

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77225574
LAW OFFICE ASSIGNED	LAW OFFICE 117
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	041
DESCRIPTION	
Entertainment, namely, live performances by a musical band; Entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; Entertainment in the nature of live performances by a musical performer	
FIRST USE ANYWHERE DATE	At least as early as 12/31/2000
FIRST USE IN COMMERCE DATE	At least as early as 12/31/2000
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	041
DESCRIPTION	
Entertainment, namely, live performances by a musical band; Entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; Entertainment in the nature of live performances by a musical performer	
FIRST USE ANYWHERE DATE	At least as early as 12/31/2000
FIRST USE IN COMMERCE DATE	At least as early as 12/31/2000
<p>"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an</p>	

STATEMENT TYPE *application based on Section 1(a), Use in Commerce* OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].

SPECIMEN FILE NAME(S)

ORIGINAL PDF FILE SPU0-1-1215210450-165644502_._Specimen_used_for_Booking.pdf

CONVERTED PDF FILE(S) \\TICRS\EXPORT11\IMAGEOUT11\772\255\77225574\xml1\RFR0002.JPG
(1 page)

SPECIMEN DESCRIPTION Web advertisement for booking of musical and entertainment services, musical videos, photographs and other multimedia materials.

SIGNATURE SECTION

DECLARATION SIGNATURE /christophe szapary/

SIGNATORY'S NAME Christophe Szapary

SIGNATORY'S POSITION Attoreny of record

DATE SIGNED 09/28/2010

RESPONSE SIGNATURE /christophe szapary/

SIGNATORY'S NAME Christophe Szapary

SIGNATORY'S POSITION Attorney of record

DATE SIGNED 09/28/2010

AUTHORIZED SIGNATORY YES

CONCURRENT APPEAL NOTICE FILED NO

FILING INFORMATION SECTION

SUBMIT DATE Tue Sep 28 17:11:43 EDT 2010

TEAS STAMP USPTO/RFR-12.152.104.50-2
0100928171143281559-77225
574-47015ad5726b9a496df59
fa5e4831eab8-N/A-N/A-2010
0928165644502085

Request for Reconsideration after Final Action
To the Commissioner for Trademarks:

Application serial no. 77225574 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 041 for Entertainment, namely, live performances by a musical band; Entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; Entertainment in the nature of live performances by a musical performer

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)).

In International Class 041, the mark was first used at least as early as 12/31/2000 and first used in commerce at least as early as 12/31/2000.

Proposed: Class 041 for Entertainment, namely, live performances by a musical band; Entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; Entertainment in the nature of live performances by a musical performer

Deleted Filing Basis: 1(b)

In International Class 041, the mark was first used at least as early as 12/31/2000. and first used in commerce at least as early as 12/31/2000.

Applicant hereby submits a new specimen for Class 041. The specimen(s) submitted consists of Web advertisement for booking of musical and entertainment services, musical videos, photographs and other multimedia materials..

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" *[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use].*

Original PDF file:

SPU0-1-1215210450-165644502_._Specimen_used_for_Booking.pdf

Converted PDF file(s) (1 page)

Specimen File1

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had 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. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /christophe szapary/ Date: 09/28/2010

Signatory's Name: Christophe Szapary

Signatory's Position: Attoreny of record

Request for Reconsideration Signature

Signature: /christophe szapary/ Date: 09/28/2010

Signatory's Name: Christophe Szapary

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77225574

Internet Transmission Date: Tue Sep 28 17:11:43 EDT 2010

TEAS Stamp: USPTO/RFR-12.152.104.50-2010092817114328

1559-77225574-47015ad5726b9a496df59fa5e4

831eab8-N/A-N/A-20100928165644502085

MR. I CAN MAKE YOU DANCE

OFFICIAL MYSPACE PAGE

WHAT'S NEW

SOUGHTAFTER BY THE PEOPLE
MIXTAPE

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