

ESTTA Tracking number: **ESTTA703366**

Filing date: **10/20/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Chris Flocchini		
Entity	Individual	Citizenship	UNITED STATES
Address	1330 Capital Boulevard Reno, NV 89502 UNITED STATES		

Attorney information	Miriam D. Trudell Sheridan Ross P.C. 1560 Broadway, Suite 1200 Denver, CO 80202 UNITED STATES mtrudell@sheridanross.com Phone:303-863-9700		
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Registration Subject to Cancellation

Registration No	4286135	Registration date	02/05/2013
Registrant	Meier, Ryan 511 Amethyst Avenue Henderson, NV 89015 UNITED STATES		

Goods/Services Subject to Cancellation

Class 025. First Use: 2011/05/06 First Use In Commerce: 2011/05/06 All goods and services in the class are cancelled, namely: Clothing, Namely, Shirts, Beanies, Caps, Footwear, G-strings, Gloves, Hats, Hooded sweat shirts, Jackets, Jerseys, Long-sleeved shirts, Pants, Polo shirts, Shoes, Short-sleeved or long-sleeved t-shirts, Shorts, Skull caps, T-shirts, Tank tops, Tee shirts, Thongs, Underwear; Waist belts, Wristbands

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	PETITION TO CANCEL.pdf(114279 bytes) Exhibit 1.pdf(17934 bytes) Exhibit 2.pdf(133466 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Sabrina J. Rideout/
Name	Sabrina J. Rideout
Date	10/20/2015

PETITION TO CANCEL

Petitioner, Chris Flocchini, (“Petitioner”) having an address of 1330 Capital Boulevard, Reno, Nevada 89502, United States of America, believes that he is damaged by the continued registration of the “BELLICUS” mark for “clothing, namely, shirts, beanies, caps, footwear, G-strings, hats, hooded sweatshirts, jackets, jerseys, long-sleeved shirts, pants, polo shirts, shoes, short-sleeved or long-sleeved t-shirts, shorts, skull caps, t-shirts, tank tops, tee shirts, thongs, underwear; waist belts, wristbands,” in International Class 25 filed in the name of Ryan Meier (“Registrant”), as shown in U.S. Trademark Reg. No. 4286135 and hereby petitions to cancel the same under 15 U.S.C. § 1064, Trademark Act Section 14.

As grounds for this Petition to Cancel, Petitioner alleges:

1. Petitioner is the owner of U.S. Application No. 86/503608 for “BELLIOUS” for “clothing; apparel; outerwear; footwear; headwear; sleepwear; children’s clothing; children’s apparel; children’s outerwear; children’s footwear; children’s headwear; children’s sleepwear” in International Class 25, filed on January 14, 2015. A copy of the TSDR printout regarding this application is attached hereto as Exhibit 1.

2. Petitioner’s U.S. Application No. 86/503608 was refused registration by the U.S. Patent and Trademark Office (“USPTO”) on the basis of a likelihood of confusion with U.S. Trademark Reg. No. 4286135 for “BELLICUS”. The current status of Petitioner’s U.S. Application No. 86/503608 is that an Office Action issued on April 26, 2015, refusing registration of the mark based upon a likelihood of confusion with U.S. Trademark Reg. No. 4286135 for “BELLICUS”. *See* Exhibit 2, a photocopy of the Office Action issued on April 26, 2015.

3. Upon information and belief, Registrant is the owner of U.S. Trademark Reg. No. 4286135 for “BELLICUS” for “clothing, namely, shirts, beanies, caps, footwear, G-strings, gloves, hats, hooded sweat shirts, jackets, jerseys, long-sleeved shirts, pants, polo shirts, shoes, short-sleeved or long-sleeved t-shirts, shorts, skull caps, t-shirts, tank tops, tee shirts, thongs, underwear; waist belts, wristband” in International Class 25.

