

From: Johnson, Don

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Subject: U.S. TRADEMARK APPLICATION NO. 86135128 - COYOTES ICE SPORTS - 29098-016 - Request for
Reconsideration Denied - Return to TTAB

Attachment Information:

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Files: 86135128.doc

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

U.S. APPLICATION SERIAL NO. 86135128

MARK: COYOTES ICE SPORTS



CORRESPONDENT ADDRESS:

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GENERAL TRADEMARK INFORMATION:

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

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APPLICANT: Coyotes Ice, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO:

29098-016

CORRESPONDENT E-MAIL ADDRESS:

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REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 5/18/2015

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). Although applicant argued against the specimen refusal, which was based on the mark on

the specimen materially differing from the mark on the drawing, the specimen refusal issue is moot because applicant amended the filing basis of the application to Section 1(b), intent to use.

The following refusal made final in the Office action dated October 16, 2014, is maintained and continues to be final: Trademark Act Section 2(d) Refusal (Likelihood of Confusion). *See* TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issues, nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue 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).

/Donald Johnson/

Examining Attorney

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