

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85569683
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION (no change)	
ARGUMENT(S)	
<p style="text-align: center;"><u>REQUEST FOR RECONSIDERATION</u></p> <p>Applicant hereby submits this Request for Reconsideration with additional reasons and evidence in support of registration. Contemporaneously herewith, Applicant submits a Notice of Appeal of the final decision of the Examining Attorney refusing registration. On the basis of the following arguments, Applicant requests that the final refusal be withdrawn, and that the present application be approved for registration.</p> <p style="text-align: center;"><u>Likelihood of Confusion Refusal</u></p> <p>By final office action dated January 28, 2013, the Examining Attorney has refused registration of the logo mark U.S. WEALTH and Design under Trademark Act Section 2(d) because, in her opinion, Applicant's mark, when used in connection with the various financial services listed in the application, so resembles the logo mark in U.S. Registration No. 3,300,749 (U.S. WEALTH GROUP and Design covering various financial services), as to be likely to cause confusion, to cause mistake, or to deceive.</p> <p>As explained below and guided by the relevant <i>Dupont</i> factors, Applicant respectfully responds that there is no likelihood of confusion between the two logo marks and submits the following additional arguments and evidence in support of its position. <i>In re E.I. du Pont de Nemours & Co.</i>, 476 F.2d 1357, 177 U.S.P.Q. 563 (CCPA 1973).</p>	

In summary, in view of the nature of the services and the degree of care exercised by the relevant consumers, the fact that the marks only share terms that both the owner of the cited mark and Applicant have disclaimed, as well as other differences between the marks, the USPTO should approve Applicant's logo mark.

1. The Logo Marks at Issue are Sufficiently Different in Appearance and Sound

While the logo marks at issue contain several of the same words, ultimately the marks are sufficiently different in appearance and sound that consumers are not likely to perceive them as indicating a common source or origin for the relevant services.

A. The Marks Differ in Appearance

Applicant's logo mark consists of two words, U.S. WEALTH, with a distinctive globe design appearing to the right of the lettering. The wording U.S. WEALTH appears in black, entirely in capital letters and in a relatively simple serif font. The globe graphic is angled slightly to the left, calling to mind Earth's 23.5 degree axial tilt, and bears white lines of latitude and longitude which divide the surface of the globe into a series of triangles, quadrilaterals, and other shapes. These shapes appear in gold or white in a random pattern that suggests rotational movement. The word and design elements of the mark are nearly identical in relative size, with the globe appearing just slightly taller than the preceding lettering. By contrast, the cited logo consists of the three words, U.S. WEALTH GROUP, appearing to the right of " *a highly stylized design of the letters USW consisting of six vertical wavy lines. The color red appears, from left to right, in the third wavy line forming the S. The color blue appears in the other five wavy lines forming the letters U and W and in the words U.S. WEALTH GROUP.*" (See, official Mark Description for the cited Registration.) The wording U.S. WEALTH GROUP appears in a serif font with enlarged initial capital letters in WEALTH and GROUP. The capital W is highly stylized and is represented by overlapping parallel lines that mirror the parallel lines in the "USW" graphic. In addition, the word and design elements in the mark are quite different in relative size, with U.S. WEALTH GROUP appearing approximately three times smaller than the preceding "USW" graphic.

These overwhelming differences in appearance result in two logo marks that are individually quite memorable and distinct from one another when considered visually, particularly in light of the descriptive and generic nature of the literal terms that the marks share in common (see Section 2, below).

B. The Marks Differ in Sound

When spoken, the word elements of Applicant's logo mark, U.S. WEALTH, contain three syllables, with the natural emphasis falling on the last word, WEALTH. By contrast, the word elements of the cited logo mark, U.S. WEALTH GROUP, contain four syllables, with the natural emphasis falling either on the final word GROUP or equally on the last two words WEALTH GROUP. Thus, as a result of the additional wording in the cited mark, the two marks are aurally quite distinct, each concluding uniquely with either the word WEALTH or the entirely different sounding word GROUP.

Given the significant differences in the overall appearance of the two logo marks, as well as the sound of the marks when their word elements are spoken aloud, a consumer encountering Applicant's logo mark, U.S. WEALTH and Design, and the cited logo mark, U.S. WEALTH GROUP and Design, would not be likely to mistakenly assume that Applicant's services originate from the same source as, or are associated with, Registrant's services.

2. The Cited Mark is Inherently Weak and Should Receive an Extremely Narrow Scope of Protection

It is important to consider the inherent weakness of the cited mark, U.S. WEALTH GROUP and Design, as it is comprised entirely of descriptive terms. The result is a mark so weak that the scope of protection afforded to it should be extremely limited. As stated by the Court of Customs and Patent Appeals (now the Court of Appeals for the Federal Circuit),

[it] seems both logical and obvious to us that where a party chooses a trademark which is inherently weak, he will not enjoy a wide range of protection afforded the owner of stronger trademarks. Where a party uses a weak mark, his competitors may come closer to his mark than would be the case with a strong mark without violating his rights.

Sure-Fit Products Co. v. Saltzon Drapery Co., 254 F.2d 158, 117 U.S.P.Q. 295 (C.C.P.A.)

1958). See also *King Candy Co. v. Eunice King's Kitchen, Inc.*, 496 F.2d 1400, 182 U.S.P.Q. 108 (C.C.P.A. 1974) (stating that confusion is unlikely if it is a weak mark).

Whether a mark or a term in a mark is considered strong or weak is a very important element in determining likelihood of confusion. *Independent Grocers' Alliance Distributing Co. v. Potter-McCune Co.*, 404 F.2d 622, 160 U.S.P.Q. 46 (C.C.P.A. 1968); *Time, Inc. v. T.I.M.E., Inc.*, 123 F. Supp. 446, 102 U.S.P.Q. 275 (D. Cal. 1954). If the common element in the conflicting marks is "weak," then this reduces the likelihood of confusion. See, e.g., *Nestle's Milk Products, Inc. v. Baker Importing Co.*, 182 F.2d 193, 86 U.S.P.Q. 80 (C.C.P.A. 1950); *Smith v. Tobacco By-Products & Chemical Corp.*, 243 F.2d 188, 113 U.S.P.Q. 339 (C.C.P.A. 1957); *Societe Anonyme de La Grande Distillerie E. Cusenier Fils Aine & Cie. V. Julius Wile & Sons Co.*, 161 F. Supp. 545, 117 U.S.P.Q. 257 (D. N.Y. 1958). A portion of a mark may be "weak" in the sense that it is either descriptive, highly suggestive, or is in common use by many other sellers in the market. See *Colgate-Palmolive Co. v. Carter-Wallace, Inc.*, 432 F.2d 1400, 167 U.S.P.Q. 529 (C.C.P.A. 1970); *Knapp-Monarch Co. v. Poloron Products, Inc.*, 134 U.S.P.Q. 412 (T.T.A.B. 1962).

The weaker a mark, the less likely it is that a junior use will trigger a likelihood of confusion. "Determining that a mark is weak means that **consumer confusion has been found unlikely because the mark's components are so widely used that the public can easily distinguish slight differences in the marks, even if the goods are related.**" *General Mills, Inc. v. Kellogg Co.*, 824 F.2d 622, 3 U.S.P.Q.2d 1442 (8th Cir. 1987)(emphasis added).

Here, the entire three word phrase, U.S. WEALTH GROUP, is merely descriptive of the Registrant's various financial services. This fact is underscored by the disclaimer that was required in the cited registration. All of the wording in the cited mark was disclaimed, indicating that the overall mark, U.S. WEALTH GROUP and Design, is extremely weak and entitled to the very narrowest scope of protection.

As a result, Registrant simply is not entitled to the exclusive right to the wording U.S. WEALTH for the relevant services. Applicant itself has agreed to a disclaimer of these terms. Another mark incorporating this same descriptive wording may coexist, even for identical

services, so long as there are other distinctive features sufficient to differentiate the marks and avoid a likelihood of confusion. In the present case, as explained, there are sufficient differences in the marks (both visual and aural), as well as in the circumstances surrounding the provision of the relevant services themselves, that allow prospective consumers to distinguish between Applicant's U.S. WEALTH and Design mark and the cited U.S. WEALTH GROUP and Design mark.

3. The Differences Between Applicant's Mark and the Cited Mark are Sufficient to Avoid a Likelihood of Confusion.

In her Final Refusal, the Examining Attorney argues that the marks must be considered in their entireties when determining whether they are confusingly similar, and that the disclaimed terms should not be removed from the marks for such analysis, citing *Midwestern Pet Foods, Inc. v. Societe des Produits Nestle S.A.*, 685 F.3d 1046, 1053, 103 USPQ2d 1435, 1440 (Fed. Cir. 2012).

