

To: Ripples Group Limited (sergei@mt-iplaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77820105 - ULTRA CASE - FHKI 3117 (8)
Sent: 9/25/2014 11:59:15 AM
Sent As: ECOM101@USPTO.GOV
Attachments:

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

U.S. APPLICATION SERIAL NO. 77820105 MARK: ULTRA CASE	*77820105
CORRESPONDENT ADDRESS: SERGEI OREL Miskin & Tsui-Yip, LLP 1350 Broadway Suite 802 NEW YORK, NY 10118	CLICK HERE TO RESPOND http://www.uspto.gov/trademark VIEW YOUR APPLICATION FILE
APPLICANT: Ripples Group Limited	
CORRESPONDENT'S REFERENCE/DOCKET NO : FHKI 3117 (8) CORRESPONDENT E-MAIL ADDRESS: sergei@mt-iplaw.com	

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

ISSUE/MAILING DATE: 9/25/2014

THIS IS A FINAL ACTION.

This application has been revived. Prior to the abandonment of the application, a final Office action had issued on September 4, 2013, which applicant claimed was never received.

Final After Remand – Reconsideration of New Identification of Goods Clarification Issue on Remand Resolved, but Section 2(d) Likelihood of Confusion Issue Not Resolved – Final Refusal Continued; Application Returned to TTAB

On March 8, 2012, the Trademark Trial and Appeal Board (Board) suspended applicant's appeal and remanded the application to the trademark examining attorney to clarify the wording of applicant's identification of goods. Because of this new issue, the trademark examining attorney issued a new nonfinal Office action on April 4, 2012, addressing the new identification of goods issue. On September 4, 2013, the trademark examining attorney issued a new Final Office action, addressing the new identification of goods issue and maintaining the Section 2(d) likelihood of confusion issue in the final Office action. On August 4, 2014, applicant filed a response addressing the new identification of goods issue and the Section 2(d) likelihood of confusion issue in the final Office action.

The applicant and trademark examining attorney resolved the new issue (clarifying the applicant's identification of goods) by Examiner's Amendment, sent to applicant on September 25, 2014.

However, the applicant's August 4, 2014 response does not resolve the Section 2(d) likelihood of confusion issue in final status because applicant has merely provided arguments and analysis that were raised previously. Therefore, the Section 2(d) likelihood of confusion issue raised in the final Office action that issued on June 30, 2010 remains outstanding.

Because applicant's August 4, 2014 response does not resolve the Section 2(d) likelihood of confusion refusal nor otherwise put the application in condition for publication or registration, the trademark examining attorney is holding the Section 2(d) likelihood of confusion issue final. *See* 37 C.F.R. §§2.64(a)-(b), 2.142(d); TMEP §715.04(b).

The Board has been notified to resume the appeal. *See* TMEP §715.04(b).

/Andrew Rhim/
Andrew Rhim
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TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months

using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

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Subject: U.S. TRADEMARK APPLICATION NO. 77820105 - ULTRA CASE - FHKI 3117 (8)
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Sent As: ECOM101@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

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

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **9/25/2014** FOR U.S. APPLICATION SERIAL NO. 77820105

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on “Documents.”

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please 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 **9/25/2014** (*or sooner if specified in the Office action*). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit “Reply” to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the

ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.