at 13.

²⁹ *Id.* at TS DR 17.

³⁰ January 30, 2025 Subsequent Final Office Action, TS DR 116.

³¹ *Id.* at 118-19.

³² *Id.* at 120-22.

³³ *Id.* at 123-24.

³⁴ September 12, 2024 Denial of Request for Reconsideration, TS DR 21-22.

³⁵ *Id.* at 23.

applications, namely, cryptofinance, cryptocurrency and block chain”; CRYPTO disclaimed.³⁶

-  for services including “cryptocurrency exchange and trading services”; CRYPTO FARM disclaimed.³⁷



-  for services including “cryptocurrency exchange services”; CRYPTO ANALYTICS disclaimed.³⁸
- CRYPTO CORE for services including “cryptocurrency trading services”; CRYPTO disclaimed.³⁹
- CRYPTO EDGE for services including “cryptocurrency trading services”; CRYPTO disclaimed.⁴⁰
- JUMP CRYPTO for services including “cryptocurrency trading services”; CRYPTO disclaimed.⁴¹

Based on this evidence, the Examining Attorney concludes that in the context of Applicant’s cryptocurrency-related services each of the individual terms “worldwide” and “crypto” merely describes a feature or characteristic of the services and the composite term WORLDWIDECRYPTO does not result in a unitary mark with a unique, incongruous, or otherwise nondescriptive meaning.⁴² We agree.

³⁶ *Id.* at 25-26.

³⁷ *Id.* at 27-29.

³⁸ *Id.* at 30-31.

³⁹ *Id.* at 32.

⁴⁰ *Id.* at 34.

⁴¹ *Id.* at 36-37.

⁴² 11 TTABVUE 11.

We begin as we must by considering the significance of these words in relation to Applicant's "cryptocurrency exchange services; cryptocurrency exchange services featuring blockchain technology; cryptocurrency payment processing; cryptocurrency trading services." The subject matter of Applicant's identified services is cryptocurrency. The dictionary definitions and third-party uses show that "crypto" is a known abbreviation of "cryptocurrency."⁴³ This type of evidence often supports a finding that an abbreviation is itself merely descriptive. *In re Well Living Lab Inc.*, Ser. No. 86440401, 2017 TTAB LEXIS 156, at *7, 13 (TTAB 2017), *aff'd mem.*, 749 Fed. App'x. 987 (Fed. Cir. 2018) (dictionary definitions and usage examples supported finding that LAB is an abbreviation of "laboratory" and WELL LIVING LAB is merely descriptive of research, testing and development in the field of wellness); *cf. In re Thomas Nelson, Inc.*, Ser. No. 76681269, 2011 TTAB LEXIS 9, at *19 (TTAB 2011) (NKJV is a recognized abbreviation for the merely descriptive term "New King James Version" and thus is merely descriptive of bibles). This is supported by multiple examples of third party registrations made of record by the Examining Attorney for identical or closely related services in which the word "crypto" was disclaimed.

We are not persuaded by Applicant's argument that imagination, thought or perception is required because "crypto" refers to a "good" whereas the identification

⁴³ In its opening brief, Applicant conceded that "[c]rypto's meaning in this context is an abbreviation of cryptocurrency." 7 TTABVUE 1; *see also* 12 TTABVUE 4 (Applicant's reply stating that "crypto" "is merely shorthand for 'cryptocurrency'"). Applicant's suggestion that "crypto" also means "secret" is not well-taken. "[I]t is well settled that so long as any one of the meanings of a term is descriptive, the term may be considered to be merely descriptive." *In re Mueller Sports Med., Inc.*, Ser. No. 87209946, 2018 TTAB LEXIS 156, at *18 (TTAB 2018) (citation omitted).

is for services.⁴⁴ To be descriptive, a term need not equate to the services but must immediately convey information about a feature, quality or characteristic of them. When considering service marks, it has been found that terms describing or naming goods that are the subject of the services are also merely descriptive of the services. *See, e.g., In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 1346 (Fed. Cir. 2001) (1-888-M-A-T-R-E-S-S immediately conveys impression that a service relating to mattresses is available by calling the telephone number); *cf. In re Tires, Tires, Tires, Inc.*, Ser. No. 77091459, 2009 TTAB LEXIS 654, at *13 (TTAB 2009) (“A term that names the central focus or subject matter of the services is generic for the services themselves.”). Nor is it necessary for descriptiveness that a term “describe which subset” of the services Applicant offers.⁴⁵ “A mark may be merely descriptive even if it does not describe the ‘full scope and extent’ of the applicant’s goods or services.” *In re Oppedahl & Larson*, 373 F.3d at 1173 (quoting *In re Dial-A-Mattress*, 240 F.3d at 1346).