However, the marks at issue in the cited case were of an entirely different character than the marks at issue here. In that case, Nestle successfully opposed registration of WAGGIN' STRIPS for edible pet food treats on the basis of its prior long-standing registration for BEGGIN' STRIPS for identical goods. Nestle argued that WAGGIN' STRIPS was famous (which is not at issue here), and while the Board did not find fame, it accorded the mark a broad scope of protection. The defendant tried, unsuccessfully, to distinguish the marks by arguing differences in sound, appearance and meaning, and noted that the only common term in both marks was the mutually descriptive and disclaimed term STRIPS.

The cited case is not relevant to the present likelihood of analysis because the mark BEGGIN' STRIPS was highly distinctive and entitled to a broad scope of protection. In this case, the entire mark U.S. WEALTH GROUP is descriptive and entitled to an extremely narrow scope of protection.

Moreover, Applicant is not arguing that the disclaimed terms U.S. and WEALTH should be removed from the marks for purposes of the likelihood of confusion analysis. Rather,

Applicant is arguing that because of the descriptiveness of the disclaimed wording, its common appearance in both marks is less important to the likelihood of analysis than are the dissimilar features of such marks (as well as other differentiating factors in the likelihood of confusion analysis). It is well-settled that one may argue that component terms are descriptive or generic, and therefore entitled to less weight in determining likelihood of confusion. See, *In re National Data Corp.* 753, F.2d 1056, 224 U.S. P.Q. 749, 752 (Fed. Cir. 1985).

Applicant respectfully submits that even when considering the relevant marks as a whole, certain distinctive features of those marks may be more significant than descriptive ones, and it is proper to give greater force and effect to those distinctive features. See, *Giant Food, Inc. v. Nations Foodservice, Inc.*, 710 F.2d 1565, 1570 (Fed. Cir. 1983). In the present case, when considered as a whole, the distinctive and differing features of the two marks are sufficient to avoid a likelihood of confusion.

A. Descriptive (and Disclaimed) Elements are Entitled to Less Weight than Distinctive Elements in Determining Similarity Between Marks

When analyzing the degree of similarity between two marks it is not improper (indeed, it is unavoidable) to identify elements of the marks which are more or less important to the decision. Distinctive elements are important because they attract attention and consumers are more likely to remember and rely on them for purposes of source identification. Descriptive, weaker elements (which have little or no source identifying function) generally are seen as recessive and less significant in the analysis. See, *Kirkpatrick, Likelihood of Confusion in Trademark Law*, Section 4.9 (Practicing Law Institute 2012).

Where the common portions between two marks are descriptive and weak, minor differences in the remaining elements can result in two marks that are not confusingly similar. The non-common elements of the marks, even when “equally suggestive or even descriptive, may be sufficient to avoid confusion.” *Wooster Brush Co. v. Prager Brush Co.*, 231 USPQ 316, 318 (TTAB 1986) (POLY FLO and POLY PRO not confusingly similar for paint brushes).

The Examining Attorney seems to argue that the shared terms U.S. WEALTH are

determinative in the likelihood of confusion analysis because of their placement at the beginning of each mark. Applicant respectfully responds that the entirely descriptive meaning and function of these words are more significant in weighing their overall importance in the marks than is their relative position within the mark. See, *In re Thor Tech, Inc.*, 90 USPQ2d 1634 (TTAB 2009) (considering likelihood of confusion between WAVE and THE WAVE and holding that the addition of the definite article THE at the beginning of the registered mark does not have any trademark significance) (emphasis added).

Here, in light of the descriptiveness of the terms U.S. and WEALTH, the more significant and memorable portions of the marks are the graphics, each of which has a unique and different connotation that leads to a different commercial impression for each overall mark.

In the cited mark, the highly stylized “USW” graphic is comprised of blue and red wavy lines that are reminiscent of an American flag and therefore underscores the geographic and national identifier in the mark (the term “U.S.”) that follows immediately after the graphic. The entire commercial impression of the mark is one that is national and somewhat patriotic.

By contrast, the globe design in Applicant’s mark conveys a wholly different commercial impression. The gold hue of the graphic underscores the reference to affluence or prosperity conveyed by the term WEALTH, and the globe design communicates a sense that Applicant’s services are continental or multi-national scope.

B. Many Marks with the Same Minor Differences Already Coexist for the Same Services

Applicant maintains that because the shared wording in the two marks at issue is entirely descriptive of, and diluted for, the relevant services, consumers will look to the differing elements of the marks, namely the distinctive graphics and the additional term GROUP, to distinguish them and identify the source of the respective companies’ services. The Federal Trademark Register is replete with examples which show that consumers of financial services already do this regularly.

Applicant submits the following tables which show five sets of federal use-based

trademark registrations for marks comprised of virtually identical and entirely descriptive wording, registered for various financial planning, investment advisory, investment management, and/or wealth management services. Applicant further submits Exhibits 1-11 comprising the corresponding TESS Printouts for each such registration. As indicated below, such marks coexist entirely on the basis of differing logo graphics and/or a single descriptive term, often which appears at the end of each mark:

Table A

MARK	REG. NO.	GOODS/SERVICES
LEGACY WEALTH MANAGEMENT and Design	2,735,724	“financial services, namely, investment management, asset allocation for others and financial and estate planning”
LEGACY WEALTH MANAGEMENT GROUP and Design	4,256,970	“financial services, namely wealth management services”

Table B

MARK	REG. NO.	GOODS/SERVICES
AMERICAN WEALTH ADVISORS LLC	3,765,684	“private wealth management services; investment advisory services; investment management; financial planning for retirement; estate planning...”
AMERICAN WEALTH MANAGEMENT	4,014,106	“...financial planning and investment advisory services; financial planning for retirement...investment advisory services...”

Table C

MARK	REG. NO.	GOODS/SERVICES
THE WEALTH MANAGEMENT GROUP	1,836,459	“investment consulting and management services”
THE WEALTH TRANSFER GROUP (Stylized)	2,051,712	“estate planning services”

Table D

MARK	REG. NO.	GOODS/SERVICES
THE WEALTH MANAGEMENT GROUP	1,836,459	"investment consulting and management services"
THE COMPREHENSIVE WEALTH MANAGEMENT GROUP and Design	3,156,936	"financial planning and investment management services"

Table E

MARK	REG. NO.	GOODS/SERVICES
FAMILY WEALTH MANAGEMENT and Design	4,128,520	"...wealth management services; investment management services..."
FAMILY WEALTH ADVOCATES	3,043,000	"investment advice and counseling"
FAMILY WEALTH ADVISORY GROUP	3,933,097	"consulting and information concerning insurance; financial planning and investment advisory services"

Applicant submits that the above tables demonstrate that marks nearly identical to those at issue in this case regularly coexist without confusion, in the marketplace, in connection with the same financial planning, investment advisory, investment management and/or wealth management services at issue here.

Applicant appreciates that each case must be decided on its own merits and that under TMEP Section 1207.01(d)(vi) previous decisions by other examining attorneys are not binding on the Examining Attorney in this case. However, the evidence of record clearly indicates that, in the financial services field, differences of just one descriptive word and/or a logo graphic are enough to avoid a likelihood confusion between arguably similar marks.

Third party registrations are relevant to show that a mark or a portion of a mark is descriptive, suggestive, or so commonly used that the public will look to other elements to distinguish the source of the goods or services. TMEP Section 1207.01(d)(iii). That is the case here. These numerous instances of coexisting marks overwhelmingly show marks comprised entirely of descriptive terms are so weak and commonly used in the financial services field that the public will look to the minor differences between them (e.g., a different design element or single

differing term, even one that is itself descriptive) to distinguish the source of the services.

4. Consumers Exercise a High Degree of Care in Purchasing the Relevant Services

Finally, Applicant argues that ordinary purchasers of the various financial planning, investment advisory, investment management, and/or wealth management services at issue in this case exercise such a high degree of care in making their purchasing decisions that they are not likely to be confused as to the source or sponsorship of either company's services by encountering simultaneous use of the two logo marks at issue in this case.

A. Consumers are Making a Significant Financial Investment

Consumers who purchase financial planning, investment advisory, investment management, and/or wealth management services are making a significant financial investment. As shown in Exhibit 12 (a screen shot from Registrant's website), U.S. Wealth Group's current managed asset minimum for new clients is \$250,000. *Id.* Since consumers will be entrusting the company with the investment of more a quarter million dollars, they are likely to select their financial and investment advisor with a great deal of care.

B. Consumers are Making a Long-Term Decision

Moreover, consumers of these services generally are making long-term investment decisions that will have far-reaching consequences and often are designed to carry them into retirement. As shown in Exhibit 13 (a screen shot from Registrant's website), U.S. Wealth Group's specialty is "meeting the needs of investors with portfolios greater than \$250,000 who generally seek consistent portfolio results for their retirement years" (emphasis added). Therefore, consumers are likely to carefully consider their options before entering into a long-term relationship with a particular financial and investment advisor.

