

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85670090
LAW OFFICE ASSIGNED	LAW OFFICE 114
MARK SECTION (no change)	
ARGUMENT(S)	
<p>(Trademark) IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p> <p style="text-align: right;">_____ In re Application of: J. Michael Miller</p> <p>Application No.: 85670090 For: ZOOKSHELF Examiner: Brian Pino</p> <p style="text-align: right;">_____ AMENDMENT In response to the office action dated May 28, 2013, kindly amend the Identification and classification of goods and services as follows: Downloadable software, obtained, or shared for receiving and/or storing and/or organizing electronic and downloadable content; downloadable software, obtained, or shared for accessing, collaborating, communicating, displaying, projecting, purchasing, reading, sampling, sending, sharing, and syncing electronic and downloadable electronic content; downloadable electronic media, content, and publications, namely, software applications for data base management in the field of text, image and sound transmission and display, [movies, television shows, music,] magazines, books, audiobooks, games, and the Internet; downloadable electronic media, content, and publications, namely, downloadable adolescent fiction and non- fiction books, magazines, audiobooks and publications featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook ; artists' works, audio broadcasts featuring children's fiction books, comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, [audio broadcasts in the field of fiction and non-fiction books and entertainment], captions in the nature of fiction and nonfiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, series of fiction books, and series of non-fiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, illustrations, kid's books, magazines in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and entertainment, movies featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or</p>	

textbook, audio files featuring music, music files, narratives in the nature of children's stories, newspapers, periodicals in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and textbook , podcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, quotations in the nature of fiction and non-fiction books, magazines, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook ; software for image and sound transmission and display in the field of text, stories in the nature of fiction, non- fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet; downloadable electronic media, content, and publications, namely, webcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, webinars in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and other digital media in the nature of books, magazines, audiobooks, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook ; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic books featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; accessories for portable electronic readers and devices, namely, electronic book readers, e-readers, electronic media players, handheld computers, mobile computers, tablet computers, and touchscreen computers, namely, plug adaptors, batteries, cases, chargers, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables; accessories for mobile or travel use, namely, plug adaptors, batteries, cases, chargers, charging stations, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables in International Class 9. REMARKS Identification of Goods/Services Applicant has adopted the majority of the changes suggested by the examiner in the office action. All additions to the original application are indicated by underlining and all deletions by brackets. Applicant believes these changes put the application in condition for allowance and earnestly seeks the same. November 27, 2013 By: /s/Anthony H. Handal/ Anthony H. Handal Registration No. 26,275 Handal & Morofsky, LLC 501 Kings Highway East Fairfield, CT 06825

GOODS AND/OR SERVICES SECTION (current)

INTERNATIONAL CLASS

009

DESCRIPTION

downloadable software, obtained, or shared for receiving and/or storing and/or organizing electronic and downloadable content; downloadable software, obtained, or shared for accessing, collaborating, communicating, displaying, projecting, purchasing, reading, sampling, sending, sharing, and syncing electronic and downloadable electronic content; downloadable electronic media, content, and

publications, namely, downloadable publications in the nature of fiction and nonfiction and entertainment, adolescent books, software applications in the field of text, image and sound transmission and display, movies, television shows, music, magazines, books, audiobooks, games, and the Internet, for data base management; artists' works, audio in the field of fiction and non-fiction books and entertainment, audio broadcasts in the field of fiction and non-fiction books and entertainment, captions in the nature of fiction and nonfiction, discussion boards, series of fiction books, and series of non-fiction books in the field of fiction and non-fiction and entertainment, illustrations, kid's books, magazines in the field of fiction and non-fiction, and entertainment, movies in the field of fiction, non-fiction, and entertainment, audio files, music files, narratives in the nature of fiction, non-fiction, and entertainment, newspapers, periodicals in the field of fiction, non-fiction, and entertainment, podcasts in the field of fiction, non-fiction, and entertainment, quotations in the nature of fiction, non-fiction, and entertainment, software in the field of text, image and sound transmission and display, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet, webcasts in the field of fiction, non-fiction, and entertainment, webinars in the field of fiction, non-fiction, and entertainment, and other digital media in the nature of fiction, non-fiction, and entertainment; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic media in the field of fiction, non-fiction, and entertainment; accessories for portable electronic readers and devices, namely, electronic book readers, e-readers, electronic media players, handheld computers, mobile computers, tablet computers, and touchscreen computers, namely, plug adaptors, batteries, cases, chargers, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables; accessories for mobile or travel use, namely, plug adaptors, batteries, cases, chargers, charging stations, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables

