

From: Verhosek, William

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Subject: U.S. TRADEMARK APPLICATION NO. 86613438 - FREEDOM FISH - N/A - Request for Reconsideration Denied - Return to TTAB

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Count: 6

Files: fish1-1.jpg, fish1-2.jpg, fish2-1.jpg, fish2-2.jpg, fish2-3.jpg, 86613438.doc

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

U.S. APPLICATION SERIAL NO. 86613438

MARK: FREEDOM FISH



CORRESPONDENT ADDRESS:

DAVID B SUNSHINE

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NEW YORK, NY 10172-0003

GENERAL TRADEMARK INFORMATION:

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

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APPLICANT: Stephen Bowling

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

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REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 8/26/2016

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 refusal made final in the Office action dated February 17, 2016 are maintained and continue to be final: §2(d) refusal citing U.S. Registration No. 4173539. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue, 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.

Attached are two dictionary definitions of seafood. The examining attorney may introduce additional evidence directed to the issue for which reconsideration is sought. TMEP §715.03.

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).

/William T. Verhosek/

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n. Edible fish or shellfish from the sea.

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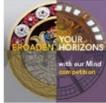
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