

From: Carroll, Doritt

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Subject: U.S. TRADEMARK APPLICATION NO. 79151977 - LALA BERLIN - 2210.681.135 - Request for Reconsideration Denied - Return to TTAB

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Attachment Information:

Count: 1

Files: 79151977.doc

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

**U.S. APPLICATION SERIAL NO.** 79151977

**MARK:** LALA BERLIN



**CORRESPONDENT ADDRESS:**

BARBARA A BARAKAT

WILMER CUTLER PICKERING HALE AND DORR LL

60 STATE STREET

BOSTON, MA 02109

**GENERAL TRADEMARK INFORMATION:**

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

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**APPLICANT:** Lala Berlin GmbH

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

2210.681.135

**CORRESPONDENT E-MAIL ADDRESS:**

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**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 3/28/2016

**INTERNATIONAL REGISTRATION NO.** 1215898

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 applicant's amended identification of goods is accepted. As a result of the narrowed identification, the examining attorney WITHDRAWS the refusal to register based upon a likelihood of confusion with U.S. Reg. No. 4497601 and U.S. Reg. No. 1897519.**

**The following goods continue to create a conflict with U.S. Reg. No. 3807091: wallets, briefcases, and walking sticks. If the applicant AGAIN SEEKS REMAND and deletes these items from the identification, the appeal will be MOOT.**

In the present case, applicant's request has not resolved all the outstanding issue, nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue 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 refusal, 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).

/Doritt Carroll/

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