

## Request for Reconsideration after Final Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	86214525
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 106
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/86214525/large
<b>LITERAL ELEMENT</b>	LINUX
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>GOODS AND/OR SERVICES SECTION (037)(current)</b>	
<b>INTERNATIONAL CLASS</b>	037
<b>DESCRIPTION</b>	Aircraft maintenance and repair services
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 01/12/2015
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 01/12/2015
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (037)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	037
<b>DESCRIPTION</b>	Aircraft maintenance and repair services
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 01/12/2015
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 01/12/2015
<b>STATEMENT TYPE</b>	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"[for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPU0-20915515266-20160720151940008375 . LINUX Screenshots and partial transcription.PDF</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\862\145\86214525\xml22\RFR0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\862\145\86214525\xml22\RFR0003.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	Screenshots and partial transcription of advertising video, which will follow via email, showing the mark as used in connection with the services.
<b>GOODS AND/OR SERVICES SECTION (042)(current)</b>	

INTERNATIONAL CLASS	042
DESCRIPTION	Diagnostic services in the field of aircraft
FIRST USE ANYWHERE DATE	At least as early as 01/12/2015
FIRST USE IN COMMERCE DATE	At least as early as 01/12/2015
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (042)(proposed)</b>	
INTERNATIONAL CLASS	042
DESCRIPTION	Diagnostic services in the field of aircraft
FIRST USE ANYWHERE DATE	At least as early as 01/12/2015
FIRST USE IN COMMERCE DATE	At least as early as 01/12/2015
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPUI-20915515266-20160720151940008375 . LINUX Screenshots and partial transcription.PDF</a>
CONVERTED PDF FILE(S) (2 pages)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\862\145\86214525\xml22\RFR0004.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\862\145\86214525\xml22\RFR0005.JPG</a>
SPECIMEN DESCRIPTION	Screenshots and partial transcription of advertising video, which will follow via email, showing the mark as used in connection with the services.
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/Joseph M. Lafata/
SIGNATORY'S NAME	Joseph M. Lafata
SIGNATORY'S POSITION	Attorney of Record, Michigan Bar Member
SIGNATORY'S PHONE NUMBER	248-641-1600
DATE SIGNED	07/20/2016
RESPONSE SIGNATURE	/Joseph M. Lafata/
SIGNATORY'S NAME	Joseph M. Lafata
SIGNATORY'S POSITION	Attorney of Record, State Bar of Michigan
SIGNATORY'S PHONE NUMBER	248-641-1600
DATE SIGNED	07/20/2016
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Wed Jul 20 19:15:50 EDT 2016
	USPTO/RFR-XXX.XXX.XXX.XX-

TEAS STAMP

20160720191550805696-8621  
4525-550df45877daeca8c792  
7b4ad7d80f4fbc75344330492  
0d098be2f59bd7419d-N/A-N/  
A-20160720190453727734

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. **86214525** LINXUS(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86214525/large>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

##### Applicant proposes to amend the following class of goods/services in the application:

**Current:** Class 037 for Aircraft maintenance and repair services

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

In International Class 037, the mark was first used at least as early as 01/12/2015 and first used in commerce at least as early as 01/12/2015 .

**Proposed:** Class 037 for Aircraft maintenance and repair services

Deleted Filing Basis: 1(b)

In International Class 037, the mark was first used at least as early as 01/12/2015 . and first used in commerce at least as early as 01/12/2015 .

Applicant hereby submits one(or more) specimen(s) for Class 037 . The specimen(s) submitted consists of Screenshots and partial transcription of advertising video, which will follow via email, showing the mark as used in connection with the services. .

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** [for an application based on Section 1(a), Use in Commerce] **OR** **"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. **OR** **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen].

**Original PDF file:**

[SPU0-20915515266-20160720151940008375 . LINXUS Screenshots and partial transcription.PDF](#)

**Converted PDF file(s)** ( 2 pages)

[Specimen File1](#)

[Specimen File2](#)

##### Applicant proposes to amend the following class of goods/services in the application:

**Current:** Class 042 for Diagnostic services in the field of aircraft

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a

bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

In International Class 042, the mark was first used at least as early as 01/12/2015 and first used in commerce at least as early as 01/12/2015 .

**Proposed:** Class 042 for Diagnostic services in the field of aircraft

Deleted Filing Basis: 1(b)

In International Class 042, the mark was first used at least as early as 01/12/2015 . and first used in commerce at least as early as 01/12/2015 .

Applicant hereby submits one(or more) specimen(s) for Class 042 . The specimen(s) submitted consists of Screenshots and partial transcription of advertising video, which will follow via email, showing the mark as used in connection with the services. .

