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

Proceeding	79109409
Applicant	SFS intec Holding AG
Applied for Mark	SOL-R
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Date	07/20/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN RE **TRADEMARK APPLICATION**

Applicant: SFS intec Holding AG

Appln. No.: 79/109,409

Filed: Nov 28, 2011

Mark: SOL-R

Trademark Attorney: Rebecca Smith

Law Office: 110

Our File: SFS-TM032WO-US

Date: July 20, 2015

MAIN BRIEF OF APPLICANT ON APPEAL

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Applicant, SFS intec Holding AG (referred to herein as “Applicant”), submits this Main Brief of Applicant on Appeal in support of the registration of U.S. Application Serial No. 79/109,409 for “SOL-R” (also referred to herein as “Applicant’s Mark”).

I. INTRODUCTION

Pursuant to the Notice of Appeal filed in this case, Applicant has appealed the Examining Attorney’s final refusal to register Applicant’s mark SOL-R in international classes 6, 19 and 20. The refusal was based on the grounds that the mark is merely descriptive under Section 2(e)(1) of the Lanham Act and thus incapable of serving as a source identifier for Applicant’s Amended Goods. Applicant respectfully submits that the Examining Attorney’s conclusion that the mark is merely descriptive and is not suggestive is incorrect.

Based on the arguments set forth below, Applicant respectfully disagrees with the Examining Attorney and contends that the mark is not merely descriptive. Thus the mark is eligible for registration on the Principal Register under Section 2(f) of the Trademark Act. The Examining Attorney’s determination should be reversed and the application remanded for publication.

II. DESCRIPTION OF THE RECORD AND SUMMARY OF FACTS.

On March 8, 2012, Applicant filed a trademark application for SOL-R for “common metals and their alloys; metal building materials, screws, rivets, bolts; metal transportable constructions, metallic cables and wires, articles of small ironware, pipes and tubes of metal, metal goods, fixed installations for solar

installations of metal, construction materials and roof covering materials incorporating metal frames and retaining systems for solar panels, ground supports with solar panels, metal rods and fixation systems assembled from such elements, uprights, supports and fixations for solar panels, fixations for roofs, walls and ground with metal solar panels (Class 6), building construction materials not metal-based, rods and fixing systems assembled thereof and not of metal, fixations for solar panels, roof, wall and ground fixations with solar panels not of metal, roof cladding and roofing elements with integrated photovoltaic elements; asphalt, pitch and bitumen; component parts, spare parts and accessories (included in this class) for all the aforementioned articles, roofs not of metal, with integrated solar cells (Class 19), screws, rivets, bolts not of metal (Class 20), building construction, repair services, installation services, setting up solar installations (Class 37).”

Registration was initially refused in the first Office Action dated March 14, 2012 under Section 2(e)(1) because the Examining Attorney stated that the mark merely describes the goods. In addition, the Examining Attorney refused the application under Section 2(d) because of a likelihood of confusion with the registered mark “SOL-R WASH” for cleaning and maintenance of solar panels. In addition, the Examining Attorney raised informalities with respect to the identification of goods.

In Applicant’s response dated September 14, 2012, Applicant respectfully disagreed with the Examining Attorney’s determination and argued that the mark is not descriptive. The Applicant also amended the description of services in class

37 to eliminate “repair services,” avoiding any potential overlap with SOL-R WASH services. Finally, the Applicant amended the identification to address the informalities.

In the second Office action dated October 8, 2012 the Examining Attorney withdrew the refusal under section 2(d) but continued the descriptiveness rejection. This rejection was made final.

Applicant responded to the second Office action on April 8, 2013 with a request for reconsideration after the Final Office Action. The applicant amended the identification of goods and deleted class 37. Applicant filed a Request for Reconsideration and appeal on April 8, 2013.

On June 20, 2013, the Examining Attorney denied the Request for Reconsideration. On October 25, 2013, Applicant filed its Appeal Brief.

On January 13, 2014, the Examining attorney filed a Request for Remand on the grounds that Applicant’s prior amendments to the identification of goods broadened the identification of goods, and advised that Applicant must reinstate the original wording. The TTAB restored jurisdiction to the Examining Attorney on January 13, 2014.

