

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85235708
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (007)(current)	
INTERNATIONAL CLASS	007
DESCRIPTION	Power tools, namely, optical fiber cleaver
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
GOODS AND/OR SERVICES SECTION (007)(proposed)	
INTERNATIONAL CLASS	007
DESCRIPTION	Power tools, namely, optical fiber cleaver
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use].</i>
SPECIMEN FILE NAME(S)	

ORIGINAL PDF FILE	SPU0-12411614-154223570 . S15149 Substitute Specimen Class 7 .pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\852\357\85235708\xml1\RFR0002.JPG
SPECIMEN DESCRIPTION	Website excerpt in color
GOODS AND/OR SERVICES SECTION (008)(class deleted)	
INTERNATIONAL CLASS	008
DESCRIPTION	Hand tools, namely, optical fiber cleaver
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	<p>Fiber optical products and equipment, namely, Optical Ground Wire Cable (OPGW), OPGW hardware, namely, dual-purpose metallic cable containing optical fibers for use on overhead transmission lines as a static/earth wire while providing a method of optical communications; loose tube cable, namely, cable suitable for lashing or pulling through a duct or installing directly into the ground comprised of optical fibers housed in stranded plastic tubes with sufficient strength members and jacketing materials to protect the optical fibers which are used for telecommunications; microcore fiber optic cable, skywrap, premise cable; dielectric and metallic cable suitable for installation within premises including structured cabling for local area network installations as well as telephony and data communications; optical fiber connectivity, namely, cable connectors; mechanical splices, namely, splices between two pieces of optical fiber with a non-fusion splice; indoor, outdoor, bend insensitive and pm cable assemblies, namely, fiber optic assemblies built for installation in telecommunications networks, closures, racks, panels, cabinets, and demarcation; optical components, namely, splitters/couplers, DWDM, CWDM, attenuators, Mux/DeMux optical couplers, terminators, wavelength division multiplexers, patch panels, optical cable assemblies, multifiber optical cable assemblies, optical modules and associated passive components design to manipulate optical signals in a controlled and predictable manner; fiber demarcation, namely, closures and enclosures design for terminations and distribution of optical fibers; outside plant cable assemblies, namely, drops and other fiber optic assemblies for interconnect and distribution between OSP interfaces; copper apparatus, namely, network interface devices (NIDs) used in telephony; terminal access equipment, multi-pair NIDs, and related tools, coax splitters, line modules, ground blocks; coax demarcation, namely, coax demarcation used in CATV networks, ground blocks, and line modules; computer network interface devices, terminal closures, namely, terminal demarcation devices used for the distribution of multi-pair copper cables, terminal demarcation for transitioning of cable from aerial to buried applications; premise electronics and filters, namely, filtering and/or splitting of xDSL signal, lighting protectors, media conversion, line modules, signal attenuation, half ringer, RFI filtering; line modules for network interface devices, namely, line modules for termination and</p>

distribution of copper pairs; fusion splicers, namely, equipment for aligning and joining optical fibers together; specialty fiber including large core fiber, image fiber, fiber bundles, fiber scopes, capillary tubing, tapered fiber; optical time domain reflectometers (OTDRS) OTDR test kits comprised of optical power meters, optical light sources; inspection scope, cleaning supplies, fiber rings, adapters, test jumpers, optical analysis/reporting software; fiber test kits comprised of optical power meters, lead and laser light sources; optical loss test kits comprised of integrated power meter and light source devices and optical analysis/reporting software; visual fault identifiers, namely, visible red laser sources; optical fiber identifiers, namely, units capable of measuring inbound and outbound traffic without network disruption and units capable of detecting active optical network terminals without network disruption; microscopes, videoscopes, talk sets, namely, talking machines, audio communication over fiber devices and optical attenuators, network simulators, namely, portable and rack-mounted fiber network emulation units; fiber to the subscriber electronics including satellite distribution technology; passive optical network, point-to-point electronics, bandwidth management products; certification test kits comprised of optical test loss set, optical time domain reflectometer, visual fault locator, and analysis, reporting, and certification software; tinned substation connectors, namely, accessory products to support bus conductor and devices that carry current within the substation; computer terminals, and supports; connectors and fittings for the rail transit and heavy rail industry, namely, devices to support the electrical systems that drive the rail devices; vibration analysis software for placement of dampers and spacers on transmission and distribution lines; tools for the purpose of compressing transmission fittings, namely, hydraulic pressed to install aluminum tube type products for provided a termination point or a means of splicing the conductor; network underground limiting connectors, namely, connection terminals and fusing devices to protect the equipment during fault conditions; high voltage transmission compression fittings, namely, dead ends, terminals, splices made from aluminum tube used to provide termination points and splicing of conductors; aluminum substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support; computer terminals, and supports; bronze substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support, computer terminals, and supports; none of the above including lighting apparatus and equipment

