



TTAB

Attorney Docket No.: 213378US33

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**TRADEMARK EXAMINING OPERATION**

In re the Application of:

Kabushiki Kaisha NTT DoCoMo,  
d/b/a NTT DoCoMo, Inc.

Examining Attorney

Application Serial No.: 76/306,842

James A. Rauen

Filed: August 27, 2001

Law Office 103

Mark: NTT DOCOMO & DESIGN

**TTAB  
FEE**

Honorable Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Dear Commissioner:



**NOTICE OF APPEAL**

Applicant, Kabushiki Kaisha NTT DoCoMo, d/b/a NTT DoCoMo, Inc., hereby appeals from the final refusal issued by the Examining Attorney in connection with the Class 35, 36 and 41 services, pursuant to Rules 2.141 and 2.142(a) of the Trademark Rules of Practice. Suspension of the Appeal pending reconsideration by the Examining Attorney is respectfully requested. Submitted herewith is the government fee of \$300.

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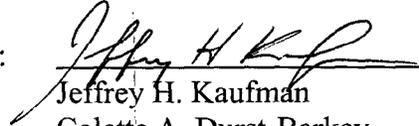
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The Commissioner is hereby authorized to charge any additional fees which may be required,  
or credit any overpayment, to Deposit Account No. 50-2014.

Respectfully submitted,

KABUSHIKI KAISHA NTT DOCOMO, D/B/A  
NTT DOCOMO, INC.

By:

  
Jeffrey H. Kaufman  
Colette A. Durst-Barkey  
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Date: January 31, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
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In re the Application of:

NTT DoCoMo, Inc.

Application Serial No.: 76/306,842

Filed: August 27, 2001

Mark: NTT DOCOMO & DESIGN

Class: 28, 35, 36, 37, 39, 40, 41

Examining Attorney

James A. Rauen

Law Office 103

**BOX RESPONSES**

**NO FEE**

Honorable Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3513

Dear Commissioner:

**REQUEST FOR RECONSIDERATION**



This is a response to the Office Action mailed July 31, 2002.

**AMENDMENT**

Please amend the identification of goods and services to read as follows:

--Robots for entertainment use including those capable of communicating via a global computer network, in International Class 9.--

--Games, namely, coin-operated video games, electronic dart games and hand-held units for playing electronic games; decorations for Christmas trees, toys, namely, infant development toys, mechanical toys and pet toys; backgammon games; dolls; dominos; toy mobiles; parlour games; play balloons, in International Class 28.--

--Providing business directory information relating to advertisements, to the sale of goods, and to shops classified by the type of business via wireless communication services; providing business information relating to sales volume tracking and commercial information via wireless communication services; advertising agencies; dissemination of advertising matter; preparing advertisements for others; the bringing together, promoting the goods and services

of others by means of operating a shopping mall with links to the retail web sites of others via wireless communication services; computerized ordering services in the field of food, daily necessities and entertainment, via telephone, computer terminals, cellular telephones, PDA and wireless communication services; management of trade show and business exhibitions for advertising purposes **in the field of telecommunications and computers**; rental of advertising space; telephone answering services; secretarial agency services for receiving telephone calls; market research via a computer data base; business management and consultation; planning of sales promotion and advertising **for communication terminals and telecommunication services**; business management; business administration; business management consultancy, business organization consultancy, business management assistance, business appraisals; business research; business enterprise resource planning; efficiency experts; advisory services for business management; relocation services for businesses; promoting the goods and services of others by preparing and placing advertisements in an electronic magazine accessed through a global computer network and information services relating thereto; business administration services for the processing of sales made on a global computer network; providing auction services via a global computer network; worldwide billing services; **monitoring services involving the use of two-way wireless communication systems, global positioning systems, and computer integration systems to ascertain the geographic locations of movable objects namely, motor vehicles and individuals, in International Class 35.--**

--Rental of office space for advertising purposes; credit card services; providing information relating to stock, finance and foreign exchange market conditions, real estate, and insurance; real estate management services; banking services conducted via a global computer network linked by common protocols; electronic money transfer; financial services relating to electronic commerce, **namely, providing electronic commerce services, namely, telecommunication prepaid debit card services, on-line financial planning research and analysis services; financial services, namely, agencies for collecting charges for information providers rendered by telecommunication fee collecting system; prepaid stored value card services for payment of telephone calls, subway, bus and rail road fares, bridge and tunnel tolls, merchandise costs and low value electronic debit transactions**; collection agency services for others in the field of electronic commerce via wireless communication services; **online collection agency services, namely, collecting liabilities for others for providing information over computers**; electronic funds transfers and transactions; providing electronic banking services; computerized financial and insurance information provided via wireless communication services; home banking services; Internet home banking, in International Class 36.--

--Installation of telecommunication networks, installation of communication equipment, maintenance and repair of telecommunication networks, maintenance and repair of communication equipment; installation and repair of telecommunication apparatus; installation and repair of computer hardware; repair and maintenance of telecommunication apparatus and instruments; repair and maintenance of computers; installation, repair and maintenance of submarine cables, aerial power transmission wire, communication equipment for control in buildings, telecommunication systems, telecommunication for control in building, telecommunication facilities, data communication facilities, computer systems; building construction; construction of communication plants; installation and repair of telephone sets and telephone wire; rental and leasing of construction equipment, civil engineering machinery, earth moving equipment and excavators; providing information relating to building construction and repair; consultation and supervision in the field of construction and civil engineering works; maintenance of electrical facilities installed in buildings, and of building facilities; disinfecting telephone sets, in International Class 37.--

--Providing chat rooms for transmission of messages among computer users concerning entertainment, education, technology, culture, music, sports, fashion, language, images, living information, personal computers, IT related matter, current events and lifestyles; streaming of audio material on the Internet, in International Class 38.--

--Transportation of passengers and/or goods by air, rail, boats and vehicles; merchandise packaging for transportation and warehouse storage of goods; travel agency services, namely, making reservations and bookings for transportation arrangement; providing travel and transportation information, in International class 39.--

--Chemical treatment for clothing, leather staining, paper finishing, electro-plating for metals, ceramic **glazing**, gold-plating, glass etching; information services relating to treatment of clothing, leather staining, paper finishing, electro-plating for metals, food treatment for storage, ceramic burning, gold-plating, for dyeing, glass etching, provided via wireless communication services from a computer database or a global computer network, in International Class 40.--

--Production of television programs by using computer graphics; development and dissemination of educational materials of **others** in the field of computers; providing information relating to education and entertainment, movies, sports, scenic spots, places of historic interest, and recreation; theatrical booking agencies; training in the use and operation of a wide variety of equipment, namely, computers, cameras, communication apparatus and audio-video equipment; publication of books, magazines; providing a computer game played by using computer terminal telecommunication; rental and leasing of television

game toys; rental of amusement facilities equipped with game machines; electronic libraries providing electronically recorded newspapers, magazines, photographs, pictures, music, animated cartoons, computer programs to computers linked to a network; education, provided by telephone, in the field of sales technique; organization, by telephone, of seminars relating to sales technique; educational services, namely, conducting seminars in the field of information processing; arranging and conducting educational seminars, symposia and conferences in the field of entertainment, education, technology, culture, images, fashion, news, sports and living information; organizing exhibitions for cultural and educational purposes in the fields of entertainment, education, technology, culture, images, fashion, news, sports and living information; rental of recorded magnetic tapes, game cartridges, magnetic disks and optical recording media in which game programs are recorded, videotapes, sound recordings, radios and televisions; lending libraries; providing museum facilities; rental of exhibition halls and stadium facilities; information relating to entertainment or education, provided via wireless communication services from a computer database or a global computer network; electronic games services provided by means of a global computer network; Electronic library services, namely, services which feature newspapers, magazines, photographs and pictures via computer network; **providing digital music not downloadable from a global computer network;** Providing **on-line publications, namely, newspapers, books, magazines** in the field of entertainment, education, technology and culture via wireless telecommunication services, in International Class 41.--

#### REMARKS

The Examining Attorney has maintained and made final his requirement for an acceptable identification of goods and services. Applicant has amended its description of goods and services as requested by the Examining Attorney in his Office Action of July 31, 2002. If Applicant was unable to specify the nature of the services or provide the common commercial name of the goods or services, Applicant deleted these goods from the application.

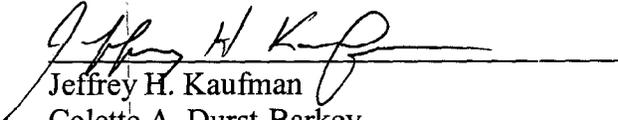
Applicant believes that its proposed amended description of goods is acceptable and therefore respectfully requests that the Examining Attorney reconsider his refusal to register this mark and approve the application for registration. However, because Applicant has not been able to discuss its proposed amendments to the description of goods in Classes 35, 36 and 41

with the Examining Attorney, Applicant has filed a Notice of Appeal in connection with these services.

Should the Examining Attorney have any questions regarding the above, he may telephone the undersigned attorneys.

Respectfully submitted,

NTT DOCOMO, INC.

By:   
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Date: January 31, 2003

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