On January 15, 2015, the Examining Attorney issued a new Office Action requiring that the identification of goods be further amended because the prior amendments had impermissibly broadened the identification.

On July 15, 2014, Applicant responded to the pending Office Action by requesting the Examining Attorney’s assistance on how best to reinstate the prior

identification. The Examining Attorney responded on July 31, 2014 in an Office Action and advised Applicant that “Applicant may simply request the last acceptable identifications be reentered and they are as follows:

Common metals and their alloys; building materials of metal, namely, metal hardware, namely, screws, rivets, bolts; metal transportable buildings; articles of small ironware, namely, bolts, nails, rivets, screws; metal goods, namely, nuts, washers; fixed installations of metal, namely, for solar installations; metal construction materials for solar panels, namely, braces, supports, and cladding; metal roof covering materials, namely, flashing, panels, and tiles incorporating metal frames for solar panels; retaining systems comprised of metal cable wires and metal cantilevered brackets for solar panels; ground supports of metal for solar panels; steel rods for use with solar panels.” International Class 6.

Non-metallic building materials, namely, roofing elements, non-metallic reinforcements for concrete and wood building construction, namely, rods; non-metal roof cladding and roofing elements for photovoltaic elements, namely, non-metal roofing panels, tiles, and roof coverings; structural component parts of the aforementioned goods; roofing, not of metal, incorporating solar cells.” International Class 19.

Non-metal fasteners, namely, screws, rivets, and bolts. International Class 20.”

On August 29, 2014, in accordance with the Examining Attorney’s suggestion, Applicant submitted a response requesting that the last acceptable identifications be reentered as follows:

Common metals and their alloys; building materials of metal, namely, metal hardware, namely, screws, rivets, bolts; metal transportable buildings; articles of small ironware, namely, bolts, nails, rivets, screws; metal goods, namely, nuts, washers; fixed installations of metal, namely, for solar installations; metal construction materials for solar panels, namely, braces, supports, and cladding; metal roof covering materials, namely, flashing, panels, and tiles incorporating metal frames for solar panels; retaining systems comprised of metal cable wires and metal cantilevered brackets for solar panels; ground

supports of metal for solar panels; steel rods for use with solar panels. International Class 6.

Non-metallic building materials, namely, roofing elements, non-metallic reinforcements for concrete and wood building construction, namely, rods; non-metal roof cladding and roofing elements for photovoltaic elements, namely, non-metal roofing panels, tiles, and roof coverings; structural component parts of the aforementioned goods; roofing, not of metal, incorporating solar cells. International Class 19.

Non-metal fasteners, namely, screws, rivets, and bolts.” International Class 20.

Hereinafter the above-identified goods are referenced as the “Amended Goods.”

Applicant believed that the amendment had been entered, but a review of the current identification of goods as set in the TSDR system is set forth below.

Class 6: Common metals and their alloys; building materials of metal, namely, metal hardware, namely, screws, rivets, bolts; metal transportable buildings; articles of small ironware, namely, bolts, nails, rivets, screws; metal goods, namely, nuts, washers; fixed installations of metal, namely, for roof structures; metal construction materials, namely, braces, supports, and cladding; metal roof covering materials, namely, flashing, panels

Class 19: Non-metallic building materials, namely, roofing elements, non-metallic reinforcements for concrete and wood building construction, namely, rods; non-metal roof cladding and roofing elements, namely, non-metal roofing panels, tiles, and roof coverings; structural component parts of the aforementioned goods; roofing, not of metal

Class 20: Non-metal fasteners, namely, screws, rivets, and bolts

See Exhibit A. The goods as listed in the TSDR status (“TSDR Goods”) do not reflect Applicant’s August 29, 2014 request for amendment.

Applicant is unclear as to the proper procedure for addressing the discrepancy, but for the purposes of this Brief is treating the Amended Goods as the goods of record.

