

ASHLAND.

TTAB

Patricia E. Carothers
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October 10, 2005

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

Attn: TTAB

Re: Serial No. 76/560242
Mark: EDGE
Applicant: Ashland Licensing and Intellectual Property LLC
Filing Date: November 3, 2003

Dear Sirs:

Please find enclosed a Notice of Appeal with Request for Reconsideration, Response to Office Action-Request for Reconsideration of Final Refusal, and our check for \$100.00.

We would appreciate acknowledgment of receipt on the enclosed postcard and its return to us for our file.

Sincerely,



Patricia E. Carothers
Senior Paralegal

Enclosures
pec\11d6078a



10-17-2005

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #72

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

Application Serial No.: 76/560242

Applicant: Ashland Licensing and Intellectual Property LLC

Trademark: EDGE

Filing Date: November 3, 2003

NOTICE OF APPEAL

WITH REQUEST FOR RECONSIDERATION

Notice is hereby given that Ashland Licensing and Intellectual Property LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 76/560242. The refusal to register has been appealed as to the following class of goods: International Class 3.

Submitted with this Notice of Appeal is a request for reconsideration of the refusal to register. Applicant requests suspension of the appeal pending consideration of the request by the examining attorney, and Applicant requests that the above captioned application be remanded to the examining attorney for consideration.

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Respectfully submitted,

Date: October 7, 2005

By:

Vernon F. Venne

Vernon F. Venne, Attorney for Applicant
Ashland Inc.
5200 Blazer Parkway
Dublin, Ohio 43017
(614) 790-3975

ave

Pec/10d6560

UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Application Serial No.: 76/560242

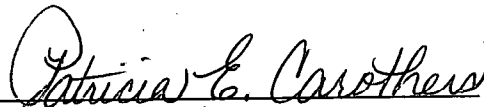
Applicant: Ashland Licensing and Intellectual Property LLC

Trademark: EDGE

Filing Date: November 3, 2003

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that the Notice of Appeal With Request for Reconsideration, Response to Office Action-Request for Reconsideration of Final Refusal, and our check for \$100.00 are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on this 10th day of October, 2005.



Patricia E. Carothers
Senior Paralegal
Ashland Inc.
614-790-3105

UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Serial No.: 76/560242
Mark: EDGE
Applicant: Ashland Inc.
Filing Date: November 3, 2003

RESPONSE TO OFFICE ACTION
REQUEST FOR RECONSIDERATION OF FINAL REFUSAL

Dear Sir:

This Response and Request for Reconsideration of Final Refusal is being mailed in response to the Final Office Action dated April 20, 2005. A Notice of Appeal With Request for Reconsideration has been submitted to the Trademark Trial and Appeal Board.

As discussed below, Applicant hereby submits an amendment to the goods description in the above captioned application. In view of such amended goods description, Applicant hereby requests the examining attorney to reconsider his final refusal of the above captioned application, approve this application, and pass this application to publication.

The examining attorney has refused registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d) because the examining attorney believes applicant's mark EDGE, when used on or in connection with the identified goods, so resembles the mark THE EDGE in U.S. Registration No. 2437838 as to be likely to cause confusion, to cause mistake, or to deceive. Applicant submits that the marks are not confusingly similar or likely to cause confusion, to cause mistake, or to deceive for the reasons submitted in the Response to Office Action mailed to the examining attorney on November 30, 2004. The goods description in Registration No. 2437838 is "alkaline detergent for use in commercial vehicle washes". As submitted in the Response to Office Action mailed to the examining attorney on November 30, 2004, Applicant's goods sold in connection with its mark EDGE are chemical products used as tank cleaners that are used solely in the global marine industry for maintenance of shipping vessels. Applicant sells tank cleaners in connection with its EDGE mark for use in cleaning the interiors of cargo, bunker and double-bottom tanks on shipping vessels, as evidenced by the printout from Applicant's website, attached hereto as Exhibit A, wherein Applicant's EDGE products are described as "tank-cleaning products" and "IMO-approved tank cleaners and

specialty products for fast, efficient washing and gas-freeing of cargo, bunker and double-bottom tanks". In addition, Applicant's promotional literature for its EDGE products, attached hereto as Exhibit B, describes Applicant's EDGE heavy duty cleaners as cleaners used in "cleaning of tanks".

Since Applicant's EDGE products are specifically used in tank cleaning on shipping vessels in the marine industry, Applicant hereby requests that the goods description in the above captioned application be amended to read as follows:

-- chemical products used in cleaning interiors of cargo, bunker and double-bottom tanks on shipping vessels in the marine industry --.

