

From: Pollack, Alison

Sent: 5/1/2015 3:34:29 PM

To: TTAB E filing

CC:

Subject: U.S. TRADEMARK APPLICATION NO. 85913125 - HOUSTON BUFFS - N/A - Request for  
Reconsideration Denied - Return to TTAB

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Attachment Information:

Count: 1

Files: 85913125.doc

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

**U.S. APPLICATION SERIAL NO.** 85913125

**MARK:** HOUSTON BUFFS



**CORRESPONDENT ADDRESS:**

Samantha M. Quimby

FROST BROWN TODD LLC

301 EAST FOURTH STREET 3300 GREAT AMERIC

AN TOWER

CINCINNATI, OH 45202

**GENERAL TRADEMARK INFORMATION:**

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

[VIEW YOUR APPLICATION FILE](#)

**APPLICANT:** The National Association of Professional ETC.

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

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

trademarks@fbtlaw.com

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 5/1/2015

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The following requirement(s) and/or refusal(s) made final in the Office action dated August 27, 2014, are maintained and continue to be final: Section 2(d) refusal with respect to U.S. Registration

Nos. 3634016, 3939747, and 4405845. *See* TMEP §§715.03(a)(ii)(B), 715.04(a). The following requirement(s) and/or refusal(s) made final in the Office action are withdrawn: Section 2(d) refusal with respect to U.S. Registration No. 4301429. In addition, the amendment to the identification of goods submitted in the request for reconsideration is acceptable. *See* TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); *see* 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); *see* TMEP §§715.03, 715.03(a)(ii)(B), (c).

/Alison F. Pollack/

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