

## Request for Reconsideration after Final Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	79238089
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 101
<b>MARK SECTION</b>	
<b>MARK</b>	https://tmng-al.uspto.gov/resting2/api/img/79238089/large
<b>LITERAL ELEMENT</b>	SALEWA
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>GOODS AND/OR SERVICES SECTION (006)(current)</b>	
<b>INTERNATIONAL CLASS</b>	006
<b>DESCRIPTION</b>	
Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for mountaineering; pitons made of metal; ice screws made of metal; rock-pitons made of metal; carabiners made of metal; clamping wedges made of metal, in the nature of clamps; crampons; crampon bindings in the nature of bindings especially adapted to crampons; ascenders made of metal; tent poles made of metal; tent pegs made of metal; belay devices and descenders made of metal, included in this class; transportable buildings of metal; containers of metal for transport and storage of goods; ropes of metal	
<b>GOODS AND/OR SERVICES SECTION (006)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	006
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for mountaineering;</del> <a href="#">Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for use in descending ropes, for mountaineering;</a> pitons made of metal; ice screws made of metal; rock-pitons made of metal; carabiners made of metal; clamping wedges made of metal, in the nature of clamps; crampons; crampon bindings in the nature of bindings especially adapted to crampons; ascenders made of metal; tent poles made of metal; tent pegs made of metal; <del>belay devices and descenders made of metal, included in this class;</del> <a href="#">belay devices and descenders made of metal, for descending ropes, included in this class;</a> transportable buildings of metal; containers of metal for transport and storage of goods; ropes of metal	
<b>FINAL DESCRIPTION</b>	
Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for use in descending ropes, for mountaineering; pitons made of metal; ice screws made of metal; rock-pitons made of metal; carabiners made of metal; clamping wedges made of metal, in the nature of clamps; crampons; crampon bindings in the nature of bindings especially adapted to crampons; ascenders made of metal; tent poles made of metal; tent pegs made of metal; belay devices and descenders made of metal, for descending ropes, included in this class; transportable buildings of metal; containers of metal for transport and storage of goods; ropes of metal	
<b>GOODS AND/OR SERVICES SECTION (008)(current)</b>	
<b>INTERNATIONAL CLASS</b>	008
<b>DESCRIPTION</b>	
Hand tools, namely, saws, scrapers, screwdrivers, ice screws and spades; ice picks; ice axes; rock hammers being hand tools; shovels being	

hand tools; working knives, table cutlery; hammers being hand tools; tin openers (non-electric); hand-operated cutting tools; belts for tools; chisels being hand-operated tools; picks being hand tools; manicure sets

**GOODS AND/OR SERVICES SECTION (008)(proposed)**

INTERNATIONAL CLASS

008

**TRACKED TEXT DESCRIPTION**

~~Hand tools, namely, saws, scrapers, screwdrivers, ice screws and spades;~~ Hand tools, namely, saws, scrapers, screwdrivers, ice screwdrivers and spades; ice picks; ice axes; rock hammers being hand tools; shovels being hand tools; working knives, table cutlery; hammers being hand tools; ~~tin openers (non-electric);~~ non-electric tin openers; hand-operated cutting tools; belts for tools; chisels being hand-operated tools; picks being hand tools; manicure sets

**FINAL DESCRIPTION**

Hand tools, namely, saws, scrapers, screwdrivers, ice screwdrivers and spades; ice picks; ice axes; rock hammers being hand tools; shovels being hand tools; working knives, table cutlery; hammers being hand tools; non-electric tin openers; hand-operated cutting tools; belts for tools; chisels being hand-operated tools; picks being hand tools; manicure sets

**GOODS AND/OR SERVICES SECTION (009)(current)**

INTERNATIONAL CLASS

009

**DESCRIPTION**

Protective and safety helmets; protective clothing (included in this class); spectacle products and spectacle accessories (included in this class); spectacle cases; sunglasses; sports glasses; ski goggles; recovery apparatus, included in this class, in particular sensors; camera and computer bags; computer hardware and computer software; signalling, regulating and life-saving apparatus and instruments; measuring apparatus; avalanche search devices, included in this class; sound carriers; CD-players; MP3-players; data carriers; loudspeakers; headphones; electrical sound reproduction apparatus

