

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86324026
LAW OFFICE ASSIGNED	LAW OFFICE 119
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/86324026/large
LITERAL ELEMENT	GO . COLOR
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
ARGUMENT(S)	
<p>In the Final Office Action, the identification of goods for class 25 was partially finally rejected. In this Response, Applicant has adopted the identification of goods that was suggested on page 3 of the Office Action, with one minor exception, namely, that the word "cuff" was changed to "cuffs". Otherwise, the identification that is provided herein matches the proposed identification that was provided in the Office Action. Reconsideration and approval is respectfully requested.</p>	
GOODS AND/OR SERVICES SECTION (025)(current)	
INTERNATIONAL CLASS	025
DESCRIPTION	
<p>Clothing, namely, shirts, jackets, sweaters, blouses, pants, and coats; garments, namely, dresses, outfit, and costumes; garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuff, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, fittings of metal for shoes, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks; sportswear, namely, shorts, t-shirts, jackets, pants, shorts, leotards, and sports bras; shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups of brassieres; clothing of leather, namely, skirts, pants, jackets and coats; clothing of imitations of leather, namely, skirts, pants, jackets and coats; headgear, namely, hats, headbands, earmuffs, caps, scarves, and shawls</p>	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(e)
FOREIGN REGISTRATION NUMBER	303049173

FOREIGN REGISTRATION COUNTRY	Hong Kong
FOREIGN REGISTRATION DATE	06/27/2014
FOREIGN EXPIRATION DATE	06/27/2024
GOODS AND/OR SERVICES SECTION (025)(proposed)	
INTERNATIONAL CLASS	025
TRACKED TEXT DESCRIPTION	
<p>Clothing, namely, shirts, jackets, sweaters, blouses, pants, and coats; garments, namely, dresses, outfit, and costumes; <u>garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuffs, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks</u>; garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuff, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, fittings of metal for shoes, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks; sportswear, namely, shorts, t-shirts, jackets, pants, shorts, leotards, and sports bras; <u>shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups for brassieres</u>; shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups of brassieres; clothing of leather, namely, skirts, pants, jackets and coats; clothing of imitations of leather, namely, skirts, pants, jackets and coats; <u>headgear, namely, hats, headbands, earmuffs, caps, scarves and shawls</u>; headgear, namely, hats, headbands, earmuffs, caps, scarves, and shawls</p>	
FINAL DESCRIPTION	
<p>Clothing, namely, shirts, jackets, sweaters, blouses, pants, and coats; garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuffs, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks; sportswear, namely, shorts, t-shirts, jackets, pants, shorts, leotards, and sports bras; shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups for brassieres; clothing of leather, namely, skirts, pants, jackets and coats; clothing of imitations of leather, namely, skirts, pants, jackets and coats; headgear, namely, hats, headbands, earmuffs, caps, scarves and shawls</p>	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(e)
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FOREIGN REGISTRATION COUNTRY	Hong Kong
FOREIGN REGISTRATION DATE	06/27/2014
FOREIGN EXPIRATION DATE	06/27/2024

GOODS AND/OR SERVICES SECTION (026)(no change)	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Tama L. Drenski/
SIGNATORY'S NAME	Tama L. Drenski
SIGNATORY'S POSITION	Attorney of record, Ohio Bar Member
SIGNATORY'S PHONE NUMBER	3303761242
DATE SIGNED	11/10/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Nov 10 08:58:17 EST 2015
TEAS STAMP	USPTO/RFR-23.249.98.2-201 51110085817081306-8632402 6-540fc88634aee8438da1df5 3a63eb3ca8f9e53727eed2431 bc78c330a74f47898c-N/A-N/ A-20151110084750431906

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

Application serial no. **86324026** GO . COLOR (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86324026/large>) has been amended as follows:

ARGUMENT(S)

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

In the Final Office Action, the identification of goods for class 25 was partially finally rejected. In this Response, Applicant has adopted the identification of goods that was suggested on page 3 of the Office Action, with one minor exception, namely, that the word "cuff" was changed to "cuffs". Otherwise, the identification that is provided herein matches the proposed identification that was provided in the Office Action. Reconsideration and approval is respectfully requested.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 025 for Clothing, namely, shirts, jackets, sweaters, blouses, pants, and coats; garments, namely, dresses, outfit, and costumes; garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuff, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, fittings of metal for shoes, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks; sportswear, namely, shorts, t-shirts, jackets, pants, shorts, leotards, and sports bras; shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups of brassieres; clothing of leather, namely, skirts, pants, jackets and coats; clothing of imitations of leather, namely, skirts, pants, jackets and coats; headgear, namely, hats, headbands, earmuffs, caps, scarves, and shawls

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Filing Basis: Section 44(e), Based on Foreign Registration: *For all applications:* The applicant attaches a copy of [Hong Kong registration number 303049173 registered 06/27/2014 with a renewal date of _____ and an expiration date of 06/27/2024], and translation thereof, if appropriate. ***For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users on or in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: Clothing, namely, shirts, jackets, sweaters, blouses, pants, and coats; ~~garments, namely, dresses, outfit, and costumes;~~ garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuffs, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks; ~~garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuff, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, fittings of metal for shoes, gaiter straps, trouser~~

~~wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks~~; sportswear, namely, shorts, t-shirts, jackets, pants, shorts, leotards, and sports bras; [shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups for brassieres](#); ~~shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups of brassieres~~; clothing of leather, namely, skirts, pants, jackets and coats; clothing of imitations of leather, namely, skirts, pants, jackets and coats; [headgear, namely, hats, headbands, earmuffs, caps, scarves and shawls](#); ~~headgear, namely, hats, headbands, earmuffs, caps, scarves, and shawls~~

Class 025 for Clothing, namely, shirts, jackets, sweaters, blouses, pants, and coats; garment parts, namely, gloves, belts, leather belts, clothing straps for bras and dresses, shoulder wraps, collar protectors, detachable collars, cuffs, ready-made clothing linings, wristbands, pockets for clothing, studs for football shoes, non-slip devices for boots, tips for footwear, boot uppers, inner soles, gaiter straps, trouser wraps, heelpieces for footwear, welts for footwear, soles for footwear, heels, and cap peaks; sportswear, namely, shorts, t-shirts, jackets, pants, shorts, leotards, and sports bras; shapewear, namely, girdles, bras, control lingerie and slips, body suits, and foam cups for brassieres; clothing of leather, namely, skirts, pants, jackets and coats; clothing of imitations of leather, namely, skirts, pants, jackets and coats; headgear, namely, hats, headbands, earmuffs, caps, scarves and shawls

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Filing Basis: Section 44(e), Based on Foreign Registration:*For all applications:* The applicant attaches a copy of [Hong Kong registration number 303049173 registered 06/27/2014 with a renewal date of _____ and an expiration date of 06/27/2024], and translation thereof, if appropriate, before the application may proceed to registration. *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users on or in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Tama L. Drenski/ Date: 11/10/2015

Signatory's Name: Tama L. Drenski
Signatory's Position: Attorney of record, Ohio Bar Member

Signatory's Phone Number: 3303761242

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 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. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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: 86324026
Internet Transmission Date: Tue Nov 10 08:58:17 EST 2015
TEAS Stamp: USPTO/RFR-23.249.98.2-201511100858170813
06-86324026-540fc88634aee8438da1df53a63e
b3ca8f9e53727eed2431bc78c330a74f47898c-N
/A-N/A-20151110084750431906