

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86455518
LAW OFFICE ASSIGNED	LAW OFFICE 124
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/86455518/large
LITERAL ELEMENT	THE MAKER HOTEL
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (003)(class deleted)	
GOODS AND/OR SERVICES SECTION (004)(class added)Original Class (003)	
INTERNATIONAL CLASS	004
DESCRIPTION	candles
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (016)(class added)	
INTERNATIONAL CLASS	016
DESCRIPTION	Books and catalogues in the field of travel, hospitality, interior design, and cuisine; Decals and stickers for use as home décor
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (020)(class added)	
INTERNATIONAL CLASS	020
DESCRIPTION	Furniture, namely, tables, desks, chairs, sofas, couches, futons, cupboards, shelves, furniture chests, chests of drawers
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (021)(class added)	
INTERNATIONAL CLASS	021
DESCRIPTION	Kitchen items and accessories, namely, plates, cup, mugs, glasses and dinnerware
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (024)(class added)	
INTERNATIONAL CLASS	024
DESCRIPTION	

Dining linens; Kitchen linens; Bath linens; Linen cloth; bedding, namely, bed blankets, bed covers, pillow cases and covers	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(class added)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail store and online retail store services featuring Candles, Books and catalogues in the field of travel, hospitality, interior design, and cuisine, Decals and stickers for use as home décor, Furniture, namely, tables, desks, chairs, sofas, couches, futons, cupboards, shelves, furniture chests, chests of drawers, Kitchen items and accessories, namely, plates, cup, mugs, glasses and dinnerware, Dining linens, Kitchen linens, Bath linens, Linen cloth, bedding, namely, bed blankets, bed covers, pillow cases and covers	
FILING BASIS	Section 1(b)
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	The USPTO has deferred a review of the merits of the subject application and deferred in part a search of the USPTO's database of registered and pending marks under TMEP §§810.01, 1401.04 until Applicant either: (i) specifies the number of classes for which registration is sought and provides the filing fees for all such classes; or (ii) deletes classes from the application not covered by the fee already submitted. In response to this requirement, Applicant hereby seeks registration of its THE MAKER HOTEL mark for the goods and services in Classes 4, 16, 20, 21, 24 and 35 as listed herein. Applicant is submitting herewith the necessary filing fee covering these classes, and respectfully requests that the USPTO now resume prosecution of the application on the merits. Applicant has amended the descriptions of the goods and services as recited in the Classification and Listing of Goods/Services section. Based on the foregoing, Applicant respectfully requests that the Examiner continue with the substantive examination of the application.
PAYMENT SECTION	
NUMBER OF CLASSES	5
APPLICATION FOR REGISTRATION PER CLASS	400
TOTAL FEES DUE	2000
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/Thomas M Gniot/
SIGNATORY'S NAME	Thomas M. Gniot
SIGNATORY'S POSITION	Attorney of record, New York and Illinois bar member
SIGNATORY'S PHONE NUMBER	312-984-3100
DATE SIGNED	08/21/2018
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Aug 21 17:50:14 EDT 2018
TEAS STAMP	USPTO/RFR-XX.XXX.XX.XXX-2 0180821175014539207-86455 518-610fddc52b5403b34a330 69b474a76da7ee1d9de452b6d 1e19231a866779156094-CC-1 1000-20180821173409930045

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1960 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **86455518** THE MAKER HOTEL(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/86455518/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant hereby deletes the following class of goods/services from the application.

Class 003 for Non-medicated skin care preparations, hair care preparations, bath preparations and lip care preparations; non-medicated sun care and sun tanning preparations; skin bronzer; deodorants and antiperspirants; cosmetics; fragrances; candles; linens and bedding; kitchen items and accessories; furniture; objects; home decor; printed materials; books and catalogues; retail store and online retail store services

Applicant hereby adds the following class of goods/services to the application:

New: Class 004 (Original Class: 003) for candles

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.

Applicant hereby adds the following class of goods/services to the application:

New: Class 016 for Books and catalogues in the field of travel, hospitality, interior design, and cuisine; Decals and stickers for use as home décor

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.

Applicant hereby adds the following class of goods/services to the application:

New: Class 020 for Furniture, namely, tables, desks, chairs, sofas, couches, futons, cupboards, shelves, furniture chests, chests of drawers

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.

Applicant hereby adds the following class of goods/services to the application:

New: Class 021 for Kitchen items and accessories, namely, plates, cup, mugs, glasses and dinnerware

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.

Applicant hereby adds the following class of goods/services to the application:

New: Class 024 for Dining linens; Kitchen linens; Bath linens; Linen cloth; bedding, namely, bed blankets, bed covers, pillow cases and covers
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.

Applicant hereby adds the following class of goods/services to the application:

New: Class 035 for Retail store and online retail store services featuring Candles, Books and catalogues in the field of travel, hospitality, interior design, and cuisine, Decals and stickers for use as home décor, Furniture, namely, tables, desks, chairs, sofas, couches, futons, cupboards, shelves, furniture chests, chests of drawers, Kitchen items and accessories, namely, plates, cup, mugs, glasses and dinnerware, Dining linens, Kitchen linens, Bath linens, Linen cloth, bedding, namely, bed blankets, bed covers, pillow cases and covers
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.

ADDITIONAL STATEMENTS

Miscellaneous Statement

The USPTO has deferred a review of the merits of the subject application and deferred in part a search of the USPTO's database of registered and pending marks under TMEP §§810.01, 1401.04 until Applicant either: (i) specifies the number of classes for which registration is sought and provides the filing fees for all such classes; or (ii) deletes classes from the application not covered by the fee already submitted. In response to this requirement, Applicant hereby seeks registration of its THE MAKER HOTEL mark for the goods and services in Classes 4, 16, 20, 21, 24 and 35 as listed herein. Applicant is submitting herewith the necessary filing fee covering these classes, and respectfully requests that the USPTO now resume prosecution of the application on the merits. Applicant has amended the descriptions of the goods and services as recited in the Classification and Listing of Goods/Services section. Based on the foregoing, Applicant respectfully requests that the Examiner continue with the substantive examination of the application.

FEE(S)

Fee(s) in the amount of \$2000 is being submitted.

SIGNATURE(S)

Declaration Signature

The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the *Trademark Rules of Practice*.

Request for Reconsideration Signature

Signature: /Thomas M Gniot/ Date: 08/21/2018

Signatory's Name: Thomas M. Gniot

Signatory's Position: Attorney of record, New York and Illinois bar member

Signatory's Phone Number: 312-984-3100

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.

RAM Sale Number: 86455518
RAM Accounting Date: 08/22/2018

Serial Number: 86455518
Internet Transmission Date: Tue Aug 21 17:50:14 EDT 2018
TEAS Stamp: USPTO/RFR-XX.XXX.XX.XXX-2018082117501453
9207-86455518-610fddc52b5403b34a33069b47
4a76da7ee1d9de452b6d1e19231a866779156094
-CC-11000-20180821173409930045

RAM SALE NUMBER: 86455518
RAM ACCOUNTING DATE: 20180822

INTERNET TRANSMISSION DATE:
2018/08/21

SERIAL NUMBER:
86/455518

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2018/08/21	400	5	2000