

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86096820
LAW OFFICE ASSIGNED	LAW OFFICE 109
MARK SECTION (no change)	
ARGUMENT(S)	
<p style="text-align: center;"><u>MOTION FOR RECONSIDERATION</u></p> <p>I. THE I-STAMPS PORTION OF APPLICANT’S MARK IS SUGGESTIVE.</p> <p>In the Final Office Action issued September 15, 2014, the Office maintained its refusal to register Applicant’s mark, ENDICIA I-STAMPS (“Applicant’s Mark”), on the grounds that the wording “I-STAMP” is descriptive and must be disclaimed. Applicant respectfully requests that the Office reconsider its position in light of arguments presented in Applicant’s response to the first Office Action filed on August 5, 2014, and those presented herein.</p> <p>A mark is merely descriptive if “it <u>forthwith</u> conveys an <u>immediate</u> idea of the ingredients, qualities or characteristics of the goods.” <i>Abercrombie & Fitch Co. v. Hunting World, Inc.</i>, 537 F.2d 4, 189 USPQ 759, 765 (2d Cir. 1976) (emphasis added). When a multistage reasoning process or resort to imagination is required to determine the attributes or characteristics of the product or services, the market is suggestive rather than merely descriptive. <i>In re Abcor Development Corp.</i>, 588 F.2d 811, 200 USPQ 215, 218 (CCPA 1978). To the extent that there is any doubt in drawing the line of demarcation between a suggestive mark and a merely descriptive mark, such doubt is resolved in Applicant’s favor. <i>In re Atavio</i>, 25 UPSQ2d 1361, 1362 (TTAB 1992).</p> <p>A. The Mark I-STAMPS Is Not Descriptive of Digital Shipping Payments and Related Services.</p> <p>The mark I-STAMPS is not descriptive of Applicant’s good and services. Applicant is not arguing that “stamps” is not descriptive of physical postage stamps, but the mark I-STAMPS is not descriptive of paying for shipping services or of using related services. As the Office tendered in its first Office Action, the term “stamp” refers to “[a] small piece of gummed paper sold by a government for attachment to an article that is to be mailed.” Definitions like this are probative of the public’s understanding of the term. <i>See, e.g., In re Bayer AG</i>, 488 F.3d 960, 82 UPSQ2d 1828, 1831 (Fed. Cir. 2007). Nowhere does this definition of stamp contain the notion that “stamp” is defined as digital in nature or for related online services. More so, it would require a multistage reasoning process to associate such mark with Applicant’s goods and services.</p>	

B. I-Prefix Has Multiple Meanings When Used With Applicant's Goods and Services.

In its response to the first Office Action, Applicant argued that the Office's reliance on the Acronym Finder was misplaced because the same evidence provided several other common meanings of the "I" including, "information," "current," "individual," and "innovative." In the Final Office action, the Office described this argument as unpersuasive because "applicant's goods software presumably uses the internet to get access to the postage so that it can be printed on applicant's labels. Further, the applicant's electronic label printing machines presumably connect to the internet to print postage."

Applicant respectfully submits the Office's conclusion was incorrect in that it ignores the nature of Applicant's goods and services. Even putting aside the differences between physical stamps and the postage fees that might purchase a stamp, Applicant does not merely offer access to postage over the Internet. Rather, Applicant offers, among other things, individualized postage labels bearing personalized images and logos. See webpage printout describing Applicant's PictureItPostage™ service attached hereto as Exhibit A. Applicant also offers innovative "Stealth Postage" services that "avoid upset customers" by obscuring the dollar amount of postage. See webpage printout describing Applicant's Endicia Premium service attached hereto as Exhibit B. Applicant further offers informational services in the form of comparative information that enables customers to determine best carrier rates and to avoid hidden surcharges. See webpage printout describing Applicant's Endicia Platinum Shipper services attached hereto as Exhibit C. Therefore, the invocation "I" of the mark I-STAMPS is not somehow limited to "Internet" but rather connotes "individual," "innovative," and "information" as used in the context of Applicant's goods and services. Simply put, the mark I-STAMPS is a classic double entendre entitled to trademark protection.

Unlike "stamps," Applicant's good and services are not "piece[s] of gummed paper sold by a government for attachment to an article that is to be mailed." Applicant's good and services are varied and multifaceted. While one use may include obtaining and printed postage for postal services performed by a government-related entity, Applicant's good and services include other features such as personalized labeling that is not available from other sources, information about different shipping options, and the option of obscuring the cost of shipping to avoid consumer dissatisfaction.

It is not fatal that a mark is informational. One may be informed by suggestion as well as by description. *In re Reynolds Metals Co.*, 480 F.2d 902, 178 USPQ 296 (CCPA 1973). Moreover, even if "I-Stamps" was improperly deemed to be the equivalent of "Internet Stamps," it does not follow that "Internet Stamps" is synonymous with Applicant's goods and services. Instead, the mark I-STAMPS as used in association with Applicant's goods and services requires consumers to engage in a multistage reasoning process or to resort to imagination to determine the attributes or characteristics of Applicant's goods. See *In re Abcor*, 200 USPQ at 218.

For the same reason, the Office's continued citation of *In re Zanova, Inc.*, 59 USPQ2d 1300 (TTAB 2000) is misplaced. *Zanova* does not stand for the proposition that the prefix "I" in a mark always stands for and would be perceived as referring to the Internet. Rather, the Board found that the "I" in ITOOL, as applied to the identified goods and services, would be understood to refer to "Internet" because the identified goods and services specifically and directly involved the Internet—i.e., software for creating Internet web pages and custom design of Internet web sites. The Board's finding was also based on evidence showing third-party non-trademark use of the term "Internet tool" in connection with the applicant's goods and services. Finally, and importantly, in *Zanova* the applicant conceded that "I" or "i" meant Internet.

In contrast, here, Applicant does not concede that the prefix “I” necessarily means “Internet.” Instead, Applicant submits that the prefix has multiple highly relevant uses, only one of which may be a reference to the Internet, and which in any event requires a consumer to resort to a multistage reasoning process or imagination to determine the attributes or characteristics of Applicant’s product or services. Finally, the Office cited absolutely no evidence of third-party non-trademark use of the term “I-STAMPS” in connection with Applicant’s goods and services, further distinguishing this case from *Zanova*.

Applicant submits that the present case is analogous to the Board’s very recent decision *In re Tofasco of America, Inc.*, Serial No. 85069228 (TTAB June 24, 2013) (not precedential). There, the applicant sought to register the mark I PEN. The Office refused the registration on the grounds that the mark was merely descriptive of digital pens. The Board reversed, finding that while I PEN may be synonymous with “Internet pen,” it was not necessarily synonymous with “digital pen.”

