

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79108101
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION (no change)	
ARGUMENT(S)	
Please see the attached argument in the evidence section	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_20447535-153854939_.CESARE_CASADEI.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0003.JPG
ORIGINAL PDF FILE	evi_20447535-153854939_.WIPO.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0005.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0006.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0007.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0008.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\081\79108101\xml2\RFR0009.JPG
DESCRIPTION OF EVIDENCE FILE	(1) Applicant's arguments (2) Applicant's evidence of the assignment of the International Registration
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Chiara Giuliani/
SIGNATORY'S NAME	Chiara Giuliani

SIGNATORY'S POSITION	Attorney for Applicant [N.Y. Bar member]
SIGNATORY'S PHONE NUMBER	202 857 6000
DATE SIGNED	12/03/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Dec 03 15:42:29 EST 2012
TEAS STAMP	USPTO/RFR-204.4.75.35-201 21203154229343068-7910810 1-490f9996e2a37e0a444fa7d a591513d366-N/A-N/A-20121 203153854939644

PTO Form 1930 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 4/30/2009)

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

Application serial no. **79108101** has been amended as follows:

ARGUMENT(S)

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

Please see the attached argument in the evidence section

EVIDENCE

Evidence in the nature of (1) Applicant's arguments (2) Applicant's evidence of the assignment of the International Registration has been attached.

Original PDF file:

[evi_20447535-153854939_._CESARE_CASADEI.pdf](#)

Converted PDF file(s) (2 pages)

[Evidence-1](#)

[Evidence-2](#)

Original PDF file:

[evi_20447535-153854939_._WIPO.pdf](#)

Converted PDF file(s) (6 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Chiara Giuliani/ Date: 12/03/2012

Signatory's Name: Chiara Giuliani

Signatory's Position: Attorney for Applicant [N.Y. Bar member]

Signatory's Phone Number: 202 857 6000

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79108101

Internet Transmission Date: Mon Dec 03 15:42:29 EST 2012

TEAS Stamp: USPTO/RFR-204.4.75.35-201212031542293430

68-79108101-490f9996e2a37e0a444fa7da5915

13d366-N/A-N/A-20121203153854939644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

CALZATURIFICIO CASADEI S.P.A. (Assignee of RANX 62 DI CESARE CASADEI)

Serial No. 79/108101 for CESARE CASADEI

REQUEST FOR RECONSIDERATION

This is in response to the Office Action issued on June 1, 2012, in which the Office maintained and made final the refusal to register Applicant's mark under Section 2(d) of the Trademark Act, on the ground that Applicant's mark, as applied to Applicant's goods, is allegedly confusingly similar to the marks identified in Reg. Nos. 1,344,661, 1,705,086, and 1,720,396. Applicant respectfully requests reconsideration of the refusal in the light of the following:

Reg. Nos. 1,344,661 and 1,720,396

On November 30, 2012, Applicant petitioned to cancel Reg. Nos. 1,344,661 and 1,720,396. Applicant respectfully requests that examination of its application be suspended pending definition of the cancellation proceeding.

Reg. No. 1,705,086

This registration is owned by Calzaturificio Casadei S.p.A. The underlying International Registration upon which Application S/N 79/108101 is based was recently assigned to Calzaturificio Casadei S.p.A. Because this application is the result of an extension to the United States of the International Registration, the assignment was recorded with WIPO. Attached are a copies of the request submitted with WIPO and of the acknowledgment of receipt of such request. Once the request for recordation is received by the USPTO through WIPO, and the assignment recorded, Reg. No. 1,705,086 and Application S/N 79/108101 will be owned by the

same entity. Thus, the refusal under Section 2(d) based on Reg. No. 1,705,086 should be withdrawn.

MADRID AGREEMENT AND PROTOCOL CONCERNING THE
INTERNATIONAL REGISTRATION OF MARKS

REQUEST FOR THE RECORDING OF A CHANGE IN OWNERSHIP

(Rule 25 of the Common Regulations)

IMPORTANT

1. If the present request relates to a **total** change in ownership, as provided for in item 6(a), this form may be used for **several** international registrations in the name of the same holder.
2. If the present request relates to a **partial** change in ownership, as provided for in item 6(b), this form may only be used to request the recording of a change in ownership for a **single** international registration.
3. This request may be presented to the International Bureau directly by the recorded holder, or by the Office of the Contracting Party of the recorded holder or by the Office of the Contracting Party of the new owner (the transferee).



