

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79105536
LAW OFFICE ASSIGNED	LAW OFFICE 101
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
<p>Motion picture films featuring comedy, drama, action, adventure and/or animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; decorative magnets; mouse mats; accessories for mobile telephones; spectacles; sunglasses; recordable data disks</p>	
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009
TRACKED TEXT DESCRIPTION	
<p>Motion picture films featuring comedy, drama, action, adventure and/or animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; decorative magnets; spectacles; mouse mats; sunglasses; accessories for mobile telephones; <u>blank magnetic recordable data disks</u>; recordable data disks</p>	
FINAL DESCRIPTION	
<p>Motion picture films featuring comedy, drama, action, adventure and/or animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; spectacles; sunglasses; blank magnetic recordable data disks</p>	
GOODS AND/OR SERVICES SECTION (016)(current)	

INTERNATIONAL CLASS	016
DESCRIPTION	
<p>Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets, chalk and chalkboards; decals, heat transfers; posters; mounted and/or unmounted photographs; book covers, book marks, calendars, gift wrapping paper; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, paper hats, invitations, paper table cloths, paper cake decorations; printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts; paper photo frames</p>	
GOODS AND/OR SERVICES SECTION (016)(proposed)	
INTERNATIONAL CLASS	016
TRACKED TEXT DESCRIPTION	
<p>Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets, chalk and chalkboards; <u>pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets for children, chalk and chalkboards;</u> decals, heat transfers; <u>decals, heat iron-on transfers;</u> posters; mounted and/or unmounted photographs; <u>mounted and unmounted photographs;</u> book covers, book marks, calendars, gift wrapping paper; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, paper hats, invitations, paper table cloths, paper cake decorations; <u>paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, printed invitations, paper table cloths, paper cake decorations;</u> printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts; paper photo frames</p>	
FINAL DESCRIPTION	
<p>Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets for children, chalk and chalkboards; decals, heat iron-on transfers; posters; mounted and unmounted photographs; book covers, book marks, calendars, gift wrapping paper; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, printed invitations, paper table cloths, paper cake decorations; printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts</p>	
GOODS AND/OR SERVICES SECTION (025)(current)	
INTERNATIONAL CLASS	025
DESCRIPTION	

Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, rainwear, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, umbrellas, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith

GOODS AND/OR SERVICES SECTION (025)(proposed)

INTERNATIONAL CLASS

025

TRACKED TEXT DESCRIPTION

~~Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, rainwear, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, umbrellas, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear;~~ Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith

FINAL DESCRIPTION

Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith

GOODS AND/OR SERVICES SECTION (028)(current)

INTERNATIONAL CLASS

028

DESCRIPTION

Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; electronic hand-held game unit; game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely, playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments

GOODS AND/OR SERVICES SECTION (028)(proposed)

INTERNATIONAL CLASS

028

TRACKED TEXT DESCRIPTION

Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; ~~electronic hand-held game unit;~~ hand-held units for playing

[electronic games for use with external display or monitor](#); game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely, playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments

FINAL DESCRIPTION

Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; hand-held units for playing electronic games for use with external display or monitor; game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely, playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments

GOODS AND/OR SERVICES SECTION (035)(current)

INTERNATIONAL CLASS	035
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DESCRIPTION

Retail store and on-line retail services featuring pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories

GOODS AND/OR SERVICES SECTION (035)(proposed)

INTERNATIONAL CLASS	035
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TRACKED TEXT DESCRIPTION

~~Retail store and on-line retail services featuring pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories;~~ [Pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories](#)

FINAL DESCRIPTION

Pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories

GOODS AND/OR SERVICES SECTION (041)(current)

INTERNATIONAL CLASS	041
DESCRIPTION	
<p>Entertainment services in the nature of a live-action, comedy, drama and/or animated television programs; production of live-action comedy, drama and/or animated television programs; live-action , comedy, drama and/or animated motion picture theatrical films; production of live-action , comedy, drama and/or animated motion picture theatrical films; and theatrical performances both animated and live action; and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated television programs; production of live-action comedy, drama and/or animated television programs; a live-action, comedy, drama and/or animated motion picture theatrical films; production of live-action, comedy, drama and/or animated motion picture theatrical,films; and theatrical performances both animated and live action</p>	
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	
<p>Entertainment services in the nature of a live-action, comedy, drama and/or animated television programs; <u>Entertainment services in the nature of a live-action, comedy, drama and/or animated on-going television programs;</u> production of live-action comedy, drama and/or animated television programs; live-action , comedy, drama and/or animated motion picture theatrical films; <u>distribution of live-action , comedy, drama and/or animated motion picture theatrical films;</u> production of live-action , comedy, drama and/or animated motion picture theatrical films; and theatrical performances both animated and live action; <u>and entertainment, namely, production of theatrical performances both animated and live action;</u> and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated television programs; <u>and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated on-going television programs.;</u> production of live-action comedy, drama and/or animated television programs; a live-action, comedy, drama and/or animated motion picture theatrical films; production of live-action, comedy, drama and/or animated motion picture theatrical,films; and theatrical performances both animated and live action</p>	
FINAL DESCRIPTION	
<p>Entertainment services in the nature of a live-action, comedy, drama and/or animated on-going television programs; production of live-action comedy, drama and/or animated television programs; distribution of live-action , comedy, drama and/or animated motion picture theatrical films; production of live-action , comedy, drama and/or animated motion picture theatrical films; and entertainment, namely, production of theatrical performances both animated and live action; and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated on-going television programs.</p>	
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	<p>It is applicant's intent by this response to adopt the Examiner's language and recommendations. Applicant submits it has made the recommended deletions and modifications and requests reconsideration and issuance of the registration. Thank you.</p>
SIGNATURE SECTION	

