



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF THE GENERAL COUNSEL

July 18, 2018

Mr. Andrew Grossman
Baker Hostetler
Washington Square
1050 Connecticut Ave, N.W, Suite 1100
Washington, DC 20036-5304

RE: *Freedom of Information Act (FOIA) Request No. F-18-00190*

Dear Mr. Grossman:

The United States Patent and Trademark Office (USPTO) FOIA Office has received your e-mail dated, May 16, 2018 requesting a copy of the following documents pursuant to the provisions of the Freedom of Information Act, 5 U.S.C. § 552:

All email messages sent, received, stored, or otherwise obtained by Walter Briney while associated with Art Unit 2615 that contain, through embedding or attachment, one or more "Hyatt Images." For purposes of this request, a "Hyatt Image" is a still or moving image in the AVI, BMP, FLV, GIF, JPG, MOV, MP4, MPG, MPV, PNG, TIFF, WMF, or WMV file format that depicts or otherwise refers to Mr. Hyatt, his patents, his patent applications, or Art Unit 2615. "Hyatt Images" include without limitation: photographs of Mr. Hyatt, irrespective of whether they have been edited, embellished with text, or otherwise manipulated; caricatures of Mr. Hyatt; "memes" (i.e., captioned images) depicting or referring to Mr. Hyatt; and images consisting of blocks of text referring to Mr. Hyatt.

In this matter, the USPTO FOIA Office has reviewed the requested records and has determined that this document is not an agency record and so there is no agency record responsive to your request.

You may contact the FOIA Public Liaison at 571-272-9585 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

You have the right to appeal this initial decision to the Deputy General Counsel, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. An appeal must be

received within 90 calendar days from the date of this letter. See 37 C.F.R. § 102.10(a). The appeal must be in writing. You must include a copy of your original request, this letter, and a statement of the reasons why the information should be made available and why this initial denial is in error. Both the letter and the envelope must be clearly marked “Freedom of Information Appeal.”

Sincerely,

A handwritten signature in cursive script that reads "Louis J. Boston, Jr.".

Louis J. Boston, Jr.
USPTO FOIA Officer
Office of General Law