III. STATEMENT OF ISSUE ON APPEAL

The issue on appeal is as follows:

1. Did the Examining Attorney provide sufficient evidence in support of the finding that the mark is merely descriptive?

IV. ARGUMENT

A. SOL-R Is Not Merely Descriptive

It is respectfully suggested that the Examining Attorney has failed to meet her burden to establish that Applicant's mark is primarily "merely descriptive." *In re Bayer Aktiengesellschaft*, 488 F.3d 960, 964 (Fed. Cir. 2007). Applicant's mark is in fact not primarily merely descriptive. A mark is considered to be merely descriptive of goods or services, within the meaning of Section 2(e)(1) of the Trademark Act, if it *immediately* describes an ingredient, quality, characteristic or feature thereof or if it directly conveys information regarding the nature, function, purpose or use of the goods or services. *See In re Abcor Development Corp.*, 200 U.S.P.Q. 215, 217-18 (C.C.P.A. 1978). Whether a mark is merely descriptive is determined not in the abstract, but in relation to the goods or services for which registration is sought, the context in which it is being used on or in connection with those goods or services and the possible significance that the mark would have to the average purchaser of the goods or services because of the manner of its use. *In*

re Bright-Crest, Ltd., 204 U.S.P.Q. 591, 593 (T.T.A.B. 1979). “There is a thin line between a suggestive and a merely descriptive designation, and where reasonable men may differ, it is the Board's practice to resolve the doubt in Applicant's favor and publish the mark for opposition.” *In re Morton-Norwich Products, Inc.*, 209 USPQ 791, 791 (TTAB 1981); *In re Box Solutions Corp.*, 79 USPQ2d 1953, 1955 (TTAB 2006).

The Examining Attorney contends that the Applicant’s mark, SOL-R, is descriptive of Applicant’s Amended Goods Applicant respectfully submits that the mark is not merely descriptive of Applicant’s Amended Goods for which registration is sought; rather, SOL-R is, at most, suggestive of the Amended Goods offered by Applicant and therefore is not subject to refusal under 15 U.S.C. §1052(e)(1).

1. Mark Which Is Deemed “Merely Descriptive” Must Immediately Convey an Idea about the Applicant’s Amended Goods.

As the Board stated in *In re The Rank Organization Limited*, 222 USPQ 324 (TTAB 1984):

Whether or not a term is merely descriptive in a trademark sense must be considered in relation to the goods for which registration is sought, the context in which it is used on labels, packages, or advertising material directed to these goods, and the likely reaction thereto by the average purchaser as he or she encounters the goods in the marketplace [citations omitted]... As a general rule, if a mark imparts or conveys an immediate idea of the qualities or characteristics or the goods, the term is descriptive, while the term would be considered suggestive if, as applied to the goods, it requires imagination, thought or perception to reach a conclusion as to the nature thereof. [Citations omitted].

Id. at 325. In that case, the Board held that “LASER” was registrable for high-fidelity loudspeakers that were manufactured using a laser hologram. *Id.* In allowing registration, the Board stated: “[w]e conclude that the term ‘LASER’ requires mature thought and imagination in order to determine what features or characteristics applicant’s goods possess. *Id.*

Applicant submits that the mark “SOL-R” requires mature thought and imagination in order to determine the features or characteristics of Applicant’s Amended Goods and a consumer would not make a connection or assume the goods have some utility in construction of solar panels. Support for this is found in the Examining Attorney’s own cited references which applied exclusively to solar hot water heating systems which were unrelated to Applicant’s Goods. In encountering “SOL-R”, one does not *immediately* know the precise nature of Applicant’s Goods.

Additionally, any doubt as to whether a term is merely descriptive or suggestive should be resolved in favor of the applicant. *Box Solutions*, 79 USPQ2d at 1955. Though “there is a thin line between a suggestive and a merely descriptive designation, and where reasonable men may differ, it is the Board’s practice to resolve the doubt in applicant’s favor.” *In re Intelligent Medical Systems, Inc.*, 5 USPQ2d 1674, 1676 (TTAB 1987). *See also The Rank Organization*, 222 USPQ at 325; *In re Shop-Vac Corp.*, 219 USPQ 470, 472 (TTAB 1983) (resolving doubts in favor of applicant and holding “WET/DRY BROOM” for electric vacuum cleaners to be suggestive, not merely descriptive); *In re American Hospital Supply Corp.*, 219 USPQ 949, 951 (TTAB 1983) (resolving all doubts in favor of applicant and finding

that “HEPATIC-AID” for nutritional supplement comprising caloric source formulation of amino acid is only suggestive); and *In re Priefert Mfg. Co., Inc.*, 222 USPQ 731, 733 (TTAB 1984) (“HAY DOLLY” is not merely descriptive of self-loading trailers for hauling bales).

