

## Request for Reconsideration after Final Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	79179753
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 114
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tmng-al.uspto.gov/resting2/api/img/79179753/large
<b>LITERAL ELEMENT</b>	MODBOT
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>COLOR(S) CLAIMED (If applicable)</b>	Color is not claimed as a feature of the mark.
<b>GOODS AND/OR SERVICES SECTION (007)(current)</b>	
<b>INTERNATIONAL CLASS</b>	007
<b>DESCRIPTION</b>	
Industrial robots for use in manufacture; mechanical control apparatus, namely, servomechanisms, actuators, servomotors, and integrated servos, all for robots; robots (machines); industrial robots; robots for industrial use; robots for machine tools; robots for use in industry; transportation robots, namely, cargo handling machines and cranes; servo-mechanisms, namely, servo motors, electric motors for machines with a digital servo drive controller; servomotors (other than for land vehicles); servomotors incorporating encoders; machines for use in modular assembly lines, namely, assembly line conveyor machinery, a series of machines for assembling industrial robots in successive stages; modular couplings for machine tools; modular tools, namely, electric motors for power tools, blades for power tools, and gear cutters; modular tools for machines, namely, belts for machines, electric motors for power tools, blades for power tools, and gear cutters; apparatus for use in the automation of industrial robots, namely, belts for machines; digital controls for robots, namely, pump control valves, thermostatic control valves for machines; electric control apparatus for robots, namely, electric pumps, electricity generators; electronic control apparatus for robots, namely, electric pumps, electricity generators; operating electric servo-mechanisms, namely, electric motors for machines with a digital servo drive controller, servo motors, and servo-drives for motors; unmanned transportation robots, namely, cargo handling machines; unmanned transportation robots being cargo handling machines	
<b>GOODS AND/OR SERVICES SECTION (007)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	007
<b>TRACKED TEXT DESCRIPTION</b>	
Industrial robots for use in manufacture; <del>mechanical control apparatus, namely, servomechanisms, actuators, servomotors, and integrated servos, all for robots;</del> <u>mechanical control apparatus, namely, hydraulic, pneumatic, and mechanical servo-actuators, servomotors, and integrated servo-drives for motors, all for robots;</u> <del>robots (machines);</del> industrial robots; robots for industrial use; <u>industrial robots, namely, for use in small part assembly, electronics manufacturing, contract manufacturing, agriculture, material handling;</u> <del>robots for machine tools;</del> transportation robots, namely, cargo handling machines and cranes; <del>robots for use in industry;</del> servo-mechanisms, namely, servo motors, electric motors for machines with a digital servo drive controller; <u>servomotors other than for land vehicles;</u> servomotors incorporating encoders; <del>servomotors (other than for land vehicles);</del> machines for use in modular assembly lines, namely, assembly line conveyor machinery, a series of machines for assembling industrial robots in successive stages; modular couplings for machine tools; modular tools, namely, electric motors for power tools, blades for power tools, and gear cutters; modular tools for machines, namely, belts for machines, electric motors for power tools, blades for power tools, and gear cutters; apparatus for use in the automation of industrial robots, namely, belts for machines; digital controls for robots, namely, pump control valves, thermostatic control valves for machines; electric control apparatus for robots, namely, electric pumps, electricity generators; electronic control apparatus for robots, namely, electric pumps, electricity generators; unmanned transportation robots, namely, cargo handling machines; unmanned transportation robots being cargo handling machines; <del>operating electric servo-mechanisms, namely, electric motors for machines with a digital servo drive controller, servo motors, and servo-drives for</del>	

**motors**

**FINAL DESCRIPTION**

Industrial robots for use in manufacture; mechanical control apparatus, namely, hydraulic, pneumatic, and mechanical servo-actuators, servomotors, and integrated servo-drives for motors, all for robots; industrial robots; robots for industrial use; industrial robots, namely, for use in small part assembly, electronics manufacturing, contract manufacturing, agriculture, material handling; transportation robots, namely, cargo handling machines and cranes; servo-mechanisms, namely, servo motors, electric motors for machines with a digital servo drive controller; servomotors other than for land vehicles; servomotors incorporating encoders; machines for use in modular assembly lines, namely, assembly line conveyor machinery, a series of machines for assembling industrial robots in successive stages; modular couplings for machine tools; modular tools, namely, electric motors for power tools, blades for power tools, and gear cutters; modular tools for machines, namely, belts for machines, electric motors for power tools, blades for power tools, and gear cutters; apparatus for use in the automation of industrial robots, namely, belts for machines; digital controls for robots, namely, pump control valves, thermostatic control valves for machines; electric control apparatus for robots, namely, electric pumps, electricity generators; electronic control apparatus for robots, namely, electric pumps, electricity generators; unmanned transportation robots, namely, cargo handling machines; unmanned transportation robots being cargo handling machines