Applicant submits that its mark EDGE, when used on or in connection with goods described in the above amended identification of goods, does not resemble the mark THE EDGE in U.S. Registration No. 2437838. In view of the above amended goods description which accurately describes Applicant's products sold in connection with its EDGE mark, Applicant respectfully requests the examining attorney to reconsider his final refusal of the above captioned application, approve this application, and pass this application to publication.

Respectfully submitted,

Date: October 7, 2005

By: Vernon F. Venne
Vernon F. Venne, Attorney for Applicant
Ashland Inc.
5200 Blazer Parkway
Dublin, Ohio 43017
(614) 790-3975

pec

pec/11d6078

Application No. 76/560242
Rudy R. Singleton, Attorney
Law Office 102

**UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

Application Serial No.: 76/560242

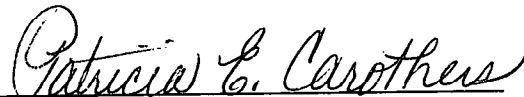
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Trademark: EDGE

Filing Date: November 3, 2003

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About us

We are the leader in providing technical solutions, high-value products and services to the global marine industry. Based on extensive research and industry experience, we provide the most comprehensive and advanced line of:

- marine chemicals and testing equipment
- water treatment, tank cleaners, corrosion inhibitors
- sealing and welding products
- refrigerants and refrigeration services
- engineered systems and products
- fuel management programs
- firefighting safety and rescue products and services.

Our customer-driven team is committed to satisfying the needs of customers and employees, and we are industry leaders in product innovation, product stewardship and environmental safety. We provide exceptional value, with products and services that help our customers achieve operational efficiency and regulatory compliance when and where they're needed.

We lead the industry in offering innovative technical assistance and services, responsive delivery, cost-effective solutions to unique problems, a commitment to quality, research and development, and environmental responsibility.

When you need quality products to maintain your ship, [contact us](#) - the source for marine supply solutions.



Count on these IMO-approved tank cleaners and specialty products for fast, efficient washing and gas-freeing of cargo, bunker and double-bottom tanks. We also offer comprehensive information and instructions on tank cleaning. For further information, please contact the office nearest you. See Contact Us section for list of locations.

To learn more about Drew Marine's IMO-approved tanker cleaners, read our [Tank Cleaners brochure](#) in PDF format.

Additional tank-cleaning products:

- TC#4™ tank cleaner
- DREW™ AF air freshener
- ENVIROCARE® 370 heavy-duty solvent cleaner
- ENVIROCARE 480 heavy-duty cleaner
- EDGE® heavy duty cleaner
- DREW NBD neutral-based degreaser
- DREW™ ABD alkaline-base degreaser
- DREW TC SEA tank cleaner
- LAC™ liquid alkaline cleaner
- DREW BC buffering cleaner

Specializing in cleaning materials for the most challenging cargo residues. There are many more products available. Further information can be obtained by [contacting us](#).

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Smart Solutions from Drew Marine

The challenge of cleaning all of these different tanks is often met with the use of expensive limited resources. At Drew Marine, we have developed a proper combination of mechanical, chemical, heat and time. Using the most economical way to compensate for standards in any of these categories. Our value added at special purpose cleaning helps to equiptime our available resources and ensures your ability to effectively meet all cleaning challenges.

Animal, fish, vegetable oils, and fat residues
Our alkaline cleaners provide the best chance for removing residues from tanks with stainless or mild steel surfaces. Tanks that are treated with epoxy or polyurethane coatings, acids, nitric and non-alkaline solvents are also available for use in tanks with zinc sheath treatments.

Mineral oils, chemicals and solvents
Numerous products in the Drew Marine line have been formulated to remove these difficult contaminants. These cleaners include the most advanced "teleglycol" system. The Drew Advantage compounds reduce surface tension from the contaminants to remove them from tank surfaces. Additional surfactants emulsify the contaminants, dispersing and suspending undissolved and insoluble material to be washed away when the emulsion breaks.

Special needs
Specialized cleaners are available from Drew Marine for specific purposes such as:
• Removing inorganic stains from tank surfaces
• Hydroxide-free cleaning prior to carrying high-purity cargoes

Proven Performers

Our lineup of all-star chemical tank cleaners and specialty products covers every need for washing and gas-freeing cargo, bunker and double bottom tanks. These performers have been proven in use onboard all classes of vessels including product tankers, chemical tankers, and bulk carriers. **LESTERON HD BLENDED** For Drew Marine cleaners that are applied using mechanical systems, **PUTTY** is the only spray application of a comparable product. It is recommended.

