

Request for Reconsideration after Final Action

The table below presents the data as entered.

| Input Field | Entered |
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| SERIAL NUMBER | 79160557 |
| LAW OFFICE ASSIGNED | LAW OFFICE 115 |
| MARK SECTION | |
| MARK FILE NAME | http://tmng-al.uspto.gov/resting2/api/img/79160557/large |
| LITERAL ELEMENT | DESIGNPEDIA |
| STANDARD CHARACTERS | NO |
| USPTO-GENERATED IMAGE | NO |
| OWNER SECTION (current) | |
| NAME | Juan José Gasca Rubio / Rafael Zaragoza Alvaro |
| INTERNAL ADDRESS | C/ Gutiérrez Mellado, 47 1°-A |
| STREET | E-50009 Zaragoza |
| CITY | Zaragoza |
| ZIP/POSTAL CODE | 50009 |
| COUNTRY | Spain |
| EMAIL | info@marcandoideas.es |
| OWNER SECTION (proposed) | |
| NAME | Juan José Gasca Rubio / Rafael Zaragoza Alvaro |
| STREET | C/ Gutiérrez Mellado, 47 1°-A |
| CITY | Zaragoza |
| ZIP/POSTAL CODE | E-50009 |
| COUNTRY | Spain |
| ARGUMENT(S) | |
| <p>Applicants note the Examining Attorney's continued objections to the identification of goods. In response, they amend the identification of goods in Classes 9 and 16 for greater specificity.</p> <p>Additionally Applicants note the Examining Attorney's requirement to clarify the nature of their ownership of the mark. They are joint applicants consisting of two individuals, namely, Juan Jose Gasca Rubio, an individual who is a citizen of Spain, and Rafael Zaragoza Alvaro, an individual who is a citizen of Spain.</p> <p>The Applicants are filing a notice of appeal in conjunction with this request for reconsideration.</p> <p>Early notice that the application has been forwarded for publication is appreciated.</p> | |
| GOODS AND/OR SERVICES SECTION (009)(current) | |
| INTERNATIONAL CLASS | 009 |

DESCRIPTION

Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas; electronic book readers; apparatus for recording, sound and images; blank magnetic tapes for tape recorders; blank compact disks; blank recordable DVDs and blank digital storage media; data processing apparatus; computers, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants; multimedia apparatus for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information, projectors, accelerator boards; software for use in relation to electronic publications and downloadable electronic publications

GOODS AND/OR SERVICES SECTION (009)(proposed)

INTERNATIONAL CLASS

009

TRACKED TEXT DESCRIPTION

~~Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas;~~ [Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas of general application](#); electronic book readers; ~~apparatus for recording, sound and images;~~ [apparatus for recording sound and images](#); blank magnetic tapes for tape recorders; blank compact disks; blank recordable DVDs and blank digital storage media; data processing apparatus; computers, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants; ~~multimedia apparatus for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information, projectors, accelerator boards;~~ [multimedia projectors](#); ~~software for use in relation to electronic publications and downloadable electronic publications;~~ [multimedia accelerator boards](#); [multimedia apparatus consisting of multimedia projectors, multimedia accelerator boards, data processing apparatus, apparatus for recording and reproduction of sound, images or data, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information; \[software for use in reading, writing, publishing, transmitting, cataloging, and organizing electronic publications and downloadable electronic publications\]\(#\)](#)

FINAL DESCRIPTION

Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas of general application; electronic book readers; apparatus for recording sound and images; blank magnetic tapes for tape recorders; blank compact disks; blank recordable DVDs and blank digital storage media; data processing apparatus; computers, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants; multimedia projectors; multimedia accelerator boards; multimedia apparatus consisting of multimedia projectors, multimedia accelerator boards, data processing apparatus, apparatus for recording and reproduction of sound, images or data, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information; software for use in reading, writing, publishing, transmitting, cataloging, and organizing electronic publications and downloadable electronic publications

GOODS AND/OR SERVICES SECTION (016)(current)

INTERNATIONAL CLASS

016

DESCRIPTION

Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas; stationery, catalogs in the field of developing solutions and ideas; calendars, printed paper labels, stickers, cards, namely, greeting cards, note cards, business cards

GOODS AND/OR SERVICES SECTION (016)(proposed)

INTERNATIONAL CLASS

016

TRACKED TEXT DESCRIPTION

~~Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas;~~ [Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas of general application](#); ~~stationery, catalogs in the field of developing solutions and ideas;~~ [catalogs in the field of developing solutions and ideas of general application](#); ~~calendars, printed paper labels, stickers, cards, namely, greeting cards, note cards, business cards;~~ [stationery](#); [calendars](#); [printed paper labels](#); [stickers](#); [cards](#); [namely, greeting cards, note cards, business cards](#)

FINAL DESCRIPTION

Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas of general application; catalogs in the field of developing solutions and ideas of general application; stationery;

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| calendars; printed paper labels; stickers; cards; namely, greeting cards, note cards, business cards | |
| SIGNATURE SECTION | |
| RESPONSE SIGNATURE | /John C. Holman/ |
| SIGNATORY'S NAME | John C. Holman |
| SIGNATORY'S POSITION | Attorney of record, DC bar member |
| DATE SIGNED | 03/28/2016 |
| AUTHORIZED SIGNATORY | YES |
| CONCURRENT APPEAL NOTICE FILED | YES |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Mon Mar 28 15:18:03 EDT 2016 |
| TEAS STAMP | USPTO/RFR-XX.XXX.XXX.XXX- 20160328151803953098-7916 0557-550d1a4a8df60421417e c528f111f280f9e618589e8f4 fde1ab74d817bb3c43eea-N/A -N/A-20160328150202096210 |

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.
PTO Form 1960 (Rev 10/2011)
OMB No. 0651-0050 (Exp 07/31/2017)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **79160557** DESIGNPEDIA (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/79160557/large>) has been amended as follows:

ARGUMENT(S)

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

Applicants note the Examining Attorney's continued objections to the identification of goods. In response, they amend the identification of goods in Classes 9 and 16 for greater specificity.

