

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79105376
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION (no change)	
ARGUMENT(S)	
<p>In this Final Office Action, the Examiner is requiring that the Applicant clarify the identification of goods. Accordingly, the Applicant has amended the identification of goods as indicated herein. These amendments largely conform to the suggestions made by the Examiner, and clarify the goods without expanding or adding to those goods originally identified in the application. 37 C.F.R. § 2.71(a); TMEP § 1402.06. The Applicant respectfully submits that the amendments are acceptable.</p> <p>In light of the above, the Applicant believes that it has responded to all issues raised in the Office Action, and respectfully requests that the application be passed to publication. However, should any questions arise with respect to the application or the issues addressed herein, please contact the undersigned.</p>	
GOODS AND/OR SERVICES SECTION (003)(current)	
INTERNATIONAL CLASS	003
DESCRIPTION	
<p>Cleaning, polishing, degreasing and grinding preparations, in particular for metal, wood, glass, ceramic materials, carbon, plastics; constituents and components of the aforementioned goods, included in this class, namely, plant extracts sold as components of cleaning, polishing, degreasing and grinding preparations</p>	
GOODS AND/OR SERVICES SECTION (003)(proposed)	
INTERNATIONAL CLASS	003
TRACKED TEXT DESCRIPTION	
<p>Cleaning, polishing, degreasing and grinding preparations, in particular for metal, wood, glass, ceramic materials, carbon, plastics; <u>Cleaning, polishing, degreasing and grinding preparations, namely for metal, wood, glass, ceramic materials, carbon, plastics;</u> constituents and components of the aforementioned goods, included in this class, namely, plant extracts sold as components of cleaning, polishing, degreasing and grinding preparations</p>	
FINAL DESCRIPTION	

Cleaning, polishing, degreasing and grinding preparations, namely for metal, wood, glass, ceramic materials, carbon, plastics; constituents and components of the aforementioned goods, included in this class, namely, plant extracts sold as components of cleaning, polishing, degreasing and grinding preparations

GOODS AND/OR SERVICES SECTION (007)(current)

INTERNATIONAL CLASS

007

DESCRIPTION

Machines and machine devices for the working and processing of metal, wood, glass, plastics and for the working and processing of carbon and ceramic materials and of non-ferrous metals, namely, polishing and grinding machines; machines and devices for the treatment of surfaces, namely, for surface precision engineering; machines and machine devices for mechanical engineering, for the construction of devices, for the construction of apparatus, the production of containers, for the vehicle industry, namely, for automobile industry and aircraft industry, and for the electric and electronic device industry; machines and apparatus for the production and mechanical treatment of printed circuit boards; machines and machine tools for deburring, cleaning, deoxidation, finishing and cleaning of surfaces of pressed sheet metal; grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers; machine brushes for clockmakers, goldsmiths and dental laboratories; machines for the impregnating of the aforementioned tools; machine tools for the aforementioned devices and machines, namely, polishing and grinding tools, grinding and polishing bodies, grinding and polishing wheels, and grinding and polishing rings and pigments; power operated grindstones, polishing wheels and grinding wheels

GOODS AND/OR SERVICES SECTION (007)(proposed)

INTERNATIONAL CLASS

007

TRACKED TEXT DESCRIPTION

Machines and machine devices for the working and processing of metal, wood, glass, plastics and for the working and processing of carbon and ceramic materials and of non-ferrous metals, namely, polishing and grinding machines; machines and devices for the treatment of surfaces, namely, for surface precision engineering; machines and machine devices for mechanical engineering, for the construction of devices, for the construction of apparatus, the production of containers, for the vehicle industry, namely, for automobile industry and aircraft industry, and for the electric and electronic device industry; machines and apparatus for the production and mechanical treatment of printed circuit boards; machines and machine tools for deburring, cleaning, deoxidation, finishing and cleaning of surfaces of pressed sheet metal; ~~grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers;~~ grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers, all being parts of machines; ~~machine brushes for clockmakers, goldsmiths and dental laboratories;~~ machine brushes for clockmakers, goldsmiths and dental laboratories, all being parts of machines; machines for the impregnating of the aforementioned tools; machine tools for the aforementioned devices and machines, namely, polishing and grinding tools, grinding and polishing bodies, grinding and polishing wheels, and grinding and polishing rings and pigments; power operated grindstones, polishing wheels and grinding wheels