AMERIOD® RSR rust stain remover

A liquid combination of rust dissolving acid, emulsifier and passivator for removing rust. Used for eliminating rust residue, it is injected into the automatic washing system.

DREW® ABD alkaline-based degreaser

A very strong alkaline liquid cleaner applied by injection or recirculation means that economically removes common metals and tank coatings.

DREW BC buffering cleaner

Removes traces of metal oxides from tanks. It is used as a final cleaning procedure when cargo residues must be removed or completely changed or sulfate-free.

DREW NBD neutral-based degreaser

A neutral liquid degreaser safe for use on metal tanks including zinc silicate-coated tanks. An effective cleaner for animal, fish and vegetable oils and fats, this product is injected or circulated through mechanical systems and tanks. It can be applied as hydrocarbon-free cleaning with emulsifying cleaning agents.

DREW TC SEA tank cleaner

A strong emulsifying cleaner for removing heavy petroleum-based stains such as heavy crude oil, bunker, asphalt and carbon build. Equally effective for cargo and storage tank washing and recirculation, direct injection and works well with agitation from the ship's rolling motion to clean and gas-free double bottom tanks.

LACH® liquid alkaline cleaner

A heavy-duty alkaline product that contains powerful surfactants, cleaners and builders for dissolving and emulsifying animal and vegetable oils and fats. Completely water-soluble, it has no flash point and can be applied by direct injection or recirculation.

EDGE® heavy duty cleaner

A water-based, alkaline multi-purpose cleaner with concentrated detergents and wetting agents. Highly effective for machine and high-pressure spray cleaning of tanks. Especially suited where solvent cleaners have to be avoided. EDGE Cleaner is especially effective for cleaning animal, fish and vegetable oils and fats. It is also suitable for use when hydrocarbon-free cleaning is required.

ENVIROCARE® 370 heavy-duty solvent cleaner

A solvent-based emulsion cleaner. Used for the removal of coal tar, crude bitumens, thixman and similar substances. Economical cleaner which can be used for cleaning heavily contaminated metal parts.

ENVIROCARE 480 heavy-duty cleaner

A non-flammable, high-performing micro-emulsion cleaner formulated with biodegradable components. Designed especially for removing difficult baked-on oils, carbonized deposits, paraffin waxes and heavy greases.

ENVIROMATE® 2000 general purpose cleaner

A water-based cleaner formulated to meet the most stringent safety and requirements. With its broad range of cleaning agents, it is a non-flammable, biodegradable general purpose cleaner perfect for a broad range of deck, onshore, hold and galley applications.

Before selecting any Drew Marine product, consult the product literature or contact your local Drew Marine representative.

