

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/514287

APPLICANT: Kay Home Products, Inc.

6/1/05 mailed  
[Redacted]

CORRESPONDENT ADDRESS:  
D. PETER HOCHBERG  
D PETER HOCHBERG CO L P A  
1940 E 6TH ST FL 6  
CLEVELAND OH 44114-2225

RETURN ADDRESS:  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

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

MARK: 3 IN 1

CORRESPONDENT'S REFERENCE/DOCKET NO: KH0696USUS (

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..

Serial Number 76/514287

Applicant is requesting reconsideration of a final refusal dated November 9, 2004.

After careful consideration of the law and facts of the case, 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 for the 2(d) and 2(e)(1) refusal. See additional registrations that show applicant and registrant's goods are related.

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: FEE CHANGE**

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

- (1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS);  
or
- (2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

**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**  
**P.O. Box 1451**  
**Alexandria, VA 22313-1451**

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>.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

/Kevon L. Chisolm/  
Trademark Attorney  
Law Office 103  
(571)-272-9270

Print: Jun 1, 2005

75760971

**DESIGN MARK**

**Serial Number**  
75760971

**Status**  
REGISTERED

**Word Mark**  
WE BRING GOOD THINGS TO LIFE

**Standard Character Mark**  
No

**Registration Number**  
2771951

**Date Registered**  
2003/10/07

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
General Electric Company CORPORATION NEW YORK 1 River Road Schenectady  
NEW YORK 12305

**Goods/Services**  
Class Status -- ACTIVE. IC 007. US 013 019 021 023 031 034 035. G & S: MACHINES FOR DOMESTIC AND HOUSEHOLD USE, NAMELY, ELECTRONIC POWER OPERATED COFFEE GRINDERS, MECHANICAL MIXING MACHINES, ELECTRIC FOOD BLENDERS FOR DOMESTIC USE, ELECTRIC JUICE EXTRACTORS, VACUUM CLEANERS, STEAM CARPET CLEANING MACHINES FOR EXTRACTING DIRT AND FOREIGN MATTER FROM RUGS, CARPETS AND OTHER TEXTILE FLOOR COVERINGS, ELECTRIC CARPET CLEANING MACHINES FOR EXTRACTING DIRT AND FOREIGN MATTER FROM RUGS, CARPETS AND OTHER TEXTILE FLOOR COVERINGS, ELECTRIC CAN OPENERS, ELECTRIC FOOD PROCESSORS, AND ELECTRIC FOOD PREPARATION MACHINES, ELECTRIC KNIVES, VEGETABLE GRINDERS AND SLICERS. First Use: 2000/02/15. First Use In Commerce: 2000/02/15.

**Goods/Services**  
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: ELECTRIC DOMESTIC AND HOUSEHOLD APPARATUS AND INSTRUMENTS, NAMELY, ELECTRIC IRONS FOR CLOTHES, STEAM IRONS FOR CLOTHES, ELECTRIC HAIR CURLING BRUSHES. First Use: 1999/10/20. First Use In Commerce:

Print: Jun 1, 2005

75760971

1999/10/20.

**Goods/Services**

Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S: DOMESTIC ELECTRIC AND GAS COOKING APPLIANCES, NAMELY, COOKING RINGS, GAS AND ELECTRIC STOVES, GAS AND ELECTRIC OVENS AND COOKTOPS; ELECTRIC COFFEE MAKERS FOR DOMESTIC USE; ELECTRIC COFFEE PERCOLATORS; ELECTRIC TEA MAKERS AND COMPONENT PARTS; ELECTRIC TOASTERS; ELECTRIC TOASTER OVENS; ELECTRIC COOKING CROCKERY COOKERS AND CASSEROLE DISHES; ELECTRIC AND GAS BARBECUE GRILLS; ELECTRIC HOT PLATES; ELECTRIC DEEP FRYERS; DOMESTIC ELECTRIC FRYPANS; DOMESTIC ELECTRIC ROTISSERIE OVENS; ELECTRIC HOT AIR COOKING OVENS FOR DOMESTIC USE; ELECTRIC ROASTER OVENS; ELECTRIC WAFFLE IRONS; ELECTRIC KETTLES; ELECTRIC FANS. First Use: 1985/09/30. First Use In Commerce: 1985/09/30.

**Goods/Services**

Class Status -- ACTIVE. IC 020. US 002 013 022 025 032 050. G & S: LIGHTED MAKE-UP MIRRORS. First Use: 2000/01/26. First Use In Commerce: 2000/01/26.

