

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	77482264
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (004)(no change)	
GOODS AND/OR SERVICES SECTION (007)(current)	
INTERNATIONAL CLASS	007
DESCRIPTION	
Mechanical replacement parts for lawnmowers, golf course mowers, powered trimmers, powered tillers, snow blowers, chain saws, multipurpose pressure washers, and small engines for machines having 2-cycle or 4-cycle engines; Power tools used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, grinders; Spark plugs	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2008
GOODS AND/OR SERVICES SECTION (007)(proposed)	
INTERNATIONAL CLASS	007
DESCRIPTION	
Mechanical replacement parts for lawnmowers, golf course mowers, powered trimmers, powered tillers, snow blowers, chain saws, multipurpose pressure washers, and small engines for machines having 2-cycle or 4-cycle engines, namely, air filters for mechanical purposes, carburetors, fuel pumps for vehicles, pump diaphragms, fuel filters, electronic ignitions, gaskets for internal combustion engines, engine seals, mechanical seals, connecting rods for machines and motors and engines, pistons for internal combustion engines, piston rings, valves as machine components, mufflers for motors and engines, oil filters, transmission filters, starters for motors and engines, machine parts in the nature of bearings and bushings, belts for engines and machines, lawn mower blades, edger blades, clutches for machines, pulleys being parts of machines, string trimmer spools, chains for chain saws, guide bars for chain saws; Power tools used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters,	

pressure washers, trailers, and small engines, namely, grinders; Spark plugs; Mechanical replacement parts for go-karts, mini bikes, and trailers, namely, mufflers; Mechanical replacement parts for small engines for land vehicles, namely, gaskets, pistons, piston rings, oil seals, connecting rods, air filters, oil filters, and fuel filters.

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2008

GOODS AND/OR SERVICES SECTION (009)(current)

INTERNATIONAL CLASS	009
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DESCRIPTION

Electrical replacement parts for lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, pressure washers, trailers, and small engines, namely, solenoids, voltage regulators, starter switches, fuses, fuse holders, battery cables, alternator wires, battery terminals, and cable terminals; Electrical replacement parts for portable heaters, namely, ignitors, photo cells, thermostats, and thermal switches; Safety equipment used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, tachometers, spark testers, battery testers, compression gauges, pressure gauges, safety glasses, hard hats, face shields, ear muffs, dust masks, gloves, wheel chocks, and safety cones

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2008

GOODS AND/OR SERVICES SECTION (009)(proposed)

INTERNATIONAL CLASS	009
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DESCRIPTION

Electrical replacement parts for lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, pressure washers, trailers, and small engines, namely, solenoids, voltage regulators, starter switches, fuses, fuse holders, battery cables, alternator wires, battery terminals, and cable terminals; Electrical replacement parts for portable heaters, namely, thermostats and thermal switches; Safety equipment used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, tachometers, spark testers, battery testers, compression gauges, pressure gauges, safety glasses, hard hats, face protection shields, ear protection muffs, dust masks, protective gloves, wheel chocks, and safety cones

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2008

GOODS AND/OR SERVICES SECTION (012)(current)

INTERNATIONAL CLASS	012
DESCRIPTION	
Tires and tire tubes; Mechanical replacement parts for go-karts, mini bikes, and trailers, namely, brake cables, brake drums, brake pads, brake pedals, throttle cables, roller chains, sprocket clutches, pulley clutches, clutch springs, torque converters, replacement belts, wheel bearings, ball joints, tie rod ends, and mufflers; Mechanical replacement parts for small engines for land vehicles, namely, gaskets, pistons, piston rings, oil seals, connecting rods, air filters, oil filters, and fuel filters	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2008
GOODS AND/OR SERVICES SECTION (012)(proposed)	
INTERNATIONAL CLASS	012
DESCRIPTION	
Tires and tire tubes; Mechanical replacement parts for go-karts, mini bikes, and trailers, namely, brake cables, brake drums, brake pads, brake pedals, throttle cables, roller chains, sprocket clutches, pulley clutches, clutch springs, torque converters, replacement belts, wheel bearings, ball joints, and tie rod ends	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2008
SIGNATURE SECTION	
RESPONSE SIGNATURE	/RAD/
SIGNATORY'S NAME	Ronald A DiCerbo
SIGNATORY'S POSITION	Attorney of record, Illinois bar member
DATE SIGNED	01/13/2010
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Jan 13 19:54:28 EST 2010
TEAS STAMP	USPTO/RFR-38.115.129.43-2 0100113195428415661-77482 264-460a722ac61472be29175 1d186c1f843c2-N/A-N/A-201 00113195031815494

PTO Form 1930 (Rev 9/2007)

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

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

Application serial no. 77482264 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 007 for Mechanical replacement parts for lawnmowers, golf course mowers, powered trimmers, powered tillers, snow blowers, chain saws, multipurpose pressure washers, and small engines for machines having 2-cycle or 4-cycle engines; Power tools used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, grinders; Spark plugs

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2008 and first used in commerce at least as early as 01/01/2008, and is now in use in such commerce.

