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

Proceeding	79124238
Applicant	VULCANIC
Applied for Mark	VULCANIC
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Submission	Applicants Request for Remand and Amendment
Attachments	Vulcanic.pdf(140404 bytes )
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Date	10/14/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIALS AND APPEALS BOARD**

Applicant	Vulcanic
Serial Nos. 79/124,239 79124, 238	Filing Date: November 8, 2012
Mark	VULCANIC 

**APPLICANT'S REQUEST FOR REMAND TO EXAMINING ATTORNEY  
FOR RECONSIDERATION AND AMENDMENT**

Applicant respectfully requests remand of the above applications to the Examining Attorney pursuant to 37 C.F.R. §2.142(d) and Trademark Trials and Appeals Board Manual of Procedure §1207.02. Applicant submits that there is good cause to suspend the appeal and remand the application based on the following facts:

Applicant's has appealed the refusal to register its trademark under Section 2(d), 15 U.S.C. § 1052(d). The appeal also pertains to a final requirement for amendment to the identification of goods.

The proposed amendment complies with the examiner's proposal in the Final Office Action and therefore is likely to be accepted. The purpose of the amendment is to reduce

the scope of issues presented to the Board and reduce briefing requirements to the Applicant and the examining attorney to those issues still in dispute.

### **PROPOSED AMENDMENT (CHANGES IN BOLD):**

#### **International Class 009**

Scientific, measuring, signaling, checking and supervision, and teaching apparatus and instruments, namely, electricity conduits, electricity distribution consoles, electricity limiters, electricity routers for managing and optimizing energy loads within machines and within a building ; electricity voltage regulators ; **LCD** monitors for displaying electricity usage ; electrical distribution boxes ; electrical distribution **circuit** boards ; electric batteries ; electric couplings ; electrical junction boxes ; electric cables ; electric installations for the remote control of industrial operations ; electronic devices, namely, energy meters for tracking and monitoring energy usage ; electric resistors ; temperature **controllers** for industrial applications ; temperature indicators ; temperature probes **for non-medical use**; thermostats; mercury level gauges ; boiler control instruments ; fire alarms ; measurement converters ; data processing equipment and computers ; computer software recorded on data media for controlling heating and cooling apparatus ; apparatus for recording, transmission or reproduction of sound or images ; blank magnetic data carriers ; prerecorded video discs featuring information regarding heating and cooling systems ; computer screens and monitors

#### **International Class 011.**

Heating installations and cooling units for industrial purposes ; steam generating installations ; refrigerating machines and installations ; drying apparatus for use in heating, ventilation, air conditioning, and refrigeration systems ; climate control **devices** consisting of ventilation control devices; heating installations for heating air, fluids, solids, corrosive preparations, water and any other liquids ; heating installations for infrared heating ; heating apparatus for solid, liquid or gaseous fuels ; heating radiators ; electric heaters for commercial use ; electric radiators ; heating boilers ; electrical boilers ; automatic waters feeders **being parts** for heating boilers ; electric heating stoves, not for cooking; heat pumps ; heaters for vehicles ; electric hot air generators for use in heating ; heat accumulators ; heat regenerators, not being parts of machines ; heating elements ; electric heating filaments ; fireplaces, domestic ; solar collectors for heating ; immersion heaters ; electric heating cables ; electrical heating tapes ; heating element cartridges ; temperature control devices, namely, thermoregulators and heat exchangers, not parts of machines; cooling installations for cooling air, fluids, water and any other liquids ; air conditioning units ; ventilation fans for air conditioning units ; ventilation air-conditioning installations for vehicles ; air conditioning apparatus and installations ; cooling installations for liquids ; ventilation hoods ; air filtering installations ; electric air purifiers and deodorizers ; fans being parts of air-conditioning installations ; refrigerating installations and machines ; apparatus and installations for refrigeration and cooling ; coolers for furnaces . steam accumulators ; steam generating installations ; humidifiers

for central heating radiators ; infrared generators for heating and drying ; fuel economizers in the nature of energy recovering ventilators

**International Class 037.**

No change.

**International Class 042.**

No change.

Accordingly, Applicant submits that good cause exists to support this request for Remand and Reconsideration.

Respectfully submitted,

ATTORNEYS FOR APPLICANT



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