

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86322688
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/86322688/large
LITERAL ELEMENT	I WILL VOTE
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the words "I WILL" in stylized lettering inside a small parallelogram with one curved side followed by the word "VOTE" in stylized lettering with the letter "V" representing a check mark. The color gray in the background of the mark depicts a transparent background and is not claimed as part of the mark.
ARGUMENT(S)	
Please see Argument text attached within Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_6616212990-20160607154929442078 . Final Office Action Response - I WILL VOTE b w Class 35.PDF
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\863\226\86322688\xml10\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\226\86322688\xml10\RFR0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\226\86322688\xml10\RFR0004.JPG
DESCRIPTION OF EVIDENCE FILE	Evidence in the nature of Applicant's Response has been attached.
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature of information online about political issues, elections and voting registration requirements; voter registration services, namely, providing on-line voter registration forms services	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/05/2014
FIRST USE IN COMMERCE DATE	At least as early as 06/05/2014
GOODS AND/OR SERVICES SECTION (035)(proposed)	

INTERNATIONAL CLASS	035
TRACKED TEXT DESCRIPTION	
Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature of information online about political issues, elections and voting registration requirements; voter registration services, namely, providing on-line voter registration forms services; voter registration services, namely, providing on-line voter registration services	
FINAL DESCRIPTION	
Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature of information online about political issues, elections and voting registration requirements; voter registration services, namely, providing on-line voter registration services	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/05/2014
FIRST USE IN COMMERCE DATE	At least as early as 06/05/2014
GOODS AND/OR SERVICES SECTION (042)(class added)	
INTERNATIONAL CLASS	042
DESCRIPTION	
Providing a web site featuring technology that enables users to complete voter registration forms on-line	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/05/2014
FIRST USE IN COMMERCE DATE	At least as early as 06/05/2014
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	SPN0-6616212990-20160607154929442078 . Specimen Web pgs - I WILL VOTE Logo Class 42 - 86279932.PDF
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\863\226\86322688\xml10\RFR0005.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\226\86322688\xml10\RFR0006.JPG
SPECIMEN DESCRIPTION	screenshot of Applicant's website advertising its services in connection with its mark
ADDITIONAL STATEMENTS SECTION	
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the words "I WILL" in stylized lettering inside a small parallelogram with one curved side followed by the word "VOTE" in stylized lettering with the letter "V" representing a check mark. The rectangular background to the mark is for purposes of displaying the mark and is not claimed as a feature of the mark.
CORRESPONDENCE SECTION	
	JAMES L. VANA PERKINS COIE LLP 1201 3RD AVE STE 4900

ORIGINAL ADDRESS	SEATTLE Washington US 98101-3099
NEW CORRESPONDENCE SECTION	
NAME	JAMES L. VANA
FIRM NAME	PERKINS COIE LLP
DOCKET/REFERENCE NUMBER	024216-4000
STREET	1201 3RD AVE STE 4900
CITY	SEATTLE
STATE	Washington
ZIP/POSTAL CODE	98101-3099
COUNTRY	United States
PHONE	206-359-8000
FAX	206-359-9000
EMAIL	pctrademarks@perkinscoie.com
AUTHORIZED EMAIL COMMUNICATION	Yes
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	/John P. Halski/
SIGNATORY'S NAME	John P. Halski
SIGNATORY'S POSITION	Attorney of record, Washington state bar member
SIGNATORY'S PHONE NUMBER	(206) 359-8000
DATE SIGNED	06/07/2016
RESPONSE SIGNATURE	/John P. Halski/
SIGNATORY'S NAME	John P. Halski
SIGNATORY'S POSITION	Attorney of Record, Washington State bar member
SIGNATORY'S PHONE NUMBER	206-359-8000
DATE SIGNED	06/07/2016
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Jun 07 16:53:30 EDT 2016
TEAS STAMP	USPTO/FR-XX.XXX.XXX.XX-2 0160607165330799460-86322 688-550c73b573101a18498bf 1efbe81a02f986fb19b4ae341

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. **86322688** I WILL VOTE (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86322688/large>) has been amended as follows:

ARGUMENT(S)

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

Please see Argument text attached within Evidence section.

EVIDENCE

Evidence in the nature of Evidence in the nature of Applicant's Response has been attached. has been attached.