C. The Examining Attorney’s Own Arguments Support The Conclusion That The Mark I-STAMPS is Suggestive.

In the final Office Action, the Examining Attorney contends that “stamp” may be used interchangeably with “postage.” First, Applicant is not contending that “iPostage” is not descriptive of electronically obtained postage, but that does not mean Applicant’s I-STAMPS mark is not suggestive. To the contrary, the Examining Attorney’s substitution of “postage” for “stamp” is exactly the type of multistage reasoning process that makes Applicant’s mark suggestive. The Examining Attorney also cites a dictionary definition of “i” as a prefix. Applicant observes that one of the listed definitions explicitly identifies the “i” prefix as “a *brand* prefix.” (emphasis added). That the “i” prefix is associated with branding belies the Office’s conclusion that the mark I-STAMPS is merely descriptive.

Finally, the Examining Attorney’s evidence that USPS.gov lists Endicia as a source of Printing Online Postage is significant evidence that the mark I-STAMPS is *not* descriptive. USPS does not refer to sources of Printing “I-Stamps.” Nor do any of the other sources identified by USPS describe their products or services as “I-Stamps.” While “postage” is used on the page, “I-Stamps” never is. It is well recognized that the absence of competitors’ use of a mark indicates that a mark is inherently distinctive. See *Union Carbide Corp. v. Ever-Ready, Inc.*, 531 F.2d 366, 379 (7th Cir. 1976); *In re Wells Fargo & Company*, 231 USPQ 116, 119 (TTAB 1986) (the absence of any descriptive use of the term “Express Savings” by others in the field of banking reinforces its suggestive nature).

D. The Mark I-STAMPS Possesses Many Possible Meanings.

Applicant also renews its argument that I-STAMPS is not merely descriptive because, in connection with Applicant’s goods and services, even the “stamps” portion is a classic double entendre that conveys many other different ideas, to which the Examining Attorney did not address in the Final Office Action. Even if a consumer does make a connection between I-STAMPS and the Internet, the mark I-STAMPS may convey many other different ideas such as (1) an Internet service for stamp collectors; (2) an Internet service relating to trading stamps; (3) an Internet service related to non-postage stamps; (4) an Internet service providing information about stamps; or (5) an online retail store selling stamps. A mark that connotes two or more possible meanings as applied to the goods is registrable. See, e.g., *Blisscraft of Hollywood v. United Plastics Co.*, 294 F.2d 694 (2d Cir. 1962) (POLY PITCHER protectible for polyethylene product because also suggestive of Molly Pitcher of revolutionary time); *In re Grand Metropolitan Food Service Inc.*, 30 USPQ2d 1974 (TTAB 1994) (MuffFuns protectible for muffins) *In re Preifert Mfg. Co.* (TTAB 1984) (HAY DOLLY protectible for self-loading trailers for hauling bales); *In re National Tea Co.*, 144 USPQ 286 (TTAB 1965) (NO BONES ABOUT IT protectible for boneless hams).

E. The U.S. Patent and Trademark Office Regularly Registers “I” Prefix Marks.

Finally, Applicant notes that while each application is examined individually, past Office practice supports the registrability of numerous other marks with the prefix “I” (where the description of goods or services are for software or electronic products, including in some instances where the description of goods actually does include “Internet”). See the following chart summarizing registrations for a few representative examples (such registration certificates hereby formerly made of record and attached in Exhibit D):

Registration No.	Mark	Good/Services
4243777	ISCAN	computer software for use with document scanners, recorded on computer media; computer programs for driving document scanners; computer programs for editing images; computer programs for use with document scanners to automatically scan objects and edit scanned images; computer programs for use with document scanners to automatically scan objects and edit and store scanned images; computer programs for use with document scanners to automatically scan objects, edit, store and transmit scanned images; computer programs for accessing servers and transmitting data over networks; computer programs for use with document scanners for automatically opening scanned image files in other application programs; multi-function printers
2566557	IMANAGE	computer software for managing documents, audio, video, email, text, data, graphics and facsimiles for application within document management, knowledge management and business-to-business information applications via local, wide area and global networks
4577804	IPROTECTOR	Computer security consultancy in the field of scanning and penetration testing of computers and networks to assess information security vulnerability; Computer services, namely, on-line scanning, detecting, quarantining and eliminating of viruses, worms, trojans, spyware, adware, malware and unauthorized data and programs on computers and electronic devices; Computer virus protection services
4571768	IVOLUNTEERONLINE	Software as a service (SAAS) services featuring software for coordination, registration and management in the field of volunteerism

3937050	IVOLUNTEER	Internet-based social networking services related to volunteerism and community service
4223507	ISHOP GREEN (GREEN disclaimed, but not ISHOP)	Computer application software for mobile phones and mobile devices, namely, software for searching, compiling, and organizing information related to finding environmentally-conscious products; shortcut software application for mobile, portable and handheld electronic devices related to finding environmentally-conscious products
2940523	IMANAGE INTERNET BANKING (INTERNET BANKING disclaimed, but not IMANAGE)	Internet banking services
2948506	ICONSENT	Providing temporary use of a non-downloadable online software platform for digitally obtaining authorization and/or consent from patients in the context of medical records and procedures and providing patient authorization and/or consent information to individuals and/or organizations over a global information network
2970867	IRADIO	Computer programs for use in connection with radio receivers and transmitters to enable the transmission, reception and selection of various modes of information and entertainment communications, and integrated circuits with embedded radio communication technology architecture; radio receivers, radio transmitters and radio transceivers all for use in providing access to radio communications, audio radio broadcast signals and global computer network access and all for use in in-dash units; manuals and specifications distributed with the foregoing goods
2993227	ITUNES MUSIC STORE (MUSIC STORE disclaimed, but not ITUNES)	Providing search engines for obtaining data via communications networks; providing search engines for obtaining data on a global computer network; providing temporary use of on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing

		and retrieving information, sites, and other resources available on global computer networks for others
3086721	IENTERTAIN	Business services, namely providing on-line computer database so that people within the entertainment community can market themselves and their services on-line to others within the same community

F. Doubt Resolves in Favor of Applicant.

Therefore, Applicant respectfully submits that the Examining Attorney has not presented the requisite evidence that the mark I-STAMPS merely describes a function, feature, or characteristic of Applicant’s recited good and services. Even if there was some question that the term could merely be descriptive, where doubt exists, that doubt should be resolved in Applicant’s favor. *See, e.g., In re Gourmet Bakers Inc.*, 173 USPQ 565 (TTAB 1972). “In this way, anyone who believes that the term is, in fact, descriptive, may oppose and present evidence on this issue to the Board.” *See also In re Tofasco of America, Inc.*, Serial No. 85069228 (TTAB June 24, 2013) (not precedential) (trademark I PEN not merely descriptive).

II. ENTRY OF DISCLAIMER ONLY IN THE ALTERNATIVE.

For the reasons discussed above, Applicant maintains its objection to the Examining Attorney’s request that the term I-STAMPS be disclaimed. However, should the Examining Attorney deny Applicant’s Motion for Reconsideration *and the Board reject Applicant’s subsequent Appeal*, in the alternative only, Applicant is willing to consent to entry of a disclaimer as follows: *No claim is made to the exclusive right to use “I-STAMPS” apart from the mark as shown.*

III. CONCLUSION.

Applicant respectfully submits that all issues raised in the Final Office Action have been fully addressed and satisfied and that the Application should be allowed. If any outstanding issues remain, or if the Office has any further suggestions for expediting allowance of this Application, Applicant respectfully invites the Examining Attorney to contact the undersigned.