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Fiber optical products and equipment, namely, Optical Ground Wire Cable (OPGW), OPGW hardware, namely, dual-purpose metallic cable containing optical fibers for use on overhead transmission lines as a static/earth wire while providing a method of optical communications; loose tube cable, namely, cable suitable for lashing or pulling through a duct or installing directly into the ground comprised of optical fibers housed in stranded plastic tubes with sufficient strength members and jacketing materials to protect the optical fibers which are used for telecommunications; microcore fiber optic cable, skywrap, premise cable; dielectric and metallic cable suitable for installation within premises including structured cabling for local area network installations as well as telephony and data communications; optical fiber connectivity, namely, cable connectors; mechanical splices, namely, splices between two pieces of	

optical fiber with a non-fusion splice; indoor, outdoor, bend insensitive and pm cable assemblies, namely, fiber optic assemblies built for installation in telecommunications networks, closures, racks, panels, cabinets, and demarcation; optical components, namely, splitters/couplers, DWDM, CWDM, attenuators, Mux/DeMux optical couplers, terminators, wavelength division multiplexers, patch panels, optical cable assemblies, multifiber optical cable assemblies, optical modules and associated passive components design to manipulate optical signals in a controlled and predictable manner; fiber demarcation, namely, closures and enclosures design for terminations and distribution of optical fibers; outside plant cable assemblies, namely, drops and other fiber optic assemblies for interconnect and distribution between OSP interfaces; copper apparatus, namely, network interface devices (NIDs) used in telephony; terminal access equipment, multi-pair NIDs, and related tools, coax splitters, line modules, ground blocks; coax demarcation, namely, coax demarcation used in CATV networks, ground blocks, and line modules; computer network interface devices, terminal closures, namely, terminal demarcation devices used for the distribution of multi-pair copper cables, terminal demarcation for transitioning of cable from aerial to buried applications; premise electronics and filters, namely, filtering and/or splitting of xDSL signal, lightning protectors, media conversion, line modules, signal attenuation, half ringer, RFI filtering; line modules for network interface devices, namely, line modules for termination and distribution of copper pairs; fusion splicers, namely, equipment for aligning and joining optical fibers together; specialty fiber including large core fiber, image fiber, fiber bundles, fiber scopes, capillary tubing, tapered fiber; optical time domain reflectometers (OTDRS) OTDR test kits comprised of optical power meters, optical light sources; inspection scope, cleaning supplies, fiber rings, adapters, test jumpers, optical analysis/reporting software; fiber test kits comprised of optical power meters, lead and laser light sources; optical loss test kits comprised of integrated power meter and light source devices and optical analysis/reporting software; visual fault identifiers, namely, visible red laser sources; optical fiber identifiers, namely, units capable of measuring inbound and outbound traffic without network disruption and units capable of detecting active optical network terminals without network disruption; microscopes, videoscopes, talk sets, namely, talking machines, audio communication over fiber devices and optical attenuators, network simulators, namely, portable and rack-mounted fiber network emulation units; fiber to the subscriber electronics including satellite distribution technology; passive optical network, point-to-point electronics, bandwidth management products; certification test kits comprised of optical test loss set, optical time domain reflectometer, visual fault locator, and analysis, reporting, and certification software; tinned substation connectors, namely, accessory products to support bus conductor and devices that carry current within the substation; computer terminals, and supports; connectors and fittings for the rail transit and heavy rail industry, namely, devices to support the electrical systems that drive the rail devices; vibration analysis software for placement of dampers and spacers on transmission and distribution lines; tools for the purpose of compressing transmission fittings, namely, hydraulic pressed to install aluminum tube type products for provided a termination point or a means of splicing the conductor; network underground limiting connectors, namely, connection terminals and fusing devices to protect the equipment during fault conditions; high voltage transmission compression fittings, namely, dead ends, terminals, splices made from aluminum tube used to provide termination points and splicing of conductors; aluminum substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support; computer terminals, and supports; bronze substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support, computer terminals, and supports; none of the above including lighting apparatus and equipment