4. Upon information and belief, and upon investigation conducted by Petitioner, Registrant has abandoned said registered mark by discontinued use of the mark “BELLICUS” in connection with clothing, namely, shirts, beanies, caps, footwear, G-strings, gloves, hats, hooded sweat shirts, jackets, jerseys, long-sleeved shirts, pants, polo shirts, shoes, short-sleeved or long-sleeved t-shirts, shorts, skull caps, t-shirts, tank tops, tee shirts, thongs, underwear; waist belts; wristbands as shown in U.S. Registration No. 4286135 for more than three years and has no intent to resume use of the mark “BELLICUS” for clothing, namely, shirts, beanies, caps, footwear, G-strings, gloves, hats, hooded sweat shirts, jackets, jerseys, long-sleeved shirts, pants, polo shirts, shoes, short-sleeved or long-sleeved t-shirts, shorts, skull caps, t-shirts, tank tops, tee shirts, thongs, underwear; waist belts; wristbands as shown in U.S. Registration No. 4286135.

5. Upon information and belief, and upon investigation conducted by Petitioner, Registrant has abandoned the mark “BELLICUS” and has abandoned U.S. Registration No. 4286135 pursuant to Trademark Act Sections 14(3) and 45, 15 U.S.C. Sections 1064(3) and 1127.

6. Upon information and belief, the continued registration of U.S. Registration No. 4286135 will impair Petitioner’s right and ability to use and register “BELLIOUS” and Petitioner will be damaged.

7. In view of the above, Registrant is not entitled to continue to own U.S. Registration No. 4286135 as Registrant has abandoned the "BELLICUS" mark.

WHEREFORE, Petitioner prays that this Petition to Cancel be sustained and that Registration No. 4286135 for "BELLICUS" be cancelled.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____

Miriam D. Trudell

mtrudell@sheridanross.com

1560 Broadway, Suite 1200

Denver, CO 80202

Telephone: 303-863-9700

Facsimile: 303-863-0223

Attorneys for Petitioner

Dated: _____

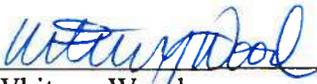
20 Oct 2015

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing PETITION TO CANCEL was served by First-Class Mail, as prescribed in 37 C.F.R. Sec. 2.119, postage prepaid, on this 20 th day of October, 2015, upon Registrant:

Ryan Meier
511 Amethyst Avenue
Henderson, NEVADA 89015

Ryan Meier
PO Box 91361
Henderson, NEVADA 89009


Whitney Wood
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
Telephone: 303-863-9700
Facsimile: 303-863-0223

Generated on: This page was generated by TSDR on 2015-10-15 18:47:34 EDT

Mark: BELLIOUS

BELLIOUS

US Serial Number: 86503608

Application Filing Date: Jan. 14, 2015

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Apr. 26, 2015

Mark Information

Mark Literal Elements: BELLIOUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Clothing; apparel; outerwear; footwear; headwear; sleepwear; children's clothing; children's apparel; children's outerwear; children's footwear; children's headwear; children's sleepwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Flocchini, Chris

Owner Address: 1330 Capital Boulevard
Reno, NEVADA 89502
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Miriam D. Trudell

Docket Number: 7844-2-1

Attorney Primary Email Address: mtrudell@sheridanross.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MIRIAM D. TRUDELL
Sheridan Ross P C
1560 Broadway Ste 1200
Denver, COLORADO 80202-5145
UNITED STATES

Phone: 303-863-9700

Fax: 303-863-0223

Correspondent e-mail: mtrudell@sheridanross.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 26, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 26, 2015	NON-FINAL ACTION E-MAILED	6325
Apr. 26, 2015	NON-FINAL ACTION WRITTEN	73360
Apr. 19, 2015	ASSIGNED TO EXAMINER	73360
Jan. 27, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 19, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: BLANDU, FLORENTINA

Law Office Assigned: LAW OFFICE 117

File Location

Current Location: LAW OFFICE 117 - EXAMINING ATTORNEY
ASSIGNED

Date in Location: Apr. 26, 2015

To: Flocchini, Chris (mtrudell@sheridanross.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86503608 - BELLIOUS - 7844-2-1
Sent: 4/26/2015 8:57:00 AM
Sent As: ECOM117@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)

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

U.S. APPLICATION SERIAL NO. 86503608

MARK: BELLIOUS

86503608

CORRESPONDENT ADDRESS:

MIRIAM D. TRUDELL
Sheridan Ross P C
1560 Broadway Ste 1200
Denver, CO 80202-5145

CLICK HERE TO RESPOND TO THIS LETTER
<http://www.uspto.gov/trademarks/teas/response>

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Flocchini, Chris

CORRESPONDENT'S REFERENCE/DOCKET NO :

