

PTO Form 1980 (Rev 9/2007)

OMB No. xxx-xxxx (Exp. x/xxxx)

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	78771764
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 111
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p>Applicant respectfully requests that the Examining Attorney reconsider the refusal to accept the claim of acquired distinctiveness as to the wording SELF STORAGE ASSOCIATION in the mark. Applicant has been using this wording as its house mark in commerce for more than 30 years in connection with the only national not-for-profit organization serving the self storage industry. It represents more than 6,000 U.S. member companies as direct or indirect members that own and operate some 20,000 facilities in the United States. By virtue of factors such as its longstanding and substantially exclusive use of the mark in commerce, and its broad membership base, Applicant submits that the mark SELF STORAGE ASSOCIATION is now distinctive of its services, and respectfully submits that the disclaimer requirement cannot be sustained.</p>	
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Scott J. Major/
<b>SIGNATORY'S NAME</b>	Scott J. Major
<b>SIGNATORY'S POSITION</b>	Applicant's Counsel
<b>DATE SIGNED</b>	10/22/2007
<b>RESPONSE SIGNATURE</b>	/Scott J. Major/
<b>SIGNATORY'S NAME</b>	Scott J. Major
<b>SIGNATORY'S POSITION</b>	Applicant's Counsel
<b>DATE SIGNED</b>	10/22/2007
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Oct 22 18:07:06 EDT 2007

TEAS STAMP

USPTO/RFR-209.135.200.66-  
20071022180706070978-7877  
1764-40075f0789fb81d84aed  
5993bd0e2b3f375-N/A-N/A-2  
0071022175945413938

PTO Form 1860 (Rev 9/2007)

OMB No. xxx-xxxx (Exp. x/xxxx)

## Request for Reconsideration after Final Action

### To the Commissioner for Trademarks:

Application serial no. 78771764 has been amended as follows:

#### ARGUMENT(S)

**In response to the substantive refusal(s), please note the following:**

Applicant respectfully requests that the Examining Attorney reconsider the refusal to accept the claim of acquired distinctiveness as to the wording SELF STORAGE ASSOCIATION in the mark. Applicant has been using this wording as its house mark in commerce for more than 30 years in connection with the only national not-for-profit organization serving the self storage industry. It represents more than 6,000 U.S. member companies as direct or indirect members that own and operate some 20,000 facilities in the United States. By virtue of factors such as its longstanding and substantially exclusive use of the mark in commerce, and its broad membership base, Applicant submits that the mark SELF STORAGE ASSOCIATION is now distinctive of its services, and respectfully submits that the disclaimer requirement cannot be sustained.

#### SIGNATURE(S)

##### Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii). If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods or services listed in the application as of the application filing date. 37 C.F.R. Secs. 2.34(a)(1)(i). The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the

declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Scott J. Major/ Date: 10/22/2007  
Signatory's Name: Scott J. Major  
Signatory's Position: Applicant's Counsel

**Request for Reconsideration Signature**

Signature: /Scott J. Major/ Date: 10/22/2007  
Signatory's Name: Scott J. Major  
Signatory's Position: Applicant's Counsel

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 78771764  
Internet Transmission Date: Mon Oct 22 18:07:06 EDT 2007  
TEAS Stamp: USPTO/RFR-209.135.200.66-200710221807060  
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