

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77738365
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (004)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (031)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (035)(current)</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>DESCRIPTION</b>	
Marketing and promotion of agricultural and forest products and waste and residue from agricultural and forest products to individuals and companies engaged in agricultural, forestry, energy and power industries; Internet web site featuring commercial and consumer information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>TRACKED TEXT DESCRIPTION</b>	
Marketing and promotion of agricultural and forest products and waste and residue from agricultural and forest products to individuals and companies engaged in agricultural, forestry, energy and power industries; <del>Internet web site featuring commercial and consumer information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels;</del> <u>Internet web site featuring information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels;</u> <u>Internet web site featuring consumer and commercial information about environmentally-conscious and green innovations, business and market research information in the field of biofuels</u>	
<b>FINAL DESCRIPTION</b>	
Marketing and promotion of agricultural and forest products and waste and residue from agricultural and forest products to individuals and companies engaged in agricultural, forestry, energy and power	

industries; Internet web site featuring information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels; Internet web site featuring consumer and commercial information about environmentally-conscious and green innovations, business and market research information in the field of biofuels

**FILING BASIS** Section 1(b)

**GOODS AND/OR SERVICES SECTION (042)(current)**

**INTERNATIONAL CLASS** 042

**DESCRIPTION**

Internet web site; computer software; electronic publishing and distribution of newsletters, press releases and magazines, among other content

**FILING BASIS** Section 1(b)

**GOODS AND/OR SERVICES SECTION (042)(proposed)**

**INTERNATIONAL CLASS** 042

**TRACKED TEXT DESCRIPTION**

Internet web site; Internet web site featuring technological and scientific information in the field of biofuels; computer software; scientific research information in the field of biofuels; electronic publishing and distribution of newsletters, press releases and magazines, among other content; providing temporary use of non-downloadable computer software for data processing and database management in the fields of biofuel usage and marketing of agricultural and forest products; Publishing of electronic publications in the nature of newsletters; providing on-line newsletters in the fields of biofuels and agricultural and forestry products used as fuel

**FINAL DESCRIPTION**

Internet web site featuring technological and scientific information in the field of biofuels; scientific research information in the field of biofuels; providing temporary use of non-downloadable computer software for data processing and database management in the fields of biofuel usage and marketing of agricultural and forest products; Publishing of electronic publications in the nature of newsletters; providing on-line newsletters in the fields of biofuels and agricultural and forestry products used as fuel

**FILING BASIS** Section 1(b)

**GOODS AND/OR SERVICES SECTION (038)(class added)**

**INTERNATIONAL CLASS** 038

**DESCRIPTION**

Distribution of data and audio and visual images in the nature of electronic publications via a global computer network or the internet

**FILING BASIS** Section 1(b)

**PAYMENT SECTION**

**NUMBER OF CLASSES** 1

<b>FEE PER CLASS</b>	325
<b>TOTAL FEES DUE</b>	325
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
<b>RESPONSE SIGNATURE</b>	/Andrea J Mealey/
<b>SIGNATORY'S NAME</b>	Andrea J. Mealey
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts Bar member
<b>DATE SIGNED</b>	04/13/2011
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed Apr 13 11:09:57 EDT 2011
<b>TEAS STAMP</b>	USPTO/RFR-38.97.96.33-201 10413110957679107-7773836 5-48011682afa6cc5133d131a dd4e7ea66da-CC-8683-20110 413110249591016

PTO Form (Rev 4/2/00)  
USPTO No. 1651-1 (Exp. 05-31-2004)

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

Application serial no. **77738365** 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 035 for Marketing and promotion of agricultural and forest products and waste and residue from agricultural and forest products to individuals and companies engaged in agricultural, forestry, energy and power industries; Internet web site featuring commercial and consumer information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels

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:**

**Tracked Text Description:** Marketing and promotion of agricultural and forest products and waste and residue from agricultural and forest products to individuals and companies engaged in agricultural, forestry, energy and power industries; ~~Internet web site featuring commercial and consumer information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels;~~ Internet web site featuring information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels; Internet web site featuring consumer and commercial information about environmentally-conscious and green innovations, business and market research information in the field of biofuels

Class 035 for Marketing and promotion of agricultural and forest products and waste and residue from agricultural and forest products to individuals and companies engaged in agricultural, forestry, energy and power industries; Internet web site featuring information provided through text and audio and video about environmentally-conscious and green innovations, namely, agricultural and forest products and waste and residue from agricultural and forest products used as biofuels; Internet web site featuring consumer and commercial information about environmentally-conscious and green innovations, business and market research information in the field of biofuels

**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)).

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

**Current:** Class 042 for Internet web site; computer software; electronic publishing and distribution of newsletters, press releases and magazines, among other content

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:**

**Tracked Text Description:** ~~Internet web site;~~ Internet web site featuring technological and scientific information in the field of biofuels; ~~computer software;~~ scientific research information in the field of biofuels; ~~electronic publishing and distribution of newsletters, press releases and magazines, among other content;~~ providing temporary use of non-downloadable computer software for data processing and database management in the fields of biofuel usage and marketing of agricultural and forest products; Publishing of electronic publications in the nature of newsletters; providing on-line newsletters in the fields of biofuels and agricultural and forestry products used as fuel

Class 042 for Internet web site featuring technological and scientific information in the field of biofuels; scientific research information in the field of biofuels; providing temporary use of non-downloadable computer software for data processing and database management in the fields of biofuel usage and marketing of agricultural and forest products; Publishing of electronic publications in the nature of newsletters; providing on-line newsletters in the fields of biofuels and agricultural and forestry products

used as fuel

**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)).

**Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 038 for Distribution of data and audio and visual images in the nature of electronic publications via a global computer network or the internet

**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)).

**FEE(S)**

Fee(s) in the amount of \$325 is being submitted.

**SIGNATURE(S)**

**Declaration Signature**

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review, require a signed declaration.

**Request for Reconsideration Signature**

Signature: /Andrea J Mealey/ Date: 04/13/2011

Signatory's Name: Andrea J. Mealey

Signatory's Position: Attorney of record, Massachusetts 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.

RAM Sale Number: 8683

RAM Accounting Date: 04/13/2011

Serial Number: 77738365

Internet Transmission Date: Wed Apr 13 11:09:57 EDT 2011

TEAS Stamp: USPTO/RFR-38.97.96.33-201104131109576791

07-77738365-48011682afa6cc5133d131add4e7

ea66da-CC-8683-20110413110249591016

RAM SALE NUMBER: 8683  
RAM ACCOUNTING DATE: 20110413

INTERNET TRANSMISSION DATE:  
2011/04/13

SERIAL NUMBER:  
77/738365

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2011/04/13	325	1	325