RESPONSE SIGNATURE	/kurt m. rylander/
SIGNATORY'S NAME	Kurt M. Rylander
SIGNATORY'S POSITION	Appointed attorney WSBA 27819
SIGNATORY'S PHONE NUMBER	360-750-9931
DATE SIGNED	04/11/2013
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Apr 11 13:35:42 EDT 2013
TEAS STAMP	USPTO/RFR-75.145.79.165-2 0130411133542029117-79105 536-50073e3d5c127476b17b1 154dade1d08054129bd7e4591 ac6b0bbd830cf71b59281-N/A -N/A-20130411132003473491

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

Application serial no. **79105536** 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 009 for Motion picture films featuring comedy, drama, action, adventure and/or animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; decorative magnets; mouse mats; accessories for mobile telephones; spectacles; sunglasses; recordable data disks

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: Motion picture films featuring comedy, drama, action, adventure and/or

animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; ~~decorative magnets~~; spectacles; ~~mouse mats~~; sunglasses; ~~accessories for mobile telephones~~; blank magnetic recordable data disks; ~~reecordable data disks~~

Class 009 for Motion picture films featuring comedy, drama, action, adventure and/or animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; spectacles; sunglasses; blank magnetic recordable data disks

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 016 for Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets, chalk and chalkboards; decals, heat transfers; posters; mounted and/or unmounted photographs; book covers, book marks, calendars, gift wrapping paper; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, paper hats, invitations, paper table cloths, paper cake decorations; printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts; paper photo frames

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: Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; ~~pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets, chalk and chalkboards~~; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets for children, chalk and chalkboards; ~~decals, heat transfers~~; decals, heat iron-on transfers; posters; ~~mounted and/or unmounted photographs~~; mounted and unmounted photographs; book covers, book marks, calendars, gift wrapping paper; ~~paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, paper hats, invitations, paper table cloths, paper cake decorations~~; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, printed invitations, paper table cloths, paper cake decorations; printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts; ~~paper photo frames~~

Class 016 for Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters

from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets for children, chalk and chalkboards; decals, heat iron-on transfers; posters; mounted and unmounted photographs; book covers, book marks, calendars, gift wrapping paper; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, printed invitations, paper table cloths, paper cake decorations; printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts

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 025 for Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, rainwear, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, umbrellas, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith
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: ~~Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, rainwear, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, umbrellas, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear;~~ Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith

Class 025 for Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith

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 028 for Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; electronic hand-held game unit; game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely,

playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments

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: Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; ~~electronic hand-held game unit~~; [hand-held units for playing electronic games for use with external display or monitor](#); game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely, playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments

Class 028 for Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; hand-held units for playing electronic games for use with external display or monitor; game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely, playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments

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 035 for Retail store and on-line retail services featuring pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories

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: ~~Retail store and on-line retail services featuring pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories~~; [Pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts,](#)

[tableware, personal care items, gift items and souvenirs and related accessories](#)

Class 035 for Pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags, figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories

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 041 for Entertainment services in the nature of a live-action, comedy, drama and/or animated television programs; production of live-action comedy, drama and/or animated television programs; live-action , comedy, drama and/or animated motion picture theatrical films; production of live-action , comedy, drama and/or animated motion picture theatrical films; and theatrical performances both animated and live action; and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated television programs; production of live-action comedy, drama and/or animated television programs; a live-action, comedy, drama and/or animated motion picture theatrical films; production of live-action, comedy, drama and/or animated motion picture theatrical,films; and theatrical performances both animated and live action

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: ~~Entertainment services in the nature of a live-action, comedy, drama and/or animated television programs;~~ [Entertainment services in the nature of a live-action, comedy, drama and/or animated on-going television programs;](#) production of live-action comedy, drama and/or animated television programs; ~~live-action , comedy, drama and/or animated motion picture theatrical films;~~ [distribution of live-action , comedy, drama and/or animated motion picture theatrical films;](#) production of live-action , comedy, drama and/or animated motion picture theatrical films; ~~and theatrical performances both animated and live action;~~ [and entertainment, namely, production of theatrical performances both animated and live action;](#) ~~and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated television programs;~~ [and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated on-going television programs.;](#) ~~production of live-action comedy, drama and/or animated television programs; a live-action, comedy, drama and/or animated motion picture theatrical films; production of live-action, comedy, drama and/or animated motion picture theatrical,films; and theatrical performances both animated and live action~~

Class 041 for Entertainment services in the nature of a live-action, comedy, drama and/or animated on-going television programs; production of live-action comedy, drama and/or animated television programs; distribution of live-action , comedy, drama and/or animated motion picture theatrical films; production of live-action , comedy, drama and/or animated motion picture theatrical films; and entertainment, namely, production of theatrical performances both animated and live action; and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated on-going television programs.

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.

ADDITIONAL STATEMENTS

Miscellaneous Statement

It is applicant's intent by this response to adopt the Examiner's language and recommendations. Applicant submits it has made the recommended deletions and modifications and requests reconsideration and issuance of the registration. Thank you.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /kurt m. rylander/ Date: 04/11/2013

Signatory's Name: Kurt M. Rylander

Signatory's Position: Appointed attorney WSBA 27819

Signatory's Phone Number: 360-750-9931

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.

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