

**UNITED STATES PATENT AND TRADEMARK OFFICE**

SERIAL NO: 76/230703

APPLICANT: Malhas Sonicarla, S.A.



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

MARK: FEEL FINE

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address..

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Applicant is requesting reconsideration of a final refusal dated 11 March 2004.

The applicant informs the examining attorney, "The applicant intends to seek consent from the owner of the cited mark to use and register the subject mark. Pending possible submission of a consent agreement, Applicant requests that the subject application be placed in suspension". TMEP section 716.02 states, "As a general rule, the Office will not suspend an application to give an applicant time to secure a consent agreement." The applicant must demonstrate extenuating circumstances justifying a suspension and applicant's remarks are insufficient to show any extenuating circumstances that warrant a suspension. The examining attorney must deny the request for reconsideration and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c).

**NOTICE: TRADEMARK OPERATION RELOCATION**

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

**Commissioner for Trademarks**  
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Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

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