

PTO Form 1830 (Rev 9/2007)

OMB No. 0851-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77545270
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION (no change)	
ARGUMENT(S)	
<p>In response to the communication mailed June 26, 2009, please enter this Amendment to the identification of the goods and services and reconsider this application in view of the amendments and the remarks provided herein.</p> <p>Applicant expresses appreciation for the guidance provided in the Office Action regarding the identification of the goods. Applicant has amended the identification of the goods patterned after the suggestions made in the Office Action and to reflect terminology used in the marketplace, to be acceptably definite, and to satisfy the requirements raised in the Office Action. Thus, no further action by Applicant is believed necessary regarding the identification of the goods in this application.</p> <p>Applicant believes the above amendment to the identification of the goods should be entered after final because the identification of the goods has been amended according to the suggestions made by the Examining Attorney in the Office Action such that no likelihood of confusion exists between Applicant's goods/trade channels and registrant's goods/trade channels.</p> <p>Applicant has filed a Notice of Appeal simultaneously herewith.</p> <p>Applicant respectfully submits that registration on the Principal Register is appropriate. If any impediment to passing this mark onto publication remains after entry of this Amendment and consideration of these remarks, the Examining Attorney is invited to initiate a telephone interview with the attorney of record.</p>	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	038
DESCRIPTION	
Providing information in the field of computer networks to others via a computer network	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	

INTERNATIONAL CLASS	038
DESCRIPTION	
Providing information in the field of computer network protection and security to others via a computer network	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Grant R. Clayton/
SIGNATORY'S NAME	Grant R. Clayton
SIGNATORY'S POSITION	Attorney of Record, Utah Bar Member
DATE SIGNED	12/28/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Dec 28 19:58:05 EST 2009
TEAS STAMP	USPTO/RFR-69.27.10.50-200 91228195805466276-7754527 0-4604039d5ece5cb01a511f6 e1095fdfe-N/A-N/A-2009122 8195615273989

PTO Form 1030 (Rev 9/2007)

OMB No. 0661-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. 77545270 has been amended as follows:

ARGUMENT(S)

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

In response to the communication mailed June 26, 2009, please enter this Amendment to the identification of the goods and services and reconsider this application in view of the amendments and the remarks provided herein.

Applicant expresses appreciation for the guidance provided in the Office Action regarding the

identification of the goods. Applicant has amended the identification of the goods patterned after the suggestions made in the Office Action and to reflect terminology used in the marketplace, to be acceptably definite, and to satisfy the requirements raised in the Office Action. Thus, no further action by Applicant is believed necessary regarding the identification of the goods in this application.

Applicant believes the above amendment to the identification of the goods should be entered after final because the identification of the goods has been amended according to the suggestions made by the Examining Attorney in the Office Action such that no likelihood of confusion exists between Applicant's goods/trade channels and registrant's goods/trade channels.

Applicant has filed a Notice of Appeal simultaneously herewith.

Applicant respectfully submits that registration on the Principal Register is appropriate. If any impediment to passing this mark onto publication remains after entry of this Amendment and consideration of these remarks, the Examining Attorney is invited to initiate a telephone interview with the attorney of record.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 038 for Providing information in the field of computer networks to others via a computer network

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)).

Proposed: Class 038 for Providing information in the field of computer network protection and security to others via a computer network

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)).

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Grant R. Clayton/ **Date:** 12/28/2009

Signatory's Name: Grant R. Clayton

Signatory's Position: Attorney of Record, Utah 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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77545270

Internet Transmission Date: Mon Dec 28 19:58:05 EST 2009

TEAS Stamp: USPTO/FR-69.27.10.50-200912281958054662

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