C. Consumers are Selecting from Among Various Disparate Financial Services

As indicated by the service descriptions at issue in this case, financial and investment advisors provide a variety of complex and distinct financial services, including estate planning, stock brokerage, asset acquisition, and wealth management services. Financial advisors typically provide customers with financial products and services, “ *depending on the licenses they hold and the training they have.*” See, Wikipedia entry for “financial adviser” attached as Exhibit 14. Thus, a consumer of these services is likely to consider his/her different provider choices carefully, selecting the financial and investment provider with the appropriate licenses and training to match the consumer’s needs.

For example, Registrant’s website clearly indicates the multiple steps (“ *U.S. Wealth Group has a custom 3-step process.*”) that consumers go through in selecting and engaging the company to provide investment management services. Indeed, as shown in Exhibit 15 (a further screen shot from Registrant’s website), U.S. Wealth Group’s customers complete and/or receive a Risk Profile (“ *Our introduction to you, your needs and where you currently stand with your financial goals.*”), an Investment Policy Statement (*a written agreement as to “how your money will be managed” and “how often your investments will be personally reviewed with your advisor”*), and a Select Allocation Model (“*U.S. Wealth Group creates... a truly customized allocation specifically designed for their unique situation and financial goals*”) as part of the process of engaging the Registrant to provide financial planning services.

Thus, consumers of the relevant services certainly are not making a spur-of-the-moment decision, but rather are selecting an advisor after careful consideration of many factors, including the expertise of the particular advisor to provide the appropriate mix of the disparate financial planning, investment advisory, investment management, and/or wealth management services available in the field.

Accordingly, because selecting an investment advisor is an important financial decision, involving significant monetary risk and typically a substantial amount of research and planning, consumers are likely to exhibit a high degree of care in making their purchase decision. They are likely to research the different providers of financial planning services with care and are not likely to be confused as to source or sponsorship among those providers

when encountering the differing composite logo marks, U.S. WEALTH and Design and U.S. WEALTH GROUP and Design, in the marketplace.

Status of Cited Mark

Applicant respectfully draws the Examining Attorney's attention to the current status of the cited Registration, U.S. WEALTH GROUP and Design, which was registered on October 2, 2007. Under Section 8 of the Trademark Act, the Registrant must file an affidavit of continued use of the cited mark by October 2, 2013. Applicant notes that the Registrant filed a Section 8 affidavit on October 8, 2012, however, a Post-Registration Office Action was issued November 3, 2012, rejecting the Section 8 affidavit on the basis of an unacceptable specimen. The Registrant did not respond to such office action by the six-month response deadline.

Applicant notes that the Registrant has approximately two more months in which to file a timely a timely and proper substitute specimen (followed by the statutory six-month grace period which extends such deadline to April 2, 2104). In the event that Registrant does not file an appropriate response by such deadline, the cited Registration will be declared cancelled and the Examining Attorney's refusal of the present application will be moot.

Accordingly, Applicant respectfully requests that, should the Examining Attorney be inclined to maintain the outstanding refusal, the present application be suspended pending confirmation that the cited Registration is either maintained prior to, or cancelled as of, the final maintenance deadline of April 2, 2014.

EVIDENCE SECTION

EVIDENCE FILE NAME(S)

ORIGINAL PDF FILE [evi_20422723338-165028658 . Exhibit 1.pdf](#)

CONVERTED PDF FILE(S)
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ORIGINAL PDF FILE [evi_20422723338-165028658 . Exhibit 2.pdf](#)

CONVERTED PDF FILE(S)
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ORIGINAL PDF FILE	evi_20422723338-165028658 . Exhibit 14.pdf
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ORIGINAL PDF FILE	evi_20422723338-165028658 . Exhibit 15.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\855\696\85569683\xml6\RFR0029.JPG
DESCRIPTION OF EVIDENCE FILE	TESS printouts, selected screen shots from the cited registrant's website and a Wikipedia entry
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Patricia L. Cotton/
SIGNATORY'S NAME	Patricia L. Cotton
SIGNATORY'S POSITION	Attorney of Record
SIGNATORY'S PHONE NUMBER	650-233-4758
DATE SIGNED	07/29/2013
AUTHORIZED SIGNATORY	YES

CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jul 29 17:06:10 EDT 2013
TEAS STAMP	USPTO/RFR-204.227.233.38-20130729170610494212-85569683-5004b26f1265ce0476ff494cbaf15ce5ba176d9f799989624aff06e454cd455f496-N/A-N/A-20130729165028658849

PTO Form 1930 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 05/31/2014)

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

Application serial no. **85569683** has been amended as follows:

ARGUMENT(S)

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

REQUEST FOR RECONSIDERATION

Applicant hereby submits this Request for Reconsideration with additional reasons and evidence in support of registration. Contemporaneously herewith, Applicant submits a Notice of Appeal of the final decision of the Examining Attorney refusing registration. On the basis of the following arguments, Applicant requests that the final refusal be withdrawn, and that the present application be approved for registration.

Likelihood of Confusion Refusal

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GROUP and Design covering various financial services), as to be likely to cause confusion, to cause mistake, or to deceive.

As explained below and guided by the relevant *Dupont* factors, Applicant respectfully responds that there is no likelihood of confusion between the two logo marks and submits the following additional arguments and evidence in support of its position. *In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 U.S.P.Q. 563 (CCPA 1973).

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A. The Marks Differ in Appearance

Applicant's logo mark consists of two words, U.S. WEALTH, with a distinctive globe design appearing to the right of the lettering. The wording U.S. WEALTH appears in black, entirely in capital letters and in a relatively simple serif font. The globe graphic is angled slightly to the left, calling to mind Earth's 23.5 degree axial tilt, and bears white lines of latitude and longitude which divide the surface of the globe into a series of triangles, quadrilaterals, and other shapes. These shapes appear in gold or white in a random pattern that suggests rotational movement. The word and design elements of the mark are nearly identical in relative size, with the globe appearing just slightly taller than the preceding lettering.

By contrast, the cited logo consists of the three words, U.S. WEALTH GROUP, appearing to the right of " *a highly stylized design of the letters USW consisting of six vertical wavy lines. The color red appears, from left to right, in the third wavy line forming the S. The color blue appears in the other five wavy lines forming the letters U and W and in the words U.S. WEALTH*

GROUP.” (See, official Mark Description for the cited Registration.) The wording U.S. WEALTH GROUP appears in a serif font with enlarged initial capital letters in WEALTH and GROUP. The capital W is highly stylized and is represented by overlapping parallel lines that mirror the parallel lines in the “USW” graphic. In addition, the word and design elements in the mark are quite different in relative size, with U.S. WEALTH GROUP appearing approximately three times smaller than the preceding “USW” graphic.

These overwhelming differences in appearance result in two logo marks that are individually quite memorable and distinct from one another when considered visually, particularly in light of the descriptive and generic nature of the literal terms that the marks share in common (see Section 2, below).

B. The Marks Differ in Sound

When spoken, the word elements of Applicant’s logo mark, U.S. WEALTH, contain three syllables, with the natural emphasis falling on the last word, WEALTH. By contrast, the word elements of the cited logo mark, U.S. WEALTH GROUP, contain four syllables, with the natural emphasis falling either on the final word GROUP or equally on the last two words WEALTH GROUP. Thus, as a result of the additional wording in the cited mark, the two marks are aurally quite distinct, each concluding uniquely with either the word WEALTH or the entirely different sounding word GROUP.

Given the significant differences in the overall appearance of the two logo marks, as well as the sound of the marks when their word elements are spoken aloud, a consumer encountering Applicant’s logo mark, U.S. WEALTH and Design, and the cited logo mark, U.S. WEALTH GROUP and Design, would not be likely to mistakenly assume that Applicant’s services originate from the same source as, or are associated with, Registrant’s services.

2. The Cited Mark is Inherently Weak and Should Receive an Extremely Narrow Scope of Protection

It is important to consider the inherent weakness of the cited mark, U.S. WEALTH GROUP and Design, as it is comprised entirely of descriptive terms. The result is a mark so weak that the scope of protection afforded to it should be extremely limited. As stated by the Court of Customs and Patent Appeals (now the Court of Appeals for the Federal Circuit),

[it] seems both logical and obvious to us that where a party chooses a trademark which is inherently weak, he will not enjoy a wide range of protection afforded the owner of stronger trademarks. Where a party uses a weak mark, his competitors may come closer to his mark than would be the case with a strong mark without violating his rights.

Sure-Fit Products Co. v. Saltzon Drapery Co., 254 F.2d 158, 117 U.S.P.Q. 295 (C.C.P.A. 1958).
See also *King Candy Co. v. Eunice King's Kitchen, Inc.*, 496 F.2d 1400, 182 U.S.P.Q. 108 (C.C.P.A. 1974) (stating that confusion is unlikely if it is a weak mark).

