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Express Mail No. EL 452 795 038 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Trademark Application of  
Arcon IP Library Limited

Serial No.: 76/062,375

Filed: June 2, 2000

Mark: Miscellaneous Design

C. Skye Young  
Trademark Attorney

Law Office 108

Attorney Docket No.  
10502-0003-999



12-24-2002  
U.S. Patent & TMO/TM Mail Rcpt Dt. #77

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this paper is being deposited with the United States Postal Service as Express mail, label No. EL 452 795 038 US in the envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on September 30, 2002

Wendy L. Ross

December 23, 2002

(Name)

(Signature)

(Date of Signature)

Assistant Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

NOTICE OF APPEAL AND REQUEST FOR REMAND

In accordance with Section 2.141 of the Trademark Rules of Practice, Applicant, by its attorneys, hereby appeals to the Trademark Trial and Appeal Board from the June 27, 2002 decision of the Examining Attorney finally refusing registration. Applicant has today filed a Request for Reconsideration complying with the outstanding requirements in response to the June 27, 2002 Office Action and requests that this appeal be suspended and the application be

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remanded to the Examining Attorney for reconsideration of the application based upon Applicant's submission. A copy of Applicant's Request for Reconsideration is enclosed herein.

The fee for this Notice of Appeal is estimated to be \$100. The Commissioner is hereby authorized to charge the required fee or credit any overpayment to Pennie & Edmonds LLP's Deposit Account, No. 16-1150 (order no. 009767-0102-999). This form is submitted in duplicate for such purpose.

Respectfully submitted,

Dated: December 23, 2002

By: 

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**REQUEST FOR RECONSIDERATION**

**AMENDMENT**

The Examining Attorney has objected Applicant's identification of goods in class 9 as indefinite. Accordingly, Applicant respectfully requests that the Examining Attorney delete the identification of goods and services in its entirety and replace it with the following:

~~EMBEDDED COMPUTER SOFTWARE FOR A WIDE RANGE OF SEMICONDUCTOR CHIPS USED IN THE OPERATION OF COMMUNICATION PRODUCTS, NAMELY, TELEPHONES, ANSWERING MACHINES, AND TELEPHONE ANSWERING MACHINES; GLOBAL POSITIONING SYSTEM DEVICES, NAMELY, NAVIGATION SYSTEMS FOR AUTOMOBILES COMPRISING GPS RECEIVERS, CONTROL UNITS FOR PROCESSING GPS INFORMATION, AND PROVIDING AN OUTPUT IN THE FORM OF NAVIGATIONAL INFORMATION, GLOBAL POSITIONING INTERFACES AND APPARATUS, GPS RECEIVER MODULES, GPS ANTENNA, CORRELATOR, CONTROLLER AND MEMORY COMPONENTS, GPS SHIP NAVIGATION SYSTEMS, GPS AUTOMOBILE NAVIGATION SYSTEM, GPS AIRCRAFT NAVIGATION SYSTEM, HANDSETS DEPLOY THE PDA (PERSONAL DIGITAL~~

ASSISTANTS) PLATFORM ON WHICH GPS, GSM (GLOBAL SYSTEM FOR MOBILE COMMUNICATION) AND GIS (GEOGRAPHIC INFORMATION SYSTEMS) TECHNOLOGIES TO LET USERS HAVE ACCESS TO IMPORTANT INFORMATION WHILE AWAY FROM THEIR OFFICES OR INSIDE THEIR VEHICLES, AUTO NAVIGATION PDA ON WHICH GPS AND GIS TECHNOLOGIES ARE COMBINED TOGETHER TO LET USERS HAVE ACCESS TO LOCATION-BASED INFORMATION WHILE DRIVING INSIDE THE VEHICLE; DIGITAL COMMUNICATIONS AND DATA RECORDING INSTRUMENTS, NAMELY, DIGITAL TELEPHONES, DIGITAL CORDLESS TELEPHONES, DIGITAL ANSWERING MACHINES, DIGITAL TELEPHONE RECORDING SYSTEMS; CONSUMER ELECTRONICS; COMPUTERS AND COMPUTER PERIPHERALS; COMPUTER HARDWARE; PARTS AND FITTINGS FOR ALL THE AFORESAID GOODS, in International Class 9;

BUSINESS CONSULTANCY SERVICES; BUSINESS MANAGEMENT ASSISTANCE; BUSINESS MANAGEMENT AND ORGANIZATION CONSULTANCY; BUSINESS APPRAISALS; CONSULTANCY SERVICES RELATING TO INTERNET BASED PROMOTION; PROVIDING OF INFORMATION RELATING TO PRODUCT MARKETING THROUGH COMPUTER NETWORKS; BUSINESS INVESTIGATION; ACCOUNTING SERVICES; SALES PROMOTION FOR OTHERS FOR COMMERCIAL AND ADVERTISING PURPOSES; BUSINESS MARKETING CONSULTING SERVICES; PUBLIC RELATIONS SERVICES; DISSEMINATION OF ADVERTISING MATTER; BUSINESS RESEARCH; CONDUCTING BUSINESS AND MARKET RESEARCH SURVEYS; RENTAL OF ADVERTISING SPACE; PROVISION OF INFORMATION RELATING TO TRADE DEVELOPMENT AND BUSINESS OPPORTUNITY; PREPARATION OF REPORTS AND PROVISION OF INFORMATION, ALL RELATING TO THE AFORESAID SERVICES; PROVISION OF ALL THE ABOVE SERVICES VIA THE INTERNET, ON-LINE AND OTHER ELECTRONIC MEDIA, in International Class 35; and

PROVIDING INFORMATION SERVICES RELATING TO THE OPERATION OF GLOBAL COMPUTER NETWORK; INTRANET, INTERNET, COMPUTER AND OTHER TELECOMMUNICATIONS SYSTEMS; DESIGN OF COMPUTER SOFTWARE AND APPLICATIONS FOR OTHERS; MAINTENANCE OF COMPUTER SOFTWARE AND APPLICATIONS; COMPUTER SERVICES, NAMELY, DESIGNING AND IMPLEMENTING WEBSITES FOR OTHERS; COMPUTER SERVICES, NAMELY, THE MAINTENANCE OF WEB APPLICATIONS FOR OTHERS; MAINTENANCE OF NETWORKS; COMPUTER CONSULTATION, NAMELY, CONSULT

REGARDING WEBSITE APPLICATIONS, COMPUTER NETWORKING,  
COMPUTER SYSTEMS ANALYSIS, COMPUTER PROGRAMMING AND  
USE OF COMPUTER, PERIPHERAL EQUIPMENT, in International Class 42. –

**CONCLUSION**

The Examiner has already found Applicant's services in classes 35 and 42 acceptable, and Applicant has now amended its class 9 identification to address the Examining Attorney's concerns. Applicant notes that the Examining Attorney has found no similar registered marks barring registration. In view of the foregoing, Applicant respectfully submits that its application is now in proper form for registration and should be approved for publication, and such action is requested.

Respectfully submitted,

Dated: December 23, 2002

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