The Added Value of Drew Marine

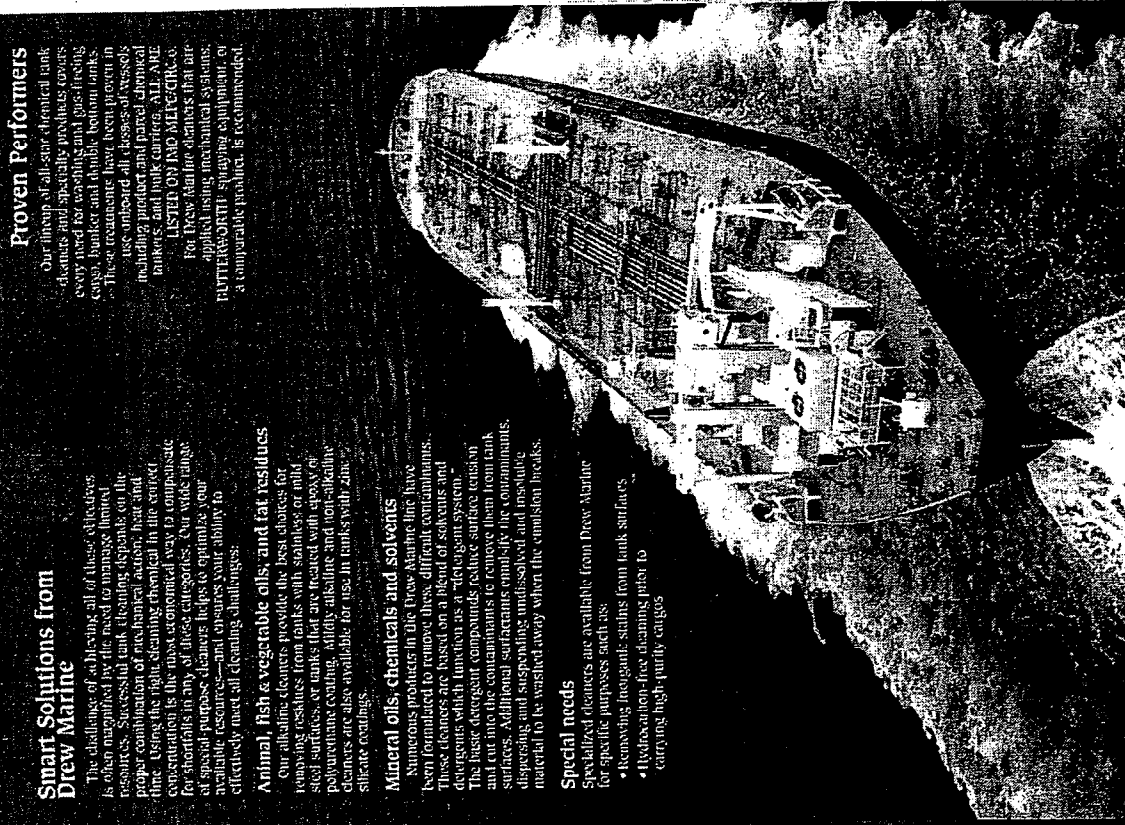
Quality chemicals and being able to provide a full crew survey and cost control are the keys to the solutions and services you need. We have extensive and respected for maintaining high standards of quality. In addition, our experience in actively helping customers solve their problems has earned us a reputation for manufacturing a high level of service that is unmatched in our industry. Over 3,500 customers attest to the superior performance provided by our exceptional global operation, which features:

- Worldwide distribution and support network with 100,000 sq. ft. of warehousing, serving over 900 ports in 48 countries.
- Efficient global communication network, utilizing advanced technology for prompt response to all customer needs.
- Commitment to the principles of the American Chemistry Council's Responsible Care® program, ensuring that the environment, health and safety in the workplace and communities we serve.
- Technological leadership with superior customer needs-focused research and development.
- Highly trained personnel, engineers and account specialists.
- Dependable delivery.
- Worldwide governmental and industry approvals.



For all of your tank cleaning needs, turn to Drew Marine for that extra measure of expertise and service that makes us the "Added Value" company.