**Filing Date**

1999/10/30

**Examining Attorney**

STRASER, RICHARD A

**Attorney of Record**

Robert W. Sacoff

**WE BRING GOOD THINGS TO LIFE**

Print: Jun 1, 2005

76339969

**DESIGN MARK**

**Serial Number**  
76339969

**Status**  
REGISTERED

**Word Mark**  
LYNX

**Standard Character Mark**  
No

**Registration Number**  
2666091

**Date Registered**  
2002/12/24

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**  
LYNX GRILLS, INC. CORPORATION 6023 E. BANDINI BLVD. COMMERCE  
CALIFORNIA 90040

**Goods/Services**  
Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S:  
Barbecue Grills, Gas Grills and Electric Grills. First Use:  
1997/01/01. First Use In Commerce: 1997/01/01.

**Filing Date**  
2001/11/18

**Examining Attorney**  
DUMONT, GREGORY

**Attorney of Record**  
Darin Margules



Print: Jun 1, 2005

76353218

**DESIGN MARK**

**Serial Number**  
76353218

**Status**  
REGISTERED

**Word Mark**  
GO GEORGE GO

**Standard Character Mark**  
No

**Registration Number**  
2792351

**Date Registered**  
2003/12/09

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
Salton, Inc. CORPORATION DELAWARE 1955 W. Field Court Lake Forest  
ILLINOIS 60045

**Goods/Services**  
Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S:  
BARBECUE GRILLS, CHARCOAL GRILLS, ELECTRIC GRILLS AND GAS GRILLS; AND  
TABLES AND STANDS DESIGNED TO HOLD GRILLS. First Use: 2002/01/30.  
First Use In Commerce: 2002/01/30.

**Filing Date**  
2001/12/26

**Examining Attorney**  
OH, WON TEAK

**Attorney of Record**  
Carol Anne Been

**GO GEORGE GO**

Print: Jun 1, 2005

76491305

**DESIGN MARK**

**Serial Number**

76491305

**Status**

REGISTERED

**Word Mark**

CULINARY INTEGRITY

**Standard Character Mark**

No

**Registration Number**

2923874

**Date Registered**

2005/02/01

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

Shop At Home Network, LLC LTD LIAB CO TENNESSEE 5388 Hickory Hollow  
Parkway Antioch TENNESSEE 37013

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:  
Steam irons; and heat sealing machines for food storage all intended  
for use by home consumers. First Use: 2004/09/01. First Use In  
Commerce: 2004/09/01.

**Goods/Services**

Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S:  
Barbecue grills; convection ovens; electric or non-electric ice cream  
makers; induction table-top ranges; gas grills; steam grills; electric  
hot plates; microwave ovens for cooking; electric toasters; electric  
slow cookers; electric toaster ovens; electric bread cooker; electric  
frying pans; electric pressure cookers all intended for use by home  
consumers. First Use: 2004/09/01. First Use In Commerce: 2004/09/01.

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CULINARY" APART FROM  
THE MARK AS SHOWN.

**Print: Jun 1, 2005**

**76491305**

**Filing Date**  
2003/02/20

**Examining Attorney**  
KON, ELISSA GARBER

**Attorney of Record**  
EDWARD D LANQUIST JR

# CULINARY INTEGRITY

Print: Jun 1, 2005

78196334

**DESIGN MARK**

**Serial Number**  
78196334

**Status**  
REGISTERED

**Word Mark**  
KENDAL

**Standard Character Mark**  
No

**Registration Number**  
2955561

**Date Registered**  
2005/05/24

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**  
Kendal International Company CORPORATION NEW YORK 6710 52nd Road 2nd  
Floor Maspeth NEW YORK 11378

**Goods/Services**  
Class Status -- ACTIVE. IC 007. US 013 019 021 023 031 034 035. G  
& S: vacuum cleaners and steam cleaners. First Use: 2002/11/01.  
First Use In Commerce: 2002/11/01.

