

From: Lee, Janet

Sent: 10/23/2013 5:42:00 PM

To: TTAB EFiling

CC:

Subject: U.S. TRADEMARK APPLICATION NO. 85492095 - CERTIFIED ENTREPRENEURIAL ADVISOR - 4339  
- Request for Reconsideration Denied - Return to TTAB

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Attachment Information:

Count: 1

Files: 85492095.doc

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 85492095

**MARK:** CERTIFIED ENTREPRENEURIAL ADVISOR



**CORRESPONDENT ADDRESS:**

ARTHUR SHAFFER

INTELLECTUAL PROPERTY CENTER LLC

7101 COLLEGE BLVD SUITE 1520

OVERLAND PARK, KS 66210

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

**APPLICANT:** Small Business Research Institute

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

4339

**CORRESPONDENT E-MAIL ADDRESS:**

ashaffer@theipcenter.com

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 10/23/2013

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. *See* 37 C.F.R. §2.64(b); TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a). The Section 2(d) refusal made final as to U.S. Registration No. 3801403 in the Office action dated April 1, 2013 is maintained and continue to be final. *See* TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Applicant has mentioned a consent agreement with the owner of the cited registration; however, no consent agreement was attached to the request for reconsideration. Accordingly, the request is denied.

Please note that the amendment to Supplemental Register, the affidavit to support the substitute specimen and deletion of Class A goods in the identification of goods and services have been accepted. Further, the acquired distinctiveness claim made under Section 2(f) has been deleted from the record by an Examiner's Amendment per telephone conversation with applicant's attorney on October 21, 2013.

The filing of a request for reconsideration does not extend the time for filing a proper response to a final Office action or an appeal with the Trademark Trial and Appeal Board (Board), which runs from the date the final Office action was issued/mailed. *See* 37 C.F.R. §2.64(b); TMEP §715.03, (a)(2)(B), (a)(2)(E), (c).

If time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to comply with and/or overcome any outstanding final requirement(s) and/or refusal(s) and/or to file an appeal with the Board. TMEP §715.03(a)(2)(B), (c). However, if applicant has already filed a timely notice of appeal with the Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

/Janet Lee/

Examining Attorney

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