2. Applicant’s Mark Is Suggestive

To be registrable on the Principal Register, a mark does not have to be devoid of all meaning relative to the goods or services. A mark may have the capacity to draw attention to what the product or its characteristics are. A term is suggestive if, when applied to the goods, it requires imagination, thought or perception to reach a conclusion as to the nature of the goods. TMEP § 1209.01(a). A suggestive term, thus, differs from a descriptive term, which immediately tells something about the product. *Id.* “The distinction, furthermore, is often made on an intuitive basis rather than as a result of precisely logical analysis susceptible of articulation.” *In re Phillips-Van Heusen Corp.*, 63 USPQ2d 1047, 1052 (TTAB 2002). A mark that is suggestive and does not describe the goods with which it is used cannot be denied registration on the Principal Register. TMEP § 1209.01(a).

For example, in *Healing the Children Inc. v. Heal the Children Inc.*, 22 USPQ2d 1690 (W.D.Pa. 1992), the court considered whether the service mark “HEALING THE CHILDREN” was descriptive of an organization whose activities included medical services for children. In finding the mark suggestive, the court stated:

In this case, “Healing the Children,” does suggest an organization which benefits children is a salutary, curative, beneficial, or remedial

way. But it is only with imagination that the consumer can determine that the organization's activities include coordinating medical teams which visit foreign countries to train local medical personnel and to provide acute care and diagnostic services for local children, and organizing transportation, visas, medical care, and foster care for children referred to plaintiff by cooperating foreign governments and private agencies. [Citation omitted.] We must therefore conclude that "Healing the Children" is a suggestive mark...

Id. at 1693. Similarly, in *In re TMS Corp. of America*, 200 USPQ 57 (TTAB 1978), the Board reversed the examining attorney's refusal to register "THE MONEY SERVICE" for financial services. The reasoning behind the Board's holding was that, although the mark "THE MONEY SERVICE" is composed of commonly used words of the English language, "its suggests a number of things, but yet falls short of describing applicant's services in any one degree of particularity."

Id. at 59. See also *Game Power Headquarters Inc. v. Owens*, 37 USPQ2d 1427, 1431 (E.D.Pa. 1995) ("GAME POWER HEADQUARTERS" for video game sales and rental stores is suggestive, since term requires imagination, thought or perception to reach conclusion as to nature of services.

This case is analogous to *In re Hamilton Watch Co.*, 158 USPQ 300 (TTAB 1968). In that case, the Board in reversing an examining attorney's refusal to register the trademark "PRECISION METALS" stated:

[A]s applied to 'special metal alloys,' 'PRECISION METALS' suggests the high quality and care involved in the production of the goods; but it does not immediately or with any degree of particularity describe their function, characteristics or use.

Id. at 301.

The above-quoted language applies here as well. “SOL-R”, like “PRECISION METALS”, is suggestive and not descriptive of Applicant’s Amended Goods, as it fails to convey any definite information about them. Significantly, the fact that the term “metals” clearly described a characteristic of the goods (“special metal alloys”) in *In re Hamilton* could not stand as a basis for refusing registration of the unitary mark “PRECISION METALS.”

Moreover, the SOL-R mark by itself does not immediately convey the word “solar” as suggested by the Examining Attorney with respect to the following goods from the Amended Goods:

Common metals and their alloys; building materials of metal, namely, metal hardware, namely, screws, rivets, bolts; metal transportable buildings; articles of small ironware, namely, bolts, nails, rivets, screws; metal goods, namely, nuts, washers. International Class 6.

“Non-metallic building materials, namely, roofing elements, non-metallic reinforcements for concrete and wood building construction, namely, rods; structural component parts of the aforementioned goods.” International Class 19.

Non-metal fasteners, namely, screws, rivets, and bolts.” International Class 20.”