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** [for an application based on Section 1(a), Use in Commerce] **OR** **"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. **OR** **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen].

**Original PDF file:**

[SPUI-20915515266-20160720151940008375 . LINUX Screenshots and partial transcription.PDF](#)

**Converted PDF file(s)** ( 2 pages)

[Specimen File1](#)

[Specimen File2](#)

**SIGNATURE(S)**

**Declaration Signature**

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

**STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU:** If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; **for a collective trademark, collective service mark, collective membership mark application, or certification mark application**, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; **for a certification mark application**, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

**STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a)**

**COLLECTIVE/CERTIFICATION MARK APPLICATION:** If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: **for a trademark or service mark application**, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; **for a collective trademark, collective service mark, collective membership mark, or certification mark application**, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; **for a certification mark application**, the applicant will

not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /Joseph M. Lafata/ Date: 07/20/2016  
Signatory's Name: Joseph M. Lafata  
Signatory's Position: Attorney of Record, Michigan Bar Member  
Signatory's Phone Number: 248-641-1600

**Request for Reconsideration Signature**

Signature: /Joseph M. Lafata/ Date: 07/20/2016  
Signatory's Name: Joseph M. Lafata  
Signatory's Position: Attorney of Record, State Bar of Michigan  
Signatory's Phone Number: 248-641-1600

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 filing a Notice of Appeal in conjunction with this Request for Reconsideration.

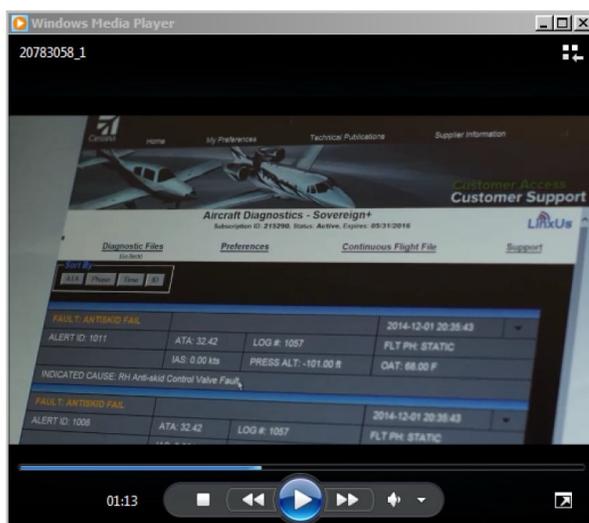
Serial Number: 86214525  
Internet Transmission Date: Wed Jul 20 19:15:50 EDT 2016  
TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.XX-201607201915508  
05696-86214525-550df45877daeca8c7927b4ad  
7d80f4fbc753443304920d098be2f59bd7419d-N  
/A-N/A-20160720190453727734

Applicant is submitting a 10 minute advertisement video as a specimen for the mark "LINUX" via email to [TEAS@uspto.gov](mailto:TEAS@uspto.gov). Attached are some screen shots of the video with a short transcript of some of the pertinent parts of the video.

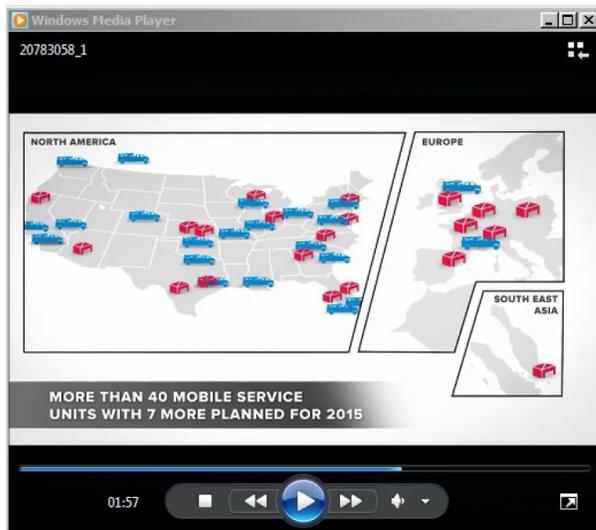
Our proprietary software continually monitors the health of your aircraft in flight. The Central and Diagnostic Maintenance System (CDMS) logs real time data of the aircraft systems and components. And it's all viewable on the cockpit display. Past messages, fault history, engine trend data and more. Helping technicians anticipate future issues as well as pinpoint current ones, all isolated to the root cause, dramatically reducing troubleshooting and downtime. When coupled with Textron Aviation's LINUX subscription service, your aircraft's onboard tools become even more powerful.