**GOODS AND/OR SERVICES SECTION (009)(proposed)**

INTERNATIONAL CLASS

009

**TRACKED TEXT DESCRIPTION**

Protective and safety helmets; ~~protective clothing (included in this class);~~ protective clothing, included in this class, namely, with built-in armor for protection against accident or injury for use in mountaineering; ~~spectacle products and spectacle accessories (included in this class);~~ spectacle products and spectacle accessories, included in this class, namely, anti-dazzle spectacles and spectacle chains; spectacle cases; sunglasses; sports glasses; ski goggles; ~~recovery apparatus, included in this class, in particular sensors;~~ recovery apparatus, included in this class, in particular sensors for sensing the location and position of lost persons and objects using GPS system, radio frequency and cellular communication networks; camera and computer bags; ~~computer hardware and computer software;~~ computer hardware and computer software, namely, software for navigation and transmission of electronic signals, data and images; ~~signalling, regulating and life-saving apparatus and instruments;~~ signaling, regulating and life-saving apparatus and instruments, namely, signal mirrors and emergency signal transmitters}; ~~measuring apparatus;~~ measuring apparatus, namely, coordinate measuring machines and distance measuring apparatus, compasses for measuring; ~~avalanche search devices, included in this class;~~ avalanche search devices, included in this class, namely, GPS tracking devices and avalanche probes in the nature of elongated rods used to manually probe for people or objects covered by an avalanche and avalanche probes featuring sensors for measuring snow depth; ~~sound carriers;~~ sound carriers, namely, blank compact discs, pre-recorded compact discs featuring information and instruction about mountaineering}; CD-players; MP3-players; ~~data carriers;~~ data carriers, namely, blank optical data carrier, pre-recorded optical data carrier featuring information and instruction about mountaineering; loudspeakers; headphones; electrical sound reproduction apparatus

**FINAL DESCRIPTION**

Protective and safety helmets; protective clothing, included in this class, namely, with built-in armor for protection against accident or injury for use in mountaineering; spectacle products and spectacle accessories, included in this class, namely, anti-dazzle spectacles and spectacle chains; spectacle cases; sunglasses; sports glasses; ski goggles; recovery apparatus, included in this class, in particular sensors for sensing the location and position of lost persons and objects using GPS system, radio frequency and cellular communication networks; camera and computer bags; computer hardware and computer software, namely, software for navigation and transmission of electronic signals, data and images; signaling, regulating and life-saving apparatus and instruments, namely, signal mirrors and emergency signal transmitters}; measuring apparatus, namely, coordinate measuring machines and distance measuring apparatus, compasses for measuring; avalanche search devices, included in this class, namely, GPS tracking devices and avalanche probes in the nature of elongated rods used to manually probe for people or objects covered by an avalanche and avalanche probes featuring sensors for measuring snow depth; sound carriers, namely, blank compact discs, pre-recorded compact discs featuring information and instruction about mountaineering}; CD-players; MP3-players; data carriers, namely, blank optical data carrier, pre-recorded optical data carrier featuring information and instruction about mountaineering; loudspeakers;