Original PDF file:

[evi_6616212990-20160607154929442078_-_Final_Office_Action_Response_-_I_WILL_VOTE_b_w_Class_35.PDF](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 035 for Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature of information online about political issues, elections and voting registration requirements; voter registration services, namely, providing on-line voter registration forms services

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: For all applications: The mark is in use in commerce and was in use in commerce as of the application filing date. The provided specimen shows the mark in use in commerce (see specimen statement below). **For a collective trademark, collective service mark, collective membership mark, 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 application filing date. **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. The mark was first used at least as early as 06/05/2014 and first used in commerce at least as early as 06/05/2014 , and is now in use in such commerce.

Proposed:

Tracked Text Description: Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature of information online about political issues, elections and voting registration requirements; ~~voter registration services, namely, providing on-line voter registration forms services;~~ [voter registration services, namely, providing on-line voter registration services](#)

Class 035 for Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature of information online about political issues, elections and voting registration requirements; voter registration services, namely, providing on-line voter registration services

Filing Basis: Section 1(a), Use in Commerce:For all applications: The mark is in use in commerce and was in use in commerce as of the application filing date. The provided specimen shows the mark in use in commerce (see specimen statement below). **For a collective trademark, collective service mark, collective membership mark, 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 application filing date. **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. The mark was first used at least as early as 06/05/2014 and first used in commerce at least as early as 06/05/2014 , and is now in use in such commerce.

Applicant hereby adds the following class of goods/services to the application:

New: Class 042 for Providing a web site featuring technology that enables users to complete voter registration forms on-line

Filing Basis: Section 1(a), Use in Commerce: For all applications: The mark is in use in commerce and was in use in commerce as of the application filing date. The provided specimen shows the mark in use in commerce (see specimen statement below). **For a collective trademark, collective service mark, collective membership mark, 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 application filing date. **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. The mark was first used at least as early as 06/05/2014 and first used in commerce at least as early as 06/05/2014 , and is now in use in such commerce.

Applicant hereby submits a specimen for Class 042 . The specimen(s) submitted consists of screenshot of Applicant's website advertising its services in connection with its mark .

"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:

[SPN0-6616212990-20160607154929442078 . Specimen Web pgs - I WILL VOTE Logo Class 42 - 86279932.PDF](#)

Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current:

JAMES L. VANA
PERKINS COIE LLP
1201 3RD AVE STE 4900
SEATTLE
Washington
US
98101-3099

Proposed:

JAMES L. VANA of PERKINS COIE LLP, having an address of
1201 3RD AVE STE 4900 SEATTLE, Washington 98101-3099

United States
pctrademarks@perkinscoie.com

206-359-8000

206-359-9000

The docket/reference number is 024216-4000 .

ADDITIONAL STATEMENTS

Description of mark

The mark consists of the words "I WILL" in stylized lettering inside a small parallelogram with one curved side followed by the word "VOTE" in stylized lettering with the letter "V" representing a check mark. The rectangular background to the mark is for purposes of displaying the mark and is not claimed as a feature of the mark.

FEE(S)

Fee(s) in the amount of \$325 is being submitted.

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: /John P. Halski/ Date: 06/07/2016
Signatory's Name: John P. Halski
Signatory's Position: Attorney of record, Washington state bar member
Signatory's Phone Number: (206) 359-8000

Request for Reconsideration Signature

Signature: /John P. Halski/ Date: 06/07/2016
Signatory's Name: John P. Halski
Signatory's Position: Attorney of Record, Washington State bar member

Signatory's Phone Number: 206-359-8000

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: JAMES L. VANA

PERKINS COIE LLP
1201 3RD AVE STE 4900
SEATTLE, Washington 98101-3099

RAM Sale Number: 86322688
RAM Accounting Date: 06/08/2016

Serial Number: 86322688
Internet Transmission Date: Tue Jun 07 16:53:30 EDT 2016
TEAS Stamp: USPTO/RFR-XX.XXX.XXX.XX-2016060716533079
9460-86322688-550c73b573101a18498bf1efbe
81a02f986fb19b4ae3418f3d4eec0e48da2f9-CC
-3519-20160607154929442078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DNC Services Corporation
Serial No.: 86/322,688
Mark: I WILL VOTE & Design
Class: 35
Office Action Date: December 7, 2015
Examining Attorney: Paul C. Crowley (L.O.
112)

**REQUEST FOR
RECONSIDERATION OF
FINAL DECISION**

The following is submitted in support of a Request for Reconsideration of a Final Office Action issued on December 7, 2015 (the “Final Office Action”), concerning the application (the “Application”) in the name of DNC Services Corporation (“Applicant”) to register the mark I WILL VOTE & Design (the “Mark”) in Class 35. In order to further preserve its rights, Applicant has contemporaneously filed a Notice of Appeal with the Trademark Trial and Appeals Board (“TTAB”) with the filing of this response.

