

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85222757
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION (no change)	
ARGUMENT(S)	
<p><u>Section 2(d) Refusal.</u></p> <p>Reg. No. 3320591 issued on 10/23/2007. Reg. No. 3326953 issued on 10/30/2007. Accordingly, the Section 8 Affidavit will be due on or before 10/30/2013. According to the USPTO's TARR information system, Registrant has failed to file the Section 8 Affidavit. Accordingly, Applicant believes the cited registrations will be cancelled in due course. Applicant requests the application be suspended until such time as the Examining Attorney can confirm cancellation of the cited registrations.</p>	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Christopher J. Day/
SIGNATORY'S NAME	Christopher J. Day
SIGNATORY'S POSITION	Attorney of record, Arizona bar member
SIGNATORY'S PHONE NUMBER	602-258-4440
DATE SIGNED	04/04/2013
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Apr 04 12:31:05 EDT 2013
TEAS STAMP	USPTO/RFR-174.79.60.152-2 0130404123105543580-85222 757-5007cc920bceb692b88a9 3c8f877e50b516f4556d869d0 c075ea64eaefdd7664a-N/A-N /A-20130404122247712513

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

Application serial no. **85222757** has been amended as follows:

ARGUMENT(S)

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

Section 2(d) Refusal.

Reg. No. 3320591 issued on 10/23/2007. Reg. No. 3326953 issued on 10/30/2007. Accordingly, the Section 8 Affidavit will be due on or before 10/30/2013. According to the USPTO's TARR information system, Registrant has failed to file the Section 8 Affidavit. Accordingly, Applicant believes the cited registrations will be cancelled in due course. Applicant requests the application be suspended until such time as the Examining Attorney can confirm cancellation of the cited registrations.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Christopher J. Day/ Date: 04/04/2013

Signatory's Name: Christopher J. Day

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

Signatory's Phone Number: 602-258-4440

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.

Serial Number: 85222757

Internet Transmission Date: Thu Apr 04 12:31:05 EDT 2013

TEAS Stamp: USPTO/RFR-174.79.60.152-2013040412310554

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