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Filing date: **04/13/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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| Proceeding | 79030648 |
| Applicant | Umicore AG & Co. KG |
| Correspondence Address | Scott D. Woldow SMITH, GAMBRELL & RUSSELL, LLP 1130 Connecticut Avenue, NW, Suite 1130 Washington, DC 20036 UNITED STATES sdwoldow@sgrlaw.com |
| Submission | Applicants Request for Remand and Amendment |
| Attachments | Smith Gambrell Document.PDF (5 pages)(52288 bytes) |
| Filer's Name | Scott D. Woldow |
| Filer's e-mail | sdwoldow@sgrlaw.com |
| Signature | /SW/ |
| Date | 04/13/2009 |

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

Applicant: Umicore AG & Co. KG

Mark: MICROBOND & Design

Serial No. 79/030648

Filed: August 8, 2006

Law Office: 115

Examining Attorney: Leigh Lowry

REQUEST FOR REMAND

Pursuant to Section 1504.05 of the Trademark Manual of Examining Procedure and Sections 1207.02 and 1209.04 of the Trademark Trial and Appeal Board Manual of Examining Procedure, Counsel requests that the Board remand this application to the Examining Attorney to enable the Applicant to submit additional evidence.

Examining Attorney Leigh Lowry agreed to the Request for Remand on April 13, 2009 by email. The Applicant thanks Examiner Lowry for her responsiveness in this matter.

The Declaration that is being submitted concurrently herewith was not available previously. The Declaration was signed by a Senior Manager of the Applicant that has intimate knowledge of the fields of use. The Declaration was signed on April 9, 2009, forwarded to Applicant's attorney in Germany and then was forwarded to the undersigned attorney of record.

Also attached to the Request for Remand is a webpage from the Registrant's website. The webpage directly relates to the sworn material in the Declaration i.e., there are no consumables, such as, brazing materials, solder or welding rods in the electric resistance welding process. To

the best of the undersigned attorney's knowledge, this updated website material was not previously available during the pendency of the trademark application.

Granting of this request is believed to be in order and is respectfully requested.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:



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034166.033

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Umicore AG & Co. KG
MARK : MICROBOND and design
SERIAL NO. : 79/030,648
APPLICATION FILED : August 8, 2006
EXAMINING ATTORNEY : Leigh Lowry
LAW OFFICE : 104

DECLARATION

Please be advised that electric resistance welders do not consume solder or brazing alloys.

In general, for electric resistance welding, in deviation from some other welding techniques no filler material is used. Just heat and pressure cause the work pieces to fuse. I do not know of any filler materials offered for electric resistance welding.

Every kind of welding is made by melting parts of the work pieces which are to be joined and causing coalescence in this way. In contrast, brazing and soldering are done without making the main work pieces to be joined melt. Only the brazing alloy or the solder and not the work pieces which are to be joined melt in the latter techniques. This means that solders and brazing alloys must have a lower melting point than the material of the work pieces to be joined. For this reason, solder and brazing alloys are not appropriate filler materials for welding. Inter alia, they

would destroy the greater strength being one of the main advantages of welding compared to soldering and brazing.

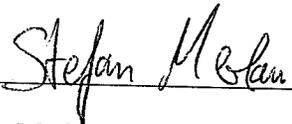
Moreover, in the field of joining metals as part of electronic components, to which our company's MICROBOND products relate, welding methods are irrelevant.

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 and the like may jeopardize the validity of the application or document or any registration resulting there from, declares that the declaration is true; all statements made of her own knowledge are true; and all statements made on information and belief are believed to be true.

Umicore AG & Co. KG

Date: 9 April 2009

Signature



Name: Stefan Merlau

Title: Senior Manager Sales & Marketing



umicore

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Power Supplies

Resistance welding is a thermo-electric process in which heat is generated at the interface of the metal parts to be joined by passing an electrical current through the parts for a precisely controlled time under a controlled pressure.

Key advantages of the resistance welding process versus other technologies include:

- Very short process time
- No consumables, such as brazing materials, solder, or welding rods
- Operator safety because of low voltage
- Clean and environmentally friendly