7844-2-1

CORRESPONDENT E-MAIL ADDRESS:

mtrudell@sheridanross.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 4/26/2015

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SECTION 2(d) LIKELIHOOD OF CONFUSION REFUSAL

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 4286135. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the enclosed registration.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a potential consumer would be confused, mistaken, or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. §1052(d). A determination of likelihood of confusion under Section 2(d) is made on a case-by case basis and the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) aid in this determination. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d 1344, 1349, 98 USPQ2d 1253, 1256 (Fed. Cir. 2011) (citing *On-Line Careline, Inc. v. Am. Online, Inc.*, 229 F.3d 1080, 1085, 56 USPQ2d 1471, 1474 (Fed. Cir. 2000)). Not all the *du Pont* factors, however, are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d at 1355, 98 USPQ2d at 1260; *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont de Nemours & Co.*, 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods and/or services, and similarity of the trade channels of the goods and/or services. *See In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 *et seq.*

In any likelihood of confusion determination, two key considerations are similarity of the marks and similarity or relatedness of the goods and/or services. *Syndicat Des Proprietaires Viticulteurs De Chateaufneuf-Du-Pape v. Pasquier DesVignes*, 107 USPQ2d 1930, 1938 (TTAB 2013) (citing *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976)); *In re Iolo Techs., LLC*, 95 USPQ2d 1498, 1499 (TTAB 2010); *see* TMEP §1207.01. That is, the marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression.

In re Viterra Inc., 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973)); TMEP §1207.01(b)-(b)(v). Additionally, the goods and/or services are compared to determine whether they are similar or commercially related or travel in the same trade channels. *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §1207.01, (a)(vi).

Applicant's mark is BELLIOUS for clothing; apparel; outerwear; footwear; headwear; sleepwear; children's clothing; children's apparel; children's outerwear; children's footwear; children's headwear; children's sleepwear. Registrant's mark is BELLICUS, U.S. Registration No. 4286135 for Clothing, Namely, Shirts, Beanies, Caps, Footwear, G-strings, Gloves, Hats, Hooded sweat shirts, Jackets, Jerseys, Long-sleeved shirts, Pants, Polo shirts, Shoes, Short-sleeved or long-sleeved t-shirts, Shorts, Skull caps, T-shirts, Tank tops, Tee shirts, Thongs, Underwear; Waist belts, Wristbands.

The marks are similar in appearance and in sound. The only difference between the marks is one letter which is not sufficient to overcome a section 2(d) likelihood of confusion. Additionally, they are for related goods, namely, clothing items.

Neither the application nor the registration(s) contains any limitations regarding trade channels for the goods and therefore it is assumed that registrant's and applicant's goods are sold everywhere that is normal for such items, i.e., clothing and department stores. Thus, it can also be assumed that the same classes of purchasers shop for these items and that consumers are accustomed to seeing them sold under the same or similar marks. See *Kangol Ltd. v. KangaROOS U.S.A., Inc.*, 974 F.2d 161, 23 USPQ2d 1945 (Fed. Cir. 1992); *In re Smith & Mehaffey*, 31 USPQ2d 1531 (TTAB 1994); TMEP §1207.01(a)(iii).

Decisions regarding likelihood of confusion in the clothing field have found many different types of apparel to be related goods. *Cambridge Rubber Co. v. Cluett, Peabody & Co.*, 286 F.2d 623, 624, 128 USPQ 549, 550 (C.C.P.A. 1961) (women's boots related to men's and boys' underwear); *Jockey Int'l, Inc. v. Mallory & Church Corp.*, 25 USPQ2d 1233, 1236 (TTAB 1992) (underwear related to neckties); *In re Melville Corp.*, 18 USPQ2d 1386, 1388 (TTAB 1991) (women's pants, blouses, shorts and jackets related to women's shoes); *In re Pix of Am., Inc.*, 225 USPQ 691, 691-92 (TTAB 1985) (women's shoes related to outer shirts); *In re Mercedes Slacks, Ltd.*, 213 USPQ 397, 398-99 (TTAB 1982) (hosiery related to trousers); *In re Cook United, Inc.*, 185 USPQ 444, 445 (TTAB 1975) (men's suits, coats, and trousers related to ladies' pantyhose and hosiery); *Esquire Sportswear Mfg. Co. v. Genesco Inc.*, 141 USPQ 400, 404 (TTAB 1964) (brassieres and girdles related to slacks for men and young men).