FILING BASIS	Section 1(b)
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GOODS AND/OR SERVICES SECTION (proposed)

INTERNATIONAL CLASS	009
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TRACKED TEXT DESCRIPTION

Downloadable software, obtained, or shared for receiving and/or storing and/or organizing electronic and downloadable content; downloadable software, obtained, or shared for accessing, collaborating, communicating, displaying, projecting, purchasing, reading, sampling, sending, sharing, and syncing electronic and downloadable electronic content; ~~downloadable electronic media, content, and publications, namely, downloadable publications in the nature of fiction and nonfiction and entertainment, adolescent books, software applications in the field of text, image and sound transmission and display, movies, television shows, music, magazines, books, audiobooks, games, and the Internet, for data base management;~~ downloadable electronic media, content, and publications, namely, software applications for data base management in the field of text, image and sound transmission and display, magazines, books, audiobooks, games, and the Internet; ~~artists' works, audio in the field of fiction and non-fiction books and entertainment, audio broadcasts in the field of fiction and non-fiction books and entertainment, captions in the nature of fiction and nonfiction, discussion boards, series of fiction books, and series of non-fiction books in the field of fiction and non-fiction and entertainment, illustrations, kid's books, magazines in the field of fiction and non-fiction, and entertainment, movies in the field of~~

~~fiction, non-fiction, and entertainment, audio files, music files, narratives in the nature of fiction, non-fiction, and entertainment, newspapers, periodicals in the field of fiction, non-fiction, and entertainment, podcasts in the field of fiction, non-fiction, and entertainment, quotations in the nature of fiction, non-fiction, and entertainment, software in the field of text, image and sound transmission and display, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet, webcasts in the field of fiction, non-fiction, and entertainment, webinars in the field of fiction, non-fiction, and entertainment, and other digital media in the nature of fiction, non-fiction, and entertainment;~~

downloadable electronic media, content, and publications, namely, downloadable adolescent fiction and non-fiction books, magazines, audiobooks and publications featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic media in the field of fiction, non-fiction, and entertainment; artists' works, audio broadcasts featuring children's fiction books, comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, captions in the nature of fiction and nonfiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, discussion boards in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, series of fiction books, and series of non-fiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, illustrations, kid's books, magazines in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and entertainment, movies featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, audio files featuring music, music files, narratives in the nature of children's stories, newspapers, periodicals in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and textbook, podcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, quotations in the nature of fiction and non-fiction books, magazines, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; software for image and sound transmission and display in the field of text, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet; downloadable electronic media, content, and publications, namely, webcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall

tale, biography, autobiography, essay, speech, and/or textbook, webinars in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and other digital media in the nature of books, magazines, audiobooks, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic books featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; accessories for portable electronic readers and devices, namely, electronic book readers, e-readers, electronic media players, handheld computers, mobile computers, tablet computers, and touchscreen computers, namely, plug adaptors, batteries, cases, chargers, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables; accessories for mobile or travel use, namely, plug adaptors, batteries, cases, chargers, charging stations, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables

FINAL DESCRIPTION

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romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and textbook , podcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, quotations in the nature of fiction and non-fiction books, magazines, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook ; software for image and sound transmission and display in the field of text, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet; downloadable electronic media, content, and publications, namely, webcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, webinars in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and other digital media in the nature of books, magazines, audiobooks, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook ; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic books featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; accessories for portable electronic readers and devices, namely, electronic book readers, e-readers, electronic media players, handheld computers, mobile computers, tablet computers, and touchscreen computers, namely, plug adaptors, batteries, cases, chargers, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables; accessories for mobile or travel use, namely, plug adaptors, batteries, cases, chargers, charging stations, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables

FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Anthony H. Handal/
SIGNATORY'S NAME	Anthony H. Handal
SIGNATORY'S POSITION	Attorney of Record - New York Bar member
SIGNATORY'S PHONE NUMBER	917.880.0811
DATE SIGNED	11/27/2013
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	

SUBMIT DATE	Wed Nov 27 22:01:15 EST 2013
TEAS STAMP	USPTO/RFR-68.199.175.245- 20131127220115074185-8567 0090-500563abbea421d95169 13f9c792609f2a8e808cd578a ffd91ed19e8bf8812-N/A-N/A -20131127215444480065

PTO Form 1930 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 05/31/2014)

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

Application serial no. **85670090** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

(Trademark) IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

_____ In re Application of: J. Michael Miller Application
No.: 85670090 For: ZOOKSHELF Examiner: Brian Pino

_____ AMENDMENT In response to the office action dated May 28, 2013, kindly amend the Identification and classification of goods and services as follows: Downloadable software, obtained, or shared for receiving and/or storing and/or organizing electronic and downloadable content; downloadable software, obtained, or shared for accessing, collaborating, communicating, displaying, projecting, purchasing, reading, sampling, sending, sharing, and syncing electronic and downloadable electronic content; downloadable electronic media, content, and publications, namely, software applications for data base management in the field of text, image and sound transmission and display, [movies, television shows, music,] magazines, books, audiobooks, games, and the Internet; downloadable electronic media, content, and publications, namely, downloadable adolescent fiction and non-fiction books, magazines, audiobooks and publications featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook ; artists' works, audio broadcasts featuring children's fiction books, comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, [audio broadcasts in the field of fiction and non-fiction books and entertainment], captions in the nature of fiction and nonfiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, discussion boards in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, series of fiction books, and series of non-fiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography,

autobiography, essay, speech, and/or textbook, illustrations, kid's books, magazines in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and entertainment, movies featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, audio files featuring music, music files, narratives in the nature of children's stories, newspapers, periodicals in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and textbook, podcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, quotations in the nature of fiction and non-fiction books, magazines, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; software for image and sound transmission and display in the field of text, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet; downloadable electronic media, content, and publications, namely, webcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, webinars in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and other digital media in the nature of books, magazines, audiobooks, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic books featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; accessories for portable electronic readers and devices, namely, electronic book readers, e-readers, electronic media players, handheld computers, mobile computers, tablet computers, and touchscreen computers, namely, plug adaptors, batteries, cases, chargers, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables; accessories for mobile or travel use, namely, plug adaptors, batteries, cases, chargers, charging stations, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables in International Class 9.

REMARKS Identification of Goods/Services Applicant has adopted the majority of the changes suggested by the examiner in the office action. All additions to the original application are indicated by underlining and all deletions by brackets. Applicant believes these changes put the application in condition for allowance and earnestly seeks the same. November 27, 2013 By: /s/Anthony H. Handal/ Anthony H. Handal Registration No. 26,275 Handal & Morofsky, LLC 501 Kings Highway East Fairfield, CT 06825

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 009 for downloadable software, obtained, or shared for receiving and/or storing and/or organizing electronic and downloadable content; downloadable software, obtained, or shared for

accessing, collaborating, communicating, displaying, projecting, purchasing, reading, sampling, sending, sharing, and syncing electronic and downloadable electronic content; downloadable electronic media, content, and publications, namely, downloadable publications in the nature of fiction and nonfiction and entertainment, adolescent books, software applications in the field of text, image and sound transmission and display, movies, television shows, music, magazines, books, audiobooks, games, and the Internet, for data base management; artists' works, audio in the field of fiction and non-fiction books and entertainment, audio broadcasts in the field of fiction and non-fiction books and entertainment, captions in the nature of fiction and nonfiction, discussion boards, series of fiction books, and series of non-fiction books in the field of fiction and non-fiction and entertainment, illustrations, kid's books, magazines in the field of fiction and non-fiction, and entertainment, movies in the field of fiction, non-fiction, and entertainment, audio files, music files, narratives in the nature of fiction, non-fiction, and entertainment, newspapers, periodicals in the field of fiction, non-fiction, and entertainment, podcasts in the field of fiction, non-fiction, and entertainment, quotations in the nature of fiction, non-fiction, and entertainment, software in the field of text, image and sound transmission and display, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet, webcasts in the field of fiction, non-fiction, and entertainment, webinars in the field of fiction, non-fiction, and entertainment, and other digital media in the nature of fiction, non-fiction, and entertainment; downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously: adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic media in the field of fiction, non-fiction, and entertainment; accessories for portable electronic readers and devices, namely, electronic book readers, e-readers, electronic media players, handheld computers, mobile computers, tablet computers, and touchscreen computers, namely, plug adaptors, batteries, cases, chargers, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables; accessories for mobile or travel use, namely, plug adaptors, batteries, cases, chargers, charging stations, covers, headphones, holders, keyboards, microphones, power supplies, screen protectors, speakers, stands, and USB cables

