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UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/319089

MARK: PURCHASE REWARDS



CORRESPONDENT ADDRESS:

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GENERAL TRADEMARK INFORMATION:
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APPLICANT: THE RETAIL EQUATION,
INC.

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

RETEX.048T
CORRESPONDENT E-MAIL ADDRESS:
efiling@kmob.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 3/17/2009

Applicant is requesting reconsideration of a final refusal issued/mailed September 3, 2008.

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.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was issued/mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c). If applicant has already filed a timely notice of appeal, the application will be forwarded to the Trademark Trial and Appeal Board (TTAB).

The examining attorney refers to the excerpted articles from the examining attorney's search in a computerized database. See attachments downloaded from GOOGLE on March 17, 2009. The Trademark Trial and Appeal Board has held that materials obtained through computerized text searching are competent evidence to show the descriptive use of terms under Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1). *In re National Data Corp.*, 222 USPQ 515, 517 n.3 (TTAB 1984). The attached articles refer to PURCHASE REWARDS which are used to promote purchases.

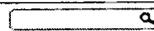
The amendment to the recitation of services is acceptable.

/Robert Clark/
Robert Clark
Examining Attorney
Law Office 101
571-272-9144
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STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

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Taking advantage of Credit Card Rewards

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Card users could potentially benefit from discount price offers, cash back, and other freebies when they make good use of the numerous Rewards Credit Cards out there. If you aren't already taking advantage of your Credit Cards' reward program, this article serves to enlighten you on those rewards you might be missing out on. As it is you're probably denying yourself lots and lots of savings on every purchase you make so if you'd love to cut-back on those hefty bills incurred every month, here's how.

WorldPoints® Rewards

Consumers using a World Points rewards Credit Card become eligible to a host of rewards once they've accumulated a certain number of points. The WorldPoints rewards program is probably the most flexible reward program available because Card Users are often allowed to choose their rewards from a collection. One of such Credit Cards offering WorldPoints rewards is the Bank of America WorldPoints Platinum Plus MasterCard. By accumulating WorldPoints with every purchase precisely 1 World Point for every \$1 spent, a card user becomes eligible to a long list of rewards that include special discounts on travel, merchandise, personal concierge services, car rental, hotel, or free gift cards, and invites to special events. An eligible winner could also redeem WorldPoints for cash.

Home Purchase Rewards

Credit Cards offering home purchase rewards usually have lots to offer and most Credit Card Issuers take this factor into consideration. If you're already wondering how soon you'll be purchasing an apartment, wait till you need to purchase furniture and electronics, interior

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purchasing an apartment, wait till you need to purchase furniture and electronics, interior decoration, or perhaps pay the mortgage on your home and you will definitely fall into the category of those eligible for a home purchase reward. The great thing about home purchase rewards is that you win prizes without having to accumulate points over months. To give you an idea of what to expect, the Home Advantage World MasterCard with WorldPoints offers double points for purchases made at Lowe's, the Home Depot, and Best Buy and single points for all other purchases. With this in mind, all you need to do is purchase a \$5,000 home electronic and you should become eligible for a cash reward that could be redeemed or applied to your home mortgage.

Travel Rewards

People traveling on a regular basis consider travel rewards as an excellent option for cutting back their travel expenses. For some who used travel reward programs to their advantage, it's not uncommon to see them enjoy a couple flights at no extra cost. Most travel rewards are usually bundled with other rewards options like Home Purchase, Merchandise, Gas and Cash Rebates.

Merchandise Rewards

Some Credit Cards may offer discount prices when card users purchase merchandise such as home electronics, personal gadgets, furniture, clothing, and jewelry. Merchandise rewards are more general and usually come alongside WorldPoints® or other rewards programs.

Gas Rewards

Gas rewards offer discounts whenever you purchase gas from a specific dealer. With sky-rocketing gas prices forcing more Card users to take the bus, getting a gas rewards credit card is definitely a way to slow-down your vehicle-related expenses.

Cash Rebates and Other Rewards

A good number of Credit Cards offer cash rebates that often go as high as 5% for purchases on select items. Other Credit Cards may offer Gift Cards, Dining Certificates, Sports Memorabilia, Hotel benefits, low-priced Car Rentals, and more.

When applying for a credit card, check the online application for the terms and conditions agreement. If you already have a Credit Card, the first thing to do is go through the terms and conditions agreement that came with your card. If a terms and conditions agreement can't be found, contact the Credit Card Issuer and have them send you another copy. The terms and conditions agreement should explicitly enlighten its reader on rewards programs, number of points needed for eligibility, and any limitations on points accumulated.

A thing to remember as concerns credit card reward programs is that most Credit Card Issuers also benefit whenever card users don't redeem their rewards. This is why it is necessary to follow up points accumulated and make contact with your Credit Card Issuer as soon as you become eligible. Also, points accumulated could expire if unredemmed over a certain period and some Credit Cards may include limitations to the number of points a Card User can accumulate. Always check if you're eligible for bonus points...