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN	At least as early as 00/00/2005

COMMERCE DATE	
GOODS AND/OR SERVICES SECTION (021)(current)	
INTERNATIONAL CLASS	021
DESCRIPTION	
Optical fiber and connector cleaning products, namely, wipes and sticks used for cleaning connectors on jumpers, connectors in adapters and for preparing fibers for fusion splicing and termination	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
GOODS AND/OR SERVICES SECTION (021)(proposed)	
INTERNATIONAL CLASS	021
DESCRIPTION	
Optical fiber and connector cleaning products, namely, wipes and sticks used for cleaning connectors on jumpers, connectors in adapters and for preparing fibers for fusion splicing and termination	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use].</i>
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPU3-12411614-154223570 . S15149 Substitute Specimen Class 21 .pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\852\357\85235708\xml1\RFR0003.JPG
SPECIMEN DESCRIPTION	Website excerpt in color
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (038)(current)	

INTERNATIONAL CLASS	038
DESCRIPTION	
Telecommunications services, namely, providing fiber optic network services	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
GOODS AND/OR SERVICES SECTION (038)(proposed)	
INTERNATIONAL CLASS	038
DESCRIPTION	
Telecommunications services, namely, providing fiber optic network services	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2005
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2005
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	This is responsive to the Office Action dated December 1, 2011. The Examining Attorney has required that the identification of goods and services be amended. It is submitted that the goods and services, as amended, are now properly identified and classified. Applicant herewith submits a substitute specimen for the Class 7 and 21 goods. In addition, Applicant submits a Declaration in support of such specimens. Applicant is also filing a Notice of Appeal in this case. As all outstanding matters have been complied with, Applicant respectfully submits that the mark is now in condition for publication, and an early notice to that effect is earnestly solicited.
MISCELLANEOUS FILE NAME(S)	
ORIGINAL PDF FILE	mis-12411614-154223570 . S15149_Response_to_Office_Action_May_31_2012 .PDF
CONVERTED PDF	

FILE(S) (4 pages)	\\TICRS\EXPORT16\IMAGEOUT16\852\357\85235708\xml1\RFR0004.JPG
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	\\TICRS\EXPORT16\IMAGEOUT16\852\357\85235708\xml1\RFR0007.JPG
SIGNATURE SECTION	
ORIGINAL PDF FILE	HS_12411614-154223570 . S15149_Declaration_in_Support_of_Specimens.PDF
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\852\357\85235708\xml1\RFR0008.JPG
SIGNATORY'S NAME	Matsuhiro Miyamoto
SIGNATORY'S POSITION	VP, Technology
RESPONSE SIGNATURE	/Leigh Ann Lindquist/
SIGNATORY'S NAME	Leigh Ann Lindquist
SIGNATORY'S POSITION	Attorney for Applicant
SIGNATORY'S PHONE NUMBER	2026637409
DATE SIGNED	05/31/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Thu May 31 15:48:33 EDT 2012
TEAS STAMP	USPTO/RFR-12.4.116.14-201 20531154833234256-8523570 8-490f758233731287f15d69c f4d7e0663966-N/A-N/A-2012 0531154223570440

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

Application serial no. **85235708** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant hereby deletes the following class of goods/services from the application.

Class 008 for Hand tools, namely, optical fiber cleaver

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

Current: Class 007 for Power tools, namely, optical fiber cleaver

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Proposed: Class 007 for Power tools, namely, optical fiber cleaver

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 007. The specimen(s) submitted consists of Website excerpt in color.

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" *[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use].*

Original PDF file:

[SPU0-12411614-154223570 . S15149 Substitute Specimen Class 7 .pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

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

Current: Class 009 for Fiber optical products and equipment, namely, Optical Ground Wire Cable (OPGW), OPGW hardware, namely, dual-purpose metallic cable containing optical fibers for use on overhead transmission lines as a static/earth wire while providing a method of optical communications; loose tube cable, namely, cable suitable for lashing or pulling through a duct or installing directly into the ground comprised of optical fibers housed in stranded plastic tubes with sufficient strength members and jacketing materials to protect the optical fibers which are used for telecommunications; microcore fiber optic cable, skywrap, premise cable; dielectric and metallic cable suitable for installation within premises including structured cabling for local area network installations as well as telephony and data communications; optical fiber connectivity, namely, cable connectors; mechanical splices, namely, splices between two pieces of optical fiber with a non-fusion splice; indoor, outdoor, bend insensitive and pm cable assemblies, namely, fiber optic assemblies built for installation in telecommunications networks, closures, racks, panels, cabinets, and demarcation; optical components, namely, splitters/couplers,

