

From: Lewis, Shaila E.

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Subject: U.S. TRADEMARK APPLICATION NO. 86801479 - KEITH MOON - DWLFA-95316 - 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. 86801479

MARK: KEITH MOON



CORRESPONDENT ADDRESS:

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GENERAL TRADEMARK INFORMATION:

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

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APPLICANT: De Wolf, Amanda

CORRESPONDENT'S REFERENCE/DOCKET NO:

DWLFA-95316

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REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 10/7/2016

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 Identification Requirement made final in the Office action dated April 21, 2016, is maintained and continues to be final. 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.

The wording "Drum hardware in the nature of drum pedals, drum thrones, drum stands and drum attachments, namely, devices to affix drums to stands" cannot be accepted because, as stated in prior Office actions, "drum thrones" fall in Class 20, whereas drum pedals and other goods fall in Class 15. Additionally, the goods "drum attachments, namely, devices to affix drums to stands" must be amended to specify the nature of the goods using a common commercial description or generic name for the goods because the current description is broad enough to encompass metal screws in Class 6, non-metal screws in Class 20, or other goods that fall in other classes.

Accordingly, the request is denied.

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).

/Shaila E. Lewis/

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