**GOODS AND/OR SERVICES SECTION (009)(no change)**

**GOODS AND/OR SERVICES SECTION (012)(no change)**

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

**INTERNATIONAL CLASS** 042

**DESCRIPTION**

Application service provider (ASP), namely, hosting of web-based applications; development of new products; development of software; development of vehicles; product development

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

**INTERNATIONAL CLASS** 042

**TRACKED TEXT DESCRIPTION**

~~Application service provider (ASP), namely, hosting of web-based applications;~~ Application service provider (ASP), namely, hosting of web-based computer software applications of others in the field of robotics, namely, manufacturing, agriculture, medical and prosthetics, research and education, hobby, gaming, entertainment, animatronics and biotechnology; development of new products; development of software; ~~development of vehicles;~~ development in the nature of research, of robotic vehicles for transportation, recreation, and industrial use, namely, warehouse logistics for material handling and delivery purposes; product development

**FINAL DESCRIPTION**

Application service provider (ASP), namely, hosting of web-based computer software applications of others in the field of robotics, namely, manufacturing, agriculture, medical and prosthetics, research and education, hobby, gaming, entertainment, animatronics and biotechnology; development of new products; development of software; development in the nature of research, of robotic vehicles for transportation, recreation, and industrial use, namely, warehouse logistics for material handling and delivery purposes; product development

**ADDITIONAL STATEMENTS SECTION**

**MISCELLANEOUS STATEMENT**

Applicant respectfully submits that all issues raised in the Examining Attorney's April 27, 2016 Final Office Action have been satisfied. Further, counsel for Applicant spoke with the Examining Attorney regarding the issues raised in this Final Office Action on October 26, 2016. Applicant submits that all changes to the application are in accordance with the October 26, 2016 discussion. As such, Applicant respectfully submits that the requirements for registration have been met, and requests that the mark be passed for registration.

**SIGNATURE SECTION**

**RESPONSE SIGNATURE** /Michael R. Friedman/

**SIGNATORY'S NAME** Michael R. Friedman

**SIGNATORY'S POSITION** Associate Attorney, DLA Piper LLP (US), Illinois bar member

**SIGNATORY'S PHONE NUMBER** 312-368-4055

**DATE SIGNED** 10/27/2016

AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Oct 27 10:55:43 EDT 2016
TEAS STAMP	USPTO/RFR-XXX.XXX.XXX.XX- 20161027105543506873-7917 9753-5701f845f5546e288404 74e8e75e8ca16eb84208df39c 6dccdbb3da18d9063d13f-N/A -N/A-20161027104918526976

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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. **79179753** MODBOT (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/79179753/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 007 for Industrial robots for use in manufacture; mechanical control apparatus, namely, servomechanisms, actuators, servomotors, and integrated servos, all for robots; robots (machines); industrial robots; robots for industrial use; robots for machine tools; robots for use in industry; transportation robots, namely, cargo handling machines and cranes; servo-mechanisms, namely, servo motors, electric motors for machines with a digital servo drive controller; servomotors (other than for land vehicles); servomotors incorporating encoders; machines for use in modular assembly lines, namely, assembly line conveyor machinery, a series of machines for assembling industrial robots in successive stages; modular couplings for machine tools; modular tools, namely, electric motors for power tools, blades for power tools, and gear cutters; modular tools for machines, namely, belts for machines, electric motors for power tools, blades for power tools, and gear cutters; apparatus for use in the automation of industrial robots, namely, belts for machines; digital controls for robots, namely, pump control valves, thermostatic control valves for machines; electric control apparatus for robots, namely, electric pumps, electricity generators; electronic control apparatus for robots, namely, electric pumps, electricity generators; operating electric servo-mechanisms, namely, electric motors for machines with a digital servo drive controller, servo motors, and servo-drives for motors; unmanned transportation robots, namely, cargo handling machines; unmanned transportation robots being cargo handling machines

