

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85485038
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (016)(no change)	
GOODS AND/OR SERVICES SECTION (035)(no change)	
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	
<p>Sign language interpretation services; educational services, namely, providing courses of instruction at the elementary, secondary, undergraduate, continuing education and professional development levels and distributing course material in connection herewith; online courses at the graduate, continuing education and professional development levels relating to issues for individuals who are deaf and hard of hearing and professionals who provide services to those individuals; educational testing services; publishing services, namely, publication of books, journals, audiovisual materials; electronic publication of text and graphic works of others on CD, DVD and on-line featuring topics relating to education, services, cultural and social issues relevant to the deaf and hard of hearing; educational research; educational and entertainment services, namely conducting exhibitions in the field of art; entertainment in the nature of video and audio performances, namely, musical, band and dance performances; entertainment in the nature of theater productions, football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games; entertainment in the nature of live cheerleading performances; arranging and conducting conferences, seminars and workshops in the field of language, culture and history of the deaf and hard of hearing; providing information about education</p>	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	
<p>Sign language interpretation services; educational services, namely, providing courses of instruction at the elementary, secondary, undergraduate, continuing education and professional development levels and distributing course material in connection herewith; online courses at the graduate, continuing education and professional development levels relating to issues for individuals who are deaf and hard of hearing and professionals who provide services to those individuals; educational testing services;</p>	

~~publishing services, namely, publication of books, journals, audiovisual materials;~~ publishing services, namely, publication of books, journals, audio books; digital video, audio and multimedia publishing services; ~~educational research;~~ electronic publication of text and graphic works of others on CD, DVD and on-line featuring topics relating to education, services, cultural and social issues relevant to the deaf and hard of hearing; research in the field of deaf education, deaf culture and deaf living; ~~entertainment in the nature of video and audio performances, namely, musical, band and dance performances;~~ educational and entertainment services, namely conducting exhibitions in the field of art; ~~entertainment in the nature of theater productions, football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games;~~ providing a website featuring non-downloadable video and audio performances, namely, musical, band and dance performances; entertainment in the nature of theater productions and football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games; entertainment in the nature of live cheerleading performances; arranging and conducting conferences, seminars and workshops in the field of language, culture and history of the deaf and hard of hearing; providing information about education

FINAL DESCRIPTION

Sign language interpretation services; educational services, namely, providing courses of instruction at the elementary, secondary, undergraduate, continuing education and professional development levels and distributing course material in connection herewith; online courses at the graduate, continuing education and professional development levels relating to issues for individuals who are deaf and hard of hearing and professionals who provide services to those individuals; educational testing services; publishing services, namely, publication of books, journals, audio books; digital video, audio and multimedia publishing services; electronic publication of text and graphic works of others on CD, DVD and on-line featuring topics relating to education, services, cultural and social issues relevant to the deaf and hard of hearing; research in the field of deaf education, deaf culture and deaf living ; educational and entertainment services, namely conducting exhibitions in the field of art; providing a website featuring non-downloadable video and audio performances, namely, musical, band and dance performances; entertainment in the nature of theater productions and football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games; entertainment in the nature of live cheerleading performances; arranging and conducting conferences, seminars and workshops in the field of language, culture and history of the deaf and hard of hearing; providing information about education

FILING BASIS

Section 1(b)

GOODS AND/OR SERVICES SECTION (042)(class added)

INTERNATIONAL CLASS

042

DESCRIPTION

Academic medical and scientific research in the field of causes of deafness; providing academic research in the field of life quality assessment for individuals with deafness and their families and academic research relating to the social, academic and perceptual characteristics of deaf and hard of hearing populations

FILING BASIS

Section 1(b)

PAYMENT SECTION

NUMBER OF CLASSES

1

FEE PER CLASS

325

TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Michael T. Murphy/
SIGNATORY'S NAME	Michael T. Murphy
SIGNATORY'S POSITION	Attorney of Record, DC Bar Member
SIGNATORY'S PHONE NUMBER	2027789176
DATE SIGNED	03/29/2013
RESPONSE SIGNATURE	/Michael T. Murphy/
SIGNATORY'S NAME	Michael T. Murphy
SIGNATORY'S POSITION	Attorney of Record, D.C. Bar Member
SIGNATORY'S PHONE NUMBER	2027789176
DATE SIGNED	03/29/2013
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Mar 29 14:24:43 EDT 2013
TEAS STAMP	USPTO/RFR-71.163.9.198-20 130329142443469361-854850 38-5001870ca71235efcd82d4 dc95d51e8e581f5a9e31d5d 4a6718cc96bd89f4d3e-DA-61 4-20130329132023306173

