

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85133535
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION (no change)	
OWNER SECTION (current)	
NAME	The Learning Internet, Inc.
STREET	1440 NW Overton Street, 2nd Floor
CITY	Portland
STATE	Oregon
ZIP/POSTAL CODE	97209
COUNTRY	United States
OWNER SECTION (proposed)	
NAME	The Learning Internet, Inc.
STREET	1620 SW Taylor Street, Suite 100
CITY	Portland
STATE	Oregon
ZIP/POSTAL CODE	97205
COUNTRY	United States
GOODS AND/OR SERVICES SECTION (038)(no change)	
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	
Distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely interactive lessons, exercises , learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and	

use with students	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	
<p>Distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students; <u>Providing online non-downloadable electronic lesson simulations in the field of K-12 education, interactive lessons simulations in the field of K-12 education, digital manipulatives, namely interactive lessons simulations in the field of K-12 education, educational exercises in the field of K-12 education, and learning games that may be modified by teachers and students; providing hyperlinks to online resources featuring information on K-12 education hosted on other websites; providing online courses in the field of K-12 education and curriculum and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students</u></p>	
FINAL DESCRIPTION	
<p>Providing online non-downloadable electronic lesson simulations in the field of K-12 education, interactive lessons simulations in the field of K-12 education, digital manipulatives, namely interactive lessons simulations in the field of K-12 education, educational exercises in the field of K-12 education, and learning games that may be modified by teachers and students; providing hyperlinks to online resources featuring information on K-12 education hosted on other websites; providing online courses in the field of K-12 education and curriculum and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students</p>	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (042)(current)	
INTERNATIONAL CLASS	042
DESCRIPTION	
<p>Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services; distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely, interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students</p>	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (042)(proposed)	

INTERNATIONAL CLASS	042
TRACKED TEXT DESCRIPTION	
<p>Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services; Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services, all in the field of K-12 education; distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely, interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students</p>	
FINAL DESCRIPTION	
<p>Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services, all in the field of K-12 education</p>	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Gary W. Glisson/
SIGNATORY'S NAME	Gary W. Glisson
SIGNATORY'S POSITION	Attorney of record, Oregon bar member
SIGNATORY'S PHONE NUMBER	503.294.9656
DATE SIGNED	01/20/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Jan 20 17:21:15 EST 2012
TEAS STAMP	USPTO/RFR-198.36.178.100- 20120120172115366728-8513 3535-490af81a8551adb13d63 fdeb97870f5a5-N/A-N/A-201 20120171704730501

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **85133535** 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 041 for Distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: ~~Distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students;~~ Providing online non-downloadable electronic lesson simulations in the field of K-12 education, interactive lessons simulations in the field of K-12 education, digital manipulatives, namely interactive lessons simulations in the field of K-12 education, educational exercises in the field of K-12 education, and learning games that may be modified by teachers and students; providing hyperlinks to online resources featuring information on K-12 education hosted on other websites; providing online courses in the field of K-12 education and curriculum and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students

Class 041 for Providing online non-downloadable electronic lesson simulations in the field of K-12 education, interactive lessons simulations in the field of K-12 education, digital manipulatives, namely interactive lessons simulations in the field of K-12 education, educational exercises in the field of K-12 education, and learning games that may be modified by teachers and students; providing hyperlinks to online resources featuring information on K-12 education hosted on other websites; providing online courses in the field of K-12 education and curriculum and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

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

Current: Class 042 for Providing a website with functionality that enables users to subscribe to tutoring,

mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services; distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely, interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: ~~Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services;~~ Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services, all in the field of K-12 education; ~~distribution of online content, namely, text, audio, video, electronic simulations, interactive lessons, digital manipulatives, namely, interactive lessons, exercises, learning games and content that may be modified by teachers and students, hyperlinks to online resources of any type hosted on other websites, online courses, and online assessments in the form of tests, quizzes and submitted works for manual scoring to which the user can subscribe online for use as professional development or as application and use with students~~

Class 042 for Providing a website with functionality that enables users to subscribe to tutoring, mentoring, state and local reporting, certification services, and online content services, in the nature of sequence lesson plans, videos, simulations, and online services, all in the field of K-12 education

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

APPLICANT AND/OR ENTITY INFORMATION

Applicant proposes to amend the following:

Current: The Learning Internet, Inc., a corporation of Oregon, having an address of
1440 NW Overton Street, 2nd Floor
Portland, Oregon 97209
United States

Proposed: The Learning Internet, Inc., a corporation of Oregon, having an address of
1620 SW Taylor Street, Suite 100
Portland, Oregon 97205
United States

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Gary W. Glisson/ Date: 01/20/2012

Signatory's Name: Gary W. Glisson

Signatory's Position: Attorney of record, Oregon bar member

Signatory's Phone Number: 503.294.9656

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent 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.

Serial Number: 85133535

Internet Transmission Date: Fri Jan 20 17:21:15 EST 2012

TEAS Stamp: USPTO/RFR-198.36.178.100-201201201721153

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