Whether a mark or a term in a mark is considered strong or weak is a very important element in determining likelihood of confusion. *Independent Grocers' Alliance Distributing Co. v. Potter-McCune Co.*, 404 F.2d 622, 160 U.S.P.Q. 46 (C.C.P.A. 1968); *Time, Inc. v. T.I.M.E., Inc.*, 123 F. Supp. 446, 102 U.S.P.Q. 275 (D. Cal. 1954). If the common element in the conflicting marks is "weak," then this reduces the likelihood of confusion. See, e.g., *Nestle's Milk Products, Inc. v. Baker Importing Co.*, 182 F.2d 193, 86 U.S.P.Q. 80 (C.C.P.A. 1950); *Smith v. Tobacco By-Products & Chemical Corp.*, 243 F.2d 188, 113 U.S.P.Q. 339 (C.C.P.A. 1957); *Societe Anonyme de La Grande Distillerie E. Cusenier Fils Aine & Cie. V. Julius Wile & Sons Co.*, 161 F. Supp. 545, 117 U.S.P.Q. 257 (D. N.Y. 1958). A portion of a mark may be "weak" in the sense that it is either descriptive, highly suggestive, or is in common use by many other sellers in the market. See *Colgate-Palmolive Co. v. Carter-Wallace, Inc.*, 432 F.2d 1400, 167 U.S.P.Q. 529 (C.C.P.A. 1970); *Knapp-Monarch Co. v. Poloron Products, Inc.*, 134 U.S.P.Q. 412 (T.T.A.B. 1962).

The weaker a mark, the less likely it is that a junior use will trigger a likelihood of confusion. "Determining that a mark is weak means that **consumer confusion has been found unlikely because the mark's components are so widely used that the public can easily distinguish slight differences in the marks, even if the goods are related.**" *General Mills, Inc. v. Kellogg Co.*, 824 F.2d 622, 3 U.S.P.Q.2d 1442 (8th Cir. 1987)(emphasis added).

Here, the entire three word phrase, U.S. WEALTH GROUP, is merely descriptive of the Registrant's various financial services. This fact is underscored by the disclaimer that was required in the cited registration. All of the wording in the cited mark was disclaimed, indicating that the overall mark, U.S. WEALTH GROUP and Design, is extremely weak and entitled to the

very narrowest scope of protection.

As a result, Registrant simply is not entitled to the exclusive right to the wording U.S. WEALTH for the relevant services. Applicant itself has agreed to a disclaimer of these terms. Another mark incorporating this same descriptive wording may coexist, even for identical services, so long as there are other distinctive features sufficient to differentiate the marks and avoid a likelihood of confusion. In the present case, as explained, there are sufficient differences in the marks (both visual and aural), as well as in the circumstances surrounding the provision of the relevant services themselves, that allow prospective consumers to distinguish between Applicant's U.S. WEALTH and Design mark and the cited U.S. WEALTH GROUP and Design mark.

3. The Differences Between Applicant's Mark and the Cited Mark are Sufficient to Avoid a Likelihood of Confusion.

In her Final Refusal, the Examining Attorney argues that the marks must be considered in their entireties when determining whether they are confusingly similar, and that the disclaimed terms should not be removed from the marks for such analysis, citing *Midwestern Pet Foods, Inc. v. Societe des Produits Nestle S.A.*, 685 F.3d 1046, 1053, 103 USPQ2d 1435, 1440 (Fed. Cir. 2012).

However, the marks at issue in the cited case were of an entirely different character than the marks at issue here. In that case, Nestle successfully opposed registration of WAGGIN' STRIPS for edible pet food treats on the basis of its prior long-standing registration for BEGGIN' STRIPS for identical goods. Nestle argued that WAGGIN' STRIPS was famous (which is not at issue here), and while the Board did not find fame, it accorded the mark a broad scope of protection. The defendant tried, unsuccessfully, to distinguish the marks by arguing differences in sound, appearance and meaning, and noted that the only common term in both marks was the mutually descriptive and disclaimed term STRIPS.

The cited case is not relevant to the present likelihood of analysis because the mark BEGGIN' STRIPS was highly distinctive and entitled to a broad scope of protection. In this

case, the entire mark U.S. WEALTH GROUP is descriptive and entitled to an extremely narrow scope of protection.

Moreover, Applicant is not arguing that the disclaimed terms U.S. and WEALTH should be removed from the marks for purposes of the likelihood of confusion analysis. Rather, Applicant is arguing that because of the descriptiveness of the disclaimed wording, its common appearance in both marks is less important to the likelihood of analysis than are the dissimilar features of such marks (as well as other differentiating factors in the likelihood of confusion analysis). It is well-settled that one may argue that component terms are descriptive or generic, and therefore entitled to less weight in determining likelihood of confusion. *See, In re National Data Corp.* 753, F.2d 1056, 224 U.S. P.Q. 749, 752 (Fed. Cir. 1985).

Applicant respectfully submits that even when considering the relevant marks as a whole, certain distinctive features of those marks may be more significant than descriptive ones, and it is proper to give greater force and effect to those distinctive features. *See, Giant Food, Inc. v. Nations Foodservice, Inc.*, 710 F.2d 1565, 1570 (Fed. Cir. 1983). In the present case, when considered as a whole, the distinctive and differing features of the two marks are sufficient to avoid a likelihood of confusion.

A. Descriptive (and Disclaimed) Elements are Entitled to Less Weight than Distinctive Elements in Determining Similarity Between Marks

When analyzing the degree of similarity between two marks it is not improper (indeed, it is unavoidable) to identify elements of the marks which are more or less important to the decision. Distinctive elements are important because they attract attention and consumers are more likely to remember and rely on them for purposes of source identification. Descriptive, weaker elements (which have little or no source identifying function) generally are seen as recessive and less significant in the analysis. *See, Kirkpatrick, Likelihood of Confusion in Trademark Law*, Section 4.9 (Practicing Law Institute 2012).

Where the common portions between two marks are descriptive and weak, minor differences in the remaining elements can result in two marks that are not confusingly similar.

The non-common elements of the marks, even when “equally suggestive or even descriptive, may be sufficient to avoid confusion.” *Wooster Brush Co. v. Prager Brush Co.*, 231 USPQ 316, 318 (TTAB 1986) (POLY FLO and POLY PRO not confusingly similar for paint brushes).

The Examining Attorney seems to argue that the shared terms U.S. WEALTH are determinative in the likelihood of confusion analysis because of their placement at the beginning of each mark. Applicant respectfully responds that the entirely descriptive meaning and function of these words are more significant in weighing their overall importance in the marks than is their relative position within the mark. See, *In re Thor Tech, Inc.*, 90 USPQ2d 1634 (TTAB 2009) (considering likelihood of confusion between WAVE and THE WAVE and holding that the addition of the definite article THE at the beginning of the registered mark does not have any trademark significance) (emphasis added).

Here, in light of the descriptiveness of the terms U.S. and WEALTH, the more significant and memorable portions of the marks are the graphics, each of which has a unique and different connotation that leads to a different commercial impression for each overall mark.

In the cited mark, the highly stylized “USW” graphic is comprised of blue and red wavy lines that are reminiscent of an American flag and therefore underscores the geographic and national identifier in the mark (the term “U.S.”) that follows immediately after the graphic. The entire commercial impression of the mark is one that is national and somewhat patriotic.

By contrast, the globe design in Applicant’s mark conveys a wholly different commercial impression. The gold hue of the graphic underscores the reference to affluence or prosperity conveyed by the term WEALTH, and the globe design communicates a sense that Applicant’s services are continental or multi-national scope.

B. Many Marks with the Same Minor Differences Already Coexist for the Same Services

Applicant maintains that because the shared wording in the two marks at issue is entirely descriptive of, and diluted for, the relevant services, consumers will look to the differing elements of the marks, namely the distinctive graphics and the additional term GROUP, to distinguish

them and identify the source of the respective companies' services. The Federal Trademark Register is replete with examples which show that consumers of financial services already do this regularly.

Applicant submits the following tables which show five sets of federal use-based trademark registrations for marks comprised of virtually identical and entirely descriptive wording, registered for various financial planning, investment advisory, investment management, and/or wealth management services. Applicant further submits Exhibits 1-11 comprising the corresponding TESS Printouts for each such registration. As indicated below, such marks coexist entirely on the basis of differing logo graphics and/or a single descriptive term, often which appears at the end of each mark:

Table A

MARK	REG. NO.	GOODS/SERVICES
LEGACY WEALTH MANAGEMENT and Design	2,735,724	"financial services, namely, investment management, asset allocation for others and financial and estate planning"
LEGACY WEALTH MANAGEMENT GROUP and Design	4,256,970	"financial services, namely wealth management services"

Table B

MARK	REG. NO.	GOODS/SERVICES
AMERICAN WEALTH ADVISORS LLC	3,765,684	"private wealth management services; investment advisory services; investment management; financial planning for retirement; estate planning..."
AMERICAN WEALTH MANAGEMENT	4,014,106	"...financial planning and investment advisory services; financial planning for retirement...investment advisory services..."