The goods of the applicant and registrant are likely to travel through the same channels of trade and they are likely to be encountered by the same consumers. Those consumers, when coming across the goods are likely to believe that they derive from the same and not from different sources. Therefore, likelihood of confusion may occur.

The overriding concern is not only to prevent buyer confusion as to the source of the goods and/or services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. See *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); see *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1026 (Fed. Cir. 1988).

Therefore, for the reasons listed above registration is refused under section 2(d) of the Trademarks Act.

Should the applicant elect to respond to this office action the following informalities should also be addressed.

IDENTIFICATION OF GOODS IS INDEFINITE

The wording "clothing" & "apparel" in the identification of goods must be clarified because it is too broad and could include goods in several international classes. See TMEP §§1402.01, 1402.03. Examples of acceptable identifications include the following: "clothing for protection against accidents, irradiation and fire" in International Class 9; "surgical gowns" in International Class 10; "pet clothing" in International Class 18; and "shirts, shorts and pants" in International Class 25. Therefore, applicant must amend the identification to specify the type of clothing.

If applicant's clothing/apparel is classified in International Class 25, applicant should insert the word "namely," after "clothing"/"apparel" and indicate the specific types of clothing items (e.g., shirts, pants, coats, dresses).

Additionally, the applicant should further specify the goods listed as "outerwear", "children's clothing", "children's apparel", & "children's outerwear."

The amended identification should read as follows, if accurate:

"Clothing, **namely, shirts**; apparel, **namely, sweat suits**; outerwear, **namely, coats**; footwear; headwear; sleepwear; children's clothing, **namely, jumpers**; children's apparel, **namely, pajamas**; children's outerwear, **namely, parkas**; children's footwear; children's headwear; children's sleepwear, in International Class 25."

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netathtml/tidm.html>. See TMEP §1402.04.

MAY NOT EXPAND THE IDENTIFICATION

An applicant may only amend an identification to clarify or limit the goods, but not to add to or broaden the scope of the goods. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07.

ADDITIONAL MONEY IS NEEDED

The application identifies goods that are classified in at least four classes; however, applicant submitted a fee sufficient for only one class. In a multiple-class application, a fee for each class is required. 37 C.F.R. §2.86(a)(2); TMEP §§810.01, 1403.01.

Therefore, applicant must either (1) restrict the application to the number of classes covered by the fees already paid, or (2) submit the fees for each additional class.

The fees for adding classes to an application are \$325 per class when the fee is paid using the Trademark Electronic Application System (TEAS) and \$375 per class when the fee is paid in a paper submission. See 37 C.F.R. §2.6(a)(1)(i)-(ii); TMEP §§810, 1403.02(c).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark

examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

/Florentina Blandu/
Examining Attorney
U.S. Patent & Trademark Office
l.o. 117
Florentina.Blandu@uspto.gov
Tel 571 272 9128
Fax 571 273 9128

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

DESIGN MARK

Serial Number

85661904

Status

REGISTERED

Word Mark

BELLICUS

Standard Character Mark

Yes

Registration Number

4286135

Date Registered

2013/02/05

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Meier, Ryan INDIVIDUAL UNITED STATES 511 Amethyst Avenue Henderson
NEVADA 89015

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing,
Namely, Shirts, Beanies, Caps, Footwear, G-strings, Gloves, Hats,
Hooded sweat shirts, Jackets, Jerseys, Long-sleeved shirts, Pants,
Polo shirts, Shoes, Short-sleeved or long-sleeved t-shirts, Shorts,
Skull caps, T-shirts, Tank tops, Tee shirts, Thongs, Underwear; Waist
belts, Wristbands. First Use: 2011/05/06. First Use In Commerce:
2011/05/06.

Filing Date

2012/06/26

Amended Register Date

2012/07/04

Examining Attorney

RINKER, ANTHONY

bellicus

To: Flocchini, Chris (mtrudell@sheridanross.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86503608 - BELLIOUS - 7844-2-1
Sent: 4/26/2015 8:57:01 AM
Sent As: ECOM117@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **4/26/2015** FOR U.S. APPLICATION SERIAL NO. 86503608

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on “Documents.”

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **4/26/2015** (*or sooner if specified in the Office action*). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit “Reply” to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the

ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.