

UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 76/540506 :
Applicant: EK Success, Ltd. : Examiner: Danielle Mattessich
Correspondent : Law Office: 106
Address: Robert M. Haroun, Esq. :
Sofer & Haroun, LLP :
317 Madison Avenue : Previous Examiner: John Tingley
Suite 910 :
New York, NY 10017 :
Mark: COLOR OASIS :
File No.: 688-387 :
Filed: August 27, 2003 :
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Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

REQUEST TO DIVIDE APPLICATION

Dear Madam:

The applicant hereby requests that the application identified above be divided as follows:

Please retain in the original application the following goods:

“Stickers. Class 16”

Please include in the new, divided application the following goods:

“Craft paper. Class 16”

Enclosed is a check in the amount of \$475.00. This sum represents payment of the filing fee for the divided application (\$100.00) as well as an application filing fee (\$375.00) as required by TMEP 1110.02, 37 C.F.R. §§ 2.6(a)(1), 2.6(a)(19), 2.87(a) and 2.87(b).

Please charge any deficiency or credit any excess in fee payment to deposit account number 19-2825.



03-07-2005

U.S. Patent & TMO/TM Mail Rpt Dt. #77

Dated: March 3, 2005

Respectfully submitted,

SOFER & HAROUN, LLP

A handwritten signature in black ink, appearing to read "R. Haroun", is written over a horizontal line.

Robert M. Haroun, Esq.
317 Madison Avenue
Suite 910
New York, NY 10017
(212) 697-2800
(212) 697-3004 Facsimile

UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	76/540506	:-----X	:	
Applicant:	EK Success, Ltd.	:	:	Examiner: Danielle Mattessich
Correspondent		:	:	
Address:	Robert M. Haroun, Esq. Sofer & Haroun, LLP 317 Madison Avenue Suite 910 New York, NY 10017	:	:	Law Office: 106
Mark:	COLOR OASIS	:	:	Previous Examiner: John Tingley
File No.:	688-387	:	:	
Filed:	August 27, 2003	:-----X	:	

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

REQUEST FOR RECONSIDERATION

Dear Madam:

Applicant requests reconsideration of the above-identified application pursuant to 37 C.F.R. §2.64(b) and also submits a notice of appeal with the required fee. TMEP §715.03. In addition, Applicant submits a Request to Divide this application. TMEP §1110, 37 C.F.R. §2.87.

Applicant requests reconsideration of its application for the mark COLOR OASIS based upon the new issue developing in regard to the application, namely, Applicant is looking into securing consent from the owner of the cited mark OASIS to use its proposed mark COLOR OASIS in connection with stickers.

Applicant is making a good faith attempt to comply with the outstanding requirement in regard to this application and to overcome the Examiner's existing refusal. Applicant believes that its goods are so significantly different from those used in connection with the cited mark that the owner of the cited mark OASIS will consent to its use of the mark COLOR OASIS for use with stickers.

Dated: March 3, 2005

Respectfully submitted,

SOFER & HAROUN, LLP

A handwritten signature in black ink, appearing to read 'R. Haroun', written over a horizontal line.

Robert M. Haroun, Esq.

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Trademark

Docket No. 688-387

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : EK Success, Ltd.
Serial No. : 76/540,506
Filed : August 27, 2003
For : COLOR OASIS

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

BOX RESPONSES NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached Request to Divide Application, Request for Reconsideration, Notice of Appeal, Check for \$475.00, and Return Postcard along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By: Sandria Cirillo
Sandria Cirillo

Date: 3/3/05

Mailing Address:

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