

## Request for Reconsideration after Final Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	86020768
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tmng-al.uspto.gov/resting2/api/img/86020768/large
<b>LITERAL ELEMENT</b>	LAGOON
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>ARGUMENT(S)</b>	
<p>Please consider this a request for reconsideration. Applicant believes that the Second Declaration with Substitute Specimens filed herewith, places the case in conditional for approval.</p> <p>Applicant maintains that the previous specimens are in full compliance with the statute and regulations, but in order to expedite the application, submits herewith second substitute specimens and a supporting declaration. The second substitute specimens are photographs of business signage that show the mark used in the actual sale, rendering, or advertising of the services, as requested by the Office Action</p> <p>Applicant submits that the application should be approved for publication.</p>	
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_5024695157-20160913093319962333_-_09-10_Second_Declaration_with_Substitute_Specimens.86020768.pdf</a>
<b>CONVERTED PDF FILE(S)</b> (3 pages)	<a href="#">\\TICRS\EXPORT17\IMAGEOUT17\860\207\86020768\xml1\RFR0002.JPG</a>
	<a href="#">\\TICRS\EXPORT17\IMAGEOUT17\860\207\86020768\xml1\RFR0003.JPG</a>
	<a href="#">\\TICRS\EXPORT17\IMAGEOUT17\860\207\86020768\xml1\RFR0004.JPG</a>
<b>DESCRIPTION OF EVIDENCE FILE</b>	Second Declaration with Substitute Specimens
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Thomas J. Moore/
<b>SIGNATORY'S NAME</b>	Thomas J. Moore
<b>SIGNATORY'S POSITION</b>	Owner's Attorney, Va. Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	703-683-0500 x137
<b>DATE SIGNED</b>	09/13/2016
<b>AUTHORIZED</b>	YES

<b>SIGNATORY</b>	
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Sep 13 15:40:32 EDT 2016
<b>TEAS STAMP</b>	USPTO/RFR-XX.XXX.XX.XXX-2 0160913154032437522-86020 768-550211ffbc46dbcb11d54 518df895b1c95bfe69cb7bd38 b2b16f19baea1af08642-N/A- N/A-20160913153859553830

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1960 (Rev 10/2011)

OMB No. 0651-0050 (Exp 07/31/2017)

## Request for Reconsideration after Final Action

### To the Commissioner for Trademarks:

Application serial no. **86020768** LAGOON (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86020768/large>) has been amended as follows:

#### ARGUMENT(S)

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

Please consider this a request for reconsideration. Applicant believes that the Second Declaration with Substitute Specimens filed herewith, places the case in conditional for approval.

Applicant maintains that the previous specimens are in full compliance with the statute and regulations, but in order to expedite the application, submits herewith second substitute specimens and a supporting declaration. The second substitute specimens are photographs of business signage that show the mark used in the actual sale, rendering, or advertising of the services, as requested by the Office Action

Applicant submits that the application should be approved for publication.

#### EVIDENCE

Evidence in the nature of Second Declaration with Substitute Specimens has been attached.

##### Original PDF file:

[evi\\_5024695157-20160913093319962333\\_-09-10\\_Second\\_Declaration\\_with\\_Substitute\\_Specimens.86020768.pdf](#)

##### Converted PDF file(s) ( 3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

#### SIGNATURE(S)

##### Request for Reconsideration Signature

Signature: /Thomas J. Moore/ Date: 09/13/2016

Signatory's Name: Thomas J. Moore

Signatory's Position: Owner's Attorney, Va. Bar Member

Signatory's Phone Number: 703-683-0500 x137

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 owner's/holder'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 owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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: 86020768

Internet Transmission Date: Tue Sep 13 15:40:32 EDT 2016

TEAS Stamp: USPTO/RFR-XX.XXX.XX.XXX-2016091315403243

7522-86020768-550211ffb46dbcb11d54518df

895b1c95bfe69cb7bd38b2b16f19baea1af08642

-N/A-N/A-20160913153859553830

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.:	86020768
Application Filing Date:	July 26, 2013
Mark:	
Owner/Applicant:	Mytek International Inc.

**SECOND DECLARATION WITH SUBSTITUTE SPECIMENS**

Commissioner for Trademarks  
Alexandria, Virginia

Madam:

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and may jeopardize the validity of the application or any registration resulting therefrom, declares that:

1. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.
2. The substitute specimens submitted herewith show the mark as used in commerce on a date at least as early as the deadline, August 17, 2015, for filing a Statement of Use, at a retail store located in Taiwan, which provides retail store services to customers from the U.S.

Respectfully signed,



Date: 10 September 2016

Name and Title: Liang-Chi CHANG, Vice G.M.

**SECOND DECLARATION WITH SUBSTITUTE SPECIMENS**  
**U.S. Application No. 86020768**

Substitute Specimens



**SECOND DECLARATION WITH SUBSTITUTE SPECIMENS**  
**U.S. Application No. 86020768**