I. AMENDMENTS

A. Amendment to Services

The Examining Attorney has requested clarification of the description “voter registration services, namely, providing on-line voter registration forms services” on the basis that the description is allegedly too broad and references services that may be in multiple international classes. In response, Applicant amends the description of services as follows (added language shown underlined and language removed shown ~~stricken out~~):

Class 35: Providing a website featuring information for voters, namely, voter registration information, polling locations, voting requirements and general voting information in the nature

of information online about political issues, elections and voting registration requirements; voter registration services, namely, providing on-line voter registration ~~forms~~ services

Class 42: Providing a web site featuring technology that enables users to complete voter registration forms on-line

Applicant believes that the amendments above should be acceptable because they clarify the original identification, do not expand or add different services to the original identification, and conform in large part to the Examining Attorney's suggestions. 37 C.F.R. § 2.71(a); TMEP § 1402.06. Together with these amendments, Applicant further submits the requisite filing fee for the additional class, the dates of first use anywhere and in commerce, and a specimen of use for the services in Class 42. The specimen was in use in commerce on or in connection with the services listed in the application at least as early as the filing date of the application.

B. Amendment to Description of the Mark

The Examining Attorney has requested that Applicant amend the description of the Mark to describe all significant aspects of the applied-for mark. Accordingly, Applicant amends the description of the Mark as follows, in conformance with the Examining Attorney's suggestion (added language shown underlined and language removed shown ~~stricken out~~):

The mark consists of the words "I WILL" in stylized lettering inside a small parallelogram with one curved side followed by the word "VOTE" in stylized lettering with the letter "V" representing a check mark. The rectangular background to color gray in the background of the mark is for purposes of displaying the mark ~~depicts a transparent background~~ and is not claimed as a feature part of the mark.

Applicant believes that the amendment above should be acceptable because the description of the Mark is accurate and concise. 37 C.F.R. § 2.73; TMEP § 808.02; 807.07.

II. CONCLUSION

Based upon the foregoing, Applicant submits that it has addressed each of the issues raised in the Final Office Action and respectfully requests that the Examining Attorney approve

the Application for publication. If there are any remaining concerns with respect to this application, please contact the Attorney of Record.



[REGISTER TO VOTE](#) [STATE GUIDELINES](#)

I WILL VOTE

We're here to make voting as easy for you as possible. The rules of who can vote, when you can vote, and what you need to bring with you to vote can be complicated and are often changing. We created this site to provide clear answers to these questions – so that nothing will stop you from exercising your right to vote.

Use I Will Vote to register to vote in your state, look up your polling locations, remind you of what ID you need to bring with you to the polls, determine which voting days are most convenient for you and your family, and more.

LOOK UP YOUR STATE TODAY!

Select a state

WHY I WILL VOTE

Elections matter. In America, we solve problems with more democracy, not less.

We created this site because we want to make it easier for every voice to be heard – including yours.

We want to know – why will you vote? Tweet us at #iwillvote

HOW I WILL VOTE

In order to successfully vote, you need to know the rules of the road. The requirements for voting vary from state to state – so make sure you read your [state's guidelines](#) section so that you know what it takes to vote.

WHAT YOU'LL NEED TO GET STARTED

You're going to need to share some basic information about yourself (like your name and where you live). You may also need a printer, some stamps and an envelope, so that you can mail your completed voter registration application to the appropriate state office.

[Terms of use](#) | [Privacy policy](#)

Paid for by the Democratic National Committee

 (202) 863-8000 

This communication is not authorized by any candidate or candidate's committee.

RAM SALE NUMBER: 86322688
RAM ACCOUNTING DATE: 20160608

INTERNET TRANSMISSION DATE:
2016/06/07

SERIAL NUMBER:
86/322688

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2016/06/07	325	1	325