

TTAB



08-08-2003

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #22

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

In the Matter of Trademark Application:

Applicant : Instituto Latinoamericano de la Comunicacion Educativa

Serial No. : 76/378,447

Filed : March 4, 2002

Trademark Attorney: Marc J. Leipzig  
Law Office 115

Trademark : ILCE and Design

Commissioner for Trademarks  
BOX TTAB - FEE  
2900 Crystal Drive  
Arlington, VA 22202-3514

Notice of Appeal

To the Trademark Trial and Appeal Board:

Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the Examiner. A copy of the Request for Reconsideration which was forwarded to the Examining Attorney is attached herewith.

The appeal fee required in Rule 2.6 is enclosed.

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.

By: Barbara Loewenthal  
Attorney for Applicant  
270 Madison Avenue  
New York, New York 10016-0601  
(212) 684-3900

Dated: August 6, 2003  
New York, New York

08/19/2003 TSMITH 00000013 76378447

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited in with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, Box TTAB - Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3514, on August 6, 2003.

Dated: August 6, 2003

  
Madelin Rowland

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**REQUEST FOR RECONSIDERATION**

Applicant respectfully requests reconsideration of the Examining Attorney's refusal to register of February 6, 2003 and requests that the Examiner accept the following Amendments to the Application:

**IN THE RECITATION OF SERVICES**

Delete the recitation of services in Class 41 and substitute the following:

**CLASS 41**

Educational services, namely, conducting classes, lectures, seminars, and distance learning classes in the field of culture, communications, art, humanity, namely philosophy, psychology and health by means of prerecorded audio visual media, and television, Internet, satellite or closed circuit television transmission; training of instructors, counselors and experts in the field of culture, communications, art, humanity, namely philosophy, psychology and health; and the distribution of printed promotional materials in connection therewith.

**REMARKS**

Applicant has amended the Application as set forth above.

The Examining Attorney raised questions concerning the specimens submitted with the Application. Enclosed herewith are substitute specimens and a Declaration in Support of the Substitute Specimens.

10/11/2003 07:26:50

Also, Applicant encloses a revised drawing, conforming with the requirements of the Trademark Office.

In view of the foregoing, favorable action is requested.

Dated: New York, New York  
August 6, 2003

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.

Barbara H. Loewenthal  
Attorney for Applicant  
270 Madison Avenue  
New York, NY 10016  
(212) 684-3900

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Dated: August 6, 2003

  
Madelin Rowland

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

Applicant : Instituto Latinoamericano de la Comunicacion Educativa  
Serial No. : 76/378,447  
Filed : March 4, 2002  
Trademark : ILCE and Design  
Class : 41

Assistant Commissioner for Trademarks  
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Arlington, VA 22202-3513

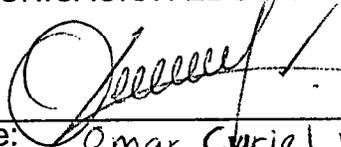
**DECLARATION FOR SUBSTITUTE SPECIMENS**

SIR:

\_\_\_\_\_ declares:

1. I am authorized to execute this declaration in support of the above-referenced application.
2. I submit a substitute specimen for Class 41 that has been in continuous use in commerce with the United States from March 4, 2002 to the present, on or in connection with the goods which are stated in the application; that such mark is still in use in commerce with the United States as evidenced by the accompanying specimen.
3. All statements made herein of my own knowledge and belief are true and all statements made on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document, or any registration resulting therefrom.

INSTITUTO LATINOAMERICANO DE LA  
COMUNICACION EDUCATIVA

By:   
Name: Omar Cipriel Villaseñor  
Title:

Declared at \_\_\_\_\_  
this 6th day of June, 2003