FINAL DESCRIPTION

Machines and machine devices for the working and processing of metal, wood, glass, plastics and for the working and processing of carbon and ceramic materials and of non-ferrous metals, namely, polishing and grinding machines; machines and devices for the treatment of surfaces, namely, for surface precision engineering; machines and machine devices for mechanical engineering, for the construction of devices, for the construction of apparatus, the production of containers, for the vehicle industry, namely, for automobile industry and aircraft industry, and for the electric and electronic device industry; machines and apparatus for the production and mechanical treatment of printed circuit boards; machines and machine tools for deburring, cleaning, deoxidation, finishing and cleaning of surfaces of pressed sheet metal; grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers, all being parts of machines; machine brushes for clockmakers, goldsmiths and dental laboratories, all being parts of machines; machines for the impregnating of the aforementioned tools; machine tools for the aforementioned devices and machines, namely, polishing and grinding tools, grinding and polishing bodies, grinding and polishing wheels, and grinding and polishing rings and pigments; power operated grindstones, polishing wheels and grinding wheels

GOODS AND/OR SERVICES SECTION (008)(current)

INTERNATIONAL CLASS	008
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DESCRIPTION

Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes; hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, in particular for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes; hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes; hand tools for grinding and polishing, namely, manually operated grindstones and hand brushes for use by clockmakers, goldsmiths and dental laboratories

GOODS AND/OR SERVICES SECTION (008)(proposed)

INTERNATIONAL CLASS	008
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TRACKED TEXT DESCRIPTION

~~Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes;~~ Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding discs and brushes; ~~hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, in particular for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and~~

~~mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sandpapers, grindstones, grinding disks and brushes;~~ hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, namely, for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes; ~~hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sandpapers, grindstones, grinding disks and brushes;~~ hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes; hand tools for grinding and polishing, namely, manually operated grindstones and hand brushes for use by clockmakers, goldsmiths and dental laboratories

FINAL DESCRIPTION

Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding discs and brushes; hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, namely, for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes; hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes; hand tools for grinding and polishing, namely, manually operated grindstones and hand brushes for use by clockmakers, goldsmiths and dental laboratories

SIGNATURE SECTION

RESPONSE SIGNATURE	/R.J. McKenna/
SIGNATORY'S NAME	Richard J. McKenna
SIGNATORY'S POSITION	Attorney of Record, Wisconsin Bar Member
SIGNATORY'S PHONE NUMBER	(414) 271-2400
DATE SIGNED	12/17/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION

SUBMIT DATE	Mon Dec 17 10:31:59 EST 2012
TEAS STAMP	USPTO/RFR-151.153.1.1-201 21217103159879516-7910537 6-490b0ec79f72597f652dcf1 11714f70e49e-N/A-N/A-2012

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **79105376** has been amended as follows:

ARGUMENT(S)

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

In this Final Office Action, the Examiner is requiring that the Applicant clarify the identification of goods. Accordingly, the Applicant has amended the identification of goods as indicated herein. These amendments largely conform to the suggestions made by the Examiner, and clarify the goods without expanding or adding to those goods originally identified in the application. 37 C.F.R. § 2.71(a); TMEP § 1402.06. The Applicant respectfully submits that the amendments are acceptable.

In light of the above, the Applicant believes that it has responded to all issues raised in the Office Action, and respectfully requests that the application be passed to publication. However, should any questions arise with respect to the application or the issues addressed herein, please contact the undersigned.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 003 for Cleaning, polishing, degreasing and grinding preparations, in particular for metal, wood, glass, ceramic materials, carbon, plastics; constituents and components of the aforementioned goods, included in this class, namely, plant extracts sold as components of cleaning, polishing, degreasing and grinding preparations

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Cleaning, polishing, degreasing and grinding preparations, in particular for metal, wood, glass, ceramic materials, carbon, plastics;~~ Cleaning, polishing, degreasing and grinding preparations, namely for metal, wood, glass, ceramic materials, carbon, plastics; constituents and components of the aforementioned goods, included in this class, namely, plant extracts sold as components of cleaning, polishing, degreasing and grinding preparations

Class 003 for Cleaning, polishing, degreasing and grinding preparations, namely for metal, wood, glass, ceramic materials, carbon, plastics; constituents and components of the aforementioned goods, included in this class, namely, plant extracts sold as components of cleaning, polishing, degreasing and grinding preparations

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

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

Current: Class 007 for Machines and machine devices for the working and processing of metal, wood, glass, plastics and for the working and processing of carbon and ceramic materials and of non-ferrous metals, namely, polishing and grinding machines; machines and devices for the treatment of surfaces, namely, for surface precision engineering; machines and machine devices for mechanical engineering, for the construction of devices, for the construction of apparatus, the production of containers, for the vehicle industry, namely, for automobile industry and aircraft industry, and for the electric and electronic device industry; machines and apparatus for the production and mechanical treatment of printed circuit boards; machines and machine tools for deburring, cleaning, deoxidation, finishing and cleaning of surfaces of pressed sheet metal; grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers; machine brushes for clockmakers, goldsmiths and dental laboratories; machines for the impregnating of the aforementioned tools; machine tools for the aforementioned devices and machines, namely, polishing and grinding tools, grinding and polishing bodies, grinding and polishing wheels, and grinding and polishing rings and pigments; power operated grindstones, polishing wheels and grinding wheels

