
To: Quad/Graphics, Inc. (bjsmith@mbf-law.com)
Subject: TRADEMARK APPLICATION NO. 78079036 - IMPOZE - 077047/9439
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UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/079036

APPLICANT: Quad/Graphics, Inc.



CORRESPONDENT ADDRESS:
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RETURN ADDRESS:
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

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MARK: IMPOZE

CORRESPONDENT'S REFERENCE/DOCKET NO: 077047/9439

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:
bjsmith@mbf-law.com

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address..

Serial Number 78/079036

Applicant is requesting reconsideration of a final refusal dated April 22, 2004.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue.

Applicant's only argument in the request for reconsideration is that the examining attorney's evidence relates to the term "IMPOSITIOIN", which has a different meaning in the industry than "IMPOSE". Therefore, the term "IMPOSE" is not descriptive of applicant's "IMPOSITIOIN" software. This argument is unpersuasive.

The definition of the term "IMPOSE" is: **a : PLACE, SET b :** to arrange (as pages) in the proper order for printing. (See attached definition from Merriam-Webster Online Dictionary). This is clearly a function of applicant's software. The term "IMPOSITION" is merely the noun form of the verb "IMPOSE". The definition of "IMPOSITION" is: the order of arrangement of imposed pages. (See attached). (See also additional attached definitions). Therefore, applicant's arguments that the meanings of the terms are different and that the Examining Attorney's evidence relating to the term "IMPOSITION" is irrelevant are rejected. Applicant's website impoze.com promotes the software as "imposition publishing software". (See Office Action dated Oct. 4, 2001) (Also see attached pages from website). Applicant's software is used for planning and arranging the layout of pages for printing. As further evidence that the terms IMPOSE and IMPOSITION are used in the same manner, the examining attorney attaches a page from a website for the imposition software IMPOSER 6.2. (See attached IMPOSER). The cite states that the software allows the user to "IMPOSE pages from a single QuarkXPress document into 2 up or 4 up flats." Additionally, the user can "Start an imposition at any page in the document". The page is also evidence of the descriptiveness of the term IMPOSE.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c).

NOTICE: FEE CHANGE

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

- (1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS); or
- (2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

NOTICE: TRADEMARK OPERATION RELOCATION

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

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Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney. Thank you.

/Michael Webster/

Michael Webster
Examining Attorney
USPTO Law Office 102
(571) 272-9266

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Merriam-Webster Inc.
Company Information

Function: *verb*

Inflected Form(s): **imposed, imposing**

Etymology: Middle French *imposer*, from Latin *imponere*, literally, to put upon (perfect indicative *imposui*), from *in-* + *ponere* to put -- more at [POSITION](#)

transitive senses

1 a : to establish or apply by authority <*impose a tax*> <*impose new restrictions*> <*impose penalties*> **b** : to establish or bring about as if by force <those limits *imposed* by our own inadequacies -- C. H. Plimpton>

2 a : **PLACE, SET** **b** : to arrange (as pages) in the proper order for printing

3 : **PASS OFF** <*impose fake antiques on the public*>

4 : to force into the company or on the attention of another <*impose oneself on others*>

intransitive senses : to take unwarranted advantage of something <*imposed on his good nature*>

- **impos-er** *noun*

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Merriam-Webster Online Dictionary

Thesaurus

One entry found for **imposition**.

Main Entry: **im-po-si-tion**

Pronunciation: "im-p&-'zi-sh&n

Function: *noun*

1 : something imposed : as a : **LEVY, TAX** b : an excessive or uncalled-for requirement or burden

2 : the act of imposing

3 : **DECEPTION**

4 : the order of arrangement of imposed pages

Merriam-Webster Online

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"Impoze provides the ability to eliminate errors through regeneration of paperwork from various departments. Production Manager's time is more efficient. Impoze enables us to communicate electronically, and it allows us to replace old systems."

*-Karen Chiovaro
Director of Operations, Meredith*

"We are able to export information from our advertiser database to Impoze to map out each issue. And we can make changes very quickly and easily."

*-Dennis Fitzgerald
Production Manager, Ziff-Davis*

"Impoze is the only imposition software that not only gives you a front-end roadmap, but provides back-end manufacturing information to the printer such as geographic and demographic splits and bindery schedules."

*-Marie Myers
Production Director, CMP Media*

"It's simply a terrific system."

*-Kevin Hickey
Sr. Vice President, Conde Nast*

"Some time ago, we decided to give data to our printers in the format they preferred. We provide the necessary printing information and instructions on file. Impoze is the most agreeable format for our printer."

*-Mike Armstrong
Vice President of Manufacturing, U.S. News & World Report*

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Imposer 2.6.2



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Impose pages from a single QuarkXPress document into 2 up or 4 up flats. Unlike other solutions that are currently available to QuarkXPress users, Imposer will not rearrange or shuffle pages in a document - rather reordering is handled in the print stream yielding not only quicker but more reliable results. Imposer will give you full control over creep, bleed, and crossover traps. Whether your production piece is a brochure or a book, Imposer offers a seamless, easy-to-use solution to QuarkXPress.

