

From: Gardner, Beryl

Sent: 5/29/2015 10:37:57 PM

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Subject: U.S. TRADEMARK APPLICATION NO. 86041474 - NECKLETTE - N/A - Request for Reconsideration Denied - Return to TTAB

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

U.S. APPLICATION SERIAL NO. 86041474

MARK: NECKLETTE



CORRESPONDENT ADDRESS:

CHRISTINE WASHINGTON

244 FIFTH AVENUE SUITE 2660

NEW YORK, NY 10001

GENERAL TRADEMARK INFORMATION:

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

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Creations By Sherry Lynn, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

chriscwashington@aol.com

REQUEST TO CONSIDER ADDITIONAL EVIDENCE DENIED

ISSUE/MAILING DATE: 5/29/2015

This Office action is in response to applicant's communication filed on May 5, 2015.

The trademark examining attorney has carefully reviewed applicant's request to consider additional evidence and denies 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 refusal made final in the Office action dated 09/06/2014 and the refusal denied reconsideration on 12/15/2014 are maintained and continue to be final: Merely Descriptive. *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).

/D. Beryl Gardner/

Examining Attorney

Law Office 117

571-272-9162 (O)

571-273-9162 (F)

beryl.gardner@uspto.gov