

Request for Reconsideration after Final Action

The table below presents the data as entered.

| Input Field | Entered |
|--|---|
| SERIAL NUMBER | 79149407 |
| LAW OFFICE ASSIGNED | LAW OFFICE 107 |
| MARK SECTION | |
| MARK | http://tmng-al.uspto.gov/resting2/api/img/79149407/large |
| LITERAL ELEMENT | SWEP15 |
| STANDARD CHARACTERS | YES |
| USPTO-GENERATED IMAGE | YES |
| MARK STATEMENT | The mark consists of standard characters, without claim to any particular font style, size or color. |
| GOODS AND/OR SERVICES SECTION (006)(current) | |
| INTERNATIONAL CLASS | 006 |
| DESCRIPTION | |
| Molded and formed parts for use in automotive industry, electronic and electrical engineering and medical engineering, for fittings, consumer goods and tools consisting of deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, springs, lead frames, pins, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; the aforesaid parts including being surface treated, in particular cured, carburized, nitrocarburized; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations | |
| GOODS AND/OR SERVICES SECTION (006)(proposed) | |
| INTERNATIONAL CLASS | 006 |
| TRACKED TEXT DESCRIPTION | |
| <p style="color: red;">Molded and formed parts for use in automotive industry, electronic and electrical engineering and medical engineering, for fittings, consumer goods and tools consisting of deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, springs, lead frames, pins, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; Molded and formed parts, namely deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, pins and seats</p> | |

for automotive transmission systems, for braking applications, for gearbox applications, for cam phaser applications, for solenoid valve applications, for magnetic valve applications, for fuel injection systems, for oil control valves, for brake fluid control valves, for high pressure valves, for gas regulators, for high performance magnetic valves, for solenoid housings for valves in automotive ABS systems, for jackets and tubes for automotive fuel injection systems, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; the aforesaid parts including being surface treated, in particular cured, carburized, nitrocarburized; ~~none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations;~~ none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmissions or air conditional installations

FINAL DESCRIPTION

Molded and formed parts, namely deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, pins and seats for automotive transmission systems, for braking applications, for gearbox applications, for cam phaser applications, for solenoid valve applications, for magnetic valve applications, for fuel injection systems, for oil control valves, for brake fluid control valves, for high pressure valves, for gas regulators, for high performance magnetic valves, for solenoid housings for valves in automotive ABS systems, for jackets and tubes for automotive fuel injection systems, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; the aforesaid parts including being surface treated, in particular cured, carburized, nitrocarburized; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmissions or air conditional installations

GOODS AND/OR SERVICES SECTION (007)(current)

| | |
|---------------------|-----|
| INTERNATIONAL CLASS | 007 |
|---------------------|-----|

DESCRIPTION

Metal working machines, wood working machines, plastic processing machines and machine tools for the aforementioned machines; mechanically functioning tools being machine parts; mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditioning installations

GOODS AND/OR SERVICES SECTION (007)(proposed)

| | |
|---------------------|-----|
| INTERNATIONAL CLASS | 007 |
|---------------------|-----|

TRACKED TEXT DESCRIPTION

~~Metal working machines, wood working machines, plastic processing machines and machine tools for the aforementioned machines;~~ Metal working machines, plastic processing machines and mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools; ~~mechanically functioning tools being machine parts;~~ none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations; ~~mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and~~

~~machine tool elements for stamping and forming, CAD operated machine tools; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditioning installations~~

FINAL DESCRIPTION

Metal working machines, plastic processing machines and mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

GOODS AND/OR SERVICES SECTION (040)(current)

INTERNATIONAL CLASS

040

DESCRIPTION

Metal treatment services, namely, treatment of processed parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron molybdenum and other metals by means of forming, in particular deep drawing, separating, in particular stamping, surface treatment, in particular curing and nitrocarburizing; none of the aforesaid services being in relation to heating and cooling, heat exchangers, heat transmission or air conditioning installations

GOODS AND/OR SERVICES SECTION (040)(proposed)

INTERNATIONAL CLASS

040

TRACKED TEXT DESCRIPTION

~~Metal treatment services, namely, treatment of processed parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron molybdenum and other metals by means of forming, in particular deep drawing, separating, in particular stamping, surface treatment, in particular curing and nitrocarburizing;~~ Metal treatment services, namely, treatment of process parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum and other metals by means of forming, in particular, deep drawing, separating, in particular, stamping, surface treatment, in particular, curing and nitro carburizing; ~~none of the aforesaid services being in relation to heating and cooling, heat exchangers, heat transmission or air conditioning installations;~~ none of the aforesaid services being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

FINAL DESCRIPTION

Metal treatment services, namely, treatment of process parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum and other metals by means of forming, in particular, deep drawing, separating, in particular, stamping, surface treatment, in particular, curing and nitro carburizing; none of the aforesaid services being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

ADDITIONAL STATEMENTS SECTION

The Listing of Goods has been considered indefinite and has

| | |
|---------------------------------------|---|
| MISCELLANEOUS STATEMENT | now been modified substantially in accordance with the suggestions of the Examiner which are appreciated. It is noted that this Amendment responds to a final rejection. Accordingly, Applicant will file a Notice of Appeal to the Trademark Trial and Appeal Board in order to maintain dependency of the subject application. Should the Examiner continue to find any part of the amended Listing of Goods to be indefinite, it would be highly appreciated if the Examiner could kindly call the undersigned, Michael J. Striker, at (631) 549-4700 in order to resolve any remaining issues regarding the Listing of Goods. |
| SIGNATURE SECTION | |
| RESPONSE SIGNATURE | /Michael J. Striker/ |
| SIGNATORY'S NAME | Michael J. Striker |
| SIGNATORY'S POSITION | Authorized Attorney |
| SIGNATORY'S PHONE NUMBER | 631 549 4700 |
| DATE SIGNED | 10/08/2015 |
| AUTHORIZED SIGNATORY | YES |
| CONCURRENT APPEAL NOTICE FILED | YES |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Thu Oct 08 12:27:21 EDT 2015 |
| TEAS STAMP | USPTO/RFR-67.87.90.200-20 151008122721993913-791494 07-540fd1c638096577462f5f ca037e3e529772d75f2c5335c 8f8d5453d48ccc25a20-N/A-N /A-20151008122212621890 |

