

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78898042
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (016)(current)	
INTERNATIONAL CLASS	016
DESCRIPTION	
Printed instructional, educational, and teaching materials in the field computer hardware, computer software and consumer electronics in the field of multimedia, data communications, computing, security systems, home automation, automotive electronics and appliances	
FIRST USE ANYWHERE DATE	At least as early as 04/00/2010
FIRST USE IN COMMERCE DATE	At least as early as 04/00/2010
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (016)(proposed)	
INTERNATIONAL CLASS	016
DESCRIPTION	
Printed instructional, educational, and teaching materials in the field computer hardware, computer software and consumer electronics in the field of multimedia, data communications, computing, security systems, home automation, automotive electronics and appliances	
FIRST USE ANYWHERE DATE	At least as early as 04/00/2010
FIRST USE IN COMMERCE DATE	At least as early as 04/00/2010
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail store services, mail order services, and online retail store services, all of which feature audio, video, and electronic equipment, computer hardware, computer software, cameras, camcorders,	

telephones, satellite receiving equipment, facsimile machines, toys, appliances, automotive electronics and accessories thereof	
FIRST USE ANYWHERE DATE	At least as early as 04/00/2010
FIRST USE IN COMMERCE DATE	At least as early as 04/00/2010
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(proposed)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail store services, mail order services, and online retail store services, all of which feature audio, video, and electronic equipment, computer hardware, computer software, cameras, camcorders, telephones, satellite receiving equipment, facsimile machines, toys, appliances, automotive electronics and accessories thereof	
FIRST USE ANYWHERE DATE	At least as early as 04/00/2010
FIRST USE IN COMMERCE DATE	At least as early as 04/00/2010
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1 (b) Intent-to-Use].
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<u>SPU1-63233135194-214750206 . firedogpic.pdf</u>
CONVERTED PDF FILE(S) (1 page)	<u>\\TICRS\EXPORT16\IMAGEOUT16\788\980\78898042\xml\RFR0002.JPG</u>
SPECIMEN DESCRIPTION	Retail store signage photograph
SIGNATURE SECTION	
ORIGINAL PDF FILE	<u>HS 63233135194-214750206 . FIREDOG 20120723 183913361dec.pdf</u>
CONVERTED PDF FILE(S) (1 page)	<u>\\TICRS\EXPORT16\IMAGEOUT16\788\980\78898042\xml\RFR0003.JPG</u>
SIGNATORY'S NAME	Manny Marimuthu
SIGNATORY'S POSITION	Authorized Signatory
RESPONSE SIGNATURE	/anne h. peck/

SIGNATORY'S NAME	Anne H. Peck
SIGNATORY'S POSITION	Attorney of record, California bar member
SIGNATORY'S PHONE NUMBER	(650) 843-5096
DATE SIGNED	07/23/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jul 23 22:06:20 EDT 2012
TEAS STAMP	USPTO/RFR-63.233.135.194- 20120723220620762861-7889 8042-490d8801044ddb7488e 7abd8a68e7e648-N/A-N/A-20 120723214750206893

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OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **78898042** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 016 for Printed instructional, educational, and teaching materials in the field computer hardware, computer software and consumer electronics in the field of multimedia, data communications, computing, security systems, home automation, automotive electronics and appliances

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has 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. (15 U.S.C. Section 1051(b)).

In International Class 016, the mark was first used at least as early as 04/00/2010 and first used in commerce at least as early as 04/00/2010.

Proposed: Class 016 for Printed instructional, educational, and teaching materials in the field computer hardware, computer software and consumer electronics in the field of multimedia, data communications, computing, security systems, home automation, automotive electronics and appliances

Deleted Filing Basis: 1(b)

In International Class 016, the mark was first used at least as early as 04/00/2010. and first used in commerce at least as early as 04/00/2010.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Retail store services, mail order services, and online retail store services, all of which feature audio, video, and electronic equipment, computer hardware, computer software, cameras, camcorders, telephones, satellite receiving equipment, facsimile machines, toys, appliances, automotive electronics and accessories thereof

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has 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. (15 U.S.C. Section 1051(b)).

In International Class 035, the mark was first used at least as early as 04/00/2010 and first used in commerce at least as early as 04/00/2010.

Proposed: Class 035 for Retail store services, mail order services, and online retail store services, all of which feature audio, video, and electronic equipment, computer hardware, computer software, cameras, camcorders, telephones, satellite receiving equipment, facsimile machines, toys, appliances, automotive electronics and accessories thereof

Deleted Filing Basis: 1(b)

In International Class 035, the mark was first used at least as early as 04/00/2010. and first used in commerce at least as early as 04/00/2010.

Applicant hereby submits a new specimen for Class 035. The specimen(s) submitted consists of Retail store signage photograph.

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use].

Original PDF file:

[SPU1-63233135194-214750206 . firedogpic.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

SIGNATURE(S)

Declaration Signature

Original PDF file:

[HS_63233135194-214750206 . FIREDOG_20120723_183913361dec.pdf](#)

Converted PDF file(s) (1 page)

[Signature File1](#)

Signatory's Name: Manny Marimuthu

Signatory's Position: Authorized Signatory

Request for Reconsideration Signature

Signature: /anne h. peck/ Date: 07/23/2012

Signatory's Name: Anne H. Peck

Signatory's Position: Attorney of record, California bar member

Signatory's Phone Number: (650) 843-5096

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 filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 78898042

Internet Transmission Date: Mon Jul 23 22:06:20 EDT 2012

TEAS Stamp: USPTO/RFR-63.233.135.194-201207232206207

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a68e7e648-N/A-N/A-20120723214750206893



UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Applicant: Firstmark Investment Pte. Ltd.)
Mark: Firedog Logo)
Serial No.: 78898042)
International Class: 16 35)
_____)

DECLARATION IN SUPPORT OF SUBSTITUTE SPECIMEN [37 C.F.R. § 2.20]

I, Manny Marimuthu, Authorized Signatory of Firstmark Investment Pte. Ltd.

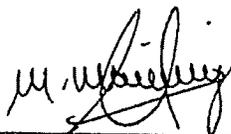
("Applicant"), declare as follows:

The substitute specimen submitted in response to the Office Action dated January 21, 2012 and attached hereto is currently in use and was in use in commerce prior to the expiration of the time allowed Applicant for filing a statement of use.

DECLARATION

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 she is properly authorized to execute this Declaration on behalf of the applicant, she believes the applicant to be the owner of the mark sought to be registered, and all statements made on her own knowledge are true and all statements made on information and belief are believed to be true.

Date: 7/23/2012

By: 
Name: Manny Marimuthu
Title: Authorized Signatory