From the LINUX website, you can easily track historical data, see faults and review alerts. Plus, trend data automatically forwards to your trending company. When LINUX sees an issue, the system alerts whomever you designate, such as your maintenance director. It also sends details to Textron Aviation's product support experts. If you have an iridium satellite system on board, LINUX sends the alerts to the servers on the ground when you are en route. Or, it all happens automatically and wirelessly when you are within range of a favorite wi-fi hotspot. With such advance notice, many times a solution can be put in play before you even land.



Textron Aviation owns and operates 21 service centers around the world filled with experts ready to provide a swift solution. Textron Aviation's more than 40 mobile service units worldwide are available day and night.



Onboard tools coupled with LINUXUS monitor and alert you about the health of your aircraft in real time. Our extensive distribution network rushes parts to wherever you are. Our company owned service centers and mobile service units respond day and night. It's an entire ecosystem dedicated to diagnosing, troubleshooting, and solving every issue, every time. Your world runs at lightning speed. So do we.



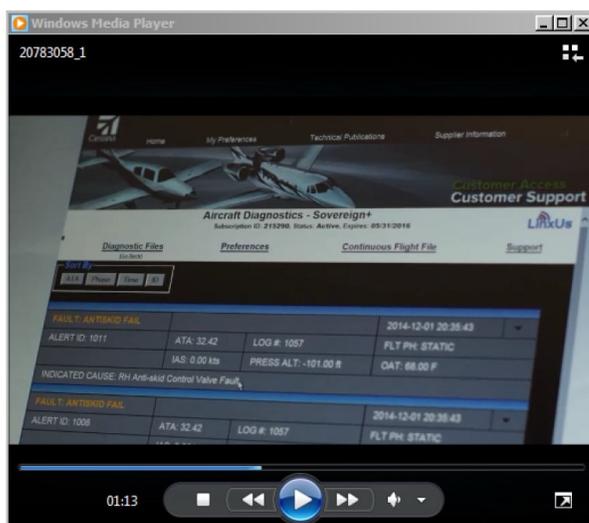
20785535.1

Applicant is submitting a 10 minute advertisement video as a specimen for the mark "LINUX" via email to [TEAS@uspto.gov](mailto:TEAS@uspto.gov). Attached are some screen shots of the video with a short transcript of some of the pertinent parts of the video.

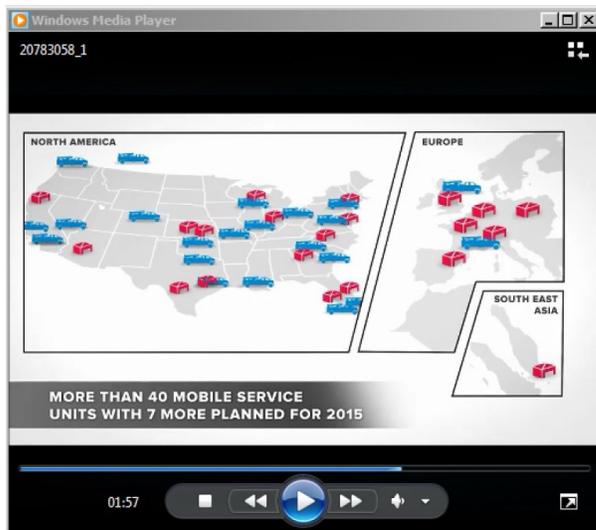
Our proprietary software continually monitors the health of your aircraft in flight. The Central and Diagnostic Maintenance System (CDMS) logs real time data of the aircraft systems and components. And it's all viewable on the cockpit display. Past messages, fault history, engine trend data and more. Helping technicians anticipate future issues as well as pinpoint current ones, all isolated to the root cause, dramatically reducing troubleshooting and downtime. When coupled with Textron Aviation's LINUX subscription service, your aircraft's onboard tools become even more powerful.



From the LINUX website, you can easily track historical data, see faults and review alerts. Plus, trend data automatically forwards to your trending company. When LINUX sees an issue, the system alerts whomever you designate, such as your maintenance director. It also sends details to Textron Aviation's product support experts. If you have an iridium satellite system on board, LINUX sends the alerts to the servers on the ground when you are en route. Or, it all happens automatically and wirelessly when you are within range of a favorite wi-fi hotspot. With such advance notice, many times a solution can be put in play before you even land.



Textron Aviation owns and operates 21 service centers around the world filled with experts ready to provide a swift solution. Textron Aviation's more than 40 mobile service units worldwide are available day and night.



Onboard tools coupled with LINXUS monitor and alert you about the health of your aircraft in real time. Our extensive distribution network rushes parts to wherever you are. Our company owned service centers and mobile service units respond day and night. It's an entire ecosystem dedicated to diagnosing, troubleshooting, and solving every issue, every time. Your world runs at lightning speed. So do we.



20785535.1