A Notice of Appeal is being filed contemporaneously herewith.

Respectfully submitted,

Adam S. Weiss
Patent Bar Reg. No. 55719
312-873-3644

EVIDENCE SECTION

EVIDENCE FILE NAME(S)

ORIGINAL PDF FILE [evi_38122112254-20150316162142118270 . I-STAMPS Exhibit A.pdf](#)

CONVERTED PDF FILE(S) [\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0002.JPG](#)

(3 pages)	
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0004.JPG
ORIGINAL PDF FILE	evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_B.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0005.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0006.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0007.JPG
ORIGINAL PDF FILE	evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_C.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0008.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0009.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0010.JPG
ORIGINAL PDF FILE	evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_D.pdf
CONVERTED PDF FILE(S) (16 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0011.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0012.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0013.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0014.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0015.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0016.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0017.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0018.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0019.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0020.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0021.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0022.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0023.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0024.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0025.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\860\968\86096820\xml8\RFR0026.JPG
DESCRIPTION OF EVIDENCE FILE	Exhibit A -- webpage printout describing Applicant's PictureItPostage(TM) services Exhibit B -- webpage printout describing Applicant's Endicia Premium services Exhibit C -- webpage printout describing Applicant's Endicia Platinum Shipper services Exhibit D -- U.S. federal trademark registrations for a few representative examples of third party "I" trademark registrations, including U.S. Reg. Nos. 4243777, 2566557, 4577804, 4571768, 3937050, 4223507, 2940523, 2948506, 2970867, 2993227, and 3086721
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Adam S. Weiss/
SIGNATORY'S NAME	Adam S. Weiss
SIGNATORY'S POSITION	Attorney of Record, Illinois bar member
SIGNATORY'S PHONE NUMBER	312-873-3644
DATE SIGNED	03/16/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Mar 16 17:02:03 EDT 2015
TEAS STAMP	USPTO/RFR-38.122.112.254-20150316170203609074-86096820-5306e4a9a6abaf6ae7955fdf2927cc36d1fb2fff9d99c4416e4ba375964fed48-N/A-N/A-20150316162142118270

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

Application serial no. **86096820** has been amended as follows:

ARGUMENT(S)

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

MOTION FOR RECONSIDERATION

I. THE I-STAMPS PORTION OF APPLICANT’S MARK IS SUGGESTIVE.

In the Final Office Action issued September 15, 2014, the Office maintained its refusal to register Applicant’s mark, ENDICIA I-STAMPS (“Applicant’s Mark”), on the grounds that the wording “I-STAMP” is descriptive and must be disclaimed. Applicant respectfully requests that the Office reconsider its position in light of arguments presented in Applicant’s response to the first Office Action filed on August 5, 2014, and those presented herein.

A mark is merely descriptive if “it forthwith conveys an immediate idea of the ingredients, qualities or characteristics of the goods.” *Abercrombie & Fitch Co. v. Hunting World, Inc.*, 537 F.2d 4, 189 USPQ 759, 765 (2d Cir. 1976) (emphasis added). When a multistage reasoning process or resort to imagination is required to determine the attributes or characteristics of the product or services, the market is suggestive rather than merely descriptive. *In re Abcor Development Corp.*, 588 F.2d 811, 200 USPQ 215, 218 (CCPA 1978). To the extent that there is any doubt in drawing the line of demarcation between a suggestive mark and a merely descriptive mark, such doubt is resolved in Applicant’s favor. *In re Atavio*, 25 UPSQ2d 1361, 1362 (TTAB 1992).

A. The Mark I-STAMPS Is Not Descriptive of Digital Shipping Payments and Related Services.

The mark I-STAMPS is not descriptive of Applicant’s good and services. Applicant is not arguing that “stamps” is not descriptive of physical postage stamps, but the mark I-STAMPS is not descriptive of paying for shipping services or of using related services. As the Office tendered in its first Office Action, the term “stamp” refers to “[a] small piece of gummed paper sold by a government for attachment to an article that is to be mailed.” Definitions like this are probative of the public’s understanding of the term. *See, e.g., In re Bayer AG*, 488 F.3d 960, 82 UPSQ2d 1828, 1831 (Fed. Cir. 2007). Nowhere does this definition of stamp contain the notion that “stamp” is defined as digital in nature or for related online services. More so, it would require a multistage reasoning process to associate such mark with Applicant’s goods and services.

B. I-Prefix Has Multiple Meanings When Used With Applicant’s Goods and Services.

In its response to the first Office Action, Applicant argued that the Office’s reliance on the Acronym Finder was misplaced because the same evidence provided several other common meanings of the “I” including, “information,” “current,” “individual,” and “innovative.” In the Final Office action, the Office described this argument as unpersuasive because “applicant’s goods software presumably uses the internet to get access to the postage so that it can be printed on applicant’s labels. Further, the applicant’s electronic label printing machines presumably connect to the internet to print postage.”

Applicant respectfully submits the Office’s conclusion was incorrect in that it ignores the nature of Applicant’s goods and services. Even putting aside the differences between physical stamps and the postage fees that might purchase a stamp, Applicant does not merely offer access to postage over the Internet. Rather, Applicant offers, among other things, individualized postage labels bearing personalized images and logos. See webpage printout describing Applicant’s PictureItPostage™ service attached hereto as Exhibit A. Applicant also offers innovative “Stealth Postage” services that “avoid upset customers”

by obscuring the dollar amount of postage. See webpage printout describing Applicant's Endicia Premium service attached hereto as Exhibit B. Applicant further offers informational services in the form of comparative information that enables customers to determine best carrier rates and to avoid hidden surcharges. See webpage printout describing Applicant's Endicia Platinum Shipper services attached hereto as Exhibit C. Therefore, the invocation "I" of the mark I-STAMPS is not somehow limited to "Internet" but rather connotes "individual," "innovative," and "information" as used in the context of Applicant's goods and services. Simply put, the mark I-STAMPS is a classic double entendre entitled to trademark protection.

Unlike "stamps," Applicant's good and services are not "piece[s] of gummed paper sold by a government for attachment to an article that is to be mailed." Applicant's good and services are varied and multifaceted. While one use may include obtaining and printed postage for postal services performed by a government-related entity, Applicant's good and services include other features such as personalized labeling that is not available from other sources, information about different shipping options, and the option of obscuring the cost of shipping to avoid consumer dissatisfaction.

It is not fatal that a mark is informational. One may be informed by suggestion as well as by description. *In re Reynolds Metals Co.*, 480 F.2d 902, 178 USPQ 296 (CCPA 1973). Moreover, even if "I-Stamps" was improperly deemed to be the equivalent of "Internet Stamps," it does not follow that "Internet Stamps" is synonymous with Applicant's goods and services. Instead, the mark I-STAMPS as used in association with Applicant's goods and services requires consumers to engage in a multistage reasoning process or to resort to imagination to determine the attributes or characteristics of Applicant's goods. See *In re Abcor*, 200 USPQ at 218.