Clearly, it takes some thought, imagination and a logical leap to make the connection between SOL-R and “solar” for the above-identified goods. Even if we assume, *arguendo*, that SOL-R indicates some relationship to “solar” or even the sun, there is nothing about the mark or the above-identified goods that definitely indicates the products’ function, characteristics, or use with specificity. See also, *Bose Corp. v. International Jensen Inc.*, 22 USPQ2d 1704 (Fed. Cir. 1992) (“ACOUSTIC RESEARCH” held suggestive for stereo speakers and turntables);

Morton-Norwich, 209 USPQ at 792 (The mark “COLOR CARE” for bleach “intimates or suggests a characteristic of the product rather than being merely descriptive thereof.”).

SOL-R, as used in the overall scheme of Applicant’s Mark, and as applied to Applicant’s Amended Goods is no more descriptive than any of the above-cited marks. *See also Cheng v. Thea Dispeker Inc.*, 35 USPQ2d 1493, 1496 (SDNY 1995) (“BRAVO BROADWAY!” suggestive when used to identify musical entertainment services); *Dial-A-Mattress Operating Corp. v. Mattress Madness Inc.*, 33 USPQ2d 1961 (EDNY 1994) (“DIAL-A-MATTRESS” for services selling mattresses by telephone order is suggestive).

V. CONCLUSION

In view of the foregoing arguments and the evidence submitted herewith, Applicant respectfully requests that the refusal to register Applicant’s Mark under Section 2(e) of the Trademark Act be reversed.

Respectfully submitted,

SFS intec Holding AG

s/John J. O’Malley
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Mark: SOL-R

SOL-R

US Serial Number: 79109409

Application Filing Date: Nov. 28, 2011

Register: Principal

Mark Type: Trademark

Status: An appeal of a final refusal to register the mark is pending before the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Sep. 20, 2014

Mark Information

Mark Literal Elements: SOL-R

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1107454

International Registration Date: Nov. 28, 2011

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Common metals and their alloys; building materials of metal, namely, metal hardware, namely, screws, rivets, bolts; metal transportable buildings; articles of small ironware, namely, bolts, nails, rivets, screws; metal goods, namely, nuts, washers; fixed installations of metal, namely, for roof structures; metal construction materials, namely, braces, supports, and cladding; metal roof covering materials, namely, flashing, panels

International Class(es): 006 - Primary Class

U.S Class(es): 002, 012, 013, 014, 023, 025, 050

Class Status: ACTIVE

Basis: 66(a)

For: Non-metallic building materials, namely, roofing elements, non-metallic reinforcements for concrete and wood building construction, namely, rods; non-metal roof cladding and roofing elements, namely, non-metal roofing panels, tiles, and roof coverings; structural component parts of the aforementioned goods; roofing, not of metal

International Class(es): 019 - Primary Class

U.S Class(es): 001, 012, 033, 050

Class Status: ACTIVE

Basis: 66(a)

For: Non-metal fasteners, namely, screws, rivets, and bolts

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

EXHIBIT A

Owner Name: SFS intec Holding AG
Owner Address: Nefenstrasse 30
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Legal Entity Type: Aktiengesellschaft

State or Country Where Organized: SWITZERLAND

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Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Sep. 16, 2014	ATTORNEY REVIEW COMPLETED	76433
Aug. 29, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 29, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 29, 2014	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jul. 31, 2014	NOTIFICATION OF ACTION DENYING REQ FOR RECON E-MAILED	
Jul. 31, 2014	ACTION DENYING REQ FOR RECON E-MAILED	
Jul. 31, 2014	ACTION CONTINUING A FINAL - COMPLETED	76433
Jul. 16, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 15, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 15, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 15, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 15, 2014	NON-FINAL ACTION E-MAILED	6325
Jan. 15, 2014	NON-FINAL ACTION WRITTEN	76433
Jan. 13, 2014	JURISDICTION RESTORED TO EXAMINING ATTORNEY	109409
Jan. 13, 2014	EXAMINERS REQUEST FOR REMAND TO TTAB	76433
Nov. 20, 2013	JURISDICTION RESTORED TO EXAMINING ATTORNEY	109409
Aug. 30, 2013	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Aug. 14, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Aug. 14, 2013	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Jun. 20, 2013	NOTIFICATION OF ACTION DENYING REQ FOR RECON E-MAILED	
Jun. 20, 2013	ACTION DENYING REQ FOR RECON E-MAILED	
Jun. 20, 2013	ACTION CONTINUING FINAL - COMPLETED	76433
Apr. 18, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	70138
Apr. 18, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	70138
Apr. 10, 2013	ASSIGNED TO LIE	70138