ADDED VALUE



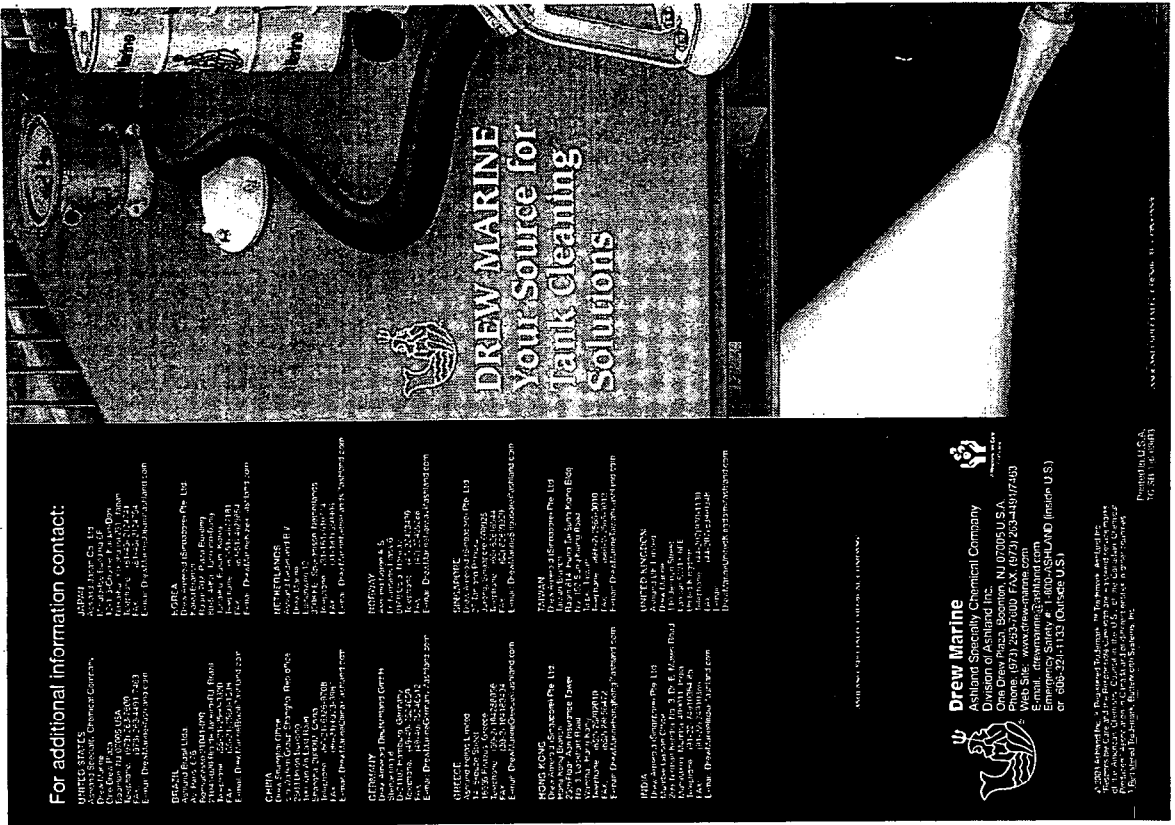
A High-Stakes Challenge

Knowledgeable tank cleaning decisions can make a major contribution to maximizing revenues, especially for vessels that turn over different cargoes frequently. With fast, effective tank washing, costly delays in obtaining survey and gas-free certificates can be avoided. The efficient removal of difficult residues eliminates the need to carry low-value cargo for tank-cleaning purposes. At the same time, high-value cargoes can be carried without fear of cross-contamination.

Ship owners and officers must also be concerned with minimizing the risk to vessel and crew from inadequate cleaning of hazardous residues. In addition, mandates for environmentally responsible handling of discharges must be satisfied, including demanding new standards from the IMO's subcommittee on Tank Liquids and Gases which are now in effect for all vessels carrying chemicals under Annex II of MARPOL. For cargo tank cleaning when cargo residue slugs are disposed at sea, only cleaners that meet these standards are permitted. Eligibility is determined in accordance with the requirements of Paragraph 1.8.2 of the Procedures & Arrangements Standards and approved cleaners are listed on the IMO MTC 2/CRC.

- Proven, specialized products for every cleaning task and contaminant.
- Unmatched experience in active helping customers solve their problems, which has earned us an industry-wide reputation for outstanding technical service.
- Dedicated specialists for expert tank cleaning consultation.
- A highly efficient worldwide distribution and support network.

Our continuing commitment to the American Chemistry Council's Responsible Care® initiative ensures added value for both crew safety and the environment in the design and application of all Drew Marine cleaning products.



DREW MARINE Your Source for Tank Cleaning Solutions

For additional information contact:

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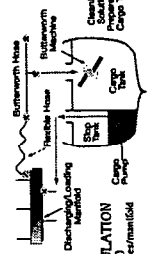
Tank Cleaning Procedures: The Basics

Specific procedures for the tank cleaning operation will depend on a number of variables including the amount and type of cargo residual to be cleaned, the condition and dimensions, type of tank coating, and how much time and labor are available. Reviewing the basic steps in tank cleaning, however, may be useful in considering appropriate cleaning chemicals for the job.

PRECLEANING: Prior to commencing the actual chemical cleaning process, heavy or extensive deposits are removed using fixed or portable tank cleaning machines with either sea or fresh water as the cleaning solvent. Residues are removed far more easily if precleaning is initiated immediately after the unloading of cargo and before these residues have been allowed to oxidize and solidify.

CLEANING: Cleaning can be accomplished by either mechanical or manual methods. Mechanical systems must have pump capacity 5-10% in excess of the total discharge of the tank washing machine, and capacity to heat water or to heat tanks as high as 90°C. Cleaning is done in four hours or less.

The recirculation method, which permits economy and multiple use of heat and chemicals, is highly effective and widely used. The chemical solution, typically at 1-2 percent, is prepared in the ship tank. It is then pumped under pressure using a closed recirculation circuit to a tank washing machine. This method is most effective for cleaning light mineral oils, fuel oils, oily sludges, solvents and chemicals.



Chemicals can also be injected directly into a mechanical tank washing system, which allows the dosage to be regulated and controlled at any place on deck, close to the tanks being washed. Direct injection is accomplished by spraying 100-200 ml per ton of wash water. Dosage is normally 1-2 liters of chemicals per ton of wash water.