The evidence also shows *prima facie* that “worldwide” would immediately be perceived by the relevant consumers—those individuals, businesses, and other entities seeking cryptocurrency exchange, payment processing, or trading services—as describing the geographic scope of Applicant’s services. The evidence shows that cryptocurrency businesses offering these services to individuals, businesses, and other entities, as well as commentators in publications directed to the general public

⁴⁴ 7 TTABVUE 13; 12 TTABVUE 4-5.

⁴⁵ 12 TTABVUE 4-5.

including those with an interest in investing and economics, commonly use the term “worldwide” to describe the reach of the services, supporting a finding that consumers do not perceive “worldwide” as a source identifier but as referring to a feature or characteristic of the services. *See In re Nursecon, LLC*, Ser. No. 88052194, 2024 TTAB LEXIS 545, at *14 (TTAB 2024) (“[E]vidence that a term is merely descriptive may be found in third-party usage in connection with goods or services similar or related to those at issue.”) (citing *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1378 (Fed. Cir. 2012)). The multiple examples of third-party registrations for financial services such as money exchange in which the word “worldwide” was disclaimed also support a finding that the word is descriptive.

Applicant makes several arguments in contending that “worldwide,” and thus the composite WORLDWIDECRYPTO, is not merely descriptive of its services. Fundamentally, Applicant disagrees that “worldwide” means “throughout the world” or “extending throughout the world,” urging a more literal meaning. Applicant states:

“Worldwide,” in the present context, is used as an adjective as it describes a noun, the noun crypto. “Worldwide,” when used as an adjective, is defined as: “extended **throughout** or involving the **entire** world.” “Throughout” in this context, means: “all the way from one end to the other of: **in or to every part of.**” “Entire” in this context, means: “having **no element or part left out: WHOLE.**” Consequently, worldwide means extending through every part of the world, with no part left out.⁴⁶

⁴⁶ 7 TTABVUE 3 (citing MERRIAM-WEBSTER DICTIONARY definitions of “worldwide,” “throughout,” and “entire,” July 10, 2024 Request for Reconsideration, TSDR 64, 87, 98) (text originally italicized shown here in bold).

From this, Applicant argues that “worldwide” “is not descriptive with respect to Applicant’s use because Applicant is prohibited by U.S. sanctions from providing such services worldwide and, furthermore, Applicant does not intend to violate such sanctions.”⁴⁷ In support, Applicant made of record Office of Foreign Assets Control (OFAC) regulations and guidance for the virtual currency industry as well as the affidavit of Applicant’s owner, John Foster, stating that he is aware of and does not intend to allow Applicant to violate U.S. sanctions applicable to the services.⁴⁸ Applicant states that countries currently subject to applicable U.S. sanctions include Cuba, Iran, North Korea, Syria and parts of Ukraine.⁴⁹

Applicant’s arguments that “worldwide” is not merely descriptive in the context of its cryptocurrency services are unpersuasive, for several reasons. First, the Examining Attorney provided evidence that consumers are likely to perceive “worldwide” as meaning “extending throughout the world,” rather than literally “extending through every part of the world, with no part left out.” Even putting aside

⁴⁷ 7 TTABVUE 4. Applicant faults the Examining Attorney for comparing “worldwide” to “international,” which has been held merely descriptive of services that are international in scope, because the terms have different meanings. *Id.* at 3-4 (citing definitions of “international” as “affecting two or more nations” or “reaching beyond national boundaries”). We need not belabor the point. Of course cases regarding the word “international” do not “proscribe a different finding” in this case, which we must decide on its own evidence, but they do lend support by analogy for the proposition that a term describing the scope of an applicant’s services is merely descriptive of those services. *See* TRADEMARK MANUAL OF EXAMINING PROCEDURE (TMPE) § 1209.03(o) (May 2025) (“The terms ‘NATIONAL’ and ‘INTERNATIONAL’ have been held to be merely descriptive of services that are nationwide or international in scope. [citing cases] The terms ‘GLOBAL’ and ‘WORLDWIDE’ are also considered to be merely descriptive of services that are global or worldwide in scope.”).