For the same reason, the Office's continued citation of *In re Zanova, Inc.*, 59 UPSQ2d 1300 (TTAB 2000) is misplaced. *Zanova* does not stand for the proposition that the prefix "I" in a mark always stands for and would be perceived as referring to the Internet. Rather, the Board found that the "I" in ITOOL, as applied to the identified goods and services, would be understood to refer to "Internet" because the identified goods and services specifically and directly involved the Internet—i.e., software for creating Internet web pages and custom design of Internet web sites. The Board's finding was also based on evidence showing third-party non-trademark use of the term "Internet tool" in connection with the applicant's goods and services. Finally, and importantly, in *Zanova* the applicant conceded that "I" or "i" meant Internet.

In contrast, here, Applicant does not concede that the prefix "I" necessarily means "Internet." Instead, Applicant submits that the prefix has multiple highly relevant uses, only one of which may be a reference to the Internet, and which in any event requires a consumer to resort to a multistage reasoning process or imagination to determine the attributes or characteristics of Applicant's product or services. Finally, the Office cited absolutely no evidence of third-party non-trademark use of the term "I-STAMPS" in connection with Applicant's goods and services, further distinguishing this case from *Zanova*.

Applicant submits that the present case is analogous to the Board's very recent decision *In re Tofasco of America, Inc.*, Serial No. 85069228 (TTAB June 24, 2013) (not precedential). There, the applicant sought to register the mark I PEN. The Office refused the registration on the grounds that the mark was merely descriptive of digital pens. The Board reversed, finding that while I PEN may be synonymous with "Internet pen," it was not necessarily synonymous with "digital pen."

C. The Examining Attorney's Own Arguments Support The Conclusion That The Mark I-STAMPS is Suggestive.

In the final Office Action, the Examining Attorney contends that "stamp" may be used interchangeably

with “postage.” First, Applicant is not contending that “iPostage” is not descriptive of electronically obtained postage, but that does not mean Applicant’s I-STAMPS mark is not suggestive. To the contrary, the Examining Attorney’s substitution of “postage” for “stamp” is exactly the type of multistage reasoning process that makes Applicant’s mark suggestive. The Examining Attorney also cites a dictionary definition of “i” as a prefix. Applicant observes that one of the listed definitions explicitly identifies the “i” prefix as “a *brand* prefix.” (emphasis added). That the “i” prefix is associated with branding belies the Office’s conclusion that the mark I-STAMPS is merely descriptive.

Finally, the Examining Attorney’s evidence that USPS.gov lists Endicia as a source of Printing Online Postage is significant evidence that the mark I-STAMPS is *not* descriptive. USPS does not refer to sources of Printing “I-Stamps.” Nor do any of the other sources identified by USPS describe their products or services as “I-Stamps.” While “postage” is used on the page, “I-Stamps” never is. It is well recognized that the absence of competitors’ use of a mark indicates that a mark is inherently distinctive. See *Union Carbide Corp. v. Ever-Ready, Inc.*, 531 F.2d 366, 379 (7th Cir. 1976); *In re Wells Fargo & Company*, 231 USPQ 116, 119 (TTAB 1986) (the absence of any descriptive use of the term “Express Savings” by others in the field of banking reinforces its suggestive nature).

D. The Mark I-STAMPS Possesses Many Possible Meanings.

Applicant also renews its argument that I-STAMPS is not merely descriptive because, in connection with Applicant’s goods and services, even the “stamps” portion is a classic double entendre that conveys many other different ideas, to which the Examining Attorney did not address in in the Final Office Action.

Even if a consumer does make a connection between I-STAMPS and the Internet, the mark I-STAMPS may convey many other different ideas such as (1) an Internet service for stamp collectors; (2) an Internet service relating to trading stamps; (3) an Internet service related to non-postage stamps; (4) an Internet service providing information about stamps; or (5) an online retail store selling stamps. A mark that connotes two or more possible meanings as applied to the goods is registrable. See, e.g., *Blisscraft of Hollywood v. United Plastics Co.*, 294 F.2d 694 (2d Cir. 1962) (POLY PITCHER protectible for polyethylene product because also suggestive of Molly Pitcher of revolutionary time); *In re Grand Metropolitan Food Service Inc.*, 30 USPQ2d 1974 (TTAB 1994) (MufFuns protectible for muffins) *In re Preifert Mfg. Co.* (TTAB 1984) (HAY DOLLY protectible for self-loading trailers for hauling bales); *In re National Tea Co.*, 144 USPQ 286 (TTAB 1965) (NO BONES ABOUT IT protectible for boneless hams).

E. The U.S. Patent and Trademark Office Regularly Registers “I” Prefix Marks.

Finally, Applicant notes that while each application is examined individually, past Office practice supports the registrability of numerous other marks with the prefix “I” (where the description of goods or services are for software or electronic products, including in some instances where the description of goods actually does include “Internet”). See the following chart summarizing registrations for a few representative examples (such registration certificates hereby formerly made of record and attached in Exhibit D):

Registration No.	Mark	Good/Services
4243777	ISCAN	computer software for use with document scanners, recorded on computer media; computer programs for driving document scanners; computer programs for editing images; computer programs for use with document scanners to

		automatically scan objects and edit scanned images; computer programs for use with document scanners to automatically scan objects and edit and store scanned images; computer programs for use with document scanners to automatically scan objects, edit, store and transmit scanned images; computer programs for accessing servers and transmitting data over networks; computer programs for use with document scanners for automatically opening scanned image files in other application programs; multi-function printers
2566557	IMANAGE	computer software for managing documents, audio, video, email, text, data, graphics and facsimiles for application within document management, knowledge management and business-to-business information applications via local, wide area and global networks
4577804	IPROTECTOR	Computer security consultancy in the field of scanning and penetration testing of computers and networks to assess information security vulnerability; Computer services, namely, on-line scanning, detecting, quarantining and eliminating of viruses, worms, trojans, spyware, adware, malware and unauthorized data and programs on computers and electronic devices; Computer virus protection services
4571768	IVOLUNTEERONLINE	Software as a service (SAAS) services featuring software for coordination, registration and management in the field of volunteerism
3937050	IVOLUNTEER	Internet-based social networking services related to volunteerism and community service
4223507	ISHOP GREEN (GREEN disclaimed, but not ISHOP)	Computer application software for mobile phones and mobile devices, namely, software for searching, compiling, and organizing information related to finding environmentally-conscious products; shortcut software application for mobile, portable and handheld electronic devices related to finding environmentally-conscious products
2940523	IMANAGE INTERNET BANKING (INTERNET BANKING disclaimed, but not IMANAGE)	Internet banking services