headphones; electrical sound reproduction apparatus	
<b>GOODS AND/OR SERVICES SECTION (020)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (022)(current)</b>	
INTERNATIONAL CLASS	022
<b>DESCRIPTION</b>	
Ropes; non-metal belts for handling loads; nets, namely, camouflage nets and fishing nets; underlays, namely, underlays for tents; tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents; tarpaulins; sails; bags, namely, bags for packaging made out of textile materials; tent bags, namely, bags specially adapted for storing and carrying tents; sacks and bags for packaging made out of textile material; down feathers; textile and plastic fibers for textile purposes	
<b>GOODS AND/OR SERVICES SECTION (022)(proposed)</b>	
INTERNATIONAL CLASS	022
<b>TRACKED TEXT DESCRIPTION</b>	
Ropes; non-metal belts for handling loads; nets, namely, camouflage nets and fishing nets; underlays, namely, underlays for tents; <del>tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents;</del> <a href="#">tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents in the nature of awnings and enclosed extensions from the main living space of tents made of textile or synthetic material;</a> tarpaulins; sails; bags, namely, bags for packaging made out of textile materials; tent bags, namely, bags specially adapted for storing and carrying tents; sacks and bags for packaging made out of textile material; down feathers; textile and plastic fibers for textile purposes	
<b>FINAL DESCRIPTION</b>	
Ropes; non-metal belts for handling loads; nets, namely, camouflage nets and fishing nets; underlays, namely, underlays for tents; tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents in the nature of awnings and enclosed extensions from the main living space of tents made of textile or synthetic material; tarpaulins; sails; bags, namely, bags for packaging made out of textile materials; tent bags, namely, bags specially adapted for storing and carrying tents; sacks and bags for packaging made out of textile material; down feathers; textile and plastic fibers for textile purposes	
<b>ADDITIONAL STATEMENTS SECTION</b>	
MISCELLANEOUS STATEMENT	The examining attorney is requested to note that U.S. Reg. No. 4,669,211 contains the goods "metal belay brakes for mountaineering" without the addition of the language "not for recreational or sports purposes." Accordingly, in the interest of consistency, applicant requests that the description of goods in class 6 be accepted as amended. Further, with respect to the description "ascenders made of metal," the Examining Attorney is referred to U.S. Reg. No. 4089543 (now cancelled), which contained the description "ascenders made of metal" without any additional language. For the same reason, namely, consistency, applicant request acceptance of the description as amended herein
<b>ATTORNEY SECTION (current)</b>	
NAME	Thilo C. Agthe
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	Wuersch & Gering LLP
STREET	100 Wall Street, 10th Floor
CITY	New York
STATE	New York
POSTAL CODE	10005
COUNTRY	US
PHONE	212-509-5050
FAX	212-509-9559

EMAIL	tm-group@wg-law.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	5207-213
<b>ATTORNEY SECTION (proposed)</b>	
NAME	Thilo C. Agthe
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Wuersch & Gering LLP
STREET	100 Wall Street, 10th Floor
CITY	New York
STATE	New York
POSTAL CODE	10005
COUNTRY	United States
PHONE	212-509-5050
FAX	212-509-9559
EMAIL	tm-group@wg-law.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	5207-213
OTHER APPOINTED ATTORNEY	Maria Luisa Palmese, Linda Shudy Lecomte
<b>CORRESPONDENCE SECTION (current)</b>	
NAME	Thilo C. Agthe
FIRM NAME	Wuersch & Gering LLP
STREET	100 Wall Street, 10th Floor
CITY	New York
STATE	New York
POSTAL CODE	10005
COUNTRY	US
PHONE	212-509-5050
FAX	212-509-9559
EMAIL	tm-group@wg-law.com; thilo.agthe@wg-law.com; maria.palmese@wg-law.com; linda.lecomte@wg-law.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	5207-213
<b>CORRESPONDENCE SECTION (proposed)</b>	
NAME	Thilo C. Agthe
FIRM NAME	Wuersch & Gering LLP
STREET	100 Wall Street, 10th Floor

<b>CITY</b>	New York
<b>STATE</b>	New York
<b>POSTAL CODE</b>	10005
<b>COUNTRY</b>	United States
<b>PHONE</b>	212-509-5050
<b>FAX</b>	212-509-9559
<b>EMAIL</b>	tm-group@wg-law.com; thilo.agthe@wg-law.com; maria.palmese@wg-law.com; linda.lecomte@wg-law.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>DOCKET/REFERENCE NUMBER</b>	5207-213
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Thilo C. Agthe/
<b>SIGNATORY'S NAME</b>	Thilo C. Agthe
<b>SIGNATORY'S POSITION</b>	Attorney of record, New York bar member
<b>SIGNATORY'S PHONE NUMBER</b>	212-509-5050
<b>DATE SIGNED</b>	09/23/2019
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Sep 23 10:31:04 EDT 2019
<b>TEAS STAMP</b>	USPTO/RFR-XXX.XX.XX.X-201 90923103104109340-7923808 9-610eda05f9f7c587155f6c4 f7a861ed72aba2a08b38c973d bcaa5be6a803033a4-N/A-N/A -20190923102431633405