Table C

MARK	REG. NO.	GOODS/SERVICES

THE WEALTH MANAGEMENT GROUP	1,836,459	"investment consulting and management services"
THE WEALTH TRANSFER GROUP (Stylized)	2,051,712	"estate planning services"

Table D

MARK	REG. NO.	GOODS/SERVICES
THE WEALTH MANAGEMENT GROUP	1,836,459	"investment consulting and management services"
THE COMPREHENSIVE WEALTH MANAGEMENT GROUP and Design	3,156,936	"financial planning and investment management services"

Table E

MARK	REG. NO.	GOODS/SERVICES
FAMILY WEALTH MANAGEMENT and Design	4,128,520	"...wealth management services; investment management services..."
FAMILY WEALTH ADVOCATES	3,043,000	"investment advice and counseling"
FAMILY WEALTH ADVISORY GROUP	3,933,097	"consulting and information concerning insurance; financial planning and investment advisory services"

Applicant submits that the above tables demonstrate that marks nearly identical to those at issue in this case regularly coexist without confusion, in the marketplace, in connection with the same financial planning, investment advisory, investment management and/or wealth management services at issue here.

Applicant appreciates that each case must be decided on its own merits and that under TMEP Section 1207.01(d)(vi) previous decisions by other examining attorneys are not binding on the Examining Attorney in this case. However, the evidence of record clearly indicates that, in the financial services field, differences of just one descriptive word and/or a logo graphic are enough to avoid a likelihood confusion between arguably similar marks.

Third party registrations are relevant to show that a mark or a portion of a mark is descriptive,

suggestive, or so commonly used that the public will look to other elements to distinguish the source of the goods or services. TMEP Section 1207.01(d)(iii). That is the case here. These numerous instances of coexisting marks overwhelmingly show marks comprised entirely of descriptive terms are so weak and commonly used in the financial services field that the public will look to the minor differences between them (e.g., a different design element or single differing term, even one that is itself descriptive) to distinguish the source of the services.

4. Consumers Exercise a High Degree of Care in Purchasing the Relevant Services

Finally, Applicant argues that ordinary purchasers of the various financial planning, investment advisory, investment management, and/or wealth management services at issue in this case exercise such a high degree of care in making their purchasing decisions that they are not likely to be confused as to the source or sponsorship of either company's services by encountering simultaneous use of the two logo marks at issue in this case.

A. Consumers are Making a Significant Financial Investment

Consumers who purchase financial planning, investment advisory, investment management, and/or wealth management services are making a significant financial investment. As shown in Exhibit 12 (a screen shot from Registrant's website), U.S. Wealth Group's current managed asset minimum for new clients is \$250,000. *Id.* Since consumers will be entrusting the company with the investment of more a quarter million dollars, they are likely to select their financial and investment advisor with a great deal of care.

B. Consumers are Making a Long-Term Decision

Moreover, consumers of these services generally are making long-term investment decisions that will have far-reaching consequences and often are designed to carry them into retirement. As shown in Exhibit 13 (a screen shot from Registrant's website), U.S. Wealth Group's specialty is "*meeting the needs of investors with portfolios greater than \$250,000 who generally seek consistent portfolio results for their retirement years*" (emphasis added).

Therefore, consumers are likely to carefully consider their options before entering into a long-term relationship with a particular financial and investment advisor.

C. Consumers are Selecting from Among Various Disparate Financial Services

As indicated by the service descriptions at issue in this case, financial and investment advisors provide a variety of complex and distinct financial services, including estate planning, stock brokerage, asset acquisition, and wealth management services. Financial advisors typically provide customers with financial products and services, “ *depending on the licenses they hold and the training they have.*” See, Wikipedia entry for “financial adviser” attached as Exhibit 14. Thus, a consumer of these services is likely to consider his/her different provider choices carefully, selecting the financial and investment provider with the appropriate licenses and training to match the consumer’s needs.

For example, Registrant’s website clearly indicates the multiple steps (“ *U.S. Wealth Group has a custom 3-step process.*”) that consumers go through in selecting and engaging the company to provide investment management services. Indeed, as shown in Exhibit 15 (a further screen shot from Registrant’s website), U.S. Wealth Group’s customers complete and/or receive a Risk Profile (“ *Our introduction to you, your needs and where you currently stand with your financial goals.*”), an Investment Policy Statement (*a written agreement as to “how your money will be managed” and “how often your investments will be personally reviewed with your advisor”*), and a Select Allocation Model (“*U.S. Wealth Group creates... a truly customized allocation specifically designed for their unique situation and financial goals*”) as part of the process of engaging the Registrant to provide financial planning services.

Thus, consumers of the relevant services certainly are not making a spur-of-the-moment decision, but rather are selecting an advisor after careful consideration of many factors, including the expertise of the particular advisor to provide the appropriate mix of the disparate financial planning, investment advisory, investment management, and/or wealth management services available in the field.

Accordingly, because selecting an investment advisor is an important financial decision, involving significant monetary risk and typically a substantial amount of research and planning, consumers are likely to exhibit a high degree of care in making their purchase decision. They are likely to research the different providers of financial planning services with care and are not likely to be confused as to source or sponsorship among those providers when encountering the differing composite logo marks, U.S. WEALTH and Design and U.S. WEALTH GROUP and Design, in the marketplace.

Status of Cited Mark

Applicant respectfully draws the Examining Attorney's attention to the current status of the cited Registration, U.S. WEALTH GROUP and Design, which was registered on October 2, 2007. Under Section 8 of the Trademark Act, the Registrant must file an affidavit of continued use of the cited mark by October 2, 2013. Applicant notes that the Registrant filed a Section 8 affidavit on October 8, 2012, however, a Post-Registration Office Action was issued November 3, 2012, rejecting the Section 8 affidavit on the basis of an unacceptable specimen. The Registrant did not respond to such office action by the six-month response deadline.

Applicant notes that the Registrant has approximately two more months in which to file a timely and proper substitute specimen (followed by the statutory six-month grace period which extends such deadline to April 2, 2104). In the event that Registrant does not file an appropriate response by such deadline, the cited Registration will be declared cancelled and the Examining Attorney's refusal of the present application will be moot.

Accordingly, Applicant respectfully requests that, should the Examining Attorney be inclined to maintain the outstanding refusal, the present application be suspended pending confirmation that the cited Registration is either maintained prior to, or cancelled as of, the final maintenance deadline of April 2, 2014.

EVIDENCE

Evidence in the nature of TESS printouts, selected screen shots from the cited registrant's website and a Wikipedia entry has been attached.

Original PDF file:

[evi_20422723338-165028658 . Exhibit 1.pdf](#)

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[evi_20422723338-165028658 . Exhibit 2.pdf](#)

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[Evidence-4](#)

[Evidence-5](#)

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[Evidence-1](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Patricia L. Cotton/ Date: 07/29/2013

Signatory's Name: Patricia L. Cotton

Signatory's Position: Attorney of Record

Signatory's Phone Number: 650-233-4758

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: 85569683

Internet Transmission Date: Mon Jul 29 17:06:10 EDT 2013

TEAS Stamp: USPTO/RFR-204.227.233.38-201307291706104
94212-85569683-5004b26f1265ce0476ff494cb
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**LEGACY WEALTH
MANAGEMENT**

Word Mark	LEGACY WEALTH MANAGEMENT
Goods and Services	IC 036. US 100 101 102. G & S: financial services, namely, investment management, asset allocation for others and financial and estate planning. FIRST USE: 19970819. FIRST USE IN COMMERCE: 19970818
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.17.04 - Egg in nests or in wild settings; Nests with eggs
Serial Number	75387269
Filing Date	November 10, 1997
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 22, 2003
Registration Number	2735724
Registration Date	July 15, 2003
Owner	(REGISTRANT) Legacy Wealth Management, Inc. CORPORATION TENNESSEE 6800 Poplar Avenue, Suite 101 Memphis TENNESSEE 38138
Attorney of Record	Wendy Robertson
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LEGACY WEALTH MANAGEMENT" APART FROM THE MARK AS SHOWN
Description of Mark	Color is not claimed as a feature of the mark. The drawing is lined for the color(s) gold and gray.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130608.
Renewal	1ST RENEWAL 20130608
Live/Dead Indicator	LIVE

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Word Mark LEGACY WEALTH MANAGEMENT GROUP

Goods and Services IC 036. US 100 101 102. G & S: Financial services, namely, wealth management services. FIRST USE: 20120401. FIRST USE IN COMMERCE: 20120401

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.01.02 - Maple tree; Trees or bushes with a generally rounded shape, including deciduous trees
05.01.25 - Cypress tree; Other trees or bushes; Willow tree

Serial Number 85598347

Filing Date April 16, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition September 25, 2012

Registration Number 4256970

Registration Date December 11, 2012

Owner (REGISTRANT) Legacy Wealth Management LIMITED LIABILITY COMPANY MICHIGAN 718 Notre Dame Suite 200 Grosse Pointe MICHIGAN 48230

