

## Request for Reconsideration after Final Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	85340789
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (021)(current)</b>	
<b>INTERNATIONAL CLASS</b>	021
<b>DESCRIPTION</b>	
Dishes and plates not of precious metal; glass and crystal beverage wear, barware and vases; decorative centerpieces not of precious metal	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (021)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	021
<b>TRACKED TEXT DESCRIPTION</b>	
Dishes and plates not of precious metal; <del>glass and crystal beverage wear, barware and vases;</del> <a href="#">glass and crystal beverage wear;</a> <del>decorative centerpieces not of precious metal;</del> <a href="#">barware, namely, decanters, aerators, bottle openers, wine bottle openers, strainers, cocktail stirrers, wine sets, wine racks, chillers, stemware racks, coasters, martini glasses, shakers, cocktail mixers, scoops and ice buckets;</a> <a href="#">vases;</a> <a href="#">decorative centerpieces of crystal, china, terra cotta, earthenware, glass, porcelain and ceramic</a>	
<b>FINAL DESCRIPTION</b>	
Dishes and plates not of precious metal; glass and crystal beverage wear; barware, namely, decanters, aerators, bottle openers, wine bottle openers, strainers, cocktail stirrers, wine sets, wine racks, chillers, stemware racks, coasters, martini glasses, shakers, cocktail mixers, scoops and ice buckets; vases; decorative centerpieces of crystal, china, terra cotta, earthenware, glass, porcelain and ceramic	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (024)(current)</b>	
<b>INTERNATIONAL CLASS</b>	024
<b>DESCRIPTION</b>	
Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels, fabric table toppings	

FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (024)(proposed)</b>	
INTERNATIONAL CLASS	024
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels, fabric table toppings;</del> <u>Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels and fabric table toppings, namely, table cloths and table runners</u>	
<b>FINAL DESCRIPTION</b>	
Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels and fabric table toppings, namely, table cloths and table runners	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (016)(class added)</b>	
INTERNATIONAL CLASS	016
DESCRIPTION	Decorative centerpieces of paper
FILING BASIS	Section 1(b)
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEES DUE	325
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/Robert L. Brewer/
SIGNATORY'S NAME	Robert L. Brewer
SIGNATORY'S POSITION	Attorney of Record, TN Bar Member
SIGNATORY'S PHONE NUMBER	615-742-7760
DATE SIGNED	09/10/2012
RESPONSE SIGNATURE	/Robert L. Brewer/
SIGNATORY'S NAME	Robert L. Brewer
SIGNATORY'S POSITION	Attorney of Record, TN Bar Member
SIGNATORY'S PHONE NUMBER	615-742-7760
DATE SIGNED	09/10/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO

<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Sep 10 17:30:01 EDT 2012
<b>TEAS STAMP</b>	USPTO/RFR-67.90.153.173-2 0120910173001690070-85340 789-490377b2e382c415c4246 fe59ed88addcbc-DA-5443-20 120910162654078499

PTO Form 1930 (Rev 9/2007)  
OMB No. 0651-0050 (Exp. 4/30/2009)

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

Application serial no. **85340789** 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 021 for Dishes and plates not of precious metal; glass and crystal beverage wear, barware and vases; decorative centerpieces not of precious metal

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** 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. (15 U.S.C. Section 1051(b)).

### Proposed:

**Tracked Text Description:** Dishes and plates not of precious metal; ~~glass and crystal beverage wear, barware and vases;~~ glass and crystal beverage wear; ~~decorative centerpieces not of precious metal;~~ barware, namely, decanters, aerators, bottle openers, wine bottle openers, strainers, cocktail stirrers, wine sets, wine racks, chillers, stemware racks, coasters, martini glasses, shakers, cocktail mixers, scoops and ice buckets; vases; decorative centerpieces of crystal, china, terra cotta, earthenware, glass, porcelain and ceramic

Class 021 for Dishes and plates not of precious metal; glass and crystal beverage wear; barware, namely, decanters, aerators, bottle openers, wine bottle openers, strainers, cocktail stirrers, wine sets, wine racks, chillers, stemware racks, coasters, martini glasses, shakers, cocktail mixers, scoops and ice buckets; vases; decorative centerpieces of crystal, china, terra cotta, earthenware, glass, porcelain and ceramic

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

**Current:** Class 024 for Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen

linens, bed sheets, towels, fabric table toppings

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** 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. (15 U.S.C. Section 1051(b)).

**Proposed:**

**Tracked Text Description:** ~~Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels, fabric table toppings;~~ [Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels and fabric table toppings, namely, table cloths and table runners](#)

Class 024 for Linens, namely, bath linens, bed linens, dining linens, household linens, kitchen linens, bed sheets, towels and fabric table toppings, namely, table cloths and table runners

**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 016 for Decorative centerpieces of paper

**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: /Robert L. Brewer/ Date: 09/10/2012  
Signatory's Name: Robert L. Brewer  
Signatory's Position: Attorney of Record, TN Bar Member  
Signatory's Phone Number: 615-742-7760

**Request for Reconsideration Signature**

Signature: /Robert L. Brewer/ Date: 09/10/2012  
Signatory's Name: Robert L. Brewer  
Signatory's Position: Attorney of Record, TN Bar Member

Signatory's Phone Number: 615-742-7760

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.

RAM Sale Number: 5443  
RAM Accounting Date: 09/11/2012

Serial Number: 85340789  
Internet Transmission Date: Mon Sep 10 17:30:01 EDT 2012  
TEAS Stamp: USPTO/RFR-67.90.153.173-2012091017300169  
0070-85340789-490377b2e382c415c4246fe59e  
d88addcbc-DA-5443-20120910162654078499

RAM SALE NUMBER: 5443  
RAM ACCOUNTING DATE: 20120911

INTERNET TRANSMISSION DATE:  
2012/09/10

SERIAL NUMBER:  
85/340789

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2012/09/10	325	1	325