
To: American Gateway Marketing Group, Inc. (mark@trademarkfalkin.com)
Subject: TRADEMARK APPLICATION NO. 78366349 - ZENERGY - N/A
Sent: 2/6/2009 6:59:09 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE**SERIAL NO:** 78/366349**MARK:** ZENERGY**CORRESPONDENT ADDRESS:**

Mark G Falkin
Attorney@Law
Suite 207
4107 Medical Parkway
Austin TX 78756



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

APPLICANT: American Gateway
Marketing Group, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:
mark@trademarkfalkin.com

REQUEST FOR RECONSIDERATION DENIED**ISSUE/MAILING DATE:** 2/6/2009

Applicant is requesting reconsideration of a final refusal issued/mailed August 5, 2008.

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).

Howard Smiga /hs/
Trademark Attorney
Law Office 102
571-272-9220 Office
571-273-9102 Fax

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.

To: American Gateway Marketing Group, Inc.
(mark@trademarkfalkin.com)

Subject: TRADEMARK APPLICATION NO. 78366349 - ZENERGY - N/A

Sent: 2/6/2009 6:59:12 PM

Sent As: ECOM102@USPTO.GOV

Attachments:

IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 2/6/2009 FOR
APPLICATION SERIAL NO. 78366349

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=78366349&doc_type=REC&mail_date=20090206 (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 **2/6/2009**.

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.**