

ESTTA Tracking number: **ESTTA717660**

Filing date: **12/30/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	86230383
Applicant	Unistrut International Corporation
Applied for Mark	U
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Submission	Applicants Request for Remand and Amendment
Attachments	Request for Remand.pdf(124608 bytes)
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Signature	/Michael E. Hall/
Date	12/30/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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)	
)	Application No.: 86/230,383
<i>In re Unistrut International Corporation</i>)	Mark: 
)	Examining Attorney: April Roach
)	
)	
Attorney Reference: 1532TUN04168		

APPLICANT’S REQUEST FOR REMAND

Pursuant to Sections 1205.01 and 1209.04 of the *Trademark Trial and Appeal Board Manual of Procedure*, Applicant respectfully requests that the Board remand the application to the Examining Attorney for consideration of the amendment attached to this request.

“Good cause [for remand] will generally be found, for example, when the amendment is an attempt to comply with a requirement, such as an amendment to the identification of goods or services in response to a requirement for an acceptable identification . . .” T.B.M.P. § 1205.01. In the present case, the only issue on appeal is the acceptability of certain portions of Applicant’s identification of goods. With her appeal brief, filed on December 4, 2015, the Examining withdrew approximately half of her objections. Specifically, below is Applicant’s complete identification of goods as it stands now, with the wording in **red** denoting the language to which the Examining Attorney continued to object in her appeal brief, and the wording in **blue** denoting the language to which the Examining Attorney withdrew her objections:

Class 6

Building and framing accessory and installation components all made of metal, namely, nuts, bolts, screws, washers for use as hardware, studs, hinges, springs for use as hardware, spring clips for use as hardware, pipe couplings, pipe clamps, pipe rollers for use as hardware, pipe hangers, fender hooks for use as hardware, conveyor and trolley rollers for use as hardware, clamps, brackets for use as hardware, tubing clips, and conduit and pipe risers; **structural building and framing products, namely, rolled and extruded metal sections; sectional metallic building units and couplings, fittings, and connections therefor, adapted to serve as framing and supporting members for temporary and permanent construction of buildings and other structures; metal electrical and electronic installation products and accessory components, namely, cable trays and supports, conduits, bus duct and bus bar supports, cable saddles and supports, bus bar clamps, bus duct connectors, and wiring stud nuts**

Class 9

Electrical and electronic installation products and accessory components, namely, raceways, switch plates, outlets and outlet plates, conduit connection fittings and connectors, outlet box connection fittings, fibre wire retainers in the nature of reels for electrical wire, relay racks for mounting electrical equipment; **printed circuit card guide assemblies including framing members, brackets, rubber-phenolic guide elements, or resin or plastic guide elements and insert elements; electricity distribution console assemblies primarily comprised of adjustable framing members adapted to installation of electronic equipment facing members; electrical substation assemblies primarily comprised of adjustable framing members, brackets, and fittings adapted for mounting of electrical insulators**

Class 11

Electrical and electronic installation products and accessory components, namely, fittings for fluorescent lighting fixtures

Class 17

Building and framing accessory and installation components, namely, rubber washers **and plastic conduits**

Class 19

Non-metal structural building and framing products, and accessory components therefor, namely, **trolley and conveyor assemblies and parts, end caps and closure strips for channel and tubing members, shelf brackets, beam clamps, concrete inserts, partition and display fittings and moldings, ducts, and door jambs; non-metal building and framing accessory and installation components, namely, nuts, bolts, screws, studs, hinges, springs for use as hardware, spring clips for use as hardware, pipe couplings, pipe clamps, pipe rollers for use as hardware, pipe hangers, fender hooks for use as hardware, conveyor and trolley rollers for use as hardware, clamps,**

brackets for use as hardware, tubing clips, and conduit and pipe risers

Given the Examining Attorney's change in position, it now appears more likely that the Examining Attorney and Applicant can come to an agreement regarding the identification of goods. Accordingly, Applicant now attaches an amendment that contains changes to the wording shown above in red. If the Examining Attorney accepts these changes, the appeal would be rendered moot. Because this amendment is a good-faith attempt to resolve the only outstanding issue, Applicant respectfully submits that good cause exists for this remand, and requests that it be granted.

Respectfully submitted,

Date: December 30, 2015

/Michael E. Hall/

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Applicant's Attorney



Mark:

Applicant: Unistrut International Corporation

Serial No.: 86230383

Attorney Ref.: 1532TUN04168

Proposed Amendment to Applicant's Identification of Goods

Applicant respectfully requests to amend the goods in this application to the following:

Class 6

Building and framing accessory and installation components all made of metal, namely, nuts, bolts, screws, washers for use as hardware, studs, hinges, springs for use as hardware, spring clips for use as hardware, pipe couplings, pipe clamps, pipe rollers for use as hardware, pipe hangers, fender hooks for use as hardware, conveyor and trolley rollers for use as hardware, clamps, brackets for use as hardware, tubing clips, and conduit and pipe risers; strut-type structural building and framing products, namely, rolled and extruded continuous slot metal channels; sectional metallic building units and couplings, fittings, and connections therefor, adapted to serve as framing and supporting members for temporary and permanent construction of buildings and other structures; metal electrical and electronic installation products and accessory components, namely, cable trays and supports, conduits, bus duct and bus bar supports, cable saddles and supports, bus bar clamps, bus duct connectors, and wiring stud nuts

Class 9

Electrical and electronic installation products and accessory components, namely, raceways, switch plates, outlets and outlet plates, conduit connection fittings and connectors, outlet box connection fittings, fibre wire retainers in the nature of reels for electrical wire, relay racks for mounting electrical equipment; supporting elements for electricity distribution console assemblies primarily comprised of strut-type adjustable framing members adapted to installation of electronic equipment facing members; supporting elements for electrical substation assemblies primarily comprised of strut-type adjustable framing members, brackets, and fittings adapted for mounting of electrical insulators

Class 11

Electrical and electronic installation products and accessory components, namely, fittings for fluorescent lighting fixtures

Class 17

Building and framing accessory and installation components, namely, rubber washers

Class 19

Non-metal structural building and framing products for use with a strut-type framing system, and accessory components therefor, namely, trolley and conveyor assemblies and parts, end caps and closure strips for channel and tubing members, shelf brackets, beam clamps, concrete inserts, partition and display fittings and moldings, ducts, and door jambs, all of the foregoing sold as a system; non-metal building and framing accessory and installation components for use with a strut-type framing system, namely, nuts, bolts, screws, studs, hinges, springs for use as hardware, spring clips for use as hardware, pipe couplings, pipe clamps, pipe rollers for use as hardware, pipe hangers, fender hooks for use as hardware, conveyor and trolley rollers for use as hardware, clamps, brackets for use as hardware, tubing clips, and conduit and pipe risers, all of the foregoing sold as a system

Respectfully submitted,

Date: December 30, 2015

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