

From: Wood, Caroline

Sent: 8/25/2015 6:22:15 PM

To: TTAB E filing

CC:

Subject: U.S. TRADEMARK APPLICATION NO. 79141331 - KC CHOCOLATIER - N/A - Request for  
Reconsideration Denied - Return to TTAB

\*\*\*\*\*

Attachment Information:

Count: 1

Files: 79141331.doc

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 79141331

**MARK:** KC CHOCOLATIER



**CORRESPONDENT ADDRESS:**

MARTIN W SCHIFFMILLER

KIRSCHSTEIN ISRAEL SCHIFFMILLER & PIERON

425 FIFTH AVE 5TH FL

NEW YORK, NY 10016-2223

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

[VIEW YOUR APPLICATION FILE](#)

**APPLICANT:** Kim's Chocolates, naamloze vennootschap

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

mws@kirschsteinlaw.com

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 8/25/2015

**INTERNATIONAL REGISTRATION NO. 1189046**

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The following requirement(s) and/or refusal(s) made final in the Office action dated October 2, 2015 are maintained and continue to be final: The Trademark Act Section 2(d) refusal. See TMEP

§§715.03(a)(ii)(B), 715.04(a). The examining attorney accepts the applicant's amendment with regard to the correction in the ownership of the mark.

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. See TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); see 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); see TMEP §§715.03, 715.03(a)(ii)(B), (c).

/Caroline E. Wood/

Examining Attorney

Law Office 110

571-272-9243

caroline.wood@uspto.gov

(responses are not accepted via e-mail)