

PTO Form 1957 (Rev 9/05)

OMB No. 0651-0050 (Exp. 04/2009)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78691985
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
ARGUMENT(S)	
Applicant will submit a request to divide this application to separate the Class 9, 16 and 41 goods and services, for which no outstanding issues remain, from the Class 25 and 28 services, for which the Examining Attorney has refused registration. Applicant will also submit a Notice of Appeal with respect to the refusal of registration for Classes 25 and 28.	
GOODS AND/OR SERVICES SECTION (009)(no change)	
GOODS AND/OR SERVICES SECTION (016)(no change)	
GOODS AND/OR SERVICES SECTION (025)(no change)	
GOODS AND/OR SERVICES SECTION (028)(current)	
INTERNATIONAL CLASS	028
DESCRIPTION	
Educational toys, games and playthings, namely, card games; action skill games; hand held units for playing electronic and video games; manipulative games; role playing games; educational science and hobby craft kits, consisting of mixing containers and utensils, plastic molds, measuring cups and spoons, test tubes, rubber stamps, ink, paint, brushes, glue, stirring sticks, eyepieces and goggles; model toys and parts therefor	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (028)(proposed)	
INTERNATIONAL CLASS	028
DESCRIPTION	
Educational toys, games and playthings, namely, card games, action skill games, hand held units for playing electronic and video games, manipulative games, role playing games, model toy vehicles, toy model hobbycraft kits, and educational science and hobby craft kits comprising mixing containers and utensils, plastic molds, measuring cups and spoons, test tubes, rubber stamps, ink, paint, brushes, glue,	

stirring sticks, eyepieces and goggles	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(no change)	
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/Laurel E. Queeno/
SIGNATORY'S NAME	Laurel E. Queeno
SIGNATORY'S POSITION	Attorney
DATE SIGNED	11/30/2006
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Nov 30 17:23:46 EST 2006
TEAS STAMP	USPTO/ROA-204.4.74.35-200 61130172346536990-7869198 5-340c9ee7df77e3309a5e6d0 54aba7c194-N/A-N/A-200611 30171658903816

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OMB No. 0651-0050 (Exp. 04/2009)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **78691985** has been amended as follows:

Argument(s)

In response to the substantive refusal(s), please note the following:

Applicant will submit a request to divide this application to separate the Class 9, 16 and 41 goods and services, for which no outstanding issues remain, from the Class 25 and 28 services, for which the Examining Attorney has refused registration. Applicant will also submit a Notice of Appeal with respect to the refusal of registration for Classes 25 and 28.

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 028 for Educational toys, games and playthings, namely, card games; action skill games; hand held units for playing electronic and video games; manipulative games; role playing games; educational science and hobby craft kits, consisting of mixing containers and utensils, plastic molds, measuring cups and spoons, test tubes, rubber stamps, ink, paint, brushes, glue, stirring sticks, eyepieces and goggles; model toys and parts therefor

Original Filing Basis: 1(b).

Proposed: Class 028 for Educational toys, games and playthings, namely, card games, action skill games, hand held units for playing electronic and video games, manipulative games, role playing games, model toy vehicles, toy model hobbycraft kits, and educational science and hobby craft kits comprising mixing containers and utensils, plastic molds, measuring cups and spoons, test tubes, rubber stamps, ink, paint, brushes, glue, stirring sticks, eyepieces and goggles

Filing Basis: 1(b).

Declaration Signature

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review, require a signed declaration.

Response Signature

Signature: /Laurel E. Queeno/ Date: 11/30/2006

Signatory's Name: Laurel E. Queeno

Signatory's Position: Attorney

Serial Number: 78691985

Internet Transmission Date: Thu Nov 30 17:23:46 EST 2006

TEAS Stamp: USPTO/ROA-204.4.74.35-200611301723465369

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