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: Downloadable software, obtained, or shared for receiving and/or storing and/or organizing electronic and downloadable content; downloadable software, obtained, or shared for accessing, collaborating, communicating, displaying, projecting, purchasing, reading, sampling, sending, sharing, and syncing electronic and downloadable electronic content; ~~downloadable electronic media, content, and publications, namely, downloadable publications in the nature of fiction and nonfiction and entertainment, adolescent books, software applications in the field of text, image and sound transmission and display, movies, television shows, music, magazines, books, audiobooks, games, and the Internet, for data base management;~~ downloadable electronic media, content, and publications, namely, software applications for data base management in the field of text, image and sound transmission and display, magazines, books, audiobooks, games, and the Internet; ~~artists' works, audio in the field of fiction and non-fiction books and entertainment, audio broadcasts in the field of fiction and non-fiction books and entertainment, captions in the nature of fiction and nonfiction, discussion boards, series of fiction books, and series of non-fiction books in the field of fiction and non-fiction and entertainment, illustrations, kid's~~

~~books, magazines in the field of fiction and non-fiction, and entertainment, movies in the field of fiction, non-fiction, and entertainment, audio files, music files, narratives in the nature of fiction, non-fiction, and entertainment, newspapers, periodicals in the field of fiction, non-fiction, and entertainment, podcasts in the field of fiction, non-fiction, and entertainment, quotations in the nature of fiction, non-fiction, and entertainment, software in the field of text, image and sound transmission and display, stories in the nature of fiction, non-fiction, and entertainment, video recordings featuring movies, television shows, music, magazines, books, audiobooks, applications, games, cloud and the Internet, webcasts in the field of fiction, non-fiction, and entertainment, webinars in the field of fiction, non-fiction, and entertainment, and other digital media in the nature of fiction, non-fiction, and entertainment;~~ downloadable electronic media, content, and publications, namely, downloadable adolescent fiction and non-fiction books, magazines, audiobooks and publications featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; ~~downloadable electronic media and publications which combine one or more of the following downloadable electronic content alone or simultaneously:~~ adolescent books, applications, artists' works, audio, broadcasts, captions, discussion boards, fiction and non-fiction works, highlights, illustrations, journals, kid's books, magazines, manuals, movies, MP3 files, MP3 recordings, music, narratives, newspapers, periodicals, podcasts, quotations, software, stories, video, webcasts, webinars, and other digital media, namely, downloadable electronic media in the field of fiction, non-fiction, and entertainment; artists' works, audio broadcasts featuring children's fiction books, comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, captions in the nature of fiction and nonfiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, discussion boards in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, series of fiction books, and series of non-fiction books in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, illustrations, kid's books, magazines in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, and entertainment, movies featuring comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, audio files featuring music, music files, narratives in the nature of children's stories, newspapers, periodicals in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and textbook , podcasts in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook, quotations in the nature of fiction and non-fiction books, magazines, and publications in the field of comedy, drama, romance, mystery, fable, fairy tale, fantasy, historical fiction, folklore, horror, legend, mythology, poetry, science fiction, short story, tall tale, biography, autobiography, essay, speech, and/or textbook; 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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)).

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Anthony H. Handal/ Date: 11/27/2013

Signatory's Name: Anthony H. Handal

Signatory's Position: Attorney of Record - New York Bar member

Signatory's Phone Number: 917.880.0811

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.

Serial Number: 85670090

Internet Transmission Date: Wed Nov 27 22:01:15 EST 2013

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