

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79162246
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/79162246/large
LITERAL ELEMENT	IWISE
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.
ARGUMENT(S)	
<p>In the October 22, 2015 Office Action, the Examining Attorney made final, the requirement for an acceptable identification of goods and services. The final requirement relates to Classes 9 and 42. Class 44 remains unchanged.</p> <p>Applicant has amended the Class 9 identification of goods and Class 42 recitation of services along the lines suggested by the Examining Attorney. Specifically, Applicant has deleted the Class 9 language that required additional clarification. Additionally, Applicant has deleted the Class 42 services that the Examining Attorney maintains exceed the scope of the services in the application. Applicant has also clarified the wording "scientific and technological services and research and design relating thereto" to indicate the nature and/or field of the services. Other amendments to the Class 9 identification are clarifications of the "computer software" language. No new goods, or goods exceeding the original specification, have been added.</p> <p>Because the Office Action is final, Applicant has filed a precautionary Notice of Appeal.</p> <p>WHEREFORE, Applicant respectfully requests the Examining Attorney to accept the amended identification of goods and services and pass the application to publication.</p>	
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
<p>Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, analysis, storage and sharing of data and information; computer software that provides web-based access to applications and services through a web operating system or portal interface; computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, food chain management, food chain auditing, quality control; providing online computer databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; providing online electronic databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; none of the aforesaid goods relating to security systems, burglar alarms, motion detectors and software products related thereto; none of the aforementioned goods related to real estate software and real estate</p>	
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009

TRACKED TEXT DESCRIPTION

Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, analysis, storage and sharing of data and information; computer software that provides web-based access to applications and services through a web operating system or portal interface; ~~computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, food chain management, food chain auditing, quality control; computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal welfare, animal breeding, farming, and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, aquaculture diagnostics, food chain management, food chain auditing, quality control, environmental data monitoring, CO2 footprint analysis and monitoring; providing online computer databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production;~~ none of the aforesaid goods relating to security systems, burglar alarms, motion detectors and software products related thereto; ~~providing online electronic databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production;~~ none of the aforementioned goods related to real estate software and real estate

FINAL DESCRIPTION

Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, analysis, storage and sharing of data and information; computer software that provides web-based access to applications and services through a web operating system or portal interface; computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal welfare, animal breeding, farming, and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, aquaculture diagnostics, food chain management, food chain auditing, quality control, environmental data monitoring, CO2 footprint analysis and monitoring; none of the aforesaid goods relating to security systems, burglar alarms, motion detectors and software products related thereto; none of the aforementioned goods related to real estate software and real estate

GOODS AND/OR SERVICES SECTION (042)(current)**INTERNATIONAL CLASS**

042

DESCRIPTION

Scientific and technological services and research and design relating thereto; scientific and technological services, namely, research relating to aquaculture; industrial analysis and research services in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; consultancy services relating to research in the field of environmental protection; quality control for others; consultancy services relating to quality control for others; environmental impact, disease management and process auditing of fish farms; quality control services for others relating to fish farms; database design; database development; providing an internet website portal featuring information for auditing and benchmarking standards of animal welfare and health, ordering aquaculture diagnostic services, analyzing data relating to aquaculture diagnostic services, communicating the results of aquaculture diagnostic services, real time environmental data monitoring, real time monitoring of equipment used in aquaculture and agriculture and monitoring and analysis of CO2 footprints of businesses and operations in agriculture and aquaculture; none of the foregoing services related or directed to security systems, burglar alarms or motion detectors; none of the aforementioned services related to real estate software and real estate

GOODS AND/OR SERVICES SECTION (042)(proposed)**INTERNATIONAL CLASS**

042

TRACKED TEXT DESCRIPTION

Scientific and technological services and research and design relating thereto; scientific and technological services, namely, research relating to aquaculture; ~~industrial analysis and research services in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; industrial analysis and research services in the fields of environmental protection, environmental data monitoring, aquaculture diagnostics, aquaculture, agriculture, CO2 footprint monitoring and analysis, animal health, animal welfare, animal breeding, farming, and food production;~~ consultancy services relating to research in the field of environmental protection; quality control for others; consultancy services relating to quality control for others; environmental impact, disease management and process auditing of fish farms; quality control services for others relating to fish farms; database design; database development; ~~providing an internet website portal featuring information for auditing and benchmarking standards of animal welfare and health, ordering aquaculture diagnostic services, analyzing data relating to aquaculture diagnostic services, communicating the results of aquaculture diagnostic services, real time environmental data monitoring, real time monitoring of equipment used in aquaculture and agriculture and monitoring and analysis of CO2 footprints of businesses and operations in agriculture and aquaculture;~~ none of the foregoing services related or directed to security systems, burglar alarms or motion detectors; none of the aforementioned services related to real estate software and real estate