DWDM, CWDM, attenuators, Mux/DeMux optical couplers, terminators, wavelength division multiplexers, patch panels, optical cable assemblies, multifiber optical cable assemblies, optical modules and associated passive components design to manipulate optical signals in a controlled and predictable manner; fiber demarcation, namely, closures and enclosures design for terminations and distribution of optical fibers; outside plant cable assemblies, namely, drops and other fiber optic assemblies for interconnect and distribution between OSP interfaces; copper apparatus, namely, network interface devices (NIDs) used in telephony; terminal access equipment, multi-pair NIDs, and related tools, coax splitters, line modules, ground blocks; coax demarcation, namely, coax demarcation used in CATV networks, ground blocks, and line modules; computer network interface devices, terminal closures, namely, terminal demarcation devices used for the distribution of multi-pair copper cables, terminal demarcation for transitioning of cable from aerial to buried applications; premise electronics and filters, namely, filtering and/or splitting of xDSL signal, lighting protectors, media conversion, line modules, signal attenuation, half ringer, RFI filtering; line modules for network interface devices, namely, line modules for termination and distribution of copper pairs; fusion splicers, namely, equipment for aligning and joining optical fibers together; specialty fiber including large core fiber, image fiber, fiber bundles, fiber scopes, capillary tubing, tapered fiber; optical time domain reflectometers (OTDRS) OTDR test kits comprised of optical power meters, optical light sources; inspection scope, cleaning supplies, fiber rings, adapters, test jumpers, optical analysis/reporting software; fiber test kits comprised of optical power meters, lead and laser light sources; optical loss test kits comprised of integrated power meter and light source devices and optical analysis/reporting software; visual fault identifiers, namely, visible red laser sources; optical fiber identifiers, namely, units capable of measuring inbound and outbound traffic without network disruption and units capable of detecting active optical network terminals without network disruption; microscopes, videoscopes, talk sets, namely, talking machines, audio communication over fiber devices and optical attenuators, network simulators, namely, portable and rack-mounted fiber network emulation units; fiber to the subscriber electronics including satellite distribution technology; passive optical network, point-to-point electronics, bandwidth management products; certification test kits comprised of optical test loss set, optical time domain reflectometer, visual fault locator, and analysis, reporting, and certification software; tinned substation connectors, namely, accessory products to support bus conductor and devices that carry current within the substation; computer terminals, and supports; connectors and fittings for the rail transit and heavy rail industry, namely, devices to support the electrical systems that drive the rail devices; vibration analysis software for placement of dampers and spacers on transmission and distribution lines; tools for the purpose of compressing transmission fittings, namely, hydraulic pressed to install aluminum tube type products for provided a termination point or a means of splicing the conductor; network underground limiting connectors, namely, connection terminals and fusing devices to protect the equipment during fault conditions; high voltage transmission compression fittings, namely, dead ends, terminals, splices made from aluminum tube used to provide termination points and splicing of conductors; aluminum substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support; computer terminals, and supports; bronze substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support, computer terminals, and supports; none of the above including lighting apparatus and equipment

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Proposed: Class 009 for Fiber optical products and equipment, namely, Optical Ground Wire Cable (OPGW), OPGW hardware, namely, dual-purpose metallic cable containing optical fibers for use on