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:** Industrial robots for use in manufacture; ~~mechanical control apparatus, namely, servomechanisms, actuators, servomotors, and integrated servos, all for robots;~~ mechanical control apparatus, namely, hydraulic, pneumatic, and mechanical servo-actuators, servomotors, and integrated servo-drives for motors, all for robots; ~~robots (machines);~~ industrial robots; robots for industrial use; industrial robots, namely, for use in small part assembly, electronics manufacturing, contract manufacturing, agriculture, material handling; ~~robots for machine tools;~~ transportation robots, namely, cargo handling machines and cranes; ~~robots for use in industry;~~ servo-mechanisms, namely, servo motors, electric motors for machines with a digital servo drive controller; servomotors other than for land vehicles; servomotors incorporating encoders; ~~servomotors (other than for land vehicles);~~ machines for use in modular assembly lines, namely, assembly line conveyor machinery, a series of machines for assembling industrial robots in successive stages; modular couplings for machine tools; modular tools, namely, electric motors for power tools, blades for power tools, and gear cutters; modular tools for machines, namely, belts for machines, electric motors for power tools, blades for power tools, and gear cutters; apparatus for use in the automation of industrial robots, namely, belts for machines; digital controls for robots, namely, pump control valves, thermostatic control valves for machines; electric control apparatus for robots, namely, electric pumps, electricity generators; electronic control apparatus for robots, namely, electric pumps, electricity generators; unmanned transportation robots, namely, cargo handling machines; unmanned transportation robots being cargo handling machines; ~~operating electric servo-mechanisms, namely, electric motors for machines with a digital servo drive controller, servo motors, and servo-drives for motors~~

Class 007 for Industrial robots for use in manufacture; mechanical control apparatus, namely, hydraulic, pneumatic, and mechanical servo-

actuators, servomotors, and integrated servo-drives for motors, all for robots; industrial robots; robots for industrial use; industrial robots, namely, for use in small part assembly, electronics manufacturing, contract manufacturing, agriculture, material handling; transportation robots, namely, cargo handling machines and cranes; servo-mechanisms, namely, servo motors, electric motors for machines with a digital servo drive controller; servomotors other than for land vehicles; servomotors incorporating encoders; machines for use in modular assembly lines, namely, assembly line conveyor machinery, a series of machines for assembling industrial robots in successive stages; modular couplings for machine tools; modular tools, namely, electric motors for power tools, blades for power tools, and gear cutters; modular tools for machines, namely, belts for machines, electric motors for power tools, blades for power tools, and gear cutters; apparatus for use in the automation of industrial robots, namely, belts for machines; digital controls for robots, namely, pump control valves, thermostatic control valves for machines; electric control apparatus for robots, namely, electric pumps, electricity generators; electronic control apparatus for robots, namely, electric pumps, electricity generators; unmanned transportation robots, namely, cargo handling machines; unmanned transportation robots being cargo handling machines

**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 Application service provider (ASP), namely, hosting of web-based applications; development of new products; development of software; development of vehicles; product development

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:** ~~Application service provider (ASP), namely, hosting of web-based applications;~~ [Application service provider \(ASP\), namely, hosting of web-based computer software applications of others in the field of robotics, namely, manufacturing, agriculture, medical and prosthetics, research and education, hobby, gaming, entertainment, animatronics and biotechnology;](#) development of new products; development of software; ~~development of vehicles;~~ [development in the nature of research, of robotic vehicles for transportation, recreation, and industrial use, namely, warehouse logistics for material handling and delivery purposes;](#) product development

Class 042 for Application service provider (ASP), namely, hosting of web-based computer software applications of others in the field of robotics, namely, manufacturing, agriculture, medical and prosthetics, research and education, hobby, gaming, entertainment, animatronics and biotechnology; development of new products; development of software; development in the nature of research, of robotic vehicles for transportation, recreation, and industrial use, namely, warehouse logistics for material handling and delivery purposes; product development

**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**

Applicant respectfully submits that all issues raised in the Examining Attorney's April 27, 2016 Final Office Action have been satisfied. Further, counsel for Applicant spoke with the Examining Attorney regarding the issues raised in this Final Office Action on October 26, 2016. Applicant submits that all changes to the application are in accordance with the October 26, 2016 discussion. As such, Applicant respectfully submits that the requirements for registration have been met, and requests that the mark be passed for registration.

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /Michael R. Friedman/ Date: 10/27/2016

Signatory's Name: Michael R. Friedman

Signatory's Position: Associate Attorney, DLA Piper LLP (US), Illinois bar member

Signatory's Phone Number: 312-368-4055

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79179753

Internet Transmission Date: Thu Oct 27 10:55:43 EDT 2016  
TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.XX-201610271055435  
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