FINAL DESCRIPTION

Scientific and technological services and research and design relating thereto; scientific and technological services, namely, research relating to

aquaculture; industrial analysis and research services in the fields of environmental protection, environmental data monitoring, aquaculture diagnostics, aquaculture, agriculture, CO2 footprint monitoring and analysis, animal health, animal welfare, animal breeding, farming, and food production; consultancy services relating to research in the field of environmental protection; quality control for others; consultancy services relating to quality control for others; environmental impact, disease management and process auditing of fish farms; quality control services for others relating to fish farms; database design; database development; none of the foregoing services related or directed to security systems, burglar alarms or motion detectors; none of the aforementioned services related to real estate software and real estate

GOODS AND/OR SERVICES SECTION (044)(current)

INTERNATIONAL CLASS 044

DESCRIPTION

Veterinary services; clinical veterinary services; hygienic care for animals; aquaculture consultancy services

GOODS AND/OR SERVICES SECTION (044)(proposed)

INTERNATIONAL CLASS 044

DESCRIPTION

Veterinary services; clinical veterinary services; hygienic care for animals; aquaculture consultancy services

SIGNATURE SECTION

RESPONSE SIGNATURE /Lisa M. DuRoss/

SIGNATORY'S NAME Lisa M. DuRoss

SIGNATORY'S POSITION Attorney of Record, Michigan Bar Member

SIGNATORY'S PHONE NUMBER 248-641-1600

DATE SIGNED 04/22/2016

AUTHORIZED SIGNATORY YES

CONCURRENT APPEAL NOTICE FILED YES

FILING INFORMATION SECTION

SUBMIT DATE Fri Apr 22 16:12:02 EDT 2016

TEAS STAMP

USPTO/RFR-XXX.XXX.XXX.XX-
20160422161202986871-7916
2246-55069ffc644f67f36d7a
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OMB No. 0651-0050 (Exp 07/31/2017)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **79162246** IWISE(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/79162246/large>) has been amended as follows:

ARGUMENT(S)

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

In the October 22, 2015 Office Action, the Examining Attorney made final, the requirement for an acceptable identification of goods

and services. The final requirement relates to Classes 9 and 42. Class 44 remains unchanged.

Applicant has amended the Class 9 identification of goods and Class 42 recitation of services along the lines suggested by the Examining Attorney. Specifically, Applicant has deleted the Class 9 language that required additional clarification. Additionally, Applicant has deleted the Class 42 services that the Examining Attorney maintains exceed the scope of the services in the application. Applicant has also clarified the wording “scientific and technological services and research and design relating thereto” to indicate the nature and/or field of the services. Other amendments to the Class 9 identification are clarifications of the “computer software” language. No new goods, or goods exceeding the original specification, have been added.

Because the Office Action is final, Applicant has filed a precautionary Notice of Appeal.

WHEREFORE, Applicant respectfully requests the Examining Attorney to accept the amended identification of goods and services and pass the application to publication.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 009 for Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, analysis, storage and sharing of data and information; computer software that provides web-based access to applications and services through a web operating system or portal interface; computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, food chain management, food chain auditing, quality control; providing online computer databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; providing online electronic databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; none of the aforesaid goods relating to security systems, burglar alarms, motion detectors and software products related thereto; none of the aforementioned goods related to real estate software and real estate

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: Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, analysis, storage and sharing of data and information; computer software that provides web-based access to applications and services through a web operating system or portal interface; ~~computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, food chain management, food chain auditing, quality control;~~ computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal welfare, animal breeding, farming, and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, aquaculture diagnostics, food chain management, food chain auditing, quality control, environmental data monitoring, CO2 footprint analysis and monitoring; ~~providing online computer databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production;~~ none of the aforesaid goods relating to security systems, burglar alarms, motion detectors and software products related thereto; ~~providing online electronic databases for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production;~~ none of the aforementioned goods related to real estate software and real estate