overhead transmission lines as a static/earth wire while providing a method of optical communications; loose tube cable, namely, cable suitable for lashing or pulling through a duct or installing directly into the ground comprised of optical fibers housed in stranded plastic tubes with sufficient strength members and jacketing materials to protect the optical fibers which are used for telecommunications; microcore fiber optic cable, skywrap, premise cable; dielectric and metallic cable suitable for installation within premises including structured cabling for local area network installations as well as telephony and data communications; optical fiber connectivity, namely, cable connectors; mechanical splices, namely, splices between two pieces of optical fiber with a non-fusion splice; indoor, outdoor, bend insensitive and pm cable assemblies, namely, fiber optic assemblies built for installation in telecommunications networks, closures, racks, panels, cabinets, and demarcation; optical components, namely, splitters/couplers, DWDM, CWDM, attenuators, Mux/DeMux optical couplers, terminators, wavelength division multiplexers, patch panels, optical cable assemblies, multifiber optical cable assemblies, optical modules and associated passive components design to manipulate optical signals in a controlled and predictable manner; fiber demarcation, namely, closures and enclosures design for terminations and distribution of optical fibers; outside plant cable assemblies, namely, drops and other fiber optic assemblies for interconnect and distribution between OSP interfaces; copper apparatus, namely, network interface devices (NIDs) used in telephony; terminal access equipment, multi-pair NIDs, and related tools, coax splitters, line modules, ground blocks; coax demarcation, namely, coax demarcation used in CATV networks, ground blocks, and line modules; computer network interface devices, terminal closures, namely, terminal demarcation devices used for the distribution of multi-pair copper cables, terminal demarcation for transitioning of cable from aerial to buried applications; premise electronics and filters, namely, filtering and/or splitting of xDSL signal, lighting protectors, media conversion, line modules, signal attenuation, half ringer, RFI filtering; line modules for network interface devices, namely, line modules for termination and distribution of copper pairs; fusion splicers, namely, equipment for aligning and joining optical fibers together; specialty fiber including large core fiber, image fiber, fiber bundles, fiber scopes, capillary tubing, tapered fiber; optical time domain reflectometers (OTDRS) OTDR test kits comprised of optical power meters, optical light sources; inspection scope, cleaning supplies, fiber rings, adapters, test jumpers, optical analysis/reporting software; fiber test kits comprised of optical power meters, lead and laser light sources; optical loss test kits comprised of integrated power meter and light source devices and optical analysis/reporting software; visual fault identifiers, namely, visible red laser sources; optical fiber identifiers, namely, units capable of measuring inbound and outbound traffic without network disruption and units capable of detecting active optical network terminals without network disruption; microscopes, videoscopes, talk sets, namely, talking machines, audio communication over fiber devices and optical attenuators, network simulators, namely, portable and rack-mounted fiber network emulation units; fiber to the subscriber electronics including satellite distribution technology; passive optical network, point-to-point electronics, bandwidth management products; certification test kits comprised of optical test loss set, optical time domain reflectometer, visual fault locator, and analysis, reporting, and certification software; tinned substation connectors, namely, accessory products to support bus conductor and devices that carry current within the substation; computer terminals, and supports; connectors and fittings for the rail transit and heavy rail industry, namely, devices to support the electrical systems that drive the rail devices; vibration analysis software for placement of dampers and spacers on transmission and distribution lines; tools for the purpose of compressing transmission fittings, namely, hydraulic pressed to install aluminum tube type products for provided a termination point or a means of splicing the conductor; network underground limiting connectors, namely, connection terminals and fusing devices to protect the equipment during fault conditions; high voltage transmission compression fittings, namely, dead ends, terminals, splices made from aluminum tube used to provide termination points and splicing of conductors; aluminum substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support; computer terminals, and supports; bronze substation connectors, namely, accessory products that are welded or bolted onto bus

pipe or conductor for mechanical and/or electrical support, computer terminals, and supports; none of the above including lighting apparatus and equipment

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

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

Current: Class 021 for Optical fiber and connector cleaning products, namely, wipes and sticks used for cleaning connectors on jumpers, connectors in adapters and for preparing fibers for fusion splicing and termination

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Proposed: Class 021 for Optical fiber and connector cleaning products, namely, wipes and sticks used for cleaning connectors on jumpers, connectors in adapters and for preparing fibers for fusion splicing and termination

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)).

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 021. The specimen(s) submitted consists of Website excerpt in color.

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" *[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use].*

Original PDF file:

[SPU3-12411614-154223570 . S15149 Substitute Specimen Class 21 .pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

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

Current: Class 038 for Telecommunications services, namely, providing fiber optic network services

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Proposed: Class 038 for Telecommunications services, namely, providing fiber optic network services

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 00/00/2005 and first used in commerce at least as early as 00/00/2005, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 038.

