

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86928086
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION	
MARK FILE NAME	https://tmng-al.uspto.gov/resting2/api/img/86928086/large
LITERAL ELEMENT	GTS
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	042
DESCRIPTION	
Research and development of technology and computer models in the field of automated trading strategies and trading programs	
FIRST USE ANYWHERE DATE	At least as early as 04/23/2015
FIRST USE IN COMMERCE DATE	At least as early as 04/23/2015
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	042
DESCRIPTION	
Research and development of technology and computer models in the field of automated trading strategies and trading programs	
FIRST USE ANYWHERE DATE	At least as early as 04/23/2015
FIRST USE IN COMMERCE DATE	At least as early as 04/23/2015
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	
JPG FILE(S)	\\TICRS\EXPORT17\IMAGEOUT 17\869\280\86928086\xml20\RFR0004.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\869\280\86928086\xml20\RFR0005.JPG
ORIGINAL PDF FILE	SPU0-1086160243-20190812155100588416_.GTS_Illuminator_-_Substitute_Specimen_1_-_19422.pdf
CONVERTED PDF FILE(S)	

(2 pages)	\\TICRS\EXPORT17\IMAGEOUT17\869\280\86928086.xml\20\RFR0002.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\869\280\86928086.xml\20\RFR0003.JPG
SPECIMEN DESCRIPTION	1.) advertising material displaying the mark, to promote technological research and development regarding stock market trading data, performed for the applicant's individual clients, and 2.) promotional photographs displaying the mark, to advertise technological research and development regarding stock market trading data, performed for the applicant's individual clients
DELETED FILING BASIS	1(b)
ATTORNEY SECTION (current)	
NAME	Howard N. Aronson
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	LACKENBACH SIEGEL LLP
INTERNAL ADDRESS	LACKENBACH SIEGEL BUILDING
STREET	1 CHASE RD
CITY	SCARSDALE
STATE	New York
POSTAL CODE	10583-4156
COUNTRY	US
PHONE	914-723-4300
FAX	914-723-4301
EMAIL	tmefs@LSLLP.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	19422
ATTORNEY SECTION (proposed)	
NAME	Howard N. Aronson
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	LACKENBACH SIEGEL LLP
INTERNAL ADDRESS	LACKENBACH SIEGEL BUILDING
STREET	1 CHASE RD
CITY	SCARSDALE
STATE	New York
POSTAL CODE	10583-4156
COUNTRY	United States
PHONE	914-723-4300
FAX	914-723-4301

EMAIL	tmefs@LSLLP.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	19422
OTHER APPOINTED ATTORNEY	Nancy Dwyer Chapman, Cathy E. Shore-Sirotn, Eileen C. DeVries, Lindsey Leibowitz
CORRESPONDENCE SECTION (current)	
NAME	HOWARD N. ARONSON
FIRM NAME	LACKENBACH SIEGEL LLP
INTERNAL ADDRESS	LACKENBACH SIEGEL BUILDING
STREET	1 CHASE RD
CITY	SCARSDALE
STATE	New York
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AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
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NAME	Howard N. Aronson
FIRM NAME	LACKENBACH SIEGEL LLP
INTERNAL ADDRESS	LACKENBACH SIEGEL BUILDING
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PHONE	914-723-4300
FAX	914-723-4301
EMAIL	tmefs@LSLLP.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	19422
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Eileen C. DeVries/
SIGNATORY'S NAME	Eileen C. DeVries
SIGNATORY'S POSITION	Attorney of record, New York bar member
SIGNATORY'S PHONE NUMBER	914-723-4300

DATE SIGNED	08/12/2019
RESPONSE SIGNATURE	/Eileen C. DeVries/
SIGNATORY'S NAME	Eileen C. DeVries
SIGNATORY'S POSITION	Attorney of record, New York bar member
SIGNATORY'S PHONE NUMBER	914-723-4300
DATE SIGNED	08/12/2019
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Aug 12 16:21:05 EDT 2019
TEAS STAMP	USPTO/RFR-XXX.X.XXX.XXX-2 0190812162105321984-86928 086-610491dfe4b38e1b52e2a e2c627ff80ddfcdf34b9c0193 cacb87931ff43748f858a-N/A -N/A-20190812155100588416

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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. **86928086** GTS (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/86928086/large>) 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 042 for Research and development of technology and computer models in the field of automated trading strategies and trading programs

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.

In International Class 042, the mark was first used at least as early as 04/23/2015 and first used in commerce at least as early as 04/23/2015 .

Proposed: Class 042 for Research and development of technology and computer models in the field of automated trading strategies and trading programs

Deleted Filing Basis: 1(b)

In International Class 042, the mark was first used at least as early as 04/23/2015 . and first used in commerce at least as early as 04/23/2015 .

Applicant hereby submits one(or more) specimen(s) for Class 042 . The specimen(s) submitted consists of 1.) advertising material displaying the mark, to promote technological research and development regarding stock market trading data, performed for the applicant's individual clients, and 2.) promotional photographs displaying the mark, to advertise technological research and development regarding stock market trading data, performed for the applicant's individual clients .

"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] **OR** **"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. **OR** **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen].

JPG file(s):

[Specimen File1](#)

[Specimen File2](#)

Original PDF file:

[SPU0-1086160243-20190812155100588416 . GTS Illuminator - Substitute Specimen 1 - 19422.pdf](#)

Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

The applicant's current attorney information: Howard N. Aronson. Howard N. Aronson of LACKENBACH SIEGEL LLP, is located at

LACKENBACH SIEGEL BUILDING
1 CHASE RD
SCARSDALE, New York 10583-4156
US

The docket/reference number is 19422.

The phone number is 914-723-4300.

The fax number is 914-723-4301.

The email address is tmefs@LSLLP.com

The applicants proposed attorney information: Howard N. Aronson. Other appointed attorneys are Nancy Dwyer Chapman, Cathy E. Shore-Sirotnin, Eileen C. DeVries, Lindsey Leibowitz. Howard N. Aronson of LACKENBACH SIEGEL LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

LACKENBACH SIEGEL BUILDING
1 CHASE RD
SCARSDALE, New York 10583-4156
United States

The docket/reference number is 19422.

The phone number is 914-723-4300.

The fax number is 914-723-4301.

The email address is tmefs@LSLLP.com

Howard N. Aronson submitted the following statement: I attest that I am an attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory).

The applicant's current correspondence information: HOWARD N. ARONSON. HOWARD N. ARONSON of LACKENBACH SIEGEL LLP, is located at

LACKENBACH SIEGEL BUILDING
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US

The docket/reference number is 19422.

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The applicants proposed correspondence information: Howard N. Aronson. Howard N. Aronson of LACKENBACH SIEGEL LLP, is located at

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The phone number is 914-723-4300.

The fax number is 914-723-4301.

The email address is tmefs@LSