

## Request for Reconsideration after Final Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86734783
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/86734783/large
<b>LITERAL ELEMENT</b>	LIVE LOVE MAPLEWOOD
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ARGUMENT(S)</b>	
<p>I. Amendments</p> <p>Please delete in its entirety and replace the recitation with the below:</p> <p>Photography services; video capture, editing and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; photographic computer imaging; video computer imaging; photo editing, video editing; consulting services in the field of photography; consulting services in the field of video capture, editing and production; on-line journals, namely, blogs featuring photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events, in International Class 041</p>	
<p>II. Remarks</p> <p>Applicant responds to the Examining Attorney's rejection of the identification of services in the Office Action. Applicant thanks the Examining Attorney for discussing potential amendments to the identification on February 17, 2016 and July 25, 2016, and submits an amended identification herein that is consistent with those discussions.</p>	
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	041
<b>DESCRIPTION</b>	
Photography services; video capture, editing, and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture and events; providing social media, namely websites, blogs, and app content featuring photography and video in the field of portrait photography, candid photography, nature, architecture and events; photographic computer imaging; video computer imaging; photo editing; video editing; consulting services in the field of photography; consulting services in the field of video capture, editing, and production	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 09/00/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 09/00/2013
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	041
<b>TRACKED TEXT DESCRIPTION</b>	

Photography services; ~~video capture, editing, and production services; video capture, editing and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture and events; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; providing social media, namely websites, blogs, and app content featuring photography and video in the field of portrait photography, candid photography, nature, architecture and events;~~ photographic computer imaging; video computer imaging; ~~photo editing, video editing; photo editing;~~ consulting services in the field of photography; ~~video editing; consulting services in the field of video capture, editing and production; on-line journals, namely, blogs featuring photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; consulting services in the field of video capture, editing, and production~~

**FINAL DESCRIPTION**

Photography services; video capture, editing and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; photographic computer imaging; video computer imaging; photo editing, video editing; consulting services in the field of photography; consulting services in the field of video capture, editing and production; on-line journals, namely, blogs featuring photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events

**FILING BASIS**

Section 1(a)

**FIRST USE ANYWHERE DATE**

At least as early as 09/00/2013

**FIRST USE IN COMMERCE DATE**

At least as early as 09/00/2013

**SIGNATURE SECTION**

**RESPONSE SIGNATURE**

/Matthew P. Frederick/

**SIGNATORY'S NAME**

Matthew P. Frederick

**SIGNATORY'S POSITION**

Attorney of Record, PA Bar Member

**SIGNATORY'S PHONE NUMBER**

215-241-7992

**DATE SIGNED**

07/25/2016

**AUTHORIZED SIGNATORY**

YES

**CONCURRENT APPEAL NOTICE FILED**

NO

**FILING INFORMATION SECTION**

**SUBMIT DATE**

Mon Jul 25 13:29:37 EDT 2016

**TEAS STAMP**

USPTO/RFR-XX.XXX.XX.X-201  
60725132937746191-8673478  
3-550a730eceeef1ffaa45c4c  
b7b3b5f1b19cdccf2fa962bc7  
4ce7acc1e15f17795-N/A-N/A  
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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. **86734783** LIVE LOVE MAPLEWOOD(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86734783/large>) has been amended as follows:

**ARGUMENT(S)**

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

I. Amendments

Please delete in its entirety and replace the recitation with the below:

Photography services; video capture, editing and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; photographic computer imaging; video computer imaging; photo editing, video editing; consulting services in the field of photography; consulting services in the field of video capture, editing and production; on-line journals, namely, blogs featuring photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events, in International Class 041

II. Remarks

Applicant responds to the Examining Attorney's rejection of the identification of services in the Office Action. Applicant thanks the Examining Attorney for discussing potential amendments to the identification on February 17, 2016 and July 25, 2016, and submits an amended identification herein that is consistent with those discussions.

**CLASSIFICATION AND LISTING OF GOODS/SERVICES**

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

**Current:** Class 041 for Photography services; video capture, editing, and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture and events; providing social media, namely websites, blogs, and app content featuring photography and video in the field of portrait photography, candid photography, nature, architecture and events; photographic computer imaging; video computer imaging; photo editing; video editing; consulting services in the field of photography; consulting services in the field of video capture, editing, and production

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 09/00/2013 and first used in commerce at least as early as 09/00/2013 , and is now in use in such commerce.

**Proposed:**

**Tracked Text Description:** Photography services; ~~video capture, editing, and production services;~~ video capture, editing and production services; ~~providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture and events;~~ providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; ~~providing social media, namely websites, blogs, and app content featuring photography and video in the field of portrait photography, candid photography, nature, architecture and events;~~ photographic computer imaging; video computer imaging; photo editing, video editing; ~~photo editing;~~ consulting services in the field of photography; ~~video editing;~~ consulting services in the field of video capture, editing and production; on-line journals, namely, blogs featuring photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; ~~consulting services in the field of video capture, editing, and production~~

Class 041 for Photography services; video capture, editing and production services; providing a website featuring non-downloadable photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events; photographic computer imaging; video computer imaging; photo editing, video editing; consulting services in the field of photography; consulting services in the field of video capture, editing and production; on-line journals, namely, blogs featuring photographs and videos in the field of portrait photography, candid photography, nature, architecture, and social and cultural events

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 09/00/2013 and first used in commerce at least as early as 09/00/2013 , and is now in use in such commerce.

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /Matthew P. Frederick/ Date: 07/25/2016  
Signatory's Name: Matthew P. Frederick  
Signatory's Position: Attorney of Record, PA Bar Member

Signatory's Phone Number: 215-241-7992

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: 86734783

Internet Transmission Date: Mon Jul 25 13:29:37 EDT 2016

TEAS Stamp: USPTO/RFR-XX.XXX.XX.X-201607251329377461

91-86734783-550a730eceeef1ffaa45c4cb7b3b

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