

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 79/058974

**MARK:** ZONDA



**CORRESPONDENT ADDRESS:**

APTA S.R.L.  
Via Giardini, 625  
I-41100 MODENA (MO), Italy

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

**APPLICANT:** HORACIO PAGANI S.P.A.

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:  
INTERNATIONAL REGISTRATION NO. 0977555**

Applicant is requesting reconsideration of a final refusal issued/mailed May 20, 2009.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration as to the refusal under Trademark Act Section 2(d), 15 U.S.C. §1052(d), 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 this point at issue. An assertion that applicant is investigating a possible trademark infringer is not sufficient to overcome a refusal on this basis, nor is it sufficient to warrant suspension of the appeal of the refusal. TMEP Section 716.

However, with regard to the requirement regarding applicant's identification of goods, applicant's amendments submitted on November 19, 2009 have obviated this requirement.

Accordingly, applicant's request for reconsideration is accepted as to the identification of goods but is denied as to the likelihood of confusion with the cited registered trademark.

The only remaining issue for appeal is the likelihood of confusion with the registered trademark., as to all goods identified in class 12, only.

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).

/Fred Carl III/

Law Office 108  
571 272 8867 voice  
571 273 9108 fax for official communication only

**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.