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LEGACY WEALTH MANAGEMENT GROUP" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) dark green and gray is/are claimed as a feature of the mark. The mark consists of a stylized depiction of an old tree appearing in dark green above the words "legacy wealth management group" appearing in gray.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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**American Wealth Advisors,
LLC**

Word Mark	AMERICAN WEALTH ADVISORS, LLC
Goods and Services	IC 035. US 100 101 102. G & S: Tax planning; tax preparation. FIRST USE: 20080200. FIRST USE IN COMMERCE: 20080200 IC 036. US 100 101 102. G & S: Private wealth management services; investment advisory services; investment management; financial planning for retirement; estate planning; philanthropic services concerning monetary donations; financial services, namely, qualified plan consulting; credit consultation. FIRST USE: 20080200. FIRST USE IN COMMERCE: 20080200
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	LETS-2 LLC Two letters or combinations of multiples of two letters NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
Serial Number	77844487
Filing Date	October 8, 2009
Current Basis	1A
Original Filing Basis	1A
Date Amended to Current Register	January 12, 2010
Registration Number	3765684
Registration Date	March 23, 2010
Owner	(REGISTRANT) American Wealth Advisors, LLC LIMITED LIABILITY COMPANY GEORGIA 10475 Medlock Bridge Road Ivy Falls Building 100, Suite 18 Johns Creek GEORGIA 30097
Attorney of Record	Andrew J. Ferren
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEALTH ADVISORS, LLC" APART FROM THE MARK AS SHOWN

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Register SUPPLEMENTAL
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Indicator LIVE

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American Wealth Management

Word Mark AMERICAN WEALTH MANAGEMENT

Goods and Services IC 036. US 100 101 102. G & S: Annuity services, namely, account and investment administration; Brokerage services in the field of securities and commodities investing; Financial and investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others; Financial planning and investment advisory services; Financial planning for retirement; Financial services, namely, a total portfolio offering for high net worth clients consisting of both separate accounts and mutual funds for equity and fixed income investments; Financial services, namely, coordination, within a single account, of an investment portfolio's maintenance, trading, rebalancing, and tax management needs; Individual retirement account services; Investment advisory services; Investment management of and distribution of annuities; Investment management of and distribution of variable annuities. FIRST USE: 20100801. FIRST USE IN COMMERCE: 20100801

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85119322

Filing Date August 31, 2010

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register June 17, 2011

Registration Number 4014106

Registration Date August 16, 2011

Owner (REGISTRANT) American Retirement Planners II, Inc DBA American Wealth Management CORPORATION NEVADA 570 Hammill Ln. Reno NEVADA 89511

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEALTH MANAGEMENT" APART FROM THE MARK AS SHOWN

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Typed Drawing

Word Mark	THE WEALTH MANAGEMENT GROUP
Goods and Services	IC 036. US 101 102. G & S: investment consulting and management services. FIRST USE: 19891103. FIRST USE IN COMMERCE: 19900100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74374890
Filing Date	April 2, 1993
Current Basis	1A
Original Filing Basis	1A
Date Amended to Current Register	December 2, 1993
Registration Number	1836459
Registration Date	May 10, 1994
Owner	(REGISTRANT) NORTHERN TRUST COMPANY, THE CORPORATION ILLINOIS 50 South LaSalle Street Chicago ILLINOIS 60675
	(LAST LISTED OWNER) NORTHERN TRUST CORPORATION CORPORATION BY ASSIGNMENT DELAWARE 50 SOUTH LASALLE STREET CHICAGO ILLINOIS 60675
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	SCOTT J. SLAVICK
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GROUP" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	SUPPLEMENTAL
Affidavit Text	SECT 8 (6-YR). SECTION 8(10-YR) 20040226.
Renewal	1ST RENEWAL 20040226
Live/Dead Indicator	LIVE

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Word Mark	THE WEALTH TRANSFER GROUP
Goods and Services	IC 036. US 100 101 102. G & S: estate planning services. FIRST USE: 19930422. FIRST USE IN COMMERCE: 19930422
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number	75078464
Filing Date	March 25, 1996
Current Basis	1A
Original Filing Basis	1A
Date Amended to Current Register	December 17, 1996
Registration Number	2051712
Registration Date	April 8, 1997
Owner	(REGISTRANT) Wealth Transfer Group, Inc., The CORPORATION FLORIDA 283 CRANES ROOST BOULEVARD, STE 111 Altamonte Springs FLORIDA 327013437
Attorney of Record	Herbert L. Allen
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GROUP" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	SUPPLEMENTAL
Affidavit Text	SECT 8 (6-YR). SECTION 8(10-YR) 20070512.
Renewal	1ST RENEWAL 20070512
Live/Dead Indicator	LIVE

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Typed Drawing

Word Mark	THE WEALTH MANAGEMENT GROUP
Goods and Services	IC 036. US 101 102. G & S: investment consulting and management services. FIRST USE: 19891103. FIRST USE IN COMMERCE: 19900100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74374890
Filing Date	April 2, 1993
Current Basis	1A
Original Filing Basis	1A
Date Amended to Current Register	December 2, 1993
Registration Number	1836459
Registration Date	May 10, 1994
Owner	(REGISTRANT) NORTHERN TRUST COMPANY, THE CORPORATION ILLINOIS 50 South LaSalle Street Chicago ILLINOIS 60675
	(LAST LISTED OWNER) NORTHERN TRUST CORPORATION CORPORATION BY ASSIGNMENT DELAWARE 50 SOUTH LASALLE STREET CHICAGO ILLINOIS 60675
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	SCOTT J. SLAVICK
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GROUP" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	SUPPLEMENTAL
Affidavit Text	SECT 8 (6-YR). SECTION 8(10-YR) 20040226.
Renewal	1ST RENEWAL 20040226
Live/Dead Indicator	LIVE

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*The
Comprehensive
Wealth
Management
Group*

Word Mark	CWMG THE COMPREHENSIVE WEALTH MANAGEMENT GROUP
Goods and Services	IC 036. US 100 101 102. G & S: financial planning and investment management services. FIRST USE: 20050100. FIRST USE IN COMMERCE: 20050100
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.21 - Rectangles that are completely or partially shaded
Serial Number	78630763
Filing Date	May 16, 2005
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	August 1, 2006
Registration Number	3156936
Registration Date	October 17, 2006
Owner	(REGISTRANT) CWMG Incorporated CORPORATION PENNSYLVANIA Suite D2 113 E. Evans Street West Chester PENNSYLVANIA 193802664
Attorney of Record	Harvey Freedenberg
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMPREHENSIVE WEALTH MANAGEMENT GROUP" APART FROM THE MARK AS SHOWN
Description of Mark	The colors black and white are claimed as a feature of the mark. The mark consists of the letters CWMG in white on a black square with the words "Comprehensive Wealth Management Group" centered below the square.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Word Mark FAMILY WEALTH MANAGEMENT

Goods and Services IC 036. US 100 101 102. G & S: Financial asset management; Financial services in the nature of an investment security; Financial services, namely, a total portfolio offering for high net worth clients consisting of both separate accounts and mutual funds for equity and fixed income investments; Financial services, namely, broker/dealer services on securities exchanges and over-the-counter markets; Financial services, namely, coordination, within a single account, of an investment portfolio's maintenance, trading, rebalancing, and tax management needs; Financial services, namely, investment advice, investment management, investment consultation and investment of funds for others, including private and public equity and debt investment services; Financial services, namely, investment fund transfer and transaction services; Financial services, namely, operation and management of hedge funds, commodity pools and other collective investment vehicles, and trading for others of securities, options, futures, derivatives, debt instruments and commodities; Financial services, namely, providing an investment option available for variable annuity and variable life insurance products; Financial services, namely, wealth management services; Investment management; Providing financial services with respect to securities and other financial instruments and products, namely, money management services; Providing financial services with respect to securities and other financial instruments and products, namely, trading of and investments in securities and financial instruments and products for others; Public equity investment management. FIRST USE: 20080101. FIRST USE IN COMMERCE: 20080101

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.05.12 - Triangles with bars, bands and lines
 26.05.21 - Triangles that are completely or partially shaded
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

Serial Number 85393319

Filing Date August 9, 2011

Current Basis 1A

Original Filing Basis 1A

Published for Opposition January 31, 2012

Registration Number 4128520

Registration Date April 17, 2012

Owner (REGISTRANT) Bolton Capital Management, Inc. DBA Family Wealth Management CORPORATION OHIO 11555 Pine Tree Place Strongsville OHIO 44136

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FAMILY WEALTH MANAGEMENT" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) blue and gold is/are claimed as a feature of the mark. The mark consists of "FAMILY WEALTH" in blue font above a gold line with "MANAGEMENT" in blue font below the gold line. To the left of the text and the same height top to bottom as both lines of the text, is a triangle, split into three sections horizontally. Each section outlined in a gold line and filled in blue.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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FAMILY WEALTH ADVOCATES