⁴⁸ July 10, 2024 Request for Reconsideration 29, 107-34; November 5, 2024 Request for Remand, TSDR 52-129.

⁴⁹ *See* 7 TTABVUE 4.

the MERRIAM-WEBSTER definition of “worldwide” in adjective form that Applicant seized upon for its literal reading, the Examining Attorney made of record dictionary definitions that define “worldwide” in adjective form more generally as “spanning the world; global”⁵⁰ or “extending throughout the world.”⁵¹

Further, as observed by the Examining Attorney, because Applicant’s services are performed on the Internet or the “World Wide Web,” they necessarily “occur throughout multiple locations around the globe.”⁵² This is reflected in OFAC’s guidance, which acknowledges that people in restricted countries may still be able to access the services, hence the need for vigilance by U.S. companies to monitor and block such persons from using the services.⁵³ Indeed, the evidence shows that the World Wide Web and Internet are considered to be worldwide, even if they are not

⁵⁰ January 30, 2025 Subsequent Final Office Action, TSDR 4 (printout from <https://en.wiktionary.org/wiki/worldwide>).

⁵¹ *Id.* at 6 (<https://www.yourdictionary.com/worldwide>); 13-15 (COLLINS DICTIONARY). We also take judicial notice that the Dictionary.com American English definition of “worldwide” includes “adjective throughout the world; extending or spread throughout the world.” <https://www.dictionary.com/browse/worldwide>, accessed August 2025. *See In re Cordua Rests. LP*, Ser. No. 85214191, 2014 TTAB LEXIS 94, at *6 n.4 (TTAB 2014), *aff’d*, 823 F.3d 594 (Fed. Cir. 2016) (Board may take judicial notice of dictionary definitions, including online dictionaries that exist in printed format or have regular fixed editions).

⁵² 11 TTABVUE 5. *See* January 30, 2025 Subsequent Final Action, TSDR 20 (ENCYCLOPEDIA BRITANNICA entry for World Wide Web states “World Wide Web (WWW), the leading information retrieval service of the Internet (the worldwide computer network)”; *see also* April 11, 2024 Final Office Action, TSDR 10 (ENCYCLOPEDIA BRITANNICA article stating that blockchain transactions involve “lots of computers across the globe working to verify every single transaction”).

⁵³ *See* July 10, 2024 Request for Reconsideration, TSDR 111 (“The growing prevalence of virtual currency as a payment method likewise brings greater exposure to sanctions risks—like the risk that ... a person in a jurisdiction subject to sanctions might be involved in a virtual currency transaction.”); 7 TTABVUE 7 (Applicant’s brief describing sanctions issued against a Washington state-based company that “failed to prevent persons apparently located in the Crimea region of Ukraine, Cuba, Iran, Sudan, and Syria from using its platform to engage in ... virtual currency-related transactions”).

accessible from every part of the world.⁵⁴ Thus, consumers are accustomed to seeing “worldwide” used in connection with services that are offered in different parts of the world, even if the services cannot necessarily be offered in every single part of the world. This is supported by evidence of third parties using “worldwide” to denote the scope of their cryptocurrency services, even if that scope does not extend literally “through every part of the world, with no part left out” because of technological or other restrictions.