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PTO Form 1960 (Rev 10/2011)  
OMB No. 0651-0050 (Exp 09/20/2020)

### Request for Reconsideration after Final Action

#### To the Commissioner for Trademarks:

Application serial no. **79238089** SALEWA(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/79238089/large>) 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 006 for Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for mountaineering; pitons made of metal; ice screws made of metal; rock-pitons made of metal; carabiners made of metal; clamping wedges made of metal, in the nature of clamps; crampons; crampon bindings in the nature of bindings especially adapted to crampons; ascenders made of metal; tent poles made of metal; tent pegs made of metal; belay devices and descenders made of metal, included in this class; transportable buildings of metal; containers of metal for transport and storage of goods; ropes of metal

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Proposed:**

**Tracked Text Description:** ~~Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for mountaineering;~~ Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for use in descending ropes, for mountaineering; pitons made of metal; ice screws made of metal; rock-pitons made of metal; carabiners made of metal; clamping wedges made of metal, in the nature of clamps; crampons; crampon bindings in the nature of bindings especially adapted to crampons; ascenders made of metal; tent poles made of metal; tent pegs made of metal; ~~belay devices and descenders made of metal, included in this class;~~ belay devices and descenders made of metal, for descending ropes, included in this class; transportable buildings of metal; containers of metal for transport and storage of goods; ropes of metal

Class 006 for Common metals and their alloys as well as goods made of these materials, namely, metal belay brakes for use in descending ropes, for mountaineering; pitons made of metal; ice screws made of metal; rock-pitons made of metal; carabiners made of metal; clamping wedges made of metal, in the nature of clamps; crampons; crampon bindings in the nature of bindings especially adapted to crampons; ascenders made of metal; tent poles made of metal; tent pegs made of metal; belay devices and descenders made of metal, for descending ropes, included in this class; transportable buildings of metal; containers of metal for transport and storage of goods; ropes of metal

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

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

**Current:** Class 008 for Hand tools, namely, saws, scrapers, screwdrivers, ice screws and spades; ice picks; ice axes; rock hammers being hand tools; shovels being hand tools; working knives, table cutlery; hammers being hand tools; tin openers (non-electric); hand-operated cutting tools; belts for tools; chisels being hand-operated tools; picks being hand tools; manicure sets

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Proposed:**

**Tracked Text Description:** ~~Hand tools, namely, saws, scrapers, screwdrivers, ice screws and spades;~~ Hand tools, namely, saws, scrapers, screwdrivers, ice screwdrivers and spades; ice picks; ice axes; rock hammers being hand tools; shovels being hand tools; working knives, table cutlery; hammers being hand tools; ~~tin openers (non-electric);~~ non-electric tin openers; hand-operated cutting tools; belts for tools; chisels being hand-operated tools; picks being hand tools; manicure sets

Class 008 for Hand tools, namely, saws, scrapers, screwdrivers, ice screwdrivers and spades; ice picks; ice axes; rock hammers being hand tools; shovels being hand tools; working knives, table cutlery; hammers being hand tools; non-electric tin openers; hand-operated cutting tools; belts for tools; chisels being hand-operated tools; picks being hand tools; manicure sets

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

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

**Current:** Class 009 for Protective and safety helmets; protective clothing (included in this class); spectacle products and spectacle accessories (included in this class); spectacle cases; sunglasses; sports glasses; ski goggles; recovery apparatus, included in this class, in particular sensors; camera and computer bags; computer hardware and computer software; signalling, regulating and life-saving apparatus and instruments; measuring apparatus; avalanche search devices, included in this class; sound carriers; CD-players; MP3-players; data carriers; loudspeakers; headphones; electrical sound reproduction apparatus