Class 009 for Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, analysis, storage and sharing of data and information; computer software that provides web-based access to applications and services through a web operating system or portal interface; computer software for use in the fields of environmental protection, aquaculture, agriculture, animal health, animal welfare, animal breeding, farming, and food production, namely, software for herd and livestock management, farm resource management, aquaculture breeding and genetics, aquaculture production management and traceability, aquaculture diagnostics, food chain management, food chain auditing, quality control, environmental data monitoring, CO2 footprint analysis and monitoring; none of the aforesaid goods relating to security systems, burglar alarms, motion detectors and software products related thereto; none of the aforementioned goods related to real estate software and real estate

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 042 for Scientific and technological services and research and design relating thereto; scientific and technological services, namely, research relating to aquaculture; industrial analysis and research services in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production; consultancy services relating to research in the field of environmental protection; quality control for others; consultancy services relating to quality control for others; environmental impact, disease management and

process auditing of fish farms; quality control services for others relating to fish farms; database design; database development; providing an internet website portal featuring information for auditing and benchmarking standards of animal welfare and health, ordering aquaculture diagnostic services, analyzing data relating to aquaculture diagnostic services, communicating the results of aquaculture diagnostic services, real time environmental data monitoring, real time monitoring of equipment used in aquaculture and agriculture and monitoring and analysis of CO2 footprints of businesses and operations in agriculture and aquaculture; none of the foregoing services related or directed to security systems, burglar alarms or motion detectors; none of the aforementioned services related to real estate software and real estate

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: Scientific and technological services and research and design relating thereto; scientific and technological services, namely, research relating to aquaculture; ~~industrial analysis and research services in the fields of environmental protection, aquaculture, agriculture, animal health, animal breeding, farming and food production;~~ industrial analysis and research services in the fields of environmental protection, environmental data monitoring, aquaculture diagnostics, aquaculture, agriculture, CO2 footprint monitoring and analysis, animal health, animal welfare, animal breeding, farming, and food production; consultancy services relating to research in the field of environmental protection; quality control for others; consultancy services relating to quality control for others; environmental impact, disease management and process auditing of fish farms; quality control services for others relating to fish farms; database design; database development; ~~providing an internet website portal featuring information for auditing and benchmarking standards of animal welfare and health, ordering aquaculture diagnostic services, analyzing data relating to aquaculture diagnostic services, communicating the results of aquaculture diagnostic services, real time environmental data monitoring, real time monitoring of equipment used in aquaculture and agriculture and monitoring and analysis of CO2 footprints of businesses and operations in agriculture and aquaculture;~~ none of the foregoing services related or directed to security systems, burglar alarms or motion detectors; none of the aforementioned services related to real estate software and real estate

Class 042 for Scientific and technological services and research and design relating thereto; scientific and technological services, namely, research relating to aquaculture; industrial analysis and research services in the fields of environmental protection, environmental data monitoring, aquaculture diagnostics, aquaculture, agriculture, CO2 footprint monitoring and analysis, animal health, animal welfare, animal breeding, farming, and food production; consultancy services relating to research in the field of environmental protection; quality control for others; consultancy services relating to quality control for others; environmental impact, disease management and process auditing of fish farms; quality control services for others relating to fish farms; database design; database development; none of the foregoing services related or directed to security systems, burglar alarms or motion detectors; none of the aforementioned services related to real estate software and real estate

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 044 for Veterinary services; clinical veterinary services; hygienic care for animals; aquaculture consultancy services

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: Class 044 for Veterinary services; clinical veterinary services; hygienic care for animals; aquaculture consultancy services

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.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Lisa M. DuRoss/ Date: 04/22/2016

Signatory's Name: Lisa M. DuRoss

Signatory's Position: Attorney of Record, Michigan Bar Member

Signatory's Phone Number: 248-641-1600

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: 79162246

Internet Transmission Date: Fri Apr 22 16:12:02 EDT 2016

TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.XX-201604221612029

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