Bonus Note

A Credit Card offering great rewards may attract higher interest. Always ensure any positives outweigh the negatives.

Published: August 3, 2009

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Article: Advantages of Credit Card Reward programs



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Renfert offers purchase rewards promotion.

Publication: [Dental Lab Products](#)

Format: Online

Publication Date: 01-OCT-08

Delivery: Immediate Online Access

Full Article Title: Renfert offers purchase rewards promotion (PROFESSIONAL DEVELOPMENT)

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Article Excerpt

As part of its Fall Promo 2008, Renfert USA (www.renfer.com) will offer customers a free pair of Bose On-Far Headphones for the purchase of specified equipment packages between Oct. 15 and Dec. 15

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dentalproducts

RENFERT OFFERS PURCHASE REWARDS PROMOTION

Article from: [Dental Lab Products](#) | Article date: **October 1, 2008** | Author: [Anonymous](#) | More results for: ["purchase rewards"](#)

As part of its Fall Promo 2008, Renfert USA (www.renfert.com) will offer customers a free pair of Bose On-Ear Headphones for the purchase of specified equipment packages between Oct. 15 and Dec. 15.

The promotion also provides free accessories with equipment purchases as several combined package deals. An additional media tank is offered with the purchase of the 120V Basic quattro fine sandblaster (package A); a dust extraction kit, a set of armrests, and a gold filter are provided with a combination of the Silent dust extractor and Dustex master compact dust extractor (package B); two bottles of Go 2011 plaster solvent comes with the 120VMT plus model trimmer and Marathon diamond disc (package C); a 500ml mixing bowl with paddle comes with the Twister evolution programmable vacuum mixer (package D); a large wax knife comes as part of a package comprised of a Waxelectric II electric waxer, Waxprofi wax heater, and Power Pillo pneumatic chisel (package F); a 500-ml mixing bowl with paddle comes with the Twister vacuum mixer with motor pump (package G); and a choice of one 5-kg container of aluminum oxide or glass beads comes with the Basic classic fine sandblasting unit (package H). The headphones alone are offered with a Vortex portable dust extractor and Millo pro arch trimmer combination (package E) or a Mobiloscope S Halogen stereomicroscope (package I).

Customers must submit a completed redemption form along with a copy of their invoice as proof of purchase by mail postmarked on or before Dec. 20. For additional information, call 800-336-7422; for a list of specialized Renfert dealers, visit www.renfert.com/dealers.

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Anonymous "RENFERT OFFERS PURCHASE REWARDS PROMOTION." *Dental Lab Products*. A dvanstar Communications OH & MN. 2008. *HighBeam Research* 17 Mar. 2009 <<http://www.highbeam.com>>.

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WOOD Mobile Dust Extractor.(PRODUCT NEWS: EQUIPMENT)
Wood & Wood Products; June 1, 2007; 61 words... Festool USA The new CT MIDI Mobile Dust Extractor is suitable for users who require the suction capacity of a much larger dust extractor, but also need a lightweight and compact unit. The CT MIDI has a container capacity of almost 4 gal. and...

The Fallen package conjures holiday vision
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Oakland Tribune; December 21, 2003 ; 605 words.. THE rectangular **package**, wrapped in brown paper, tumbled out...having coffee with a colleague and saw the **package** fall out of the truck through the coffee...the conversation but kept an eye on the **package**. I guess it's the same instinct that...



Large Downtown Real Estate Package Grabs Attention of Would-Be Buyers, Knight Ridder/Tribune Business News; February 25, 2001 ; 700+ words...An attempt to sell an unusually large **package** of a dozen or so partly empty, historic ..would-be buyers, the broker handling the **package** said. We're getting a very, very positive...buildings or other details about the sale **package** that's also grabbed the attention of those...



Chip-package codesign: capabilities improving, need growing, (Semiconductor...)

Semiconductor International; October 1, 2004 ; Baliga, John; 700+ words...the development and improvement of chip-**package**-board codesign capabilities. Faster, more...as the increasing number of systems-in-**package** (SiPs). Some surprising cost factors are...integrating the design of the chip and **package**, using tools from various companies, including...



The package is the product for new breed of designers. (Originated from...) Knight Ridder/Tribune News Service; March 7, 1994 ; Blake, Judith; 411 words...product. First, you design a really snazzy **package**, something that would look irresistible...at least with one firm. A San Francisco **package**-design company, Pirna Angeli Inc., says...has it that "in the marketplace, the **package** is the product. If that is true, and we...



Dust extractor available for mining operations

Mining Engineering; April 1, 2002 ; Anonymous; 155 words... Engart America has introduced its Engart **dust extractor** to the mining industry. The Engart **dust extractor** system is a "wet fan" scrubber. It pulls respirable dust from a mining environment and transfers it into a slurry solution. Dust laden air...