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: Machines and machine devices for the working and processing of metal, wood, glass, plastics and for the working and processing of carbon and ceramic materials and of non-ferrous metals, namely, polishing and grinding machines; machines and devices for the treatment of surfaces, namely, for surface precision engineering; machines and machine devices for mechanical engineering, for the construction of devices, for the construction of apparatus, the production of containers, for the vehicle industry, namely, for automobile industry and aircraft industry, and for the electric and electronic device industry; machines and apparatus for the production and mechanical treatment of printed circuit boards; machines and machine tools for deburring, cleaning, deoxidation, finishing and cleaning of surfaces of pressed sheet metal; ~~grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers;~~ grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers, all being parts of machines; ~~machine brushes for clockmakers, goldsmiths and dental laboratories;~~ machine brushes for clockmakers, goldsmiths and dental laboratories, all being parts of machines; machines for the impregnating of the aforementioned tools; machine tools for the aforementioned devices and machines, namely, polishing and grinding tools, grinding and polishing bodies, grinding and polishing wheels, and grinding and polishing rings and pigments; power operated grindstones, polishing wheels and grinding wheels

Class 007 for Machines and machine devices for the working and processing of metal, wood, glass, plastics and for the working and processing of carbon and ceramic materials and of non-ferrous metals, namely, polishing and grinding machines; machines and devices for the treatment of surfaces, namely, for surface precision engineering; machines and machine devices for mechanical engineering, for the construction of devices, for the construction of apparatus, the production of containers, for the vehicle

industry, namely, for automobile industry and aircraft industry, and for the electric and electronic device industry; machines and apparatus for the production and mechanical treatment of printed circuit boards; machines and machine tools for deburring, cleaning, deoxidation, finishing and cleaning of surfaces of pressed sheet metal; grinding and polishing machine tools, namely, abrasive fleece pads and cloths, abrasive cloth pads and disks, spiral brushes, spiral rollers, sisal fabric brushes, and cord and cloth grinding and polishing rings, brushes and rollers, all being parts of machines; machine brushes for clockmakers, goldsmiths and dental laboratories, all being parts of machines; machines for the impregnating of the aforementioned tools; machine tools for the aforementioned devices and machines, namely, polishing and grinding tools, grinding and polishing bodies, grinding and polishing wheels, and grinding and polishing rings and pigments; power operated grindstones, polishing wheels and grinding wheels

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

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

Current: Class 008 for Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes; hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, in particular for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes; hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes; hand tools for grinding and polishing, namely, manually operated grindstones and hand brushes for use by clockmakers, goldsmiths and dental laboratories

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes;~~ Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding discs and brushes; ~~hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, in particular for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sandpapers, grindstones, grinding discs and brushes;~~ hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, namely, for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders,

~~grindstones, grinding disks and brushes; hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sandpapers, grindstones, grinding disks and brushes; hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes;~~ hand tools for grinding and polishing, namely, manually operated grindstones and hand brushes for use by clockmakers, goldsmiths and dental laboratories

Class 008 for Hand tools and devices for the treatment and processing of metal, wood, glass, plastics and for the treatment and processing of carbon and ceramic materials and non-ferrous metals, namely, polishing and grinding devices, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding discs and brushes; hand tools and devices for the treatment of surfaces, for mechanical engineering, for the construction of devices, the construction of apparatus, the production of containers, for the vehicle industry, namely, for the automobile industry and aircraft industry, for the electric and electronic industry, and for the production and mechanical treatment of printed circuit boards, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes; hand tools and devices for the finishing and cleaning of surfaces, specifically pressed sheet metal, namely, manually operated grinding wheels, sanding pads for non-electric, hand-operated sanders, grindstones, grinding disks and brushes; hand tools for grinding and polishing, namely, manually operated grindstones and hand brushes for use by clockmakers, goldsmiths and dental laboratories

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /R.J. McKenna/ Date: 12/17/2012

Signatory's Name: Richard J. McKenna

Signatory's Position: Attorney of Record, Wisconsin Bar Member

Signatory's Phone Number: (414) 271-2400

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: 79105376

Internet Transmission Date: Mon Dec 17 10:31:59 EST 2012

TEAS Stamp: USPTO/RFR-151.153.1.1-201212171031598795

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