

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	76679924
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	002
DESCRIPTION	
Coating compositions for application to concrete surfaces to improve the surface integrity	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	002
DESCRIPTION	
Granular compositions including portland cement and other chemicals for application to the surface of uncured concrete to increase the impact resistance and wear resistance of the surface of the concrete when cured.	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/whd/
SIGNATORY'S NAME	William H. Drummond
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	03/16/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION	
SUBMIT DATE	Mon Mar 16 13:38:16 EDT 2009
TEAS STAMP	USPTO/RFR-75.217.95.186-2 0090316133816165583-76679 924-4302a46a885539b9530d7 46521442dc373c-N/A-N/A-20 090316131451431165

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To the Commissioner for Trademarks:

Application serial no. **76679924** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 002 for Coating compositions for application to concrete surfaces to improve the surface integrity

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed: Class 002 for Granular compositions including portland cement and other chemicals for application to the surface of uncured concrete to increase the impact resistance and wear resistance of the surface of the concrete when cured.

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

SIGNATURE(S)

Declaration Signature

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review, require a signed declaration.

Request for Reconsideration Signature

Signature: /whd/ Date: 03/16/2009

Signatory's Name: William H. Drummond

Signatory's Position: Attorney for Applicant

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal

territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 76679924

Internet Transmission Date: Mon Mar 16 13:38:16 EDT 2009

TEAS Stamp: USPTO/RFR-75.217.95.186-2009031613381616

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