Applicant’s argument that “worldwide” is “not a descriptive geographical term”⁵⁵ is inapposite. The case cited by Applicant involved a claim that a term was “primarily geographically descriptive” under Trademark Act Section 2(e)(2), not Section 2(e)(1). *See World Carpets, Inc. v. Dick Littrell’s New World Carpets*, 438 F.2d 482, 485 (5th Cir. 1971) (“Relying upon 15 U.S.C.A. § 1052(e)(2), [defendant] contends that the manufacturer’s trademark WORLD is a geographical term and therefore not registrable.”). A mark that is not primarily geographically descriptive can still be refused registration as merely descriptive. *See In re Hollywood Lawyers Online*, Ser. No. 85662420, 2014 TTAB LEXIS 167, at *21 n.18 (TTAB 2014) (noting that “if the meaning is not primarily geographically descriptive, but rather merely descriptive, the application would still be subject to refusal under a different Section of the Trademark Act, Section 2(e)(1), 15 U.S.C. § 1052(e)(1)”).

⁵⁴ January 30, 2025 Subsequent Final Action, TSDR 30-48 (Science News Explores article titled “Will the internet soon reach the one-third of people without it?”).

⁵⁵ 7 TTABVUE 9-11.

As concluded by the Examining Attorney, the combination of these individual words into the composite WORLDWIDECRYPTO does not create a unique, incongruous or nondescriptive meaning in relation to Applicant's services but immediately conveys information about their scope and nature. Applicant does not explain why the composite or removal of the space between the words yields anything other than a straightforward combination of the descriptive words "worldwide" and "crypto." This case is far cry from those where a combination of two descriptive terms was found to be incongruous and thus suggestive. *See, e.g., In re Shutts*, Ser. No. 73245440, 1983 TTAB LEXIS 150, at *1-3 (TTAB 1983) (SNO-RAKE not merely descriptive of "snow removal hand tool having a handle with a snow-removing head at one end, the head being of solid uninterrupted construction without prongs").

Applicant argues that other composite marks combining world and a currency or similar term such as WORLDCOIN and WORLDSTOCKEXCHANGE have been registered without a disclaimer or claim of acquired distinctiveness.⁵⁶ These registrations have little probative value. Neither mark includes "worldwide" and it is settled law that "each application for registration must be considered on its own merits." *In re Merrill Lynch, Pierce, Fenner, & Smith, Inc.*, 828 F.2d 1567, 1569 (Fed. Cir. 1987) (citation omitted); *accord In re Nett Designs*, 236 F.3d at 1342 (allowance of some prior registrations with characteristics similar to applied-for mark does not bind the Board).

⁵⁶ 7 TTABVUE 11-12.

Nor does Applicant's lengthy argument titled "Services Not Discernable From Service Mark"⁵⁷ overcome the Examining Attorney's prima facie case of descriptiveness. The question is not whether Applicant's services are "discernable from" the mark, but whether consumers, upon seeing WORLDWIDECRYPTO used with "cryptocurrency exchange services; cryptocurrency exchange services featuring blockchain technology; cryptocurrency payment processing; cryptocurrency trading services" would immediately understand that the services feature cryptocurrency and extend throughout the world. "Whether consumers could guess what the product [or service] is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, Ser. No. 73284539, 1985 TTAB LEXIS 97, at *3-4 (TTAB 1985). Applicant argues that its mark is like DOLLAR GENERAL, a currency-formative mark registered without disclaimer or claim of acquired distinctiveness, but the subject of the identified services there was not the currency itself but "retail variety store" services. Here, the identified services directly relate to "cryptocurrency."

Finally, Applicant urges that any doubts as to registrability should be resolved in its favor and its application left to the opposition process,⁵⁸ but the record in this case leaves us with no doubt.

Considering all of the evidence of record and Applicant's arguments, we conclude that Applicant's proposed mark merely describes a feature or characteristic of Applicant's identified services, without the need for a mental pause. When considered

⁵⁷ *Id.* at 13-15.

⁵⁸ *Id.* at 16-17, 12 TTABVUE 6.

separately, the terms “worldwide” and “crypto” each describe a feature or characteristic of the services in that they are offered in places extending throughout the world and involve cryptocurrency. When combined, the terms retain their meanings and do not convey “any distinctive source-identifying impression contrary to the descriptiveness of the individual parts.” *In re Oppedahl & Larson*, 373 F.3d at 1175 (citation omitted).

Decision: The refusal to register is affirmed.