From: Powers, Jessica A.

Sent: 1/9/2011 12:21:44 PM

To: TTAB EFiling

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Subject: U.S. TRADEMARK APPLICATION NO. 77803412 - PRINTERQ - 2002671.0021 - Request for Reconsideration Denied - Return to TTAB - Message 1 of 3

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Attachment Information:
Count: 5
Files: evidence1-1.jpg, evidence1-2.jpg, evidence2-1.jpg, evidence2-2.jpg, 77803412.doc

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

APPLICATION SERIAL NO. 77803412

MARK: PRINTERQ

CORRESPONDENT ADDRESS:
ELIZABETH A. WALKER
CHOATE, HALL & STEWART LLP
TWO INTERNATIONAL PLACE
BOSTON, MA 02110

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

APPLICANT: Curaspan Health Group, Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO:
2002671.0021
CORRESPONDENT E-MAIL ADDRESS:
tmadmin@choate.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 1/9/2011

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 June 11, 2010 is maintained and continues to be final. *See* TMEP §§715.03(a), 715.04(a).

In the present case, applicant's request has not resolved 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 issue.

In the request for reconsideration, the applicant continues to maintain that the mark is not descriptive of the applicant's goods and states, "Applicant's software does not relate to managing printer queues." However, that appears to be exactly the purpose of the applicant's software since the identification of goods reads, "computer program for online document management, printing documents…" Regardless of the setting of this document management, in this case a health care setting, the consumer will readily recognize that the program is designed to manage the jobs held in temporary storage for printing. Please see the attached Internet evidence from the websites of Smart Code, Windows 7 Download, free Downloads Center, Fiber Download, and WinSite, all

showing that the terms “printer queue” refer to software that manages documents for printing.

The applicant also presents a list of registered marks that are the phonetic equivalents of words in the description of goods or services that were allowed on the principal register. Here, only two registrations are for even remotely related goods, however the marks in those registrations differ so widely from that of the applicant’s that no conclusion as to the registrability of the mark at issue could possibly be drawn. However, please see the attached third party registrations for software that show the term “queue” or its phonetic equivalent either disclaimed or on the Supplemental register.

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).

Applicant’s Response

If applicant has questions about the application or this Office action, please telephone the assigned trademark examining attorney at the telephone number below.

/Jessica A. Powers/
Trademark Examining Attorney
Law Office 104
Phone Number (571) 272-7183
Fax Number (571) 273-7183

This is Google's cache of http://print-queue-manager.smartcode.com/info.html. It is a snapshot of the page as it appeared on Dec 12, 2010 02:57:16 GMT. The current page could have changed in the meantime. Learn more

These search terms are highlighted: **printer queue management software**

smartcode

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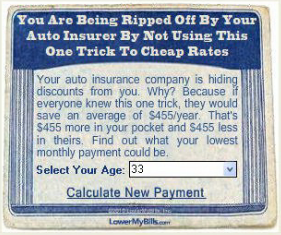
New Software

- Internet Access Controller 3.1.0.237
- HIPAA Training Program 5.0
- Multiple HTML File Maker 2.3
- IP Watcher 3.0.0.587

Print Queue Manager 2.7.22

License:	Freeware	**Author:**	Chris Dunn
Size:	148.0 KB	**Category:**	Utilities > Printers
Date Added:	05 March, 2009		



Print Queue Manager is a **printer queue** controller for local or remote printers. Simply choose a computer and the application will find all available print queues. Once found you can pause and delete jobs or you can hold an entire print queue and only pass selected jobs to the printer. This can help make enormous paper savings, ensure company document privacy and stop unwanted print jobs making it to the printer. PQM will work on any Windows 2000, NT or XP networks as it uses the WINNT printer protocols to find printers.

Systems: Windows

- IP Watcher 3.0.0.587
- Program Access Controller 1.0.0.328
- File Lock Professional 1.0.0.671
- Christmas Decorated Fireplace 1.3.3
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- RasterVect 16.6.40
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- OrgScheduler 6.6
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- Cradle Of Rome 2 for Mac 1.0.8
- WinI2C-DDC Lite 3.73

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Text-only version

Print Queue Manager 4.0.100

Can pause and delete print jobs on local or remote printers.

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Print Queue Manager is a printer queue controller for local or remote printers. Simply choose a computer and the

License:	Freeware
Price:	FREE
Released:	2010-05-30
Downloads:	Total: 396 | This Month: 17
Publisher:	Chris Dunn
Publisher URL:	http://www.chris.dunn.name

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