

Request for Reconsideration after Final Action

The table below presents the data as entered.

| Input Field | Entered |
|--|---|
| SERIAL NUMBER | 85696063 |
| LAW OFFICE ASSIGNED | LAW OFFICE 114 |
| MARK SECTION (no change) | |
| ARGUMENT(S) | |
| <p>I. <u>Section 2(d) Refusal.</u></p> <p style="padding-left: 40px;">A. <u>Reg. No. 3288992.</u></p> <p>Reg. No. 3288992 issued on 09/04/2007. Accordingly, the Section 8 Affidavit was due on or before 09/04/2013. The six-month grace period for late filing the Section 8 Affidavit will expire on 03/04/2014. According to the USPTO's TARR information system, Registrant has failed to file the Section 8 Affidavit. Accordingly, Applicant believes the cited registration will be cancelled in due course. If necessary, Applicant requests the application be suspended until such time as the Examining Attorney can confirm cancellation of the cited registration.</p> | |
| SIGNATURE SECTION | |
| RESPONSE SIGNATURE | /Christopher J. Day/ |
| SIGNATORY'S NAME | Christopher J. Day |
| SIGNATORY'S POSITION | Attorney of record, Arizona bar member |
| SIGNATORY'S PHONE NUMBER | 602-258-4440 |
| DATE SIGNED | 09/11/2013 |
| AUTHORIZED SIGNATORY | YES |
| CONCURRENT APPEAL NOTICE FILED | YES |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Wed Sep 11 13:53:16 EDT 2013 |
| TEAS STAMP | USPTO/RFR-174.79.60.152-2 0130911135316514157-85696 063-50062e7aa64f73a0db3a4 487cb8dff98b71a3d55d1bf5d 60d8b06f12781824633a-N/A- N/A-20130911134943834357 |

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

Application serial no. **85696063** has been amended as follows:

ARGUMENT(S)

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

I. Section 2(d) Refusal.

A. Reg. No. 3288992.

Reg. No. 3288992 issued on 09/04/2007. Accordingly, the Section 8 Affidavit was due on or before 09/04/2013. The six-month grace period for late filing the Section 8 Affidavit will expire on 03/04/2014. According to the USPTO's TARR information system, Registrant has failed to file the Section 8 Affidavit. Accordingly, Applicant believes the cited registration will be cancelled in due course.

If necessary, Applicant requests the application be suspended until such time as the Examining Attorney can confirm cancellation of the cited registration.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Christopher J. Day/ Date: 09/11/2013

Signatory's Name: Christopher J. Day

Signatory's Position: Attorney of record, Arizona bar member

Signatory's Phone Number: 602-258-4440

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: 85696063

Internet Transmission Date: Wed Sep 11 13:53:16 EDT 2013

TEAS Stamp: USPTO/RFR-174.79.60.152-2013091113531651

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