**Goods/Services**  
Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S:  
Household air cleaners, air conditioners, air filters for air  
conditioning units, air filters for domestic use, air filters for  
industrial installations, dispensing units for room air fresheners,  
air purifying units for commercial, domestic and industrial uses,  
electric heaters for baby bottles, barbecue grills, ceiling fans,  
clean rooms, clothes dryers, electric coffee makers for domestic and  
commercial uses, electric coffee percolators, electric coffee pots,  
coffee roasting ovens, commercial cooking ovens, electric deep fryers,  
dehumidifiers, electric hair hand dryers, hand held electric hair  
dryers, stationary hair dryers for commercial use, facial saunas,  
electric fans, portable electric fans, air filters for air

conditioning units, air filters for domestic use, freezers; domestic electric appliances, namely, fry pans, electric griddles, aquarium heaters, hot water heaters, kerosene heaters, portable electric heaters, electric heaters for baby bottles, electric hot plates, hot water bottles, hot water tanks, humidifiers, electric waffle irons, electric kettles, electric Chinese lanterns, oil lanterns, microwave ovens for cooking, oven gas igniters, oven ventilator hoods, ceramic plates sold as parts of ovens, coffee roasting oven, commercial cooking ovens, domestic cooking ovens, electric toaster ovens, glass plates sold as parts of ovens, electric food steamers, electric warming pans for beds, electric coffee percolators, electric hot plates, electric coffee pots, electric pressure cookers, electric rice cookers, electric toaster ovens, electric toasters, automatic bread-making machines for domestic use, spas in the nature of heated pools, water filtering units for domestic use, hot waters heaters, water purification units, waste water purification units, water purifying units for potable water for domestic use. First Use: 2002/11/01. First Use In Commerce: 2002/11/01.

**Filing Date**

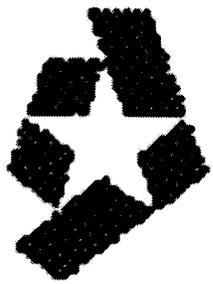
2002/12/19

**Examining Attorney**

MCMORROW, JANICE L.

**Attorney of Record**

Albert Wai-Kit Chan



**KENDAL**

Print: Jun 1, 2005

78241963

**TYPED DRAWING**

**Serial Number**

78241963

**Status**

REGISTERED

**Word Mark**

AWESOME STYLE

**Standard Character Mark**

No

**Registration Number**

2940793

**Date Registered**

2005/04/12

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

Awesome Kids, LLC LTD LIAB JT ST CO ILLINOIS 901-A West Liberty  
Wheaton ILLINOIS 60187

**Goods/Services**

Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S:  
HAND HELD ELECTRIC HAIR DRYERS; ELECTRIC LIGHTS AND ELECTRIC LIGHTING  
FIXTURES; LAMPS; FLASHLIGHTS; ELECTRIC KITCHEN APPLIANCES FOR DOMESTIC  
USE, NAMELY, COUNTER-TOP TOASTERS, BROILERS AND COOKING OVENS;  
ELECTRIC SKILLETS, ELECTRIC FRYING PANS, ELECTRIC WOKS, ELECTRIC DEEP  
FRYERS, ELECTRIC GRILLS, ELECTRIC SLOW-COOK CASSEROLES AND ELECTRIC  
WAFFLE IRONS FOR DOMESTIC USE; BARBEQUE GRILLS; ELECTRIC COFFEE MAKERS  
AND ELECTRIC ESPRESSO MAKERS FOR DOMESTIC USE; ELECTRIC ICE CREAM  
MAKERS FOR DOMESTIC USE; ELECTRIC PORTABLE FANS AND ELECTRIC CEILING  
FANS FOR DOMESTIC USE; ELECTRIC BLANKETS, THROWS AND MATTRESS PADS NOT  
FOR MEDICAL USE. First Use: 2004/05/00. First Use In Commerce:  
2004/07/23.

**Filing Date**

2003/04/25

**Examining Attorney**

**Print: Jun 1, 2005**

**78241963**

GARTNER, JOHN

**Attorney of Record**  
BRYAN P. SUGAR

Print: Jun 1, 2005

78354509

**DESIGN MARK**

**Serial Number**

78354509

**Status**

REGISTERED

**Word Mark**

KNOCKOUT THE FAT

**Standard Character Mark**

Yes

**Registration Number**

2917527

**Date Registered**

2005/01/11

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Salton, Inc. CORPORATION DELAWARE 955 W. Field Court Lake Forest  
ILLINOIS 60045

**Goods/Services**

Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S:  
Barbecue grills, charcoal grills, electric grills and gas grills; and  
tables and stands to hold grills; Electric kitchen cooking appliances,  
namely, rotisseries, cooking roasters, ovens, and deep fryers. First  
Use: 1995/07/31. First Use In Commerce: 1995/07/31.

**Filing Date**

2004/01/20

**Examining Attorney**

SWAIN, MICHELE

**Attorney of Record**

Carol Anne Been

**KNOCKOUT THE FAT**