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

Application serial no. **85485038** 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 Sign language interpretation services; educational services, namely, providing courses of instruction at the elementary, secondary, undergraduate, continuing education and professional

development levels and distributing course material in connection herewith; online courses at the graduate, continuing education and professional development levels relating to issues for individuals who are deaf and hard of hearing and professionals who provide services to those individuals; educational testing services; publishing services, namely, publication of books, journals, audiovisual materials; electronic publication of text and graphic works of others on CD, DVD and on-line featuring topics relating to education, services, cultural and social issues relevant to the deaf and hard of hearing; educational research; educational and entertainment services, namely conducting exhibitions in the field of art; entertainment in the nature of video and audio performances, namely, musical, band and dance performances; entertainment in the nature of theater productions, football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games; entertainment in the nature of live cheerleading performances; arranging and conducting conferences, seminars and workshops in the field of language, culture and history of the deaf and hard of hearing; providing information about education

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: Sign language interpretation services; educational services, namely, providing courses of instruction at the elementary, secondary, undergraduate, continuing education and professional development levels and distributing course material in connection herewith; online courses at the graduate, continuing education and professional development levels relating to issues for individuals who are deaf and hard of hearing and professionals who provide services to those individuals; educational testing services; ~~publishing services, namely, publication of books, journals, audiovisual materials;~~ publishing services, namely, publication of books, journals, audio books; digital video, audio and multimedia publishing services; ~~educational research;~~ electronic publication of text and graphic works of others on CD, DVD and on-line featuring topics relating to education, services, cultural and social issues relevant to the deaf and hard of hearing; research in the field of deaf education, deaf culture and deaf living; ~~entertainment in the nature of video and audio performances, namely, musical, band and dance performances;~~ educational and entertainment services, namely conducting exhibitions in the field of art; ~~entertainment in the nature of theater productions, football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games;~~ providing a website featuring non-downloadable video and audio performances, namely, musical, band and dance performances; entertainment in the nature of theater productions and football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games; entertainment in the nature of live cheerleading performances; arranging and conducting conferences, seminars and workshops in the field of language, culture and history of the deaf and hard of hearing; providing information about education

Class 041 for Sign language interpretation services; educational services, namely, providing courses of instruction at the elementary, secondary, undergraduate, continuing education and professional development levels and distributing course material in connection herewith; online courses at the graduate, continuing education and professional development levels relating to issues for individuals who are deaf and hard of hearing and professionals who provide services to those individuals; educational testing services; publishing services, namely, publication of books, journals, audio books; digital video, audio and multimedia publishing services; electronic publication of text and graphic works of others on CD, DVD and on-line featuring topics relating to education, services, cultural and social issues relevant to the deaf and hard of hearing; research in the field of deaf education, deaf culture and deaf living ; educational and entertainment services, namely conducting exhibitions in the field of art; providing a website featuring

non-downloadable video and audio performances, namely, musical, band and dance performances; entertainment in the nature of theater productions and football, soccer, volleyball, track and field, wrestling, basketball, swimming, baseball, softball, and tennis games; entertainment in the nature of live cheerleading performances; arranging and conducting conferences, seminars and workshops in the field of language, culture and history of the deaf and hard of hearing; providing information about 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 hereby adds the following class of goods/services to the application:

New: Class 042 for Academic medical and scientific research in the field of causes of deafness; providing academic research in the field of life quality assessment for individuals with deafness and their families and academic research relating to the social, academic and perceptual characteristics of deaf and hard of hearing populations

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)).

FEE(S)

Fee(s) in the amount of \$325 is being submitted.

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, 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. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Michael T. Murphy/ Date: 03/29/2013

Signatory's Name: Michael T. Murphy

Signatory's Position: Attorney of Record, DC Bar Member

Signatory's Phone Number: 2027789176

Request for Reconsideration Signature

Signature: /Michael T. Murphy/ Date: 03/29/2013

Signatory's Name: Michael T. Murphy

Signatory's Position: Attorney of Record, D.C. Bar Member

Signatory's Phone Number: 2027789176

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

RAM Sale Number: 85485038

RAM Accounting Date: 04/01/2013

Serial Number: 85485038

Internet Transmission Date: Fri Mar 29 14:24:43 EDT 2013

TEAS Stamp: USPTO/RFR-71.163.9.198-20130329142443469

361-85485038-5001870ca71235efcd82d4dc9

5d51e8e581f5a9e31d5d4a6718cc96bd89f4d3e-

DA-614-20130329132023306173

RAM SALE NUMBER: 85485038
RAM ACCOUNTING DATE: 20130401

INTERNET TRANSMISSION DATE:
2013/03/29

SERIAL NUMBER:
85/485038

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2013/03/29	325	1	325