

From: Gandara, Keyla

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Subject: U.S. TRADEMARK APPLICATION NO. 79171734 - CHEF SELECT TO GO - N/A - Request for Reconsideration Denied - Return to TTAB

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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 79171734

MARK: CHEF SELECT TO GO



CORRESPONDENT ADDRESS:

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GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

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APPLICANT: Lidl Stiftung & Co. KG

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

ptotmcommunication@lockelord.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 1/30/2018

INTERNATIONAL REGISTRATION NO. 1263075

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The refusal under Trademark Act Section 2(d) based on U.S. Reg. No. 3873838 made final in the Office action dated July 6, 2017 is maintained and continues to be final. See TMEP §§715.03(a)(ii)(B), 715.04(a). The refusal under Trademark Act Section 2(d) based on U.S. Reg. No. 4156570 made final in the Office action is withdrawn. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue, nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirements and/or refusals, and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); *see* 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); *see* TMEP §§715.03, 715.03(a)(ii)(B), (c).

/Keyla Gandara/

Trademark Examining Attorney

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