

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85844159
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION (no change)	
ARGUMENT(S)	
<u>Request for Reconsideration and Amendment to Supplemental Register</u>	
<p>Applicant is in receipt of the Office Action of September 18, 2013, and acknowledges the same. Applicant appreciates the Examining Attorney's courtesies with regard to this application.</p>	
<u>Amendment</u>	
<p>Per TMEP §816.04, please amend the application to seek registration on the Supplemental Register, by changing the words "Principal Register" in the application to "Supplemental Register."</p>	
<u>Communication</u>	
<p>The Examining Attorney has continued and issued a final refusal of registration under Section 2(e)(1), on the ground that the mark is merely descriptive of the Applicant's services and is, therefore, not eligible for registration on the Principal Register. Applicant, therefore, respectfully requests amendment of the application to seek registration on the Supplemental Register under 37 C.F.R. §2.75. This amendment is appropriate after final refusal per TMEP §816.04.</p>	
<p>Wherefore, having fully responded to the outstanding issue, Applicant respectfully requests that the Examining Attorney approve the application, as amended, for registration on the Supplemental Register.</p>	
<p>Applicant appreciates the Examining Attorney's courtesies with regard to this application. If there are any outstanding issues that may be resolved by telephone, Applicant invites the Examining Attorney to contact the undersigned at 913-647-9050.</p>	
<p>Respectfully submitted, HOVEY WILLIAMS LLP By <u>/Michael Elbein /</u> Michael Elbein Attorney and Authorized Representative 10801 Mastin Boulevard, Suite 1000 Overland Park, Kansas 66210</p>	

(913) 647-9050 Phone
(913) 647-9057 Fax

ADDITIONAL STATEMENTS SECTION

SUPPLEMENTAL REGISTER

The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register').

SIGNATURE SECTION

RESPONSE SIGNATURE

/Michael Elbein/

SIGNATORY'S NAME

Michael Elbein

SIGNATORY'S POSITION

Attorney of Record, Kansas & Missouri bar member

SIGNATORY'S PHONE NUMBER

913-647-9050

DATE SIGNED

02/27/2014

AUTHORIZED SIGNATORY

YES

CONCURRENT APPEAL NOTICE FILED

NO

FILING INFORMATION SECTION

SUBMIT DATE

Thu Feb 27 13:56:06 EST 2014

TEAS STAMP

USPTO/RFR-70.43.171.130-2
0140227135606895127-85844
159-50083247524e89f5baf93
d563d44fc1c39139f198cccd
a1adc14a1e3b7ec708e-N/A-N
/A-20140227135122929930

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

Application serial no. **85844159** has been amended as follows:

ARGUMENT(S)

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

Request for Reconsideration and Amendment to Supplemental Register

Applicant is in receipt of the Office Action of September 18, 2013, and acknowledges the same. Applicant appreciates the Examining Attorney's courtesies with regard to this application.

Amendment

Per TMEP §816.04, please amend the application to seek registration on the Supplemental Register, by changing the words "Principal Register" in the application to "Supplemental Register."

Communication

The Examining Attorney has continued and issued a final refusal of registration under Section 2(e)(1), on the ground that the mark is merely descriptive of the Applicant's services and is, therefore, not eligible for registration on the Principal Register. Applicant, therefore, respectfully requests amendment of the application to seek registration on the Supplemental Register under 37 C.F.R. §2.75. This amendment is appropriate after final refusal per TMEP §816.04.

Wherefore, having fully responded to the outstanding issue, Applicant respectfully requests that the Examining Attorney approve the application, as amended, for registration on the Supplemental Register.

Applicant appreciates the Examining Attorney's courtesies with regard to this application. If there are any outstanding issues that may be resolved by telephone, Applicant invites the Examining Attorney to contact the undersigned at 913-647-9050.

Respectfully submitted,
HOVEY WILLIAMS LLP
By /Michael Elbein /
Michael Elbein
Attorney and Authorized Representative
10801 Mastin Boulevard, Suite 1000
Overland Park, Kansas 66210
(913) 647-9050 Phone
(913) 647-9057 Fax

ADDITIONAL STATEMENTS

Supplemental Register

The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register').

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Michael Elbein/ Date: 02/27/2014

Signatory's Name: Michael Elbein

Signatory's Position: Attorney of Record, Kansas & Missouri bar member

Signatory's Phone Number: 913-647-9050

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: 85844159

Internet Transmission Date: Thu Feb 27 13:56:06 EST 2014

TEAS Stamp: USPTO/RFR-70.43.171.130-2014022713560689

5127-85844159-50083247524e89f5baf93d563d

44fc1c39139f198cccca1adc14a1e3b7ec708e-

N/A-N/A-20140227135122929930