

From: Price, W.Kay

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Subject: U.S. TRADEMARK APPLICATION NO. 86430565 - ALMA SANA - N/A - Request for
Reconsideration Denied - Return to TTAB

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

U.S. APPLICATION SERIAL NO. 86430565

MARK: ALMA SANA



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GENERAL TRADEMARK INFORMATION:

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

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APPLICANT: Braun, Lauren

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

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REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 6/6/2016

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). The following requirement(s) and/or refusal(s) made final in the Office action dated November 4, 2015 are maintained and continue to be final: **Specimens for Class 005 and Class 014 do not show the mark with any of the goods specified in Classes 005 and 014.** See TMEP §§715.03(a)(ii)(B), 715.04(a).

The following requirement(s) and/or refusal(s) made final in the Office action are satisfied:

- 1) Amended identification of goods in Class 005;
- 2) Amended identification of goods in Class 014; ***however, the word “provides” should be changed to “provide,” for proper sentence structure/grammar;
- 3) Amended identification of services in Class 044;
- 4) Substitute specimen for Class 041; and
- 5) Substitute specimen for Class 044.

See TMEP §§715.03(a)(ii)(B), 715.04(a).

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

The substitute specimens for Classes 005 and 014 do not show the mark on the goods or packaging for the goods. There is no display associated with the goods at their point of sale. There is no webpage with a means to order the goods. There is no “buy” button anywhere. The applicant’s goods, namely, the bracelets, seem to be the object of the applicant’s charitable foundation, not something the applicant actually sells. The applicant has not provided a way or a page for consumers to order/get the bracelets. With respect to what the applicant refers to as an instruction manual, it appears as though there is a website, not something packaged with goods.

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).

/Mrs. W. Kay H. Price, Esq./

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