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Postscript Interpreter
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Imposer 2.6.2

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Windows 98 or later
Postscript Device or
Postscript Interpreter
QuarkXPress 4.1 or later
(including 6.x)

Windows

Support Issues

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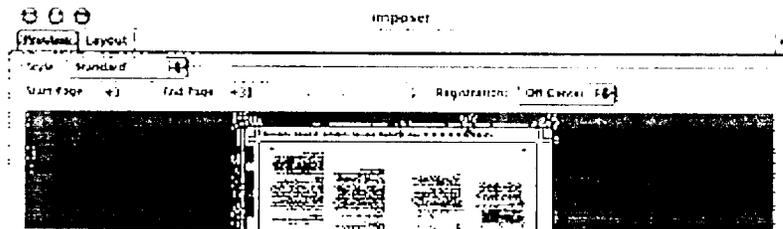
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Features Include:

- Choose 2-Up, or 4-Up - Standard, Work & Turn or Work & Tumble
- Select Saddle Stitch, Perfect Bound, or Single Sheet binding
- Flip and move pages within a printer flat
- Start an imposition at any page in the document
- Specify the number of pages in a signature
- Control plate margins, horizontal and vertical gaps, bleeds, crossover trapping, and creep
- Access registration styles created using the MarkIt 2.x XTension
- Save frequently used settings as reusable imposition styles
- Export imposition styles to share them with other users
- Preview any printer flat; control color depth of previews
- Display page boundaries, bleeds, and page numbers in previews as necessary
- Print with standard QuarkXPress controls



Version History

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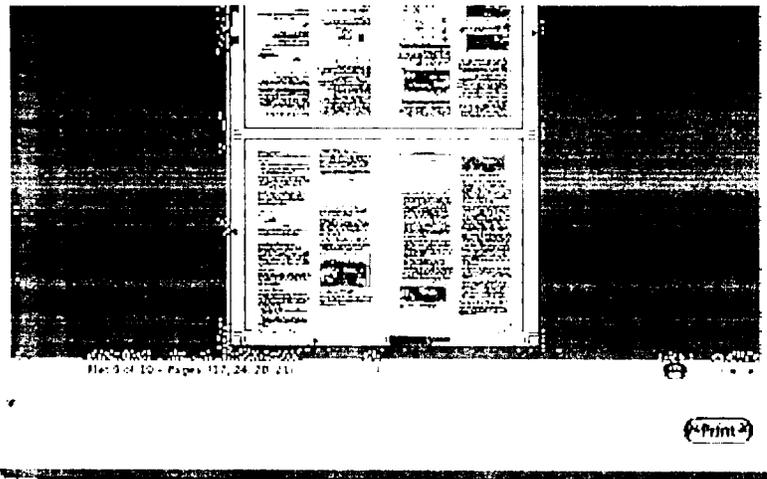
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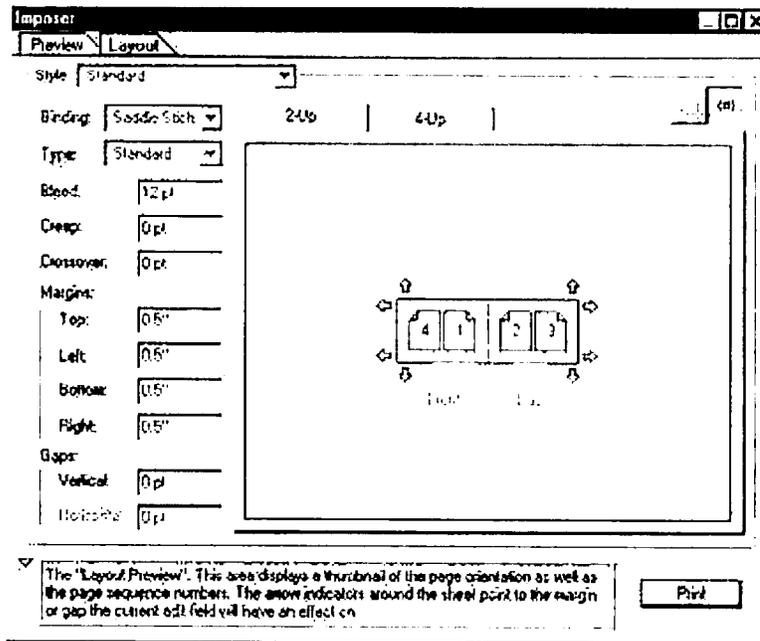
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\$249.99 Single
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Imposer will also allow for placement of custom marks, when used in conjunction with the MarkIt XTension from a lowly apprentice production. The MarkIt XTension is a high-powered output alternative to QuarkXPress' standard registration and crop marks.

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Dictionary

Thesaurus

Translations *



impose



- import penetration
- importance
- important
- importation
- importer
- importunate
- importune
- importunity

im·pose [im pōz] (*past im·posed, past participle im·posed, present participle im·pos·ing, 3rd person present singular im·pos·es*)

verb

► impose

- imposing
- imposition
- impossibility
- impossible
- impossibly
- impost (1)
- impost (2)
- imposthume

1. *transitive verb* **levy or enforce:** to lay down something compulsory, such as a tax or a punishment

2. *transitive verb* **insist on:** to make people agree to something or comply with something by having superior strength or authority

- *It broke his heart to see Western culture imposed on this dignified people.*

3. *transitive and intransitive verb* **inconvenience somebody:** to give people extra work or difficulties by forcing your company or your personal concerns on them

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4. *transitive verb* PRINTING **arrange pages:** to order the pages of something such as a book or magazine for printing

5. *transitive verb* **pass off on somebody:** to use deceit or fraud to give something to somebody or to persuade somebody to accept something

6. *transitive verb* RELIGION **lay on hands:** to bless somebody, for example, in confirmation or ordination, by laying hands on the person's head

[15th century. Via French *imposer* (influenced by *poser* "to put") from Latin *imponere* "to place on or into," from *ponere* "to place" (source of English component).]

- **im·pos·a·ble** *adjective*
- **im·pos·er** *noun*

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4. PRINTING arrangement of pages: the setting up and ordering of pages for printing

5. deception: a deception or fraud (*literary*)

6. RELIGION blessing: the laying of hands on somebody's head in a religious sacrament such as ordination or confirmation

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