2948506	ICONSENT	Providing temporary use of a non-downloadable online software platform for digitally obtaining authorization and/or consent from patients in the context of medical records and procedures and providing patient authorization and/or consent information to individuals and/or organizations over a global information network
2970867	IRADIO	Computer programs for use in connection with radio receivers and transmitters to enable the transmission, reception and selection of various modes of information and entertainment communications, and integrated circuits with embedded radio communication technology architecture; radio receivers, radio transmitters and radio transceivers all for use in providing access to radio communications, audio radio broadcast signals and global computer network access and all for use in in-dash units; manuals and specifications distributed with the foregoing goods
2993227	ITUNES MUSIC STORE (MUSIC STORE disclaimed, but not ITUNES)	Providing search engines for obtaining data via communications networks; providing search engines for obtaining data on a global computer network; providing temporary use of on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks for others
3086721	IENTERTAIN	Business services, namely providing on-line computer database so that people within the entertainment community can market themselves and their services on-line to others within the same community

F. Doubt Resolves in Favor of Applicant.

Therefore, Applicant respectfully submits that the Examining Attorney has not presented the requisite evidence that the mark I-STAMPS merely describes a function, feature, or characteristic of Applicant's recited good and services. Even if there was some question that the term could merely be descriptive, where doubt exists, that doubt should be resolved in Applicant's favor. *See, e.g., In re Gourmet Bakers Inc.*, 173 USPQ 565 (TTAB 1972). "In this way, anyone who believes that the term is,

in fact, descriptive, may oppose and present evidence on this issue to the Board.” *See also In re Tofasco of America, Inc.*, Serial No. 85069228 (TTAB June 24, 2013) (not precedential) (trademark I PEN not merely descriptive).

II. ENTRY OF DISCLAIMER ONLY IN THE ALTERNATIVE.

For the reasons discussed above, Applicant maintains its objection to the Examining Attorney’s request that the term I-STAMPS be disclaimed. However, should the Examining Attorney deny Applicant’s Motion for Reconsideration *and the Board reject Applicant’s subsequent Appeal*, in the alternative only, Applicant is willing to consent to entry of a disclaimer as follows: *No claim is made to the exclusive right to use “I-STAMPS” apart from the mark as shown.*

III. CONCLUSION.

Applicant respectfully submits that all issues raised in the Final Office Action have been fully addressed and satisfied and that the Application should be allowed. If any outstanding issues remain, or if the Office has any further suggestions for expediting allowance of this Application, Applicant respectfully invites the Examining Attorney to contact the undersigned.

A Notice of Appeal is being filed contemporaneously herewith.

Respectfully submitted,

Adam S. Weiss
Patent Bar Reg. No. 55719
312-873-3644

EVIDENCE

Evidence in the nature of Exhibit A -- webpage printout describing Applicant's PictureItPostage(TM) services Exhibit B -- webpage printout describing Applicant's Endicia Premium services Exhibit C -- webpage printout describing Applicant's Endicia Platinum Shipper services Exhibit D -- U.S. federal trademark registrations for a few representative examples of third party "I" trademark registrations, including U.S. Reg. Nos. 4243777, 2566557, 4577804, 4571768, 3937050, 4223507, 2940523, 2948506, 2970867, 2993227, and 3086721 has been attached.

Original PDF file:

[evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_A.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

Original PDF file:

[evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_B.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

Original PDF file:

[evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_C.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

Original PDF file:

[evi_38122112254-20150316162142118270_.I-STAMPS_Exhibit_D.pdf](#)

Converted PDF file(s) (16 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Adam S. Weiss/ Date: 03/16/2015

Signatory's Name: Adam S. Weiss

Signatory's Position: Attorney of Record, Illinois bar member

Signatory's Phone Number: 312-873-3644

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: 86096820

Internet Transmission Date: Mon Mar 16 17:02:03 EDT 2015

TEAS Stamp: USPTO/RFR-38.122.112.254-201503161702036

09074-86096820-5306e4a9a6abaf6ae7955fdf2

927cc36d1fb2fff9d99c4416e4ba375964fed48-
N/A-N/A-20150316162142118270

EXHIBIT A



PictureItPostage

Overview (/segments)

Solutions for You:

For Online Sellers
(/segments/shipping-labels)

For Warehouse Shippers
(/segments/warehouse-shipping)

For Office Mailers
(/segments/office-mailers)

For Home Mailers
(/segments/print-postage-at-home)

Personalize Your Stamps!

Turn your photo or company logo into USPS®-approved postage.

Try it now »

(<http://www.pictureitpostage.com/?referredby=w101>)



PictureItPostage™ makes it easy for you to create personalized postage with family photos, company logos, or custom designs printed on U.S. Postal Service®-approved stamps.

All Products (/segments/all-products)

DYMO Stamps®
(/segments/all-products/dymo-stamps)

Endicia Standard
(/segments/all-products/endicia-standard)

Endicia Premium
(/segments/all-products/endicia-premium)

Endicia for Mac
(/segments/all-products/endicia-for-mac)

Endicia Professional
(/segments/all-products/endicia-professional)

Endicia Platinum Shipper
(/segments/all-products/endicia-platinum-shipper)

DAZzle Express
(/segments/all-products/dazzle-express)

Benefits

Product Specifications

Image Guidelines

Get Noticed

Put your wedding portrait, kids' photos, pet pictures, or company logo on your own custom postage stamps, and make your mail stand out from the pack.

Enjoy the Flexibility

PictureItPostage offers an image area up to twice as large as other products on the market and gives you the choice of portrait or landscape format and a variety of photo-editing options. You can also choose a background color that matches or complements your photo or logo.

Easy to Use

PictureItPostage stamps are printed on sheets of self-adhesive label stock for easy peel-and-apply. You can customize and order your stamps in just a few simple steps:

1. Choose and upload a photo, logo, or graphic
2. Edit and adjust your picture
3. Select the postage amount and quantity of stamps desired
4. Complete the billing information and confirm your order

We review all images to ensure they meet USPS guidelines, then print your stamps and send them to you by mail.

Save Money

With PictureItPostage you receive a one cent discount over retail rates when printing postage for 1 – 3.5 oz letters. The PictureItPostage rate for a one-ounce First-Class Mail stamp is \$0.48. For more information read our First-Class Postage Discount FAQ (/support/faq-answer/?id=000001643).

Try it now! (<http://www.pictureitpostage.com/?referredby=w102>)

Presort Mail
(/segments/all-
products/presort-
mail)

[Request More Information » \(/request-information\)](#)

PictureItPostage™
(/segments/all-
products/picture-it-
postage)

Compare Products
(/segments/all-
products/compare-
products)

Help Me Choose
(/segments/help-me-
choose)

[About Us \(/about-us\)](#) | [Contact Us \(/about-us/contact-us\)](#) | [Careers \(/about-us/careers\)](#) | [Privacy Policy \(/privacy-policy\)](#) | [USPS Guidelines \(/usps-guidelines\)](#) | [Site Map \(/sitemap\)](#)
© 2015 Endicia, a Newell Rubbermaid (<http://www.newellrubbermaid.com/public/index.aspx>) brand. All rights reserved.

