

Request for Reconsideration after Final Action

The table below presents the data as entered.

Component Office (a)	Unit/Inventor
SERIAL NUMBER	85039101
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (017)(current)	
INTERNATIONAL CLASS	017
DESCRIPTION	Composite film tape consisting primarily of plastic for building reinforcement; composite film tape consisting primarily of plastic for blast mitigation
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/25/2008
FIRST USE IN COMMERCE DATE	At least as early as 11/25/2008
GOODS AND/OR SERVICES SECTION (017)(proposed)	
INTERNATIONAL CLASS	017
TRACKED TEXT DESCRIPTION	Composite film tape consisting primarily of plastic for building reinforcement; Composite film tape consisting primarily of plastic for blast mitigation
FINAL DESCRIPTION	Composite film tape consisting primarily of plastic for blast mitigation
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (019)(new added)	
INTERNATIONAL CLASS	019
DESCRIPTION	Composite film tape consisting primarily of plastic for building reinforcement
FILING BASIS	Section 1(b)
PAYMENT SECTION	

NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	/jgard/
SIGNATORY'S NAME	Julia Spoor Gard
SIGNATORY'S POSITION	Attorney of Recrod, Indiana and Illinois Bar Member
DATE SIGNED	04/26/2011
RESPONSE SIGNATURE	/jgard/
SIGNATORY'S NAME	Julia Spoor Gard
SIGNATORY'S POSITION	Attorney of Record, Indiana and Illinois Bar Member
DATE SIGNED	04/26/2011
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Apr 26 15:20:19 EDT 2011
TEAS STAMP	USPTO/RFR-209.43.67.81-20 110426152019530667-850391 01-48019156b3322f59789f9d 42bb0bdde2d25-DA-1911-201 10426151649304605

PTO Form (Rev 4/2000)
OMB No. 0651-... (Exp. 08/31/2004)

**Request for Reconsideration after Final Action
To the Commissioner for Trademarks:**

Application serial no. **85039101** 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 017 for Composite film tape consisting primarily of plastic for building reinforcement;
composite film tape consisting primarily of plastic for blast mitigation

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 11/25/2008 and first used in commerce at least as early as 11/25/2008, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Composite film tape consisting primarily of plastic for building reinforcement;~~ Composite film tape consisting primarily of plastic for blast mitigation

Class 017 for Composite film tape consisting primarily of plastic for blast mitigation

Deleted Filing Basis: 1(a)

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Applicant hereby adds the following class of goods/services to the application:

New: Class 019 for Composite film tape consisting primarily of plastic for building reinforcement

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

FEE(S)

Fee(s) in the amount of \$325 is being submitted.

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /jgard/ Date: 04/26/2011
Signatory's Name: Julia Spoor Gard
Signatory's Position: Attorney of Record, Indiana and Illinois Bar Member

Request for Reconsideration Signature

Signature: /jgard/ Date: 04/26/2011
Signatory's Name: Julia Spoor Gard
Signatory's Position: Attorney of Record, Indiana and Illinois 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 applicant'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 applicant in this matter: (1) the applicant 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 applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant'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.

RAM Sale Number: 1911
RAM Accounting Date: 04/27/2011

Serial Number: 85039101
Internet Transmission Date: Tue Apr 26 15:20:19 EDT 2011
TEAS Stamp: USPTO/RFR-209.43.67.81-20110426152019530
667-85039101-48019156b3322f59789f9d42bb0
bdde2d25-DA-1911-20110426151649304605

RAM SALE NUMBER: 1911
RAM ACCOUNTING DATE: 20110427

INTERNET TRANSMISSION DATE:
2011/04/26

SERIAL NUMBER:
85/039101

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2011/04/26	325	1	325