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" *[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use].*

ADDITIONAL STATEMENTS

Miscellaneous Statement

This is responsive to the Office Action dated December 1, 2011. The Examining Attorney has required that the identification of goods and services be amended. It is submitted that the goods and services, as amended, are now properly identified and classified. Applicant herewith submits a substitute specimen for the Class 7 and 21 goods. In addition, Applicant submits a Declaration in support of such specimens. Applicant is also filing a Notice of Appeal in this case. As all outstanding matters have been complied with, Applicant respectfully submits that the mark is now in condition for publication, and an early notice to that effect is earnestly solicited.

Original PDF file:

[mis-12411614-154223570 . S15149 Response to Office Action May 31 2012 .PDF](#)

Converted PDF file(s) (4 pages)

[Miscellaneous File1](#)

[Miscellaneous File2](#)

[Miscellaneous File3](#)

[Miscellaneous File4](#)

SIGNATURE(S)

Declaration Signature

Original PDF file:

[HS_12411614-154223570 . S15149 Declaration in Support of Specimens.PDF](#)

Converted PDF file(s) (1 page)

[Signature File1](#)

Signatory's Name: Matsuhiro Miyamoto

Signatory's Position: VP, Technology

Request for Reconsideration Signature

Signature: /Leigh Ann Lindquist/ Date: 05/31/2012

Signatory's Name: Leigh Ann Lindquist

Signatory's Position: Attorney for Applicant

Signatory's Phone Number: 2026637409

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

Serial Number: 85235708

Internet Transmission Date: Thu May 31 15:48:33 EDT 2012

TEAS Stamp: USPTO/RFR-12.4.116.14-201205311548332342

56-85235708-490f758233731287f15d69cf4d7e

0663966-N/A-N/A-20120531154223570440





WFW and FA1 - FiberWipes™

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[Frequently Asked Questions](#)



Description

Specifically designed to remove and trap common contaminants found in fiber optic installations, AFL FiberWipes provide superior cleaning results from material that is stronger and more absorbent, yet softer than traditional cellulose wipes. Packaged in a clean room, the fabric is considered "fiber optic grade". FiberWipes are available in rugged mini-tubs (90 wipes) or in hermetically sealed individual packages (FiberAide 1) and are the perfect size for tool kits and test kits.

WFW FiberWipes

- Small package footprint ideal for a laboratory or field use
- Rugged 90-wipe mini-tub keeps wipes clean and dry prior to use
- Octagonal cover minimizes rolling distance if dropped
- Solvent safe, may be moistened to provide wet / dry cleaning
- Instructions for use on the side of the tub

FiberAide 1

- Hermetically sealed wipes remain uncontaminated and ready for use
- Foil backed wipes protect skin from cleaning solvents and cable gel
- Packaging contains no glues to leach out
- Button hole for placement on panel board or keychain
- Ideal for shipping with OEM equipment to prevent contamination of fiber surfaces at installation
- Solvent safe, may be moistened to provide wet / dry cleaning
- Pictorial instructions on each package

Cleaning Facts:

- Cleaning Saves Time and Money!
- Dirty connectors cause a major percentage of fiber optic network failures.

I IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Matter of:

AFL Telecommunications, LLC

Serial No: 85/235,708

Examiner: Andrea R. Hack

Filed: February 7, 2011

Law Office: 108

Mark: F (stylized in color)

RESPONSE TO OFFICE ACTION

Box RESPONSES NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

This is responsive to the Office Action dated December 1, 2011.

AMENDMENT

Please amend the identification of goods and services as follows:

International Class 7

Power tools, namely, optical fiber cleaver.

International Class 9

Fiber optical products and equipment, namely, Optical Ground Wire Cable (OPGW), OPGW hardware, namely, dual-purpose metallic cable containing optical fibers for use on overhead transmission lines as a static/earth wire while providing a method of optical communications; loose tube cable, namely, cable suitable for lashing or pulling through a duct or installing directly into the ground comprised of optical fibers housed in stranded plastic tubes with sufficient strength members and jacketing materials to protect the optical fibers which are used for telecommunications; microcore fiber optic cable, skywrap, premise cable; dielectric and metallic cable suitable for installation within premises including structured cabling for local area network installations as well as telephony and data communications; optical