If no mechanical tank wash system is available, undiluted chemicals can be manually sprayed at typical dosages of 100-150 liters per 1000m² of tank space. The manual spray method is also useful for spot cleaning.

For cleaning at sea, a commonly used procedure for cleaning double bottom tanks is to use the sounding pipes to introduce the chemicals and filling the tanks with seawater to the desired level. The normal rolling motion of the vessel provides the necessary agitation. Heating the solution is recommended if feasible.

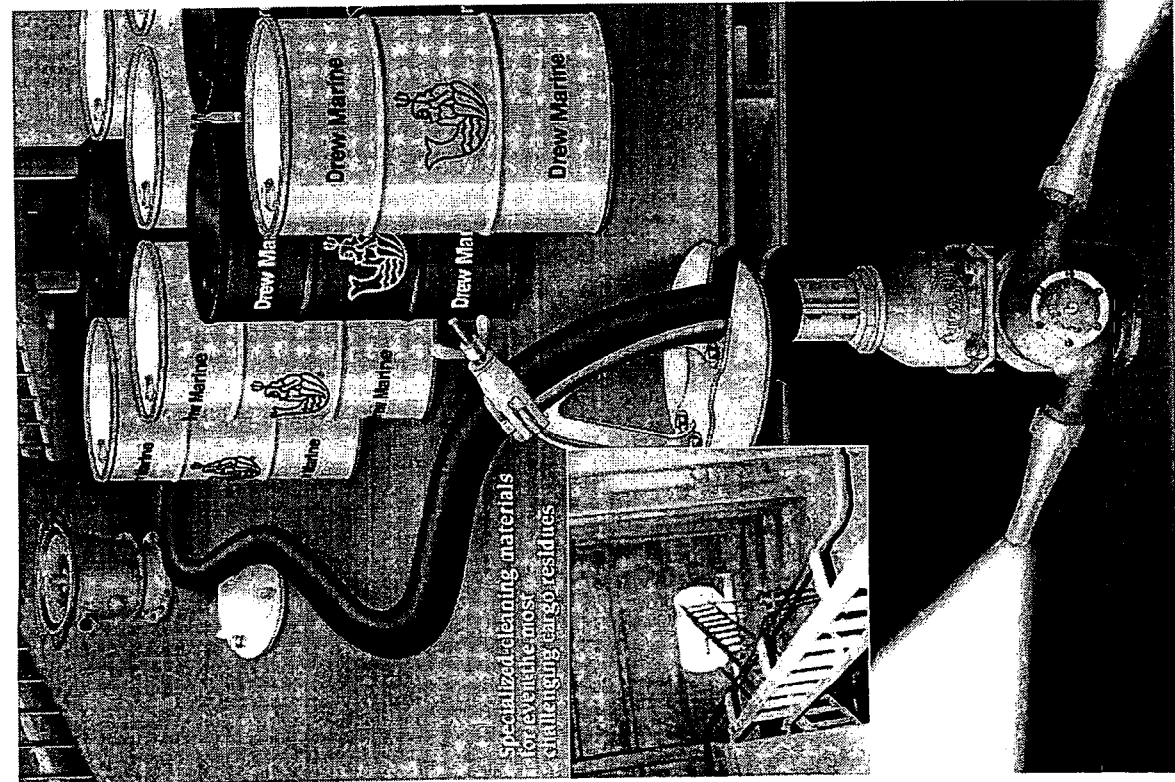
In addition to washing the main cargo tanks, air cargo lines must be flushed. Chemicals are mixed with fresh water to remove traces of sediment, detergent and ash.

STEAMING: Steaming to remove chlorides left from sea water is normally done after tank cleaning and before loading new cargo. The tank must then be ventilated until gas-free.

RINSING: Tanks should be rinsed using the tank cleaning machines with hot or cold fresh water immediately after the chemical cleaning has been completed.

DRAINING: Tanks, lines and pumps should be drained completely. Pumps should be removed and the lines blown through with compressed air. The tanks should be inspected to be free to remove any water remaining on the bottom of the tank.

DRYING: Tanks must be thoroughly ventilated and dried using air fans and inspected. Any remaining contaminants should be removed by wiping with rags, and vapors should be tested prior to loading. The pumps should remain open until the air-dryer inspection is complete.



Specialized cleaning materials
for preventing the most
challenging cargo residues