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Proposed:**

**Tracked Text Description:** Protective and safety helmets; ~~protective clothing (included in this class);~~ protective clothing, included in this class, namely, with built-in armor for protection against accident or injury for use in mountaineering; ~~spectacle products and spectacle accessories (included in this class);~~ spectacle products and spectacle accessories, included in this class, namely, anti-dazzle spectacles and spectacle chains; spectacle cases; sunglasses; sports glasses; ski goggles; ~~recovery apparatus, included in this class, in particular sensors;~~ recovery apparatus, included in this class, in particular sensors for sensing the location and position of lost persons and objects using GPS system, radio frequency and cellular communication networks; camera and computer bags; ~~computer hardware and computer software;~~ computer hardware and computer software, namely, software for navigation and transmission of electronic signals, data and images; ~~signalling, regulating and life-saving apparatus and instruments;~~ signaling, regulating and life-saving apparatus and instruments, namely, signal mirrors and emergency signal transmitters}; ~~measuring apparatus;~~ measuring apparatus, namely, coordinate measuring machines and distance measuring apparatus, compasses for measuring; ~~avalanche search devices, included in this class;~~ avalanche search devices, included in this class, namely, GPS tracking devices and avalanche probes in the nature of elongated rods used to manually probe for people or objects covered by an avalanche and avalanche probes featuring sensors for measuring snow depth; ~~sound carriers;~~ sound carriers, namely, blank compact discs, pre-recorded compact discs featuring information

[and instruction about mountaineering](#) }; CD-players; MP3-players; ~~data carriers~~; [data carriers, namely, blank optical data carrier, pre-recorded optical data carrier featuring information and instruction about mountaineering](#); loudspeakers; headphones; electrical sound reproduction apparatus

Class 009 for Protective and safety helmets; protective clothing, included in this class, namely, with built-in armor for protection against accident or injury for use in mountaineering; spectacle products and spectacle accessories, included in this class, namely, anti-dazzle spectacles and spectacle chains; spectacle cases; sunglasses; sports glasses; ski goggles; recovery apparatus, included in this class, in particular sensors for sensing the location and position of lost persons and objects using GPS system, radio frequency and cellular communication networks; camera and computer bags; computer hardware and computer software, namely, software for navigation and transmission of electronic signals, data and images; signaling, regulating and life-saving apparatus and instruments, namely, signal mirrors and emergency signal transmitters}; measuring apparatus, namely, coordinate measuring machines and distance measuring apparatus, compasses for measuring; avalanche search devices, included in this class, namely, GPS tracking devices and avalanche probes in the nature of elongated rods used to manually probe for people or objects covered by an avalanche and avalanche probes featuring sensors for measuring snow depth; sound carriers, namely, blank compact discs, pre-recorded compact discs featuring information and instruction about mountaineering}; CD-players; MP3-players; data carriers, namely, blank optical data carrier, pre-recorded optical data carrier featuring information and instruction about mountaineering; loudspeakers; headphones; electrical sound reproduction apparatus

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

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

**Current:** Class 022 for Ropes; non-metal belts for handling loads; nets, namely, camouflage nets and fishing nets; underlays, namely, underlays for tents; tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents; tarpaulins; sails; bags, namely, bags for packaging made out of textile materials; tent bags, namely, bags specially adapted for storing and carrying tents; sacks and bags for packaging made out of textile material; down feathers; textile and plastic fibers for textile purposes

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Proposed:**

**Tracked Text Description:** Ropes; non-metal belts for handling loads; nets, namely, camouflage nets and fishing nets; underlays, namely, underlays for tents; ~~tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents~~; [tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents in the nature of awnings and enclosed extensions from the main living space of tents made of textile or synthetic material](#); tarpaulins; sails; bags, namely, bags for packaging made out of textile materials; tent bags, namely, bags specially adapted for storing and carrying tents; sacks and bags for packaging made out of textile material; down feathers; textile and plastic fibers for textile purposes

