

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77940971
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Electrical apparatus and instruments, namely, near field communication devices namely, mobile telephones, point of sale devices, smart card readers and proximity payment devices, computer software, namely computer operating systems, telecommunications equipment, namely telephones, mobile telecommunication devices, namely mobile telephones, for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication devices	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	009
TRACKED TEXT DESCRIPTION	
<p>Electrical apparatus and instruments, namely, near field communication devices namely, mobile telephones, point of sale devices, smart card readers and proximity payment devices, computer software, namely computer operating systems, telecommunications equipment, namely telephones, mobile telecommunication devices, namely mobile telephones, for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication devices ; <u>Electrical apparatus and instruments, namely mobile telephones, smart card readers, and proximity payment processing devices all using near field communication technology for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; computer operating system software for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; telecommunications equipment, namely telephones and mobile telephones for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device.</u></p>	
FINAL DESCRIPTION	
Electrical apparatus and instruments, namely mobile telephones, smart card readers, and proximity	

payment processing devices all using near field communication technology for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; computer operating system software for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; telecommunications equipment, namely telephones and mobile telephones for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device.

FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Erin S. Hennessy/
SIGNATORY'S NAME	Erin S. Hennessy
SIGNATORY'S POSITION	Attorney of record, Washington bar member
DATE SIGNED	11/10/2010
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Nov 10 19:21:13 EST 2010
TEAS STAMP	USPTO/RFR-72.37.244.60-20 101110192113986810-779409 71-47041c5da2588fb311967a 8ed259546b77a-N/A-N/A-201 01110164130497702

**Request for Reconsideration after Final Action
To the Commissioner for Trademarks:**

Application serial no. **77940971** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Electrical apparatus and instruments, namely, near field communication devices namely, mobile telephones, point of sale devices, smart card readers and proximity payment devices, computer software, namely computer operating systems, telecommunications equipment, namely

telephones, mobile telecommunication devices, namely mobile telephones, for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication devices

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: ~~Electrical apparatus and instruments, namely, near field communication devices namely, mobile telephones, point of sale devices, smart card readers and proximity payment devices, computer software, namely computer operating systems, telecommunications equipment, namely telephones, mobile telecommunication devices, namely mobile telephones, for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication devices; Electrical apparatus and instruments, namely mobile telephones, smart card readers, and proximity payment processing devices all using near field communication technology for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; computer operating system software for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; telecommunications equipment, namely telephones and mobile telephones for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device.~~ Class 009 for Electrical apparatus and instruments, namely mobile telephones, smart card readers, and proximity payment processing devices all using near field communication technology for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; computer operating system software for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device; telecommunications equipment, namely telephones and mobile telephones for facilitating commercial transactions through electronic means via wireless network, global computer network and mobile telecommunication device.

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Erin S. Hennessy/ Date: 11/10/2010

Signatory's Name: Erin S. Hennessy

Signatory's Position: Attorney of record, Washington bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the

applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77940971

Internet Transmission Date: Wed Nov 10 19:21:13 EST 2010

TEAS Stamp: USPTO/RFR-72.37.244.60-20101110192113986

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