Word Mark	FAMILY WEALTH ADVOCATES
Goods and Services	IC 036. US 100 101 102. G & S: Investment advice and counseling. FIRST USE: 20040300. FIRST USE IN COMMERCE: 20040300
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78614885
Filing Date	April 22, 2005
Current Basis	1A
Original Filing Basis	1A
Date Amended to Current Register	November 23, 2005
Registration Number	3043000
Registration Date	January 10, 2006
Owner	(REGISTRANT) Highland Consulting Associates, Inc. CORPORATION OHIO 25651 Detroit Road Cleveland OHIO 44145
Attorney of Record	ROGER D. EMERSON
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ADVOCATES" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	SUPPLEMENTAL
Affidavit Text	SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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FAMILY WEALTH ADVISORY GROUP

Word Mark FAMILY WEALTH ADVISORY GROUP

Goods and Services IC 036, US 100 101 102. G & S: Consulting and information concerning insurance; Financial planning and investment advisory services. FIRST USE: 20020313. FIRST USE IN COMMERCE: 20020313

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85124645

Filing Date September 8, 2010

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register January 12, 2011

Registration Number 3933097

Registration Date March 15, 2011

Owner (REGISTRANT) Family Wealth Advisory Group, LLC LIMITED LIABILITY COMPANY OHIO Suite A 7359 East Kemper Road Cincinnati OHIO 45249

Attorney of Record Keith R. Haupt

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ADVISORY GROUP" APART FROM THE MARK AS SHOWN

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Our goal is simple: help our clients live more enjoyable lives with a little help from smarter investment portfolios.

Our Mission and Beliefs

At the core of our firm is the belief that treating your investments like a business, with a plan that is documented, implemented, monitored and periodically revised, will help investors avoid poor decision making while simultaneously increasing their probability of success.

We truly care about our clients and will always put their best interests before our own. We are a Fee-Only firm that is 100% focused on doing what is right for each client, knowing fully that every client is unique and deserves personalized attention.

Firm History

U.S. Wealth Group is a Fee-Only SEC Registered Investment Advisor headquartered in Woodbury, N.Y. Our primary goal is to serve the specific needs of retired or soon to be retired investors.

Robert Santarpia founded Santarpia Financial Corporation, a full service financial planning firm, in 1994. Santarpia Financial separated its investment and insurance operations in 2006 and U.S. Wealth Group was formed.

Our core competency is managing investment risk so that clients, who are no longer working and saving, need not worry about their portfolio during retirement. We do this by actively managing client asset allocations in attempt to avoid poor market conditions and still capture a fair amount of market gains when conditions are positive.

We also focus extensively on smart ways to construct portfolios for taking portfolio income during retirement years. Unlike many advisors who call themselves "income planning experts" but only sell high commission annuities to do so, U.S. Wealth Group is a Fee-Only fiduciary that does not accept commissions and works exclusively for our client's best interests.

Our Pledge to Clients

1. All clients are unique and should receive personalized custom solutions.
2. Clients deserve objective advice free from Conflicts of Interest.
3. Managing risk of loss should always take precedent over seeking maximum gain.
4. Trust and Respect should be cherished and continually earned.
5. Clients don't need more high cost products, they need a personalized strategy to meet their specific goals.

Keep Connected

Sign up here to receive our monthly newsletter, company news, special offers, and other announcements from U.S. Wealth Group.

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Email:

Should you Consider Working With Us?

Our current managed asset minimum for new clients is \$250,000. If you are looking for quality help managing your portfolio in a way that matches our expertise as well as meet our managed asset minimum for new clients, please feel free to contact us at 1-516-682-9800.

Robert Santarpia

“I am the founder and president of U.S. Wealth Group. Each day I strive to use my talents to make a positive impact in the lives of our many clients.”



After spending several years at a large financial company, Robert decided to create his own firm, U.S. Wealth Group, to use his independent research to better serve his clients. Robert graduated from Binghamton University with a degree in Economics and completed his financial education at NYU. A distinguished expert in portfolio management, he has been invited to speak at both industry and community venues. Robert lives in Brookville, New York.

Our Office

Woodbury, NY

7600 Jericho Turnpike
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Woodbury, NY 11797
Phone 516.682.9800
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Retirement Income Planning

Our specialty is in meeting the needs of investors with portfolios greater than \$250,000 who generally seek consistent portfolio results for their retirement years. We fully understand that in order to create a stable income for your retirement requires a specific blend of current income and future growth.

Using the latest in retirement income projecting software we're able to put together custom retirement income plans that are low cost, efficient, and flexible.

Our goal is simple: help our clients live more enjoyable lives with a little help from smarter investment portfolios.

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Name:

Email:

Financial adviser

From Wikipedia, the free encyclopedia

A **financial adviser** (or **advisor**) is a professional who renders financial services to clients. According to the U.S. Financial Industry Regulatory Authority (FINRA), terms such as *financial adviser* and *financial planner* are general terms or job titles used by investment professionals and do not denote any specific designations.^[1] FINRA describes the main groups of investment professionals who may use the term *financial adviser* to be: brokers, investment advisers, accountants, lawyers, insurance agents and financial planners.^[2]

Financial Advisor

Financial Advisor	
Occupation	
Names	Registered Representative, Investment Adviser Representative, Attorney, Insurance Producer, Insurance Agent, Accountant
Activity sectors	Financial Services, business

Contents

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- 2 Compensation
- 3 Advisor vs. adviser
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 - 4.1.2 Registration
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Role

Financial advisers typically provide clients/customers with financial products and services, depending on the licenses they hold and the training they have. For example, an insurance agent may be qualified to sell both life insurance and variable annuities. A broker may also be a financial planner.^[2] Put simply, a financial adviser is a financial products salesperson.

Compensation

A financial adviser is generally compensated through fees, commissions, or a combination of both. For example, a financial adviser may be compensated in one or more of the following ways:^[3]

- An hourly fee for advisory services
- A flat fee, such as \$500 per year, for an annual portfolio review or \$2,000 for a financial plan
- A commission on the securities bought or sold, such as \$12 per trade
- A commission (sometimes called a “load”) based on the amount invested in a mutual fund or variable annuity
- A “mark-up”: when one buys “house” products (such as bonds that the broker holds in inventory), or a “mark-down” when they are sold
- A fee for assets under management, such as 1% annually of assets managed

Advisor vs. adviser

Both spellings, *advisor* and *adviser*, are grammatically correct and denote someone who provides advice. Some sources suggest that *adviser* refers to anyone who gives advice, while *advisor* refers to one who is specifically tasked to provide advice.^[4] According to one textbook, *adviser* and *advisor* are not interchangeable in the financial services industry, since the term *adviser* is generally used "when referring to legislative acts and their requirements and advisor when referring to a practitioner. Since [a financial advisor's practice] is never described as an advisory practice, advisor is preferable when not referencing the law."^[5]

Regulation

United States

In the United States, the Financial Industry Regulatory Authority (FINRA) regulates and oversees the activities of brokerage firms, and their registered representatives. The Securities and Exchange Commission (SEC) regulates investment advisers and their investment adviser representatives. Insurance companies, insurance agencies and insurance producers are regulated by state authorities.^[1] Investment Advisors may be registered with state regulatory agencies, the Securities and Exchange Commission, or pursuant to certain exemptions, remain unregistered.^[6]

Fiduciary standard

The anti-fraud provisions of the Investment Advisers Act of 1940 and most state laws impose a duty on IAs to act as fiduciaries in dealings with their clients. This means the adviser must hold the client's interest above its own in all matters. The Securities and Exchange Commission (SEC) has said that an adviser has a duty to:^[6]

- Make reasonable investment recommendations independent of outside influences
- Select broker-dealers based on their ability to provide the best execution of trades for accounts where the adviser has authority to select the broker-dealer.^[7]
- Make recommendations based on a reasonable inquiry into a client's investment objectives, financial situation, and other factors
- Always place client interests ahead of its own.

Since the financial crisis in 2008, there has been great debate regarding the fiduciary standard and to which advisors it should apply. In July of 2010, The Dodd–Frank Wall Street Reform and Consumer Protection Act mandated increased consumer protection measures, including enhanced disclosures and the authorized the SEC to extend the fiduciary duty to include brokers rather than only advisors regulated by the 1940 Act. As of March 2013 the SEC has yet to extend the fiduciary duty to all brokers and advisors regardless of their designation. Opposition to the fiduciary standard maintains that the higher standard of fiduciary duty, vs the lower standard of suitability, would be too costly to implement and reduce choice for consumers.

