
To: Habib Bank Limited (trademarks@hblaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77340480 - HBL HABIB BANK - 0808685.NY06
Sent: 6/4/2009 1:15:52 PM
Sent As: ECOM110@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/340480

MARK: HBL HABIB BANK



CORRESPONDENT ADDRESS:
MARK I. PEROFF
HISCOCK & BARCLAY, LLP
7 TIMES SQ
NEW YORK, NY 10036-6524

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Habib Bank Limited

CORRESPONDENT'S REFERENCE/DOCKET
NO: 0808685.NY06
CORRESPONDENT E-MAIL ADDRESS:
trademarks@hblaw.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 6/4/2009

Applicant is requesting reconsideration of a final refusal issued/mailed April 23, 2009.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was issued/mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c). If applicant has already filed a timely notice of appeal, the application will be forwarded to the Trademark Trial and Appeal Board (TTAB).

IDENTIFICATION OF GOODS

The wording "Magnetically-encoded cards for carrying out bank operations", "smart cards in the nature of debit cards and credit cards" and "bank cards, namely, credit cards and debit cards" in the identification of goods is indefinite and must be clarified. See TMEP §1402.01. Applicant may adopt the following identification, if accurate:

"Magnetically-encoded credit or debit cards for carrying out bank operations; integrated circuit cards, namely, smart cards in the nature of magnetically encoded debit cards and credit cards; computer programs and computer software for collecting, processing and/or storing transactions and/or data related thereto and/or software facilitating or managing the same, recorded on recording discs; blank magnetic data carriers for recordation of computer programs; magnetically encoded credit cards, automatic vending machines, bank cards, namely, magnetically encoded credit cards and debit cards" in International Class 9

The goods and services in classes 16 and 36 are acceptable as written.

Identifications of goods can be amended only to clarify or limit the goods; adding to or broadening the scope of the goods is not permitted. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include goods that are not within the scope of the goods set forth in the present identification.

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

/Sani Khouri/
Examining Attorney
Law Office 110
571-272-5884- Phone
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STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

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IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 6/4/2009 FOR
APPLICATION SERIAL NO. 77340480

Please follow the instructions below to continue the prosecution of your application:

VIEW OFFICE ACTION: Click on this link http://tportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77340480&doc_type=REC&mail_date=20090604 (or copy and paste this URL into the address field of your browser), or visit <http://tportal.uspto.gov/external/portal/tow> and enter the application serial number to **access** the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable **response time period**. Your response deadline will be calculated from **6/4/2009**.

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**