

TTAB

TRADEMARK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In Law Office 113

Examiner: Aisha Y. Salem

Applicant:

Bo Slyapich

Serial No.:

77/713,665

Filed:

April 14, 2009

For:

THE RATTLESNAKE WRANGLER

Pasadena, California
April 17, 2012

APPLICANT'S REPLY TO EXAMINER'S APPEAL BRIEF

Box TTAB
Commissioner for Trademarks
P. O. Box 1451
Alexandria, VA 22313-1451

Madam:

1. Applicant repeats all of the contents of the
BRIEF ON APPEAL.



04-18-2012

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2. Applicant's services clearly fall within the Webster dictionary definition of "entertainment" as follows: "something that entertains, performance or show". Snake wrangling is a performance, is entertaining and constitutes a show. Proof of this is seen in the pictures exhibited in the Appeal Brief.

3. Examiner admits in his Brief that, "the website specimen promotional flyer would be an acceptable specimen to show use of the mark for snake removal services, the current application does not include snake removal services." Accordingly, the Examiner and the Board should, and are respectfully requested to, simply indicate that amendment of the application as it stands and for services would overcome the refusal to register. Examiner has clearly stated in the Brief that "the specimen is an advertisement for applicant's snake removal services".

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4. Refusal to register should, as a matter of equity, good practice, and logic, be withdrawn, for example conditional on approved amendment as referred to above.

Respectfully submitted,



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WWH:ts
Docket 13,161

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April 17, 2012

CERTIFICATE OF EXPRESS MAILING

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Sir:

I, WILLIAM W. HAEFLIGER, hereby certify that the enclosed Applicant's Reply to Examiner's Appeal Brief, and return receipt postcard, were deposited with the U.S. Patent and Trademark Office "Express Mail - Post Office to Addressee", mailing label number EM 072744808 US in an envelope addressed to: Box TTAB, Commissioner for Trademarks, P. O. Box 1451, Alexandria, VA 22313-1451.

Dated: April 17, 2011


William W. Haefliger