Sign Up
(<https://account.endicia.com/>) or
Call 1-800-576-3279

Proud partner of the

EXHIBIT B



Endicia Premium

Overview (/segments)

Solutions for You:

For Online Sellers
(/segments/shipping-labels)

For Warehouse Shippers
(/segments/warehouse-shipping)

For Office Mailers
(/segments/office-mailers)

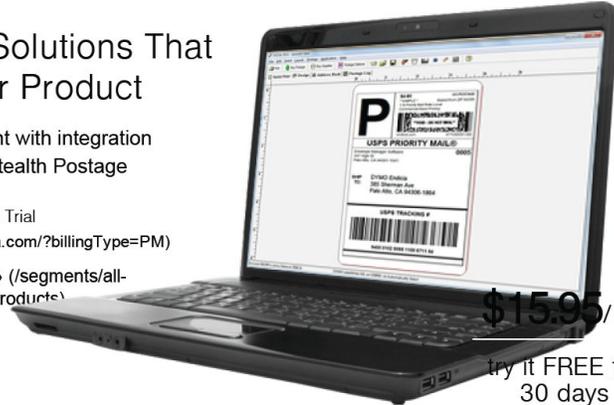
For Home Mailers
(/segments/print-postage-at-home)

Shipping Solutions That Move Your Product

Optimize fulfillment with integration capabilities and Stealth Postage

Sign up for a FREE Trial
(<http://account.endicia.com/?billingType=PM>)

Compare Products » (/segments/all-products/compare-products)



Endicia Premium helps you fulfill orders—and customer expectations—with features designed to save you money, improve service, and streamline shipping.

All Products (/segments/all-products)

DYMO Stamps®
(/segments/all-products/dymo-stamps)

Endicia Standard
(/segments/all-products/endicia-standard)

Endicia Premium
(/segments/all-products/endicia-premium)

Endicia for Mac
(/segments/all-products/endicia-for-mac)

Endicia Professional
(/segments/all-products/endicia-professional)

Endicia Platinum Shipper
(/segments/all-products/endicia-platinum-shipper)

DAZzle Express
(/segments/all-products/dazzle-express)

Benefits

Capabilities

System Requirements

Bundles

Domestic and International Mail

The international shipping (/landing-pages/international-shipping-solutions) capabilities within the Endicia software let you print postage paid labels for any single-piece domestic or international mail class offered at the USPS Retail counter and supports discounted Commercial Base and Commercial Plus postage prices.

Tracking Service

Leverage free or discounted USPS Tracking (formerly Delivery Confirmation) and Signature Confirmation services, as well as integrated Priority Mail Express tracking, for your packages with Endicia service.

Prefilled Customs Forms

Avoid spending time manually completing multiple customs forms and taking international packages to the Post Office. Endicia software enables you to configure and print pre-filled customs forms as required by each country.

Stealth Postage

Stealth Postage helps you avoid upset customers by replacing the dollar amount of postage with the words "US Postage and Fees Paid."

Return Shipping Labels

Endicia allows you to create postage paid return labels that can either be physically or electronically mailed to your customers.

Endicia Parcel Insurance

Save up to 63% over USPS insurance with Endicia Parcel Insurance (/insurance), while giving you and your customer peace of mind. Endicia software also allows users to choose USPS insurance or generate reports for their own third-party insurance provider.

Third-party XML Software Integration

Print shipping labels directly from your existing store management software. XML Integration allows you to synchronize store data and cross-reference order codes to help reduce redundant typing and address errors.

Account Management Tools

Maximize your account visibility with our convenient web-based reports, online package lookup, delivery statistics, and software postage log.

And much more!

Compare plans to see all the additional features available with the Endicia Premium service including thermal printer and scale support, address verification, label customization, email shipment notification, USPS Package Pickup and Marketplace Integration (/marketplaces).

Request More Information » (/request-information)

Presort Mail
(/segments/all-products/presort-mail)

PictureItPostage™
(/segments/all-products/picture-it-postage)

Compare Products
(/segments/all-products/compare-products)

Help Me Choose
(/segments/help-me-choose)

Integrated Partners



UltraCart

UltraCart is the Internet's premier hosted shopping cart solution, written by merchants for merchants.

[Get The Details »](#) (/all-partners/integrated-partners/ultracart)



Webgility

Webgility provides software to simplify and automate your eCommerce business. We help save you time and money so you can focus on growing your business!

[Get The Details »](#) (/all-partners/integrated-partners/webgility)

Have Questions?

Our Sales and Support Teams are here to help.

[Contact Sales Team »](#) (/request-information)

[Contact Support Team »](#) (/support/contact-supp)

Get it for Free!

Find out how to get Endicia Premium for free.

[Learn more »](#) (/segments/free-service-incentive)

Success Stories

GreatLife Streamlines Shipping to Expedite the Delivery of Orders

"With Endicia, we can process more orders in a shorter amount of time."

Kim Bishop

Shipping Supervisor for GreatLife International

[Read More Stories »](#) (/why-us/success-stories)

[About Us](#) (/about-us) | [Contact Us](#) (/about-us/contact-us) | [Careers](#) (/about-us/careers) | [Privacy Policy](#) (/privacy-policy) | [USPS Guidelines](#) (/usps-guidelines) | [Site Map](#) (/sitemap)

© 2015 Endicia, a Newell Rubbermaid (<http://www.newellrubbermaid.com/public/index.aspx>) brand. All rights reserved.

Proud partner of the

Sign Up
(<https://account.endicia.com/>) or
Call 1-800-576-3279

EXHIBIT C



Endicia Platinum Shipper

Overview (/segments)

Solutions for You:

For Online Sellers
(/segments/shipping-labels)

For Warehouse Shippers
(/segments/warehouse-shipping)

For Office Mailers
(/segments/office-mailers)

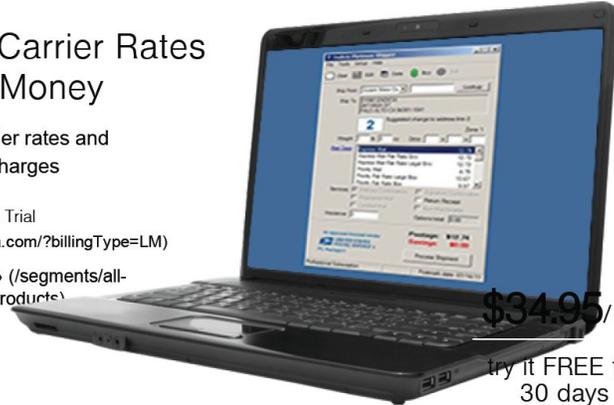
For Home Mailers
(/segments/print-postage-at-home)

Compare Carrier Rates and Save Money

Find the best carrier rates and avoid hidden surcharges

Sign up for a FREE Trial
(<http://account.endicia.com/?billingType=LM>)

Compare Products » (/segments/all-products/compare-products)



\$34.95/mo
try it FREE for 30 days

Endicia Platinum Shipper helps you save big on shipping and avoid costly surcharges by comparing U.S. Postal Service® rates vs. private carriers.

