

From: Hesik, April

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To: TTAB EFiling

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Subject: U.S. TRADEMARK APPLICATION NO. 86393410 - INDIO0127TUS - Request for Reconsideration Denied - Return to TTAB

Attachment Information:

Count: 1

Files: 86393410.doc

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 86393410

MARK:



CORRESPONDENT ADDRESS:

CHANILLE CARSWELL

BROOKS KUSHMAN PC

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SOUTHFIELD, MI 48075

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

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APPLICANT: Indio Products, Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO:

INDIO0127TUS

CORRESPONDENT E-MAIL ADDRESS:

trademarks@brookskushman.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 3/11/2019

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The Section 2(e)(5) functionality refusal made final in the Office action dated June 12, 2018, is maintained and continues to be final. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final

Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); *see* 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); *see* TMEP §§715.03, 715.03(a)(ii)(B), (c).

/April A. Hesik/

Examining Attorney

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