

PTO Form 1960 (Rev 9/2007)

OMB No. xxx-xxxx (Exp. x/xxxx)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77144728
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
ARGUMENT(S)	
MBL/TONI&GUY Products, LP and TONI&GUY (USA) Limited (UK) are sister companies whose ultimate ownership is exactly the same. Toni & Guy (USA) Limited is the owner of the cited marks: 1,525,304; 2,538,923; 2,711,680; 2,751,574; and 3,236,350. There is a unity of control, a single source, accordingly, likelihood of confusion is not a factor.	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Carrie L. Kiedrowski/
SIGNATORY'S NAME	Carrie L. Kiedrowski
SIGNATORY'S POSITION	Attorney of record
DATE SIGNED	07/17/2008
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Jul 17 15:50:55 EDT 2008
TEAS STAMP	USPTO/RFR-168.98.131.4-20 080717155055674451-771447 28-420bb5ce44b75c57749726 fe9bbf1d18c4-N/A-N/A-2008 0717154935520449

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OMB No. xxx-xxxx (Exp. x/xxxx)

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To the Commissioner for Trademarks:

Application serial no. 77144728 has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

MBL/TONI&GUY Products, LP and TONI&GUY (USA) Limited (UK) are sister companies whose ultimate ownership is exactly the same. Toni & Guy (USA) Limited is the owner of the cited marks: 1,525,304; 2,538,923; 2,711,680; 2,751,574; and 3,236,350. There is a unity of control, a single source, accordingly, likelihood of confusion is not a factor.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Carrie L. Kiedrowski/ Date: 07/17/2008

Signatory's Name: Carrie L. Kiedrowski

Signatory's Position: Attorney of record

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: 77144728

Internet Transmission Date: Thu Jul 17 15:50:55 EDT 2008

TEAS Stamp: USPTO/RFR-168.98.131.4-20080717155055674

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