All Products (/segments/all-products)

DYMO Stamps®
(/segments/all-products/dymo-stamps)

Endicia Standard
(/segments/all-products/endicia-standard)

Endicia Premium
(/segments/all-products/endicia-premium)

Endicia for Mac
(/segments/all-products/endicia-for-mac)

Endicia Professional
(/segments/all-products/endicia-professional)

Endicia Platinum Shipper
(/segments/all-products/endicia-platinum-shipper)

DAZzle Express
(/segments/all-products/dazzle-express)

Benefits

Capabilities

System Requirements

Product Demo

Compare and Save

Endicia Platinum Shipper helps you select the best, most cost-effective shipping option by comparing the rates of the carriers you use. See how much you could save by downloading and installing the Endicia Platinum Shipper Product Demo (<http://download.endicia.com/PlatinumShipperInstall.exe>).

Avoid Hidden Surcharges

Our shipping software identifies residential addresses and those in extended areas before you ship. Commercial carriers can charge hefty fees to ship to these addresses, while the U.S. Postal Service® does not.

Works With Existing Systems

There's no need for new systems or integrations; Endicia Platinum Shipper takes advantage of your existing system configurations to determine the best possible shipping method to meet your needs. Self-install for just \$34.95/month or choose to have the service installed and customized, with ongoing dedicated support, by signing up through one of our Dealers for \$99.95/month. To request Dealer information, simply fill out our Endicia Platinum Shipper Dealer form (</segments/all-products/endicia-platinum-shipper/platinum-shipper-dealer>).

Eliminate Mistakes with Address Verification

Endicia Platinum Shipper alerts you to address errors before you ship and automatically corrects bad addresses for USPS® shipments. Endicia's address-verification system can help you prevent delivery delays and avoid bad address surcharges from private carriers.

Request More Information » (/request-information)

Presort Mail
(/segments/all-products/presort-mail)

PictureItPostage™
(/segments/all-products/picture-it-postage)

Compare Products
(/segments/all-products/compare-products)

Help Me Choose
(/segments/help-me-choose)

Integrated Partners



Shipwire Order Fulfillment

Shipwire provides ecommerce order fulfillment services, shipping software, and cloud-based logistics from warehouses around the world for companies of all sizes.

[Get The Details »](#) (/all-partners/integrated-partners/shipwire)

Have Questions?

Our Sales and Support Teams are here to help.

[Contact Sales Team »](#) (/request-information)

[Contact Support Team »](#) (/support/contact-supp)

Get it for Free!

Find out how to get Endicia Platinum Shipper for free.

[Learn more »](#) (/segments/free-service-incentive)

Success Stories

MexGrocer.com Ships Authentic Mexican Food to Hungry Customers

"These orders used to be a manual, time-consuming process that Endicia Platinum Shipper reduced down to a few simple steps, and accepting PO Box™ addresses into our checkout process opened up additional orders from our website."

Ignacio "Nacho" Hernandez

Co-Founder of MexGrocer.com

[Read More Stories »](#) (/why-us/success-stories)

EXHIBIT D

United States of America
United States Patent and Trademark Office

ISCAN

Reg. No. 4,243,777

Registered Nov. 13, 2012

Int. Cl.: 9

TRADEMARK

SUPPLEMENTAL REGISTER

AVISION INC. (TAIWAN CORPORATION)
SCIENCE-BASED INDUSTRIAL PARK
NO. 20, CREATION RD. 1
HSINCHU, TAIWAN

FOR: COMPUTER SOFTWARE FOR USE WITH DOCUMENT SCANNERS, RECORDED ON COMPUTER MEDIA; COMPUTER PROGRAMS FOR DRIVING DOCUMENT SCANNERS; COMPUTER PROGRAMS FOR EDITING IMAGES; COMPUTER PROGRAMS FOR USE WITH DOCUMENT SCANNERS TO AUTOMATICALLY SCAN OBJECTS AND EDIT SCANNED IMAGES; COMPUTER PROGRAMS FOR USE WITH DOCUMENT SCANNERS TO AUTOMATICALLY SCAN OBJECTS AND EDIT AND STORE SCANNED IMAGES; COMPUTER PROGRAMS FOR USE WITH DOCUMENT SCANNERS TO AUTOMATICALLY SCAN OBJECTS, EDIT, STORE AND TRANSMIT SCANNED IMAGES; COMPUTER PROGRAMS FOR ACCESSING SERVERS AND TRANSMITTING DATA OVER NETWORKS; COMPUTER PROGRAMS FOR USE WITH DOCUMENT SCANNERS FOR AUTOMATICALLY OPENING SCANNED IMAGE FILES IN OTHER APPLICATION PROGRAMS; MULTI-FUNCTION PRINTERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-24-2012; IN COMMERCE 6-24-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-438,741, FILED P.R. 10-4-2011; AM. S.R. 10-9-2012.

LINDSEY RUBIN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,566,557

Registered May 7, 2002

**TRADEMARK
PRINCIPAL REGISTER**

IMANAGE

IMANAGE, INC. (DELAWARE CORPORATION)
2121 SOUTH EL CAMINO REAL, SUITE 400
SAN MATEO, CA 94403

FOR: COMPUTER SOFTWARE FOR MANAGING
DOCUMENTS, AUDIO, VIDEO, EMAIL, TEXT,
DATA, GRAPHICS AND FACSIMILES FOR APPLI-
CATION WITHIN DOCUMENT MANAGEMENT,
KNOWLEDGE MANAGEMENT AND BUSINESS-
TO-BUSINESS INFORMATION APPLICATIONS

VIA LOCAL, WIDE AREA AND GLOBAL NET-
WORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-0-1995; IN COMMERCE 10-0-1995.

SER. NO. 76-000,311, FILED 3-14-2000.

CHRISTOPHER BUONGIORNO, EXAMINING AT-
TORNEY

United States of America
United States Patent and Trademark Office

iProtector

Reg. No. 4,577,804

Registered July 29, 2014

Int. Cl.: 42

SERVICE MARK

SUPPLEMENTAL REGISTER

RESCUECOM CORPORATION (NEW YORK CORPORATION)
2560 BURNET AVENUE
SYRACUSE, NY 13206

FOR: COMPUTER SECURITY CONSULTANCY IN THE FIELD OF SCANNING AND PENETRATION TESTING OF COMPUTERS AND NETWORKS TO ASSESS INFORMATION SECURITY VULNERABILITY; COMPUTER SERVICES, NAMELY, ON-LINE SCANNING, DETECTING, QUARANTINING AND ELIMINATING OF VIRUSES, WORMS, TROJANS, SPYWARE, ADWARE, MALWARE AND UNAUTHORIZED DATA AND PROGRAMS ON COMPUTERS AND ELECTRONIC DEVICES; COMPUTER VIRUS PROTECTION SERVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 8-8-2013; IN COMMERCE 8-8-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 86-087,686, FILED PR. 10-9-2013; AM. S.R. 6-4-2014.