World Intellectual Property Organization
34, chemin des Colombettes, P.O. Box 18,
1211 Geneva 20, Switzerland
Tel.: (41-22) 338 9111
Fax (International Trademark Registry): (41-22) 740 1429
e-mail: intreg.mail@wipo.int – Internet: <http://www.wipo.int>

REQUEST FOR THE RECORDING OF A CHANGE IN OWNERSHIP

<p style="text-align: center;"><u>For use by the holder</u></p> <p>This request contains the following number of continuation sheets: 0.....</p>	<p style="text-align: center;"><u>For use by the holder/Office</u></p> <p>Holder's reference: 01.R0050.24.IX.1..... Office's reference:</p>
<p>1 INTERNATIONAL REGISTRATION NUMBER(S) (several international registration numbers may be indicated below, provided that all registrations concerned are the subject of a total change in ownership, as provided for in item 6(a)) 1104103.....</p>	
<p>2 NAME OF THE HOLDER (transferor) (as recorded in the International Register) RANX 62 DI CESARE CASADEI.....</p>	
<p>3 NEW OWNER (transferee)</p> <p>(a) Name: CALZATURIFICIO CASADEI S.P.A.....</p> <p>(b) Address: Via XX Settembre 87 -- 47030 SAN MAURO PASCOLI (FC) - ITALY..... </p> <p>(c) Address for correspondence:</p> <p>(d) Telephone: Fax:</p> <p>E-mail address:</p>	
<p>4 ENTITLEMENT OF THE TRANSFEREE TO BE THE HOLDER OF THE INTERNATIONAL REGISTRATION</p> <p>(a) Indicate in the appropriate space(s):</p> <p>(i) the name of the Contracting State of which the transferee is a national; and/or, ITALY.....</p> <p>(ii) the name of the State member of a Contracting Organization of which the transferee is a national; and/or, </p> <p>(iii) the name of the Contracting Party in the territory of which the transferee is domiciled; and/or, </p> <p>(iv) the name of the Contracting Party in the territory of which the transferee has a real and effective industrial or commercial establishment: </p> <p>(b) Where the transferee is not a national of a Contracting State or of a State member of a Contracting Organization and the address given in item 3(b) is not in the territory of any of the Contracting Parties mentioned in paragraph (a)(iii) or (iv) of the present item, indicate in the space provided below:</p> <p>(i) the address of the transferee in the territory of the Contracting Party mentioned in paragraph (a)(iii) of the present item; or, </p> <p>(ii) the address of the transferee's industrial or commercial establishment in the territory of the Contracting Party mentioned in paragraph (a)(iv) of the present item. </p>	

5 APPOINTMENT OF A REPRESENTATIVE BY THE NEW OWNER¹

Name: Franco DE BERARDINIS - BUGNION S.P.A.
 Address: Via Valentini 11/15 - 47922 RIMINI (RN) - ITALY
 Telephone: +39 0541 779111
 Fax: +39 0541 790699 E-mail address: rimini@bugnion.it

Signature of the new owner appointing the above representative (compulsory)

Fabrizio CASADEI (CALZATURIFICIO CASADEI S.P.A.)

¹ This item should be used where the new owner (*transferee*) wishes to appoint a representative. Note that, if the person recorded as the representative of the *transferor* is to be recorded as the representative of the *transferee*, such appointment should be made by completing this item. Alternatively, the new owner may appoint a representative by means of a power of attorney annexed to the present request.

6 SCOPE OF THE CHANGE IN OWNERSHIP (check either (a) or (b))

(a) **TOTAL CHANGE IN OWNERSHIP** (the change in ownership is to be recorded for all the Contracting Parties designated in the international registration(s) indicated in item 1, and for all the goods and services covered by such international registration(s));

(b) **PARTIAL CHANGE IN OWNERSHIP (read note No. 2 on the cover page before checking this box)**

(i) the change in ownership is to be recorded for the designated Contracting Parties indicated below (if no Contracting Party is indicated, it will be understood that the change in ownership is to be recorded in respect of all the designated Contracting Parties); and/or,

UKRAINE

UNITED STATES OF AMERICA

(ii) the change in ownership is to be recorded for the goods and services indicated below (grouped in the appropriate classes): if no goods and services are indicated, it will be understood that the change in ownership is to be recorded in respect of all goods and services.

