

## Request for Reconsideration after Final Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	85640104
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
Enclosed is an updated Consent Agreement from the owner of the cited registration. The updated consent addresses the concerns raised by the examiner. Now that all outstanding matters have been resolved, the Applicant respectfully requests the examiner to approve the mark for publication.	
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_1223918466-193753644_. Trendera Consent To Registration.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\856\401\85640104\xml10\RFR0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\856\401\85640104\xml10\RFR0003.JPG</a>
<b>DESCRIPTION OF EVIDENCE FILE</b>	Updated consent from E! Entertainment
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>DISCLAIMER</b>	No claim is made to the exclusive right to use "Girl's Guide" apart from the mark as shown.
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Jane Buckingham/
<b>SIGNATORY'S NAME</b>	Jane Buckingham
<b>SIGNATORY'S POSITION</b>	Principal
<b>DATE SIGNED</b>	01/02/2014
<b>RESPONSE SIGNATURE</b>	/Tal Grinblat/

<b>SIGNATORY'S NAME</b>	Tal Grinblat
<b>SIGNATORY'S POSITION</b>	Attorney of Record, CA Bar Member
<b>DATE SIGNED</b>	01/02/2014
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Thu Jan 02 20:32:32 EST 2014
<b>TEAS STAMP</b>	USPTO/RFR-12.239.184.66-2 0140102203232383811-85640 104-5009d2c5f236f6ecf4586 999357be6256a67cc8227d529 539453c7d484e4ab35cc5-N/A -N/A-20131231193753644774

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. **85640104** has been amended as follows:

### **ARGUMENT(S)**

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

Enclosed is an updated Consent Agreement from the owner of the cited registration. The updated consent addresses the concerns raised by the examiner. Now that all outstanding matters have been resolved, the Applicant respectfully requests the examiner to approve the mark for publication.

### **EVIDENCE**

Evidence in the nature of Updated consent from E! Entertainment has been attached.

**Original PDF file:**

[evi\\_1223918466-193753644\\_.Trendera\\_Consent\\_To\\_Registration.pdf](#)

**Converted PDF file(s)** (2 pages)

[Evidence-1](#)

[Evidence-2](#)

## **ADDITIONAL STATEMENTS**

### **Disclaimer**

No claim is made to the exclusive right to use "Girl's Guide" apart from the mark as shown.

### **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: /Jane Buckingham/ Date: 01/02/2014

Signatory's Name: Jane Buckingham

Signatory's Position: Principal

#### **Request for Reconsideration Signature**

Signature: /Tal Grinblat/ Date: 01/02/2014

Signatory's Name: Tal Grinblat

Signatory's Position: Attorney of Record, CA Bar Member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

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

Serial Number: 85640104

Internet Transmission Date: Thu Jan 02 20:32:32 EST 2014

TEAS Stamp: USPTO/RFR-12.239.184.66-2014010220323238

3811-85640104-5009d2c5f236f6ecf458699935

7be6256a67cc8227d529539453c7d484e4ab35cc

5-N/A-N/A-20131231193753644774

## CONSENT TO REGISTRATION

E! Entertainment Television, LLC, a Delaware limited liability company with its principal place of business at 5450 Wilshire Blvd., 4<sup>th</sup> Floor, Los Angeles, California 90036, ("E! Entertainment") is the owner of the mark THE MODERN GIRL'S GUIDE TO LIFE in connection with "entertainment in the nature of on-going television programs in the field of fashion, news and entertainment" and U.S. Registration No. 2,799,047 ("Registration").

Trendera LLC, a Delaware limited liability company with its principal place of business 8322 Beverly Blvd., Los Angeles, California 90048 ("Trendera"), is the applicant for U.S. Serial No. 85/640,104 for the mark "Modern Girl's Guide" ("Trendera Mark") for "computer application software for mobile phones, tablet computers and other wireless electronic devices, for use in downloading, retrieving and sharing text, photos, audiovisual and related content; providing online downloadable newsletters in the field of market trends, parenting and live events via email; On-line journals, namely, blogs featuring text, photos, audiovisual and related content in the field of market trends, parenting and life events; Providing a website featuring blogs and non-downloadable publications in the nature of articles in the field of market trends, parenting and life events; Providing online publications, namely, newsletters in the field of market trends, parenting and life events; Providing online newsletters in the field of market trends, parenting and life events via email; A series of books and written articles in the field of market trends, parenting and life events; Book publishing; Multimedia publishing of books, journals and electronic publications" ("Trendera Application").

The United States Patent and Trademark Office ("USPTO") has cited the E! Entertainment Registration as a potential bar to registration of the Trendera Application and has refused registration of the Trendera Application accordingly.

E! Entertainment and Trendera operate in different fields. Specifically, E! Entertainment operates in the fields of cable and satellite television broadcasting services and television programming with associated merchandising, while Trendera operates in the book and online publishing fields. As such, the parties' respective goods and services are highly dissimilar, are sold in different markets, and through different channels of trade. Furthermore, the parties' respective marks, as used in connection with the specified goods and services, are dissimilar. Accordingly, the parties do not believe that a likelihood of confusion exists in this case.

Accordingly, E! Entertainment consents to Trendera's use and registration of the Trendera Mark for the above-identified description of goods, or such other comparable description acceptable to the USPTO. The parties agree to make reasonable efforts to prevent confusion between their respective marks and to take reasonable steps to avoid any confusion that may arise in the future.

Dated: 9/3/13

E! ENTERTAINMENT TELEVISION, LLC

By: *Lauren McColester*  
Name: Lauren McColester  
Title: Senior Vice President, Business Affairs

Dated: 9/3/13

TRENDERA, LLC

By: *Jane Beckingham*  
Name: Jane Beckingham  
Title: President