

From: Pino, Brian

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Subject: U.S. TRADEMARK APPLICATION NO. 79160316 - CHAIROOLUTION - 116598.00100 - Request for Reconsideration Denied - Return to TTAB

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

**U.S. APPLICATION SERIAL NO.** 79160316

**MARK:** CHAIROLUTION



**CORRESPONDENT ADDRESS:**

PETER WEISSMAN

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**GENERAL TRADEMARK INFORMATION:**

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

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**APPLICANT:** noonee SA

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

116598.00100

**CORRESPONDENT E-MAIL ADDRESS:**

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**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 4/5/2016

**INTERNATIONAL REGISTRATION NO. 1235399**

The trademark examining attorney has carefully reviewed applicant's March 17, 2016, 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 September 21, 2015, are maintained and continue to be final: identification. See TMEP §§715.03(a)(ii)(B), 715.04(a).

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.

The applicant's amended identification of goods is acceptable for the goods in International Class 10.

However, the identification of goods in International Class 20 remains unacceptable. Specifically, the goods listed as "goods of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics in the nature of sitting, standing and resting, bending, and kneeling supports, namely, wearable body supports and exoskeletons" are indefinite because the nature of the goods is not clear, e.g., the nature of the body supports is not defined, and the goods could be classified in several classes depending on the nature of the goods, e.g., the exoskeletons could be classified in International Classes 9 or 10 depending on the nature of the goods.

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).

/Brian Pino/

Examining Attorney

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