

Trademark Attorney: Colleen Kearney
TRADEMARK
Reference No. V-TM-143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on March 17, 2014.

Name of Person Signing Certificate: Morris I. Pollack

Signature: _____

Date of Signing: March 17, 2014

SERIAL NO.: 76/713198

FILING DATE: January 11, 2013

MARK: "V" in combination with and beneath an encoded symbology symbol

APPLICANT: VALMARC CORPORATION

LAW OFFICE: 113

EXAMINING ATTORNEY: COLLEEN KEARNEY

Box RESPONSES NO FEE

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

Amendment and Request for Reconsideration - Response to Office Action

Dear Commissioner:

This is in response to the Office Action mailed on SEP 17, 2013 in connection with the above-referenced Application. Applicant has carefully reviewed the Examining Attorney's comments and submits the following amendment.



U.S. Patent and Trademark Office #72

AMENDMENT

Kindly change the Identification of Goods and Services to the following:

--Providing brand and source authentication services of identification information of articles, namely products and services: for use during tracking, manufacture, and movement through channels of trade; in advertising, and brochures; and to confirm to parties article information including brand source when offering such articles for sale and/or other disposition and/or service: in commerce; e-commerce and other transactions: all via the allocation of a unique identifier for and associated, visually and/or otherwise, with each article and for related marketing including the secure storage and retrieval of each such unique identifier and providing for each such article visual and/or other confirmation: for tracking, the authentication of its brand source or lack of same, in addition to providing consulting services related thereto, in Int. Class 45.--

Kindly also insert the following Disclaimer:

--No claim is made to the exclusive right to use THE DESIGN OF THE DATA MATRIX CODE apart from the mark as shown.--

Kindly also insert the following Mark Description:

--The Mark consists of a code design above the letter V.

REMARKS

Applicant respectfully appreciates the advice by the Examining Attorney:

The Examining Attorney has suggested that Applicant amend the recitation of services. Applicant respectfully requests that the recitation of goods and services be changed to the one requested above; which closely follows the goods and services of Applicants Registered Trademark 4,146,867.

The recited "Unique Information Indicia" may be first applied to a substrate of any one of numerous possible substances; But need not be applied first to a substrate but may also be applied directly to the product or its packaging. In addition while the application shows the sideways "V" beneath a 2-D Data Matrix it may also be combined with any encoded symbology symbol.

The mark applied for is the combination of the "V" and an encoded symbology symbol adjacent to each other.

An Amendment To Allege Use (with Fee) is also appended hereto.

A Notice of Appeal, with Fee, is being filed concurrently herewith since the Sep 17, 2013

Office Action indicates that it was "A FINAL ACTION"

CONCLUSION

In view of the foregoing, Applicant submits that this Application is in condition for allowance, and respectfully requests that Application to Register be promptly passed for publication.

Respectfully Submitted,
VALMARC CORPORATION
By: 
Morris I. Pollack, Attorney
19 Eberhardt Road
East Hanover, New Jersey 07936
Phone : 973-386-1651
Fax : 973-515-0883
ipmip@aol.com

Date: March 17, 2014

****Please place on Upper Right Corner**
of Response to Office Action ONLY.**

Examining Attorney: KEARNEY, COLLEEN
Serial Number: 76/713198



Trademark Attorney: Colleen Kearney
TRADEMARK
Reference No. V-TM-143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Box TTAB FEE
Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on March 17, 2014.

Name of Person Signing Certificate: Morris I. Pollack

Signature: 

Date of Signing: March 17, 2014

SERIAL NO.: 76/713198

FILING DATE: January 11, 2013

MARK: ✓ in combination with and adjacent an encoded symbology symbol

APPLICANT: VALMARC CORPORATION

LAW OFFICE: 113

EXAMINING ATTORNEY: COLLEEN KEARNEY

Box TTAB FEE

Commissioner for Trademarks
P. O. Box 1451
Alexandria, Virginia 22313-1451

Notice of Appeal

Applicant hereby appeals to the Trademark Trial and Appeal Board from the final decision of the United States Patent and Trademark Office Examining Attorney refusing registration of the above referenced mark, which decision was mailed on SEP 17 2014.

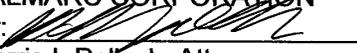
Applicant has, concurrently with the filing of this Notice of Appeal to the TTAB, filed an "Amendment and Request for Reconsideration", as well as an "Amendment to Allege Use" which may obviate the necessity for this Notice of Appeal.

FEE PAYMENT

A check # 1356 in the amount of \$ 100.00 for the Appeal Fee is appended to this Notice.

Charge any additional amounts required, or credit any refunds to Deposit Account 502966

This authorization is, accordingly, filed in duplicate.

Respectfully Submitted,
VALMARC CORPORATION
By: 
Morris I. Pollack, Attorney
19 Eberhardt Road
East Hanover, New Jersey 07936
Phone : 973-386-1651
Fax : 973-515-0883
ipmip@aol.com

Date: March 17, 2014