
To: Aristocrat Technologies Australia Pty Lt ETC. (uspto.mail@aristocrat-inc.com)

Subject: U.S. TRADEMARK APPLICATION NO. 77753502 - BUFFALO - N/A - Request for Reconsideration Denied - Return to TTAB

Sent: 8/22/2011 9:34:38 PM

Sent As: ECOM110@USPTO.GOV

Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 77753502

MARK: BUFFALO

77753502

CORRESPONDENT ADDRESS:

LAUREN KRUPKA
ARISTOCRAT TECHNOLOGIES, INC
LEGAL DEPT7230 AMIGO STREET
LAS VEGAS, NV 89119

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Aristocrat Technologies
Australia Pty Lt ETC.

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

N/A

CORRESPONDENT E-MAIL ADDRESS:

uspto.mail@aristocrat-inc.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 8/22/2011

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. *See* 37 C.F.R. §2.64(b); TMEP §§715.03(a), 715.04(a). The refusal made final in the Office action dated December 22, 2010 is maintained and continue to be final. *See* TMEP §§715.03(a), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue, nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

The filing of a request for reconsideration does not extend the time for filing a proper response to a final Office action or an appeal with the Trademark Trial and Appeal Board (Board), which runs from the date the final Office action was issued/mailed. *See* 37 C.F.R. §2.64(b); TMEP §§715.03, 715.03(a), (c).

If time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to comply with and/or overcome any outstanding final requirement(s) and/or refusal(s) and/or to file an appeal with the Board. TMEP §715.03(a), (c). However, if applicant has already filed a timely notice of appeal with the Board, the Board will be notified to resume the appeal when the time for responding to the final Office action has expired. *See* TMEP §715.04(a).

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 2765289 [Buffalo Bucks for gaming machines and operating software that runs thereon]. Trademark Action Section 2(d), 15. U.S.C. Section 1052(d); see TMEP Sections 1207.01 et seq.

Giancarlo Castro
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Trademark Attorney
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Subject: U.S. TRADEMARK APPLICATION NO. 77753502 - BUFFALO - N/A - Request for Reconsideration Denied - Return to TTAB

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Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO OFFICE ACTION HAS ISSUED ON 8/22/2011 FOR
SERIAL NO. 77753502**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to **access** the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable **response time period**. Your response deadline will be calculated from 8/22/2011 (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the ABANDONMENT of your application.