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Packaging Digest; May 1, 2007 ; 700+ words... China's presence in the **package**-shipping business is expanding rapidly...cost-prohibitive or hard to find. Most **packages** sent from China to the U.S. must absorb...distribution hazards can lead to damage if a **package** isn't strong enough or if there is .



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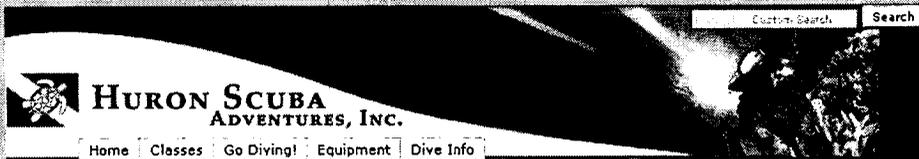
United Press International, January 20, 2000 , 485 words...01-20-2000 Opposition party to back devolution **package** COLOMBO, Sri Lanka, Jan. 20 (UPI) - Sri ...announced that it will support the devolution **package** proposed by the government five years...was willing to support the devolution **package** provided it is debated in the parliament..

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Huron Scuba Dive Team Rewards Program

Welcome to Huron Scuba's Dive Team Rewards Program! As a valued Dive Team Rewards member, you have unique opportunities to earn discounts towards merchandise, training and travel. Dive Team Rewards members also earn privileges that provide exclusive access to Huron Scuba activities. Start earning rewards today!

Earn rewards with every Huron Scuba individual travel booking.

- Start earning rewards from the moment you enroll!
- Rewards are earned on any individual travel booking (other than group escorted trips).
- Let us book your entire diving & lodging package for maximum rewards - we pay you a "booking fee!"
- Take advantage of our extensive travel knowledge and contacts when we book your trip.
- Get 25% off rental equipment rates when you rent our equipment to bring on your trip
- Get expert advice from your fellow Michigan divers, based on personal experience and research at your vacation destination.
- Keep your travel commission dollars in your local community and support your future diving activities. Someone, somewhere, will collect commission for your travel - please let Huron Scuba share that with you!

Earn rewards you can use!

- \$10 in rewards are earned for each \$500 spent on individual travel after program activation. Awards are redeemable at your next visit to Huron Scuba after your travel is complete
- Pay for your travel purchase with your airline rewards credit card and add miles to your rewards!
- Rewards are applied to your account after your travel is completed and may be applied towards your next purchase at Huron Scuba.
- Rewards balances do not expire.

Phone: (734) 994-3483
Fax: (734) 994-1597
Email: dive@huronscuba.com
www.huronscuba.com

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Additional Terms

1. All rewards must be earned and used according to the terms of the Huron Scuba Dive Team Rewards Program ("DTR").
2. You may receive Huron Scuba promotions or DTR information via email or US Mail. Outside parties will not get access to your contact information (though we may use third parties for delivery services).
3. Refused or returned mail will be assumed to mean you no longer wish to participate in DTR. Notify Huron Scuba if your email or US Mail address changes and you wish to continue in DTR.
4. Huron Scuba Adventures, Inc. ("Huron Scuba") may change or terminate DTR at any time without notice.
5. Any fraudulent activity in connection with DTR will permit Huron Scuba to terminate an individual membership, void all accumulated rewards, and recover improperly redeemed rewards at cash value.

Enrollment

1. Families living at the same address may combine their purchases under a single customer record, and, therefore, single DTR membership.
2. Corporations, governmental agencies, groups, clubs, or other legal entities cannot be enrolled as members. Huron Scuba employees, instructors, divemasters, and their families are not eligible in participation in DTR.

Earning Purchase Rewards

1. The purchase reward is based on the amount tendered for individual travel bookings only, not including taxes, trade-in items, or unpaid layaway balances.
2. Rewards accumulate based upon the schedule on this information page or on the program information sheet handed out at enrollment. If there is a discrepancy between the information from these two sources, the amount that offers the smallest reward value is applicable.
3. You can earn rewards once you've completed the official DTR enrollment form. Retroactive credit will not be given for purchases made or initiated prior to enrollment.
4. You must actually make purchases to earn DTR purchase rewards. Rewards are not earned on fraudulent transactions or returns.
5. Your purchase credits or DTR membership cannot be combined with another member.

Redeeming Rewards

1. Rewards may be accumulated without expiration, subject to the other limitations stated herein.
2. All rewards must be redeemed on products and services sold by Huron Scuba.
3. Rewards can be used only towards purchase amounts (prior to tax being applied) greater to or equal to the rewards balance.
4. Rewards cannot be used towards transactions that include a return or credit. Rewards must be processed first and separately.
5. Accrued rewards cannot be transferred, sold, bartered, or exchanged.
6. DTR reward balances have no cash value.

4816 Jackson Road Suite D, Ann Arbor, MI 48103
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USPTO OFFICE ACTION HAS ISSUED ON 3/17/2009 FOR
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