

From: Orourke, Jonathan

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Subject: U.S. TRADEMARK APPLICATION NO. 86827085 - CV INVESTMENTS - N/A - Request for Reconsideration Denied - Return to TTAB

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Files: 86827085.doc

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

U.S. APPLICATION SERIAL NO. 86827085

MARK: CV INVESTMENTS



CORRESPONDENT ADDRESS:

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GENERAL TRADEMARK INFORMATION:

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

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APPLICANT: Cumberland Valley Financial Corporation

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

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REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 9/6/2016

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 Section 2(d) Refusal made final in the Office action dated July 5, 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. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

Applicant's additional arguments regarding comparison of highly stylized marks is not persuasive, in part because the applied-for mark is not "highly stylized," as the lettering in the applied-for mark features no significant stylization. Further, unlike the case referenced by the applicant, neither the applicant's mark nor the registrant's mark in this case is a single letter and neither mark is incapable of being pronounced. See *Textron Inc. v. Maquinas Agricolas "Jacto" S.A.*, 215 USPQ 162 (TTAB 1982). Here, the applicant's mark clearly reads as "CV INVESTMENTS" and the registrant's mark clearly reads as "CV". Further, unlike examples discussed by the applicant, the relevant acronyms in this case are identical and do not include additional and/or different letters.

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).

/Jonathan Ryan O'Rourke/

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