

From: Smiga, Howard

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Subject: U.S. TRADEMARK APPLICATION NO. 77844736 - OPENCL - N/A - SU - Request for
Reconsideration Denied - Return to TTAB

Attachment Information:

Count: 1

Files: 77844736.doc

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

U.S. APPLICATION SERIAL NO. 77844736

MARK: OPENCL



CORRESPONDENT ADDRESS:

John Donald

Apple Inc.

MS 169-3IPL

1 Infinite Loop

Cupertino CA 95014

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Apple Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

trademarkdocket@apple.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 5/4/2015

The Office has reassigned this application to the undersigned-examining attorney.

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. §2.63(b)(3); TMEP §§715.03(a)(ii)(B),

715.04(a). The following requirement(s) and/or refusal(s) made final in the Office action dated September 10, 2014 are maintained and continue to be final: Mark Does Not Function As A Mark, Specimen Does Not Show Use With Specified Goods and Marks Not Used In Goods In Trade. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) 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.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. See TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); see 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); see TMEP §§715.03, 715.03(a)(ii)(B), (c).

/Howard Smiga/

Examining Attorney

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