If the space provided is not sufficient, check this box and use a continuation sheet

7 MISCELLANEOUS INDICATIONS

(a) Indications concerning the transferee (as may be required by certain designated Contracting Parties):

(i) if the transferee is a natural person, nationality of the transferee:

(ii) if the transferee is a legal entity:

- legal nature of the legal entity: JOINT STOCK COMPANY

- State and, where applicable, territorial unit within that State, under the law of which the legal entity is organized:

(b) The transferee may choose a preferred language for correspondence: English French Spanish

8 SIGNATURE BY THE HOLDER OR HIS REPRESENTATIVE

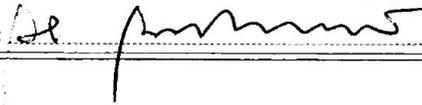
Holder
(as recorded in the International Register)

Representative of the holder
(as recorded in the International Register)

Name:

Name: : Franco DE BERARDINIS - BUGNION S.P.A.

Signature:

Signature: 

9 OFFICE PRESENTING THE REQUEST (if applicable)

Name of the Office:

Signature and/or stamp of the Office:

FEE CALCULATION SHEET

(a) INSTRUCTIONS TO DEBIT FROM A CURRENT ACCOUNT	
<input checked="" type="checkbox"/> The International Bureau is hereby instructed to debit the required amount of fees from a current account opened with the International Bureau (if this box is checked, it is not necessary to complete (b)).	
Holder of the account: BUGNION S.P.A.	Account number: 18410
Identity of the party giving the instructions: BUGNION S.P.A. – Via Valentini 11/15 – 47922 RIMINI (RN) - ITALY	
(b) AMOUNT OF FEES; METHOD OF PAYMENT	
Amount (177 Swiss francs) x 1	(per international registration mentioned in item 1)
	Grand total (Swiss francs) 177.00
Identity of the party effecting the payment: BUGNION S.P.A.	
Payment received and acknowledged by WIPO <input type="checkbox"/>	WIPO receipt number
Payment made to WIPO bank account IBAN No. CH51 0483 5048 7080 8100 0 Credit Suisse, CH-1211 Geneva 70 Swift/BIC: CRESCHZZ80A <input type="checkbox"/>	Payment identification dd/mm/yyyy
Payment made to WIPO postal account IBAN No. CH03 0900 0000 1200 5000 8 Swift/BIC: POFICHBE <input type="checkbox"/>	Payment identification dd/mm/yyyy

RAPPORTO VERIFICA TRASMISSIONE

ORA : 19/11/2012 11:15
NOME : BUGNION RN.
FAX : 0541-790699
TEL : 0541-779111
SER. # : 000G7J423173

DATA,ORA	19/11 11:13
FAX N./NOME	0041227401429
DURATA	00:02:17
PAGINE	04
RISULT	OK
MODO	STANDARD

MM5(E)

MADRID AGREEMENT AND PROTOCOL CONCERNING THE
INTERNATIONAL REGISTRATION OF MARKS

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3. This request may be presented to the International Bureau directly by the recorded holder, or by the Office of the Contracting Party of the recorded holder or by the Office of the Contracting Party of the new owner (the transferee).

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)
34, chemin des Colombettes - 1211 Geneva 20 - Switzerland
Tel. (41-22) 338-9111 - Telex 412 912 ompi ch - Facsimile (41-22) 733-5428
Internet: <http://www.wipo.int> e-mail: wipo.mail@wipo.int

Facsimile

Date: 22/11/2012

To: Bugnion Rimini

From: WIPO - Examination and Registration Section

Your ref: 01.R0050.24.IX.1

Our ref: Request No. 704280101 - TR
Change of ownership

IRN: 1104103

Dear Sir or Madam,

We acknowledge receipt of your fax communication dated
19/11/2012.