

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

APPLICANT: PUPILINE
SERIAL NO.: 76/113,699
FILED: August 21, 2000
MARK: PUPILINE

02-06-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

BOX TTAB - FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

NOTICE OF APPEAL

Madam:

Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the Trademark Examining Attorney refusing registration due to rejection of the recitation of services filed by Applicant on June 18, 2002. Applicant has also simultaneously submitted a Request for Reconsideration and Amendment with the Examining Attorney. A copy of this document is attached hereto as Exhibit 1. Applicant is hopeful that the amendment contained in the foregoing Request and Amendment will resolve the outstanding issues making the instant appeal unnecessary.

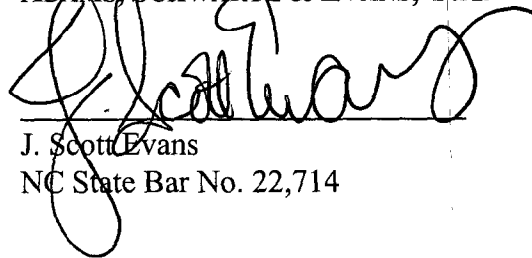
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Respectfully submitted,

ADAMS, SCHWARTZ & EVANS, P.A.

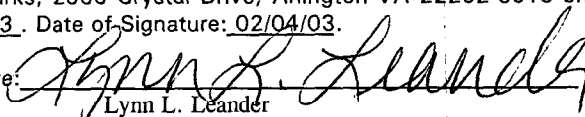


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Tel: (704) 375-9249
Attorney Docket No. 2625/1

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Signature:



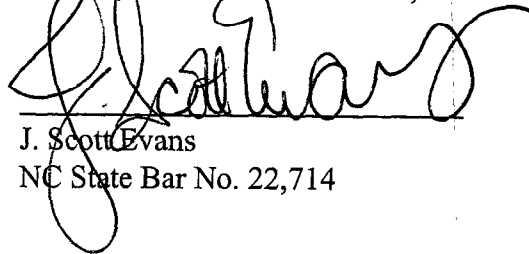
Lynn L. Leander

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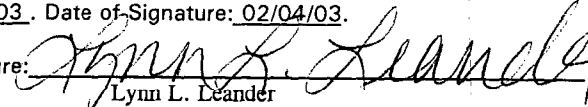


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To the Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Date: 2/4/03
Docket No: 2625/1
Ser/Reg No: 76/113,699
Applicant: Pupiline
Limited

Please confirm receipt of the document(s) indicated below by applying your date stamp and/or Serial No. and returning this postcard to us:

TRADEMARK (ITU/44(d)/USE) Application - including: cover letter, application, Power of Atty/Declaration , drawing page, filing fee of \$, specimen and Express Mail#

- | | |
|--|---|
| <u> </u> Submission of Documents | <u> </u> (<u> </u>) Req for Ext of Time to File |
| <u> </u> Correction of Filing Receipt Data | <u> </u> Statement of Use |
| <u> </u> Specimen(s) | <u> </u> §8 & 15 Aff |
| <u> </u> Fee \$ <u> </u> | <u> </u> Renewal & §8 |
| <u> </u> Appt of Domestic Rep | <u> </u> Notice of Opposition |
| <u> </u> Assignment | <u> </u> (<u> </u>) Req for Ext of Time to File |
| <u>X</u> Response to Office Action dated <u>8/6/02 + 1 Exhibit</u> | <u> </u> Notice of Opposition |
| <u> </u> Amend to Allege Use | <u> </u> Answer |
| <u> </u> Statement of Use | <u> </u> OTHER (Describe): |

JSE:111:387

MARK: PUPILINE

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**Please place on Upper Right Corner *
of Response to Office Action ONLY.

Examining Attorney: HARDY, TODD
Serial Number: 76/113699



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PUPILINE

SERIAL NO.: 76/113,699

FILED: August 21, 2000

MARK: PUPILINE

TRADEMARK ATTY:

BRIAN PINOT

Law Office: 113

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Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

REQUEST FOR RECONSIDERATION
AND AMENDMENT PURSUANT TO 37 C.F.R. §2.71

Sir:

This Request for Reconsideration and Amendment is being submitted in response to the Final Action issued by the Examining Attorney on August 6, 2002. Applicant has submitted an amended recitation for the Class 41 services listed in the application in the hopes of rectifying the outstanding issues documented in the Final Action. Applicant respectfully requests that the Examining Attorney reconsider her Final Refusal by accepting Applicant's amendment and passing the above-referenced application to publication.

AMENDMENTS

Applicant kindly requests that the Examining Attorney amend the above-referenced application as follows:

1. Please amend the recitation of services in Class 41 to read:

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Electronic publishing, namely publication of the text and graphic works of others on a global communications network, CD Rom, video and audio tape, digital disc or tape, or video or sound recording carrier, featuring general information considered of interest to students and young people and for use as teaching aids; consulting services in the field of education; computer assisted training and teaching services in the fields of English, mathematics, sciences, medicine, foreign languages, geography and history, citizenship, personal and social education; education services, namely, conducting classes, seminars, conferences and workshops in the fields of health, wellness, first aid and personal, social and legal education services; provision of information on-line from computer databases or the Internet relating to general education, teaching, training and advisory services and information that may be of interest to students and young people.

REMARKS

As requested by the Examining Attorney, the Applicant has amended the above-referenced application to clarify the identification of goods and recitation of services. 37 C.F.R. § 2.71(a); T.M.E.P. § 1420.06.


It is noted that the Examining Attorney's search of the Office records failed to disclose any mark confusingly similar to the instant mark. Accordingly, the present trademark application with the above amendments is in condition to be passed to publication and such is respectfully requested. In addition, Applicant has filed a Notice of Appeal simultaneously with this Request for Reconsideration and Amendment. A copy of the Notice of Appeal is attached hereto as Exhibit 1.

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If there are any fees due in connection with this matter, please charge the undersigned attorney's Deposit Account No. 01-0265. A duplicate copy of this page is being submitted for this purpose.

Respectfully submitted,

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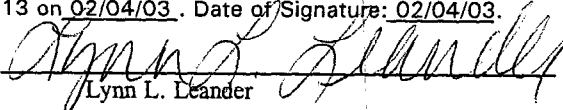


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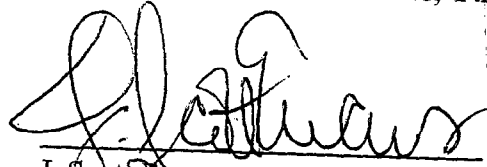
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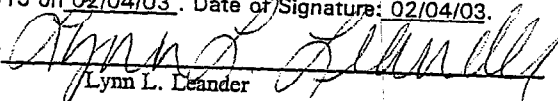


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