

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	79144955
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 117
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p><i>Response to Office Action of November 22, 2014</i></p> <p>Applicant notes that the name inquiry, disclaimer, description of the mark, and claim of ownership issues have been satisfied.</p> <p>In response to the examiner's continued refusal as to class 7 based on likelihood of confusion with U.S. Registration No. 3142325, Applicant against requests reconsideration and withdrawal of the refusal. Applicant hereby asserts a unity of control over the mark in the cited registration via the owner of that mark, a related company. Pursuant to TMEP Section 715.03(b), the examiner must issue a subsequent final refusal if he will not be withdrawing the refusal based on the foregoing. In the meantime, Applicant also requests reconsideration of all remaining informalities including but not limited to the objections to the identifications of goods and services.</p> <p>Having responded to these issues, Applicant kindly requests passage to publication.</p> <p>Respectfully submitted,</p>	
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/ml/
<b>SIGNATORY'S NAME</b>	Mark Lebow
<b>SIGNATORY'S POSITION</b>	Attorney of Record, NY Bar
<b>SIGNATORY'S PHONE NUMBER</b>	703-837-9600
<b>DATE SIGNED</b>	05/22/2015

<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 22 10:45:21 EDT 2015
<b>TEAS STAMP</b>	USPTO/RFR-65.213.213.194- 20150522104521357142-7914 4955-53095bd8cd950f2f416c 63dceb1d8c732f7f6d94f6c6d 86197491821f2be04a-N/A-N/ A-20150522104243601775

PTO Form 1960 (Rev 9/2007)  
OMB No. 0651-0050 (Exp. 07/31/2017)

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

Application serial no. **79144955** has been amended as follows:

### **ARGUMENT(S)**

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

#### ***Response to Office Action of November 22, 2014***

Applicant notes that the name inquiry, disclaimer, description of the mark, and claim of ownership issues have been satisfied.

In response to the examiner's continued refusal as to class 7 based on likelihood of confusion with U.S. Registration No. 3142325, Applicant against requests reconsideration and withdrawal of the refusal.

Applicant hereby asserts a unity of control over the mark in the cited registration via the owner of that mark, a related company. Pursuant to TMEP Section 715.03(b), the examiner must issue a subsequent final refusal if he will not be withdrawing the refusal based on the foregoing. In the meantime, Applicant also requests reconsideration of all remaining informalities including but not limited to the objections to the identifications of goods and services.

Having responded to these issues, Applicant kindly requests passage to publication.

Respectfully submitted,

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /ml/ Date: 05/22/2015

Signatory's Name: Mark Lebow

Signatory's Position: Attorney of Record, NY Bar

Signatory's Phone Number: 703-837-9600

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.

Serial Number: 79144955

Internet Transmission Date: Fri May 22 10:45:21 EDT 2015

TEAS Stamp: USPTO/RFR-65.213.213.194-201505221045213

57142-79144955-53095bd8cd950f2f416c63dce

b1d8c732f7f6d94f6c6d86197491821f2be04a-N

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