

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86386935
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/86386935/large
LITERAL ELEMENT	MOX
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	036
DESCRIPTION	Banking services
FIRST USE ANYWHERE DATE	At least as early as 10/00/2014
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2014
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	036
DESCRIPTION	Banking services
FIRST USE ANYWHERE DATE	At least as early as 10/00/2014
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2014
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)	
JPG FILE(S)	\\TICRS\EXPORT17\IMAGEOUT 17\863\869\86386935\xml1\RFR0003.JPG
ORIGINAL PDF FILE	SPU0-1296126189-20160914230126698227_ . Mox Design Cl. 36.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT17\IMAGEOUT17\863\869\86386935\xml1\RFR0002.JPG
SPECIMEN DESCRIPTION	a brochure
SIGNATURE SECTION	
DECLARATION SIGNATURE	/s/

SIGNATORY'S NAME	Konrad Gatien
SIGNATORY'S POSITION	Attorney of record, California bar member
SIGNATORY'S PHONE NUMBER	3107469810
DATE SIGNED	09/14/2016
RESPONSE SIGNATURE	/s/
SIGNATORY'S NAME	Konrad Gatien
SIGNATORY'S POSITION	Attorney of record, California bar member
SIGNATORY'S PHONE NUMBER	3107469810
DATE SIGNED	09/14/2016
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Sep 14 23:15:13 EDT 2016
TEAS STAMP	USPTO/RFR-XX.XX.XXX.XXX-2 0160914231513344046-86386 935-550861318c06eab5cd7cc eac9364cce3beecdccbf628b 274c90ccdb503b65c777-N/A- N/A-20160914230126698227

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. **86386935** MOX (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86386935/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 036 for Banking 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 036, the mark was first used at least as early as 10/00/2014 and first used in commerce at least as early as 10/00/2014 .

Proposed: Class 036 for Banking services

Deleted Filing Basis: 1(b)

In International Class 036, the mark was first used at least as early as 10/00/2014 . and first used in commerce at least as early as 10/00/2014 .

Applicant hereby submits one(or more) specimen(s) for Class 036 . The specimen(s) submitted consists of a brochure .

"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].

JPG file(s):

[Specimen File1](#)

Original PDF file:

[SPU0-1296126189-20160914230126698227 . Mox Design Cl. 36.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

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: /s/ Date: 09/14/2016

Signatory's Name: Konrad Gatien

Signatory's Position: Attorney of record, California bar member

Signatory's Phone Number: 3107469810

Request for Reconsideration Signature

Signature: /s/ Date: 09/14/2016

Signatory's Name: Konrad Gatien

Signatory's Position: Attorney of record, California bar member

Signatory's Phone Number: 3107469810

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.

Serial Number: 86386935

Internet Transmission Date: Wed Sep 14 23:15:13 EDT 2016

TEAS Stamp: USPTO/RFR-XX.XX.XXX.XXX-2016091423151334

4046-86386935-550861318c06eab5cd7ccec93

64cce3beecdccbf628b274c90ccdb503b65c777

-N/A-N/A-20160914230126698227



Available for smartphones, tablets and desktops supporting your entire institution from consumers to businesses to employees.

SmartApp Features

Malauzai SmartApps provide all of the tools needed to fulfill on the promise of making the mobile channel a revenue-generating opportunity.

Here are just a few of the features available in our SmartApp:

- Account Balances
- Transaction History
- Account-to-Account Transfers
- Remote Check Capture Deposits
- Person to Person Payments (P2P)
- Mobile Account Opening
- Bill Pay, including PicturePay
- Local Rewards/Offer
- Social Media Sharing
- SmartText or TouchID login
- Debit Card Management
- Customizable Security Alerts (stand-alone from Internet Banking)
- Marketing
- Customer/Member Personalization
- Location-Based Branch/ATM Finder



The MOX™ Platform is an application management system designed to provide remote device and application management. There are five key modules:



Mobile User Management

Our MOX platform allows financial institutions the ability to track end-user activity, have a 360 view as well as enable and disable passwords remotely across all devices including Web.

- Mobile ID/Browsers
- Feature Usage
- Payees/Payment Information
- Logins/Access Information



Content Management

Our unique platform infrastructure allows us to make real-time content and design updates seamlessly to devices and browsers without requiring downtime or store submissions.

- About Us, Contact Us, Privacy and Disclosure Statements
- Multi-Language Versions



Marketing Management

Enables financial institutions to engage with their customers & members directly within the SmartApp with both marketing messages and surveys.

- In SmartApp/Browser Marketing and Messaging
- Customer Satisfaction Surveys
- Push Notifications
- Social Media Integration: YouTube, Facebook and Twitter Content
- Customer Referrals via Social



MOX™ Data

MOX Data is a powerful real-time reporting and analytics engine, which tracks over 3,000 unique elements and is designed to provide financial institutions insight into its customer behavior.

- User Community Activity
- Feature Usage
- Session Usage
- Money Movement
- Device Store Downloads
- Customer Satisfaction Survey Results



Security

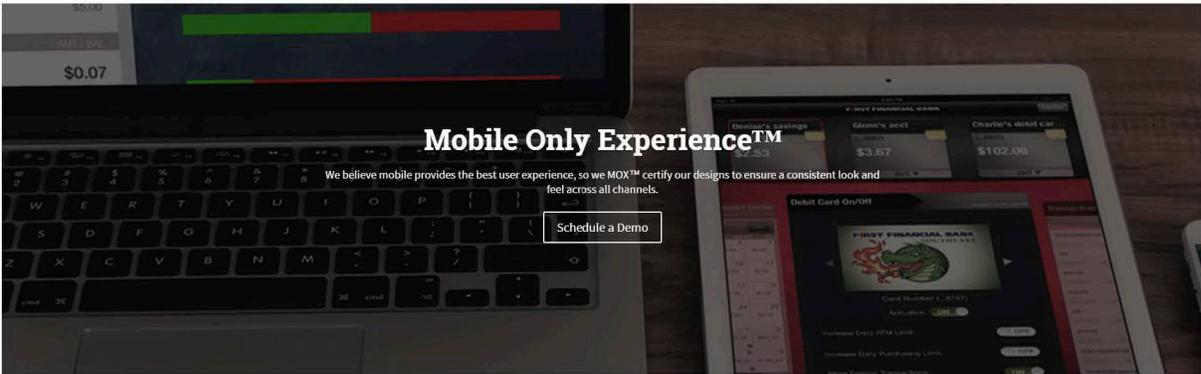
Our "security by design" philosophy incorporates today's strongest security controls such as static code analysis, attack scenarios, patching and recurring pen-testing.

- SSL Encryption
- Multi-Factor Authentication
- Unique Device ID (mobile only)
- Device Management: Fraud prevention, Malware & Jailbreak detection
- Entitlements
- Optional PIN
- Debit Card Lock
- TouchID (mobile only iOS 8.0+)

www.malauzai.com/mox/

Malauzai SOFTWARE

Home Products Advantages News & Press Blog About Contact



Mobile Only Experience™

We believe mobile provides the best user experience, so we MOX™ certify our designs to ensure a consistent look and feel across all channels.

[Schedule a Demo](#)



MOX™