
To: Freeze 24/7 International, LLC (docket@flhlaw.com)
Subject: TRADEMARK APPLICATION NO. 78768750 - ICECREAM DOUBLE SCOOP - 513733-8
Sent: 8/13/2007 8:27:13 PM
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Attachments: [Attachment - 1](#)
[Attachment - 2](#)

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/768750

MARK: ICECREAM DOUBLE SCOOP



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

APPLICANT: Freeze 24/7 International, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO:

513733-8

CORRESPONDENT E-MAIL ADDRESS:
docket@flhlaw.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 8/13/2007

Applicant is requesting reconsideration of a final refusal issued/mailed January 19, 2007.

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.

Please note that although applicant argues that the marks have different meanings, and attached a definition of the term "double dipping" to support its argument, this argument is not persuasive. None of the marks at issue actually contain the term "double dipping." The terms that do comprise the marks at issue do have the same meaning. See definitions attached to this communication showing that "iced cr me" is an alternate spelling for the term "ice cream" and that "double dip" refers to a cone containing *two scoops* of ice cream. See also evidence attached to the previous Office actions.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was issued/mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c). If applicant has already filed a timely notice of appeal, the application will be forwarded to the Trademark Trial and Appeal Board (TTAB).

/kristindahling/
Kristin M. Dahling
Trademark Attorney, Law Office 113
U.S. Patent and Trademark Office
(571) 272-8277

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

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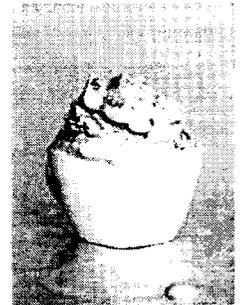
Ice cream

From Wikipedia, the free encyclopedia
(Redirected from **iced creme**)

Ice cream or **ice-cream** (originally **iced cream**) is a frozen dessert made from dairy products, such as cream (or substituted ingredients), combined with flavorings and sweeteners, such as sugar.

This mixture is stirred slowly while cooling to prevent large ice crystals from forming. This results in a smoothly-textured ice cream. Although the term "ice cream" is sometimes used to mean frozen desserts and snacks in general, it is usually reserved for frozen desserts and snacks made with a high percentage of milk fat. Frozen custard, yogurt, sorbet and other similar products are sometimes also called ice cream.

Governments often regulate the use of these terms based on quantities of ingredients. Ice cream is generally served as a chilled product. It may also be found in dishes where the coldness of the ice cream is used as a temperature contrast, for example, as a topping on warm desserts, or even in fried ice cream. Some commercial institutions such as creameries specialize in serving ice cream and products that are related.



Cherry ice cream in a dish

Contents [hide]

- 1 Composition
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- 6 Other frozen desserts
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 - 7.1 Australia and New Zealand
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double-dipper, *n*

Dictionary.com Unabridged (v 1.1)
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Webster's New Millennium™ Dictionary of English - Cite This Source

Main Entry: double din¹
Part of Speech: *n*

Definition: the practice of holding a second job which has retirement benefits while receiving a pension from former employment; by extension, the action or process of dipping in twice, as using a potato chip to scoop up dip two times

- [Anodizing Double Dip Grip](#)
- [Jerry Seinfeld](#)
- [Seinfeld Blog](#)
- [Seinfeld Fan](#)
- [Seinfeld Game](#)

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Main Entry: double din²
Part of Speech: *n*

Definition: a cone containing two scoops of ice cream

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Webster's New Millennium™ Dictionary of English - Cite This Source

Main Entry: double dip
Part of Speech: *n*

Definition: See [double-dip](#)

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Attachments:

IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 8/13/2007 FOR
APPLICATION SERIAL NO. 78768750

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

VIEW OFFICE ACTION: Click on this link http://portal.uspto.gov/external/portal/tow?DDA=Y&serial_number=78768750&doc_type=REC&mail_date=20070813 (or copy and paste this URL into the address field of your browser), or visit <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 notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable **response time period**. Your response deadline will be calculated from **8/13/2007**.

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 at <http://www.uspto.gov/teas/eTEASpageD.htm>.

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

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**