fiber connectivity, namely, cable connectors; mechanical splices, namely, splices between two pieces of optical fiber with a non-fusion splice; indoor, outdoor, bend insensitive and pm cable assemblies, namely, fiber optic assemblies built for installation in telecommunications networks, closures, racks, panels, cabinets, and demarcation; optical components, namely, splitters/couplers, DWDM, CWDM, attenuators, Mux/DeMux optical couplers, terminators, wavelength division multiplexers, patch panels, optical cable assemblies, multifiber optical cable assemblies, optical modules and associated passive components design to manipulate optical signals in a controlled and predictable manner; fiber demarcation, namely, closures and enclosures design for terminations and distribution of optical fibers; outside plant cable assemblies, namely, drops and other fiber optic assemblies for interconnect and distribution between OSP interfaces; copper apparatus, namely, network interface devices (NIDs) used in telephony; terminal access equipment, multi-pair NIDs, and related tools, coax splitters, line modules, ground blocks; coax demarcation, namely, coax demarcation used in CATV networks, ground blocks, and line modules; computer network interface devices, terminal closures, namely, terminal demarcation devices used for the distribution of multi-pair copper cables, terminal demarcation for transitioning of cable from aerial to buried applications; premise electronics and filters, namely, filtering and/or splitting of xDSL signal, lightning protectors, media conversion, line modules, signal attenuation, half ringer, RFI filtering; line modules for network interface devices, namely, line modules for termination and distribution of copper pairs; fusion splicers, namely, equipment for aligning and joining optical fibers together; specialty fiber including large core fiber, image fiber, fiber bundles, fiber scopes, capillary tubing, tapered fiber; optical time domain reflectometers (OTDRS) OTDR test kits comprised of optical power meters, optical light sources; inspection scope, cleaning supplies, fiber rings, adapters, test jumpers, optical analysis/reporting software; fiber test kits comprised of optical power meters, lead and laser light sources; optical loss test kits comprised of integrated power meter and light source devices and optical analysis/reporting software; visual fault identifiers, namely, visible red laser sources; optical fiber identifiers, namely, units capable of measuring inbound and outbound traffic without network disruption and units capable of detecting active optical network terminals without network disruption; microscopes, videoscopes, talk sets, namely, talking machines, audio communication over fiber devices and optical attenuators, network simulators, namely, portable and rack-mounted fiber network emulation units; fiber to the subscriber electronics including

satellite distribution technology; passive optical network, point-to-point electronics, bandwidth management products; certification test kits comprised of optical test loss set, optical time domain reflectometer, visual fault locator, and analysis, reporting, and certification software; tinned substation connectors, namely, accessory products to support bus conductor and devices that carry current within the substation; computer terminals, and supports; connectors and fittings for the rail transit and heavy rail industry, namely, devices to support the electrical systems that drive the rail devices; vibration analysis software for placement of dampers and spacers on transmission and distribution lines; tools for the purpose of compressing transmission fittings, namely, hydraulic pressed to install aluminum tube type products for provided a termination point or a means of splicing the conductor; network underground limiting connectors, namely, connection terminals and fusing devices to protect the equipment during fault conditions; high voltage transmission compression fittings, namely, dead ends, terminals, splices made from aluminum tube used to provide termination points and splicing of conductors; aluminum substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support; computer terminals, and supports; bronze substation connectors, namely, accessory products that are welded or bolted onto bus pipe or conductor for mechanical and/or electrical support, computer terminals, and supports; none of the above including lighting apparatus and equipment.

International Class 21

Optical fiber and connector cleaning products, namely, wipes and sticks used for cleaning connectors on jumpers, connectors in adapters and for preparing fibers for fusion splicing and termination.

International Class 38

Telecommunications services, namely, providing fiber optic network services.

REMARKS

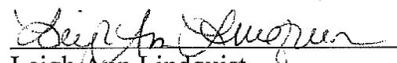
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Respectfully submitted,



Leigh Ann Lindquist
Attorney for Applicant
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Direct Dial: (202) 663-7409

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Matter of:

AFL TELECOMMUNICATIONS, LLC

Serial No: 85/235,708

Filed: February 7, 2011

Mark: F

DECLARATION IN SUPPORT OF SUBSTITUTE SPECIMENS

Box RESPONSES NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Applicant, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declares that he is authorized to executed this instrument on behalf of Applicant; that the substitute specimens submitted herewith were in use in commerce at least as early as the filing date of the application; that the facts set forth in this declaration are true; that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

AFL TELECOMMUNICATIONS, LLC

By: M. Miyamoto

Name: MATSHIRO MIYAMOTO

Title: VP, Technology

Date: 30 May, 2012