
To: ABS-CBN International (roxanne.edwards@bakernet.com)
Subject: TRADEMARK APPLICATION NO. 78971368 - OMG - 24100841-2
Sent: 3/14/2008 12:04:42 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/971368

MARK: OMG

CORRESPONDENT ADDRESS:
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DALLAS, TX 75201



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

APPLICANT: ABS-CBN International

**CORRESPONDENT'S REFERENCE/DOCKET
NO:** 24100841-2
CORRESPONDENT E-MAIL ADDRESS:
roxanne.edwards@bakernet.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 3/14/2008

Applicant is requesting reconsideration of a final refusal issued/mailed 02/28/2008.

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.

Applicant has provided no new evidence or persuasive arguments regarding the substantive issue for appeal. Applicant has requested suspension, citing TMEP Section 716.02(e). However, (1) the grace period passed for the filing of the Section 8/9 affidavit has not passed and (2) the examining attorney is not ready to write the appeal brief. These are the two conditions that must be present for suspension to occur under the relevant section of the TMEP.

Accordingly, applicant should write and submit its appeal brief. If no Section 8/9 affidavit has been filed after that, the examining attorney will check the status of the cited registration and will suspend this

matter, if appropriate. TMEP Section 716.02(e). While applicant indicates that suspension would be for the benefit of the examining attorney and the TTAB, suspension at this time would burden the TTAB and the Trademark Examining Operation by delaying the disposition of this matter.

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).

/Fred Carl III/
Law Office 108
571 272 8867 voice
571 273 9108 fax for official communication only

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: ABS-CBN International (roxanne.edwards@bakernet.com)
Subject: TRADEMARK APPLICATION NO. 78971368 - OMG - 24100841-2
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IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 3/14/2008 FOR
APPLICATION SERIAL NO. 78971368

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=78971368&doc_type=REC&mail_date=20080314 (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 **3/14/2008**.

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.**