Proposed: Class 007 for Mechanical replacement parts for lawnmowers, golf course mowers, powered trimmers, powered tillers, snow blowers, chain saws, multipurpose pressure washers, and small engines for machines having 2-cycle or 4-cycle engines, namely, air filters for mechanical purposes, carburetors, fuel pumps for vehicles, pump diaphragms, fuel filters, electronic ignitions, gaskets for internal combustion engines, engine seals, mechanical seals, connecting rods for machines and motors and engines, pistons for internal combustion engines, piston rings, valves as machine components, mufflers for motors and engines, oil filters, transmission filters, starters for motors and engines, machine parts in the nature of bearings and bushings, belts for engines and machines, lawn mower blades, edger blades, clutches for machines, pulleys being parts of machines, string trimmer spools, chains for chain saws, guide bars for chain saws; Power tools used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, grinders; Spark plugs; Mechanical replacement parts for go-karts, mini bikes, and trailers, namely, mufflers; Mechanical replacement parts for small engines for land vehicles, namely, gaskets, pistons, piston rings, oil seals, connecting rods, air filters, oil filters, and fuel filters.

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2008 and first used in commerce at least as early as 01/01/2008, and is now in use in such commerce.

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

Current: Class 009 for Electrical replacement parts for lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, pressure washers, trailers, and small engines, namely, solenoids, voltage regulators, starter switches, fuses, fuse holders, battery cables, alternator

wires, battery terminals, and cable terminals; Electrical replacement parts for portable heaters, namely, ignitors, photo cells, thermostats, and thermal switches; Safety equipment used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, tachometers, spark testers, battery testers, compression gauges, pressure gauges, safety glasses, hard hats, face shields, ear muffs, dust masks, gloves, wheel chocks, and safety cones

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2008 and first used in commerce at least as early as 01/01/2008, and is now in use in such commerce.

Proposed: Class 009 for Electrical replacement parts for lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, pressure washers, trailers, and small engines, namely, solenoids, voltage regulators, starter switches, fuses, fuse holders, battery cables, alternator wires, battery terminals, and cable terminals; Electrical replacement parts for portable heaters, namely, thermostats and thermal switches; Safety equipment used in the repair, maintenance, and operation of lawnmowers, golf course mowers, trimmers, tillers, snow blowers, chain saws, go-karts, mini bikes, portable heaters, pressure washers, trailers, and small engines, namely, tachometers, spark testers, battery testers, compression gauges, pressure gauges, safety glasses, hard hats, face protection shields, ear protection muffs, dust masks, protective gloves, wheel chocks, and safety cones

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2008 and first used in commerce at least as early as 01/01/2008, and is now in use in such commerce.

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

Current: Class 012 for Tires and tire tubes; Mechanical replacement parts for go-karts, mini bikes, and trailers, namely, brake cables, brake drums, brake pads, brake pedals, throttle cables, roller chains, sprocket clutches, pulley clutches, clutch springs, torque converters, replacement belts, wheel bearings, ball joints, tie rod ends, and mufflers; Mechanical replacement parts for small engines for land vehicles, namely, gaskets, pistons, piston rings, oil seals, connecting rods, air filters, oil filters, and fuel filters

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2008 and first used in commerce at least as early as 01/01/2008, and is now in use in such commerce.

Proposed: Class 012 for Tires and tire tubes; Mechanical replacement parts for go-karts, mini bikes, and trailers, namely, brake cables, brake drums, brake pads, brake pedals, throttle cables, roller chains, sprocket clutches, pulley clutches, clutch springs, torque converters, replacement belts, wheel bearings, ball joints, and tie rod ends

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2008 and first used in commerce at least as early as 01/01/2008, and is now in use in such commerce.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /RAD/ Date: 01/13/2010
Signatory's Name: Ronald A DiCerbo
Signatory's Position: Attorney of record, Illinois bar member

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: 77482264
Internet Transmission Date: Wed Jan 13 19:54:28 EST 2010
TEAS Stamp: USPTO/RFR-38.115.129.43-2010011319542841
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