Apr. 08, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Apr. 08, 2013	EX PARTE APPEAL-INSTITUTED	109409
Apr. 08, 2013	JURISDICTION RESTORED TO EXAMINING ATTORNEY	109409
Apr. 08, 2013	EXPARTE APPEAL RECEIVED AT TTAB	
Oct. 08, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Oct. 08, 2012	FINAL REFUSAL E-MAILED	
Oct. 08, 2012	FINAL REFUSAL WRITTEN	76433
Sep. 14, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 14, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 14, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 25, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 25, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 31, 2012	REFUSAL PROCESSED BY IB	
Mar. 20, 2012	APPLICATION FILING RECEIPT MAILED	
Mar. 15, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Mar. 15, 2012	REFUSAL PROCESSED BY MPU	68359
Mar. 15, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Mar. 14, 2012	NON-FINAL ACTION WRITTEN	76433
Mar. 14, 2012	ASSIGNED TO EXAMINER	76433
Mar. 14, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 13, 2012	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1107454	International Registration Date: Nov. 28, 2011
Priority Claimed Flag: Yes	Date of Section 67 Priority Claim: Jun. 24, 2011
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Mar. 13, 2012
Notification of Designation Date: Mar. 08, 2012	Date of Automatic Protection: Sep. 08, 2013
International Registration Renewal Date: Nov. 28, 2021	
First Refusal Flag: Yes	

TM Staff and Location Information

TM Staff Information

TM Attorney: SMITH, REBECCA A

Law Office Assigned: LAW OFFICE 110

File Location

Current Location: TMO LAW OFFICE 110 - EXAMINING ATTORNEY ASSIGNED

Date in Location: Jul. 31, 2014

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Exparte Appeal

Proceeding Number: [79109409](#)

Filing Date: Apr 08, 2013

Status: Pending

Status Date: Apr 08, 2013

Interlocutory Attorney:

Plaintiff(s)

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Associated marks

Mark	Application Status	Serial Number	Registration Number
SOL-R	Ex Parte Appeal Pending	79109409	

Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Apr 08, 2013	
2	Appeal Acknowledged; Case Remanded	Apr 08, 2013	
3	INSTITUTED	Apr 08, 2013	
4	REQ FOR RECON	Apr 08, 2013	
5	RECON DENIED	Jun 20, 2013	
6	PROCEEDINGS RESUMED	Jun 27, 2013	
7	APPLICANT REQ TO EXT	Aug 26, 2013	
8	BRIEF DUE	Sep 17, 2013	
9	APPLICANT REQ TO EXT	Sep 20, 2013	
10	BRIEF DUE	Oct 24, 2013	
11	APPEAL BRIEF	Oct 25, 2013	
12	APPEAL FORWARDED TO EXAMINER FOR BRIEF	Nov 20, 2013	
13	EXAMINER'S REQ FOR REMAND	Jan 13, 2014	
14	JURISDICTION RESTORED / REMANDED TO EXAMINER	Jan 13, 2014	
15	RECON DENIED	Jul 31, 2014	
16	PROCEEDINGS RESUMED	Sep 20, 2014	
17	APPLICANT REQ TO EXT	Nov 19, 2014	
18	BRIEF DUE	Nov 26, 2014	
19	APPLICANT REQ TO EXT	Dec 18, 2014	
20	BRIEF DUE	Dec 22, 2014	
21	APPLICANT REQ TO EXT	Feb 17, 2015	
22	RESPONSE DUE	Feb 20, 2015	
23	APPLICANT REQ TO EXT	Apr 19, 2015	
24	BRIEF DUE	Apr 20, 2015	
25	APPLICANT REQ TO EXT	Jun 18, 2015	
26	BRIEF DUE	Jun 19, 2015	