ANDREW RHIM, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

United States of America
United States Patent and Trademark Office

iVolunteerOnline

Reg. No. 4,571,768

Registered July 22, 2014

Int. Cl.: 42

SERVICE MARK

PRINCIPAL REGISTER

79WARE LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 209
319 CAMPBELL AVENUE SW
ROANOKE, VA 24016

FOR: SOFTWARE AS A SERVICE (SAAS) SERVICES FEATURING SOFTWARE FOR CO-ORDINATION, REGISTRATION AND MANAGEMENT IN THE FIELD OF VOLUNTEERISM, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 0-0-2011; IN COMMERCE 0-0-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 86-144,265, FILED 12-16-2013.

TIMOTHY FINNEGAN, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

iVolunteer

Reg. No. 3,937,050

Registered Mar. 29, 2011

Int. Cl.: 45

SERVICE MARK

PRINCIPAL REGISTER

IVOLUNTEER INC. (DELAWARE CORPORATION)
137 LARCHMONT BLVD, SUITE 412
LOS ANGELES, CA 90004

FOR: INTERNET-BASED SOCIAL NETWORKING SERVICES RELATED TO VOLUNTEERISM AND COMMUNITY SERVICE, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-036,154, FILED 5-12-2010.

TOBY BULLOFF, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

ISHOP GREEN

Reg. No. 4,223,507

Registered Oct. 9, 2012

Int. Cl.: 9

TRADEMARK

SUPPLEMENTAL REGISTER

UNIVERSAL CITY STUDIOS LLC (DELAWARE LIMITED LIABILITY COMPANY)
100 UNIVERSAL CITY PLAZA
UNIVERSAL CITY, CA 91608

FOR: COMPUTER APPLICATION SOFTWARE FOR MOBILE PHONES AND MOBILE DEVICES, NAMELY, SOFTWARE FOR SEARCHING, COMPILING, AND ORGANIZING INFORMATION RELATED TO FINDING ENVIRONMENTALLY-CONSCIOUS PRODUCTS; SHORCUT SOFTWARE APPLICATION FOR MOBILE, PORTABLE AND HANDHELD ELECTRONIC DEVICES RELATED TO FINDING ENVIRONMENTALLY-CONSCIOUS PRODUCTS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 4-0-2011; IN COMMERCE 4-0-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GREEN", APART FROM THE MARK AS SHOWN.

SER. NO. 85-488,845, FILED PR. 12-6-2011; AM. S.R. 8-29-2012.

RAUL CORDOVA, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 2,940,523

Registered Apr. 12, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

iMANAGE INTERNET BANKING

MIDFIRST BANK (OKLAHOMA CORPORATION)
501 NORTHWEST GRAND BOULEVARD
OKLAHOMA CITY, OK 73118

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "INTERNET BANKING", APART
FROM THE MARK AS SHOWN.

FOR: INTERNET BANKING SERVICES, IN
CLASS 36 (U.S. CLS. 100, 101 AND 102).

SN 76-459,970, FILED 10-15-2002.

FIRST USE 8-13-2004; IN COMMERCE 8-13-2004.

WANDA KAY PRICE, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,948,506

Registered May 10, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

ICONSENT

HX TECHNOLOGIES INC. (DELAWARE CORPORATION)
9 HAWTHORNE AVENUE
MORRIS PLAINS, NJ 07950

FOR: PROVIDING TEMPORARY USE OF A NON-DOWNLOADABLE ONLINE SOFTWARE PLATFORM FOR DIGITALLY OBTAINING AUTHORIZATION AND/OR CONSENT FROM PATIENTS IN THE CONTEXT OF MEDICAL RECORDS AND PROCEDURES AND PROVIDING PATIENT AUTHORIZATION AND/OR CONSENT INFORMA-

TION TO INDIVIDUALS AND/OR ORGANIZATIONS OVER A GLOBAL INFORMATION NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-2003; IN COMMERCE 11-30-2003.

SN 76-223,010, FILED 3-12-2001.

BARBARA BROWN, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,970,867

United States Patent and Trademark Office

Registered July 19, 2005

**TRADEMARK
PRINCIPAL REGISTER**

IRADIO

MOTOROLA, INC. (DELAWARE CORPORATION)
1303 EAST ALGONQUIN ROAD
SCHAUMBURG, IL 60196

FOR: COMPUTER PROGRAMS FOR USE IN CONNECTION WITH RADIO RECEIVERS AND TRANSMITTERS TO ENABLE THE TRANSMISSION, RECEPTION AND SELECTION OF VARIOUS MODES OF INFORMATION AND ENTERTAINMENT COMMUNICATIONS, AND INTEGRATED CIRCUITS WITH EMBEDDED RADIO COMMUNICATION TECHNOLOGY ARCHITECTURE; RADIO RECEIVERS, RADIO TRANSMITTERS AND RADIO TRANSCEIVERS ALL FOR USE IN PROVIDING

ACCESS TO RADIO COMMUNICATIONS, AUDIO RADIO BROADCAST SIGNALS AND GLOBAL COMPUTER NETWORK ACCESS AND ALL FOR USE IN IN-DASH UNITS; MANUALS AND SPECIFICATIONS DISTRIBUTED WITH THE FOREGOING GOODS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-4-2005; IN COMMERCE 1-4-2005.

SN 75-780,641, FILED 8-19-1999.

DEZMONA MIZELLE, EXAMINING ATTORNEY

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,993,227

Registered Sep. 6, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

ITUNES MUSIC STORE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: PROVIDING ON-LINE FACILITIES, VIA A GLOBAL COMPUTER NETWORK, TO ENABLE USERS TO PROGRAM AUDIO, VIDEO, TEXT AND OTHER MULTIMEDIA CONTENT, INCLUDING MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PROGRAMS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

FOR: PROVIDING SEARCH ENGINES FOR OBTAINING DATA VIA COMMUNICATIONS NETWORKS; PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO ENABLE USERS TO PROGRAM AUDIO, VIDEO, TEXT AND OTHER MULTIMEDIA CONTENT, INCLUDING MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PRO-

GRAMS; INTERNET SERVICES, NAMELY, CREATING INDEXES OF INFORMATION, SITES AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS FOR OTHERS; SEARCHING, BROWSING AND RETRIEVING INFORMATION, SITES, AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS FOR OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPNTY TM OFC APPLICATION NO. 3134641, FILED 4-16-2003, DATED 0-0-0000.

OWNER OF U.S. REG. NO. 2,653,465.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MUSIC STORE", APART FROM THE MARK AS SHOWN.

SN 78-314,800, FILED 10-16-2003.

DOMINIC J. FERRAIUOLO, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 3,086,721

Registered Apr. 25, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

iEntertain

BUTSCHER, JEFFREY (UNITED STATES INDIVIDUAL)
P.O. BOX 2345
MANHATTAN BEACH, CA 90267

FOR: BUSINESS SERVICES, NAMELY PROVIDING ON-LINE COMPUTER DATABASE SO THAT PEOPLE WITHIN THE ENTERTAINMENT COMMUNITY CAN MARKET THEMSELVES AND THEIR SERVICES ON-LINE TO OTHERS WITHIN THE SAME COMMUNITY, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-7-2005; IN COMMERCE 2-7-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-547,928, FILED 1-14-2005.

DANIEL BRODY, EXAMINING ATTORNEY