Additionally Applicants note the Examining Attorney's requirement to clarify the nature of their ownership of the mark. They are joint applicants consisting of two individuals, namely, Juan Jose Gasca Rubio, an individual who is a citizen of Spain, and Rafael Zaragoza Alvaro, an individual who is a citizen of Spain.

The Applicants are filing a notice of appeal in conjunction with this request for reconsideration.

Early notice that the application has been forwarded for publication is appreciated.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 009 for Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas; electronic book readers; apparatus for recording, sound and images; blank magnetic tapes for tape recorders; blank compact disks; blank recordable DVDs and blank digital storage media; data processing apparatus; computers, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants; multimedia apparatus for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information, projectors, accelerator boards; software for use in relation to electronic publications and downloadable electronic publications

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: ~~Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas; apparatus for recording, sound and images; multimedia apparatus for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information, projectors, accelerator boards; software for use in relation to electronic publications and downloadable electronic publications; multimedia accelerator boards; multimedia apparatus consisting of multimedia projectors, multimedia accelerator boards, data processing apparatus, apparatus for recording and reproduction of sound, images or data, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information; software for use in reading, writing, publishing, transmitting, cataloging, and organizing electronic publications and downloadable electronic publications~~; Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas of general application; electronic book readers; apparatus for recording, sound and images; apparatus for recording sound and images; blank magnetic tapes for tape recorders; blank compact disks; blank recordable DVDs and blank digital storage media; data processing apparatus; computers, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants; multimedia apparatus for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information, projectors, accelerator boards; multimedia projectors; software for use in relation to electronic publications and downloadable electronic publications; multimedia accelerator boards; multimedia apparatus consisting of multimedia projectors, multimedia accelerator boards, data processing apparatus, apparatus for recording and reproduction of sound, images or data, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information; software for use in reading, writing, publishing, transmitting, cataloging, and organizing electronic publications and downloadable electronic publications

Class 009 for Electronic publications and downloadable electronic publications, namely, books, magazines, instruction manuals, newsletters, in the field of developing solutions and ideas of general application; electronic book readers; apparatus for recording sound and images; blank magnetic tapes for tape recorders; blank compact disks; blank recordable DVDs and blank digital storage media; data processing apparatus; computers, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants; multimedia projectors; multimedia accelerator boards; multimedia apparatus consisting of multimedia projectors, multimedia accelerator boards, data processing apparatus, apparatus for recording and reproduction of sound, images or data, electronic apparatus in the nature of MP3 players, mobile telephones, digital cameras and personal digital assistants for use in managing personal property inventory, for use in securing property and facilities, for storing and sharing personal information; software for use in reading, writing, publishing, transmitting, cataloging, and organizing electronic publications and downloadable electronic publications

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 016 for Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas; stationery, catalogs in the field of developing solutions and ideas; calendars, printed paper labels, stickers, cards, namely, greeting cards, note cards, business cards

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: ~~Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas; stationery, catalogs in the field of developing solutions and ideas; calendars, printed paper labels, stickers, cards, namely, greeting cards, note cards, business cards~~; Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas of general application; stationery, catalogs in the field of developing solutions and ideas of general application; calendars, printed paper labels, stickers, cards, namely, greeting cards, note cards, business cards; stationery; calendars; printed paper labels; stickers; cards; namely, greeting cards, note cards, business cards

Class 016 for Printed matter and publications, namely, books and magazines, instructional and teaching materials being manuals, all in the field of developing solutions and ideas of general application; catalogs in the field of developing solutions and ideas of general application; stationery; calendars; printed paper labels; stickers; cards; namely, greeting cards, note cards, business cards

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 AND/OR ENTITY INFORMATION

Applicant proposes to amend the following:

Current: Juan José Gasca Rubio / Rafael Zaragoza Alvaro, a citizen of Spain, having an address of

C/ Gutiérrez Mellado, 47 1°-AE-50009 Zaragoza
Zaragoza, 50009
Spain

info@marcandoideas.es

Proposed: Juan José Gasca Rubio / Rafael Zaragoza Alvaro, a citizen of Spain, having an address of

C/ Gutiérrez Mellado, 47 1°-A
Zaragoza, E-50009
Spain

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /John C. Holman/ Date: 03/28/2016

Signatory's Name: John C. Holman

Signatory's Position: Attorney of record, DC bar member

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: 79160557

Internet Transmission Date: Mon Mar 28 15:18:03 EDT 2016

TEAS Stamp: USPTO/RFR-XX.XXX.XXX.XXX-201603281518039

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