Registration

A Registered Investment Advisor (RIA) refers to an IA that is registered with the SEC or a states securities agency and typically provides investment advice to a retail investor or registered investment company such as a mutual fund, or exchange-traded fund. Registration does not signify that the SEC has passed on the merit of a particular IA. Regulation is fragmented in that some registered investment advisors are regulated by the individual states while others are regulated federally by the SEC.^[8]

An Unregistered Investment Adviser refers to an IA that is not registered with the SEC or a states securities agency and typically provides investment advice to private pools of capital. Such an investment pool is commonly known as a hedge fund or a private equity fund.

Canada

The financial advisor role in Canada is varied. Most financial advisors carry licenses to sell life insurance, securities, or mutual fund, or some combination of all three. The life insurance license is obtained through successful completion of the life license qualification program, except in Quebec, where licensing is completed through the Autorité des marchés financiers.^[9] There are three distinct securities licenses available. Completion of the Canadian Securities Course allows the sale of most types of securities, including stocks, bonds, and mutual funds. More advanced licensing is required for the sale of derivatives and commodities. Completion of a mutual funds course allows the adviser to sell mutual funds only, excluding certain types of very specialized funds and importantly, exchange-traded funds (ETFs)—although recently non-securities licensed financial advisors have gained access to ETFs through new mutual fund products. The third possible license is the exempt securities license.

In many, but not all, cases, licensing requires the support of a dealer or insurer. It is also mandatory for advisors to carry Errors and Omissions Insurance. The term financial advisor can refer to the entire spectrum of advisers. In general, the industry in Canada is segmented into three channels of advisers: MGA, MFDA and IIROC. However, there is little regulatory control exercised over use of the term, and, as such, many insurance brokers, insurance agents, securities brokers, financial planners and others identify themselves as financial advisors.

Many financial advisors in Canada are also financial planners. While there are numerous financial planning designations, the most common is the Certified Financial Planner designation although the Personal Financial Planner designation is also popular in Canada. There is no regulation, outside of Quebec, of the term "Financial Planner".^[10]

United Kingdom

There are three main bodies awarding qualifications for financial advisers in the UK. The main one is the Chartered Insurance Institute, which offers professional financial services qualifications all the way from beginner to degree levels. The IFS School of Finance offers alternative courses/qualifications in certain specialist areas such as mortgages and equity release. The Institute of Financial Planning offers the Certified Financial Planner.

In the United Kingdom investment advice is given either by a financial adviser or a stockbroker.

Financial advisers need to pass a series of exams and receive a Certificate in Financial Planning (previously the Financial Planning Certificate) or the Certificate for Financial Advisers, and also authorised by the Financial Services Authority, a UK government qango that must be satisfied the adviser is a "fit and proper person" before they may practice. This is to be replaced in December 2012 with a new standard of qualification classed as Diploma and all existing advisers will have to attain the new qualifications to be able to continue to give advice in future. Typically a diploma or higher qualified adviser will have Dip FA or Dip PFS after their name.

The title Chartered Financial Planner is the most widely accepted "gold standard" qualification available for professional financial planners/ financial advisers in the United Kingdom. Financial advisers are either tied, restricted or independent, and as the classifications suggest, tied advisers can only recommend 'financial products' marketed by the company they represent. Typically that company employs them but in some cases they work for that organisation under a type of self-employed contract that usually precludes other paid work. Restricted advisers perform a similar role, except they represent a number of different companies or do not advise on the whole of the market (for example choosing not to recommend certain structures of investment would make an adviser "restricted"). An Independent Financial Advisor must offer advice on all 'financial products' on the market (which carry commission) and, in addition, must offer clients the choice of paying a fee for advice about a product or products, rather than being remunerated commission from the financial institution that is promoting the product.

Best advice is a concept that was never more than a heading in the FSA/PIA/NASDIM regulations (and is now withdrawn in favour of the 'appropriate' standard) and which refers to the general obligation under Contract Law (Agency) that a broker has to find the correct 'financial product' to match a client 'need'. A provider firm must not make a recommendation unless it has a suitable product to offer. If it offers no suitable products then none should be recommended. A multi-tied firm must not make any recommendations unless it has access to a suitable product from the providers on their panel. In the UK many believe impartial advice can be obtained only by consulting an independent financial adviser.

Republic of Ireland

The QFA ("qualified financial advisor") designation is awarded to those who pass the Professional Diploma in Financial Advice and agree to comply with the ongoing "continuous professional development" (CPD) requirements. It is the recognised benchmark designation for financial advisers working in retail financial services. The qualification, and attaching CPD programme, meets the "minimum competency requirements" (MCR) specified by the Financial Regulator, for advising on and selling five categories of retail financial products:

- Savings, investments and pensions
- Housing loans and associated insurances
- Consumer credit and associated insurances
- Shares, bonds and other investment instruments
- Life assurance protection policies

New Zealand

The National Certificate in Financial Services [Financial Advice] [Level 5] is currently being introduced in New Zealand. All Individuals and registered legal entities providing financial services must be registered as a (Registered Financial Service Provider). Their Directors, retail and sales staff are required to gain the national certificate.

The New Zealand Qualifications Authority (NZQA) in conjunction with industry groups via the ETITO administers a qualifications frame work for the qualification. Registrations and examinations are conducted by the ETITO.^[1] All financial advisers are required to register with the ETITO by March 31, 2011.

The Qualifications Framework consists of a core set of competencies sets, A B C followed by 2 electives covering specialist areas such as Insurance and Residential Property Lending. Certain NZQA approved qualifications such as an Accountancy degree may exempt students from competency set A NZQA approved training. The certificate is offered by the accredited organizations.

South Korea

In South Korea, the Korea Financial Investment Association oversees the licensing of investment advisors.

Australia

In Australia, the Australian Securities and Investments Commission oversees the licensing of financial advisers (<https://www.moneysmart.gov.au/investing/financial-advice>).

See also

- Collective investment schemes
- Socially responsible investing

References

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4. [^] "Wiki Answers" (http://wiki.answers.com/Q/What_is_the_difference_between_advisor_and_adviser). Answers Corporation. Retrieved 19 January 2013.
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6. [^] ^a ^b "Investment Adviser Guide" (<http://www.nasaa.org/industry-resources/investment-advisers/investment-adviser-guide/>). NASAA. Retrieved 22 March 2013.

7. ^ "THIRD PARTY BROKER" (http://www.eupraxiainvestorservices.com/3rd_party_broker/). Eupraxia Investor Services Ltd. Retrieved 22 March 2013.
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9. ^ "Autorité des marchés financiers" (<http://www.lautorite.qc.ca/en/professionals.html>). Retrieved 15 February 2013.
10. ^ "PLANNING ADVOCATES PUSH PROFESSIONALISM" (<http://www.advisor.ca/news/industry-news/planning-advocates-push-professionalism-446>). ADVISOR.CA. Retrieved 22 March 2013.
11. ^ "Who is The Skills Organisation?" (<http://afacompetence.org.nz/1-who-is-etito/>). The Skills Organisation. Retrieved 22 March 2013.

External links

- AIFA (<http://www.aifa.net/>) Association of Independent Financial Advisers - UK Trade body
- FCA website (<http://www.fca.gov.uk>) Financial Conduct Authority (UK)
- NAIFA (<http://www.naifa.org>) National Association of Insurance & Financial Advisors
- SEC IA Search (http://www.adviserinfo.sec.gov/IAPD/Content/Search/iapd_OrgSearch.aspx/) SEC Database of US Registered Investment Advisers
- €FPA (<http://www.efpa-europe.org>) European Financial Planning Association

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Step by Step

We work with you to achieve the best customizable solution for your investing goals and future needs.

We understand that everyone has different investment goals. It's our job to listen to you, ask the appropriate questions and then work together to develop the best possible solution for your investments.

U.S. Wealth Group has a custom 3-step process that has been tailored to provide clients successful results and a great experience.

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Step 1. Risk Profile

Our introduction to you, your needs and where you currently stand with your financial goals. We identify your unique views about money. This provides your financial advisor the foundation to apply their expertise.

Time Horizon
Duration of your investment needs.

Long-Term Goals
Overall return objective.

Short-Term Risk Attitude
Comfort of investment volatility.

Liquidity Needs
Projected need for distributions.

Step 2. Investment Policy Statement

Ensures you and your advisor understand the advisor's role and accountability. There are four key elements to review:

1. Income Provision:
When is income needed and for what purpose? Are there lump sum needs to prepare for?

2. Decision Making:
How your money will be managed.

3. Asset Allocation Provision:
Your custom, highly diversified investment allocation designed to meet your needs without excess risk

4. Provision of Periodic Review:
A written agreement of how and how often your investments will be personally reviewed with your advisor.

Step 3. Select Allocation Model

U.S. Wealth Group creates a custom client portfolio allocation based on:

Income Needs
Return Goals
Risk Tolerance
Tax Considerations

By using our proprietary process each client has a truly customized allocation specifically designed for their unique situation and financial goals. Each year we revisit these three steps to continually offer the portfolio allocation most appropriate for each client as their goals and financial needs change.