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

Application serial no. **79149407** SWEP15(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/79149407/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 006 for Molded and formed parts for use in automotive industry, electronic and electrical engineering and medical engineering, for fittings, consumer goods and tools consisting of deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, springs, lead frames, pins, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; the aforesaid parts including being surface treated, in particular cured, carburized, nitrocarburized; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Molded and formed parts for use in automotive industry, electronic and electrical engineering and medical engineering, for fittings, consumer goods and tools consisting of deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, springs, lead frames, pins, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum;~~ Molded and formed parts, namely deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, pins and seats for automotive transmission systems, for braking applications, for gearbox applications, for cam phaser applications, for solenoid valve applications, for magnetic valve applications, for fuel injection systems, for oil control valves, for brake fluid control valves, for high pressure valves, for gas regulators, for high performance magnetic valves, for solenoid housings for valves in automotive ABS systems, for jackets and tubes for automotive fuel injection systems, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; the aforesaid parts including being surface treated, in particular cured, carburized, nitrocarburized; ~~none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations;~~ none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmissions or air conditional installations

Class 006 for Molded and formed parts, namely deep drawn parts, separated parts and stamped parts, namely, sleeves, cans, housings, sockets, rings, discs, covers, caps, cups, pins and seats for automotive transmission systems, for braking applications, for gearbox applications, for cam phaser applications, for solenoid valve applications, for magnetic valve applications, for fuel injection systems, for oil control valves, for brake fluid control valves, for high pressure valves, for gas regulators, for high performance magnetic valves, for solenoid housings for valves in automotive ABS systems, for jackets and tubes for automotive fuel injection systems, the aforesaid parts being of steel, in particular cold rolled strip steel, micro-alloyed steels, slits strips, carbon steels, oxidizing and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum; the aforesaid parts including being surface treated, in particular cured, carburized, nitrocarburized; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmissions or air conditional installations

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 007 for Metal working machines, wood working machines, plastic processing machines

and machine tools for the aforementioned machines; mechanically functioning tools being machine parts; mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditioning installations

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Metal working machines, wood working machines, plastic processing machines and machine tools for the aforementioned machines;~~ Metal working machines, plastic processing machines and mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools; ~~mechanically functioning tools being machine parts;~~ none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations; ~~mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools;~~ none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditioning installations

Class 007 for Metal working machines, plastic processing machines and mechanically functioning machine tools for shaping, especially deep drawing, separating and punching, namely, dies for stampings and bent metal parts, individual machine tools and machine tool elements for stamping and forming, CAD operated machine tools; none of the aforesaid goods being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 040 for Metal treatment services, namely, treatment of processed parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron molybdenum and other metals by means of forming, in particular deep drawing, separating, in particular stamping, surface treatment, in particular curing and nitrocarburizing; none of the aforesaid services being in relation to heating and cooling, heat exchangers, heat transmission or air conditioning installations

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Metal treatment services, namely, treatment of processed parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron molybdenum and other metals by means of forming, in particular deep drawing, separating, in particular stamping, surface treatment, in particular curing and nitrocarburizing;~~ Metal treatment services, namely, treatment of process parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze,

nickel, aluminum, iron, molybdenum and other metals by means of forming, in particular, deep drawing, separating, in particular, stamping, surface treatment, in particular, curing and nitro carburizing; none of the aforesaid services being in relation to heating and cooling, heat exchangers, heat transmission or air conditioning installations; none of the aforesaid services being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

Class 040 for Metal treatment services, namely, treatment of process parts of, in particular, cold rolled strip steel, micro-alloyed steels, slit strips, carbon steels, rusting and stainless steels, brass, copper, bronze, nickel, aluminum, iron, molybdenum and other metals by means of forming, in particular, deep drawing, separating, in particular, stamping, surface treatment, in particular, curing and nitro carburizing; none of the aforesaid services being related to heating and cooling, heat exchangers, heat transmission or air conditional installations

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

ADDITIONAL STATEMENTS

Miscellaneous Statement

The Listing of Goods has been considered indefinite and has now been modified substantially in accordance with the suggestions of the Examiner which are appreciated. It is noted that this Amendment responds to a final rejection. Accordingly, Applicant will file a Notice of Appeal to the Trademark Trial and Appeal Board in order to maintain dependency of the subject application. Should the Examiner continue to find any part of the amended Listing of Goods to be indefinite, it would be highly appreciated if the Examiner could kindly call the undersigned, Michael J. Striker, at (631) 549-4700 in order to resolve any remaining issues regarding the Listing of Goods.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Michael J. Striker/ Date: 10/08/2015

Signatory's Name: Michael J. Striker

Signatory's Position: Authorized Attorney

Signatory's Phone Number: 631 549 4700

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 owner's/holder'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 owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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: 79149407

Internet Transmission Date: Thu Oct 08 12:27:21 EDT 2015
TEAS Stamp: USPTO/RFR-67.87.90.200-20151008122721993
913-79149407-540fd1c638096577462f5fca037
e3e529772d75f2c5335c8f8d5453d48ccc25a20-
N/A-N/A-20151008122212621890