Class 022 for Ropes; non-metal belts for handling loads; nets, namely, camouflage nets and fishing nets; underlays, namely, underlays for tents; tents and accessories for tents, namely, tent flies, rain flies, bell ends for tents in the nature of awnings and enclosed extensions from the main living space of tents made of textile or synthetic material; tarpaulins; sails; bags, namely, bags for packaging made out of textile materials; tent bags, namely, bags specially adapted for storing and carrying tents; sacks and bags for packaging made out of textile material; down feathers; textile and plastic fibers for textile purposes

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

The applicant's current attorney information: Thilo C. Agthe. Thilo C. Agthe of Wuersch & Gering LLP, is located at

100 Wall Street, 10th Floor  
New York, New York 10005  
US

The docket/reference number is 5207-213.

The phone number is 212-509-5050.

The fax number is 212-509-9559.

The email address is [tm-group@wg-law.com](mailto:tm-group@wg-law.com)

The applicants proposed attorney information: Thilo C. Agthe. Other appointed attorneys are Maria Luisa Palmese, Linda Shudy Lecomte. Thilo C. Agthe of Wuersch & Gering LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

100 Wall Street, 10th Floor  
New York, New York 10005



United States

The docket/reference number is 5207-213.

The phone number is 212-509-5050.

The fax number is 212-509-9559.

The email address is tm-group@wg-law.com

Thilo C. Agthe submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current correspondence information: Thilo C. Agthe. Thilo C. Agthe of Wuersch & Gering LLP, is located at

100 Wall Street, 10th Floor  
New York, New York 10005  
US

The docket/reference number is 5207-213.

The phone number is 212-509-5050.

The fax number is 212-509-9559.

The email address is tm-group@wg-law.com; thilo.agthe@wg-law.com; maria.palmese@wg-law.com; linda.lecomte@wg-law.com

The applicants proposed correspondence information: Thilo C. Agthe. Thilo C. Agthe of Wuersch & Gering LLP, is located at

100 Wall Street, 10th Floor  
New York, New York 10005  
United States

The docket/reference number is 5207-213.

The phone number is 212-509-5050.

The fax number is 212-509-9559.

The email address is tm-group@wg-law.com; thilo.agthe@wg-law.com; maria.palmese@wg-law.com; linda.lecomte@wg-law.com

## **ADDITIONAL STATEMENTS**

### **Miscellaneous Statement**

The examining attorney is requested to note that U.S. Reg. No. 4,669,211 contains the goods "metal belay brakes for mountaineering" without the addition of the language "not for recreational or sports purposes." Accordingly, in the interest of consistency, applicant requests that the description of goods in class 6 be accepted as amended. Further, with respect to the description "ascenders made of metal," the Examining Attorney is referred to U.S. Reg. No. 4089543 (now cancelled), which contained the description "ascenders made of metal" without any additional language. For the same reason, namely, consistency, applicant request acceptance of the description as amended herein

## **SIGNATURE(S)**

### **Request for Reconsideration Signature**

Signature: /Thilo C. Agthe/ Date: 09/23/2019

Signatory's Name: Thilo C. Agthe

Signatory's Position: Attorney of record, New York bar member

Signatory's Phone Number: 212-509-5050

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder



has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: Thilo C. Agthe  
Wuersch & Gering LLP

100 Wall Street, 10th Floor  
New York, New York 10005

Mailing Address: Thilo C. Agthe  
Wuersch & Gering LLP  
100 Wall Street, 10th Floor  
New York, New York 10005

Serial Number: 79238089

Internet Transmission Date: Mon Sep 23 10:31:04 EDT 2019

TEAS Stamp: USPTO/RFR-XXX.XX.XX.X-201909231031041093

40-79238089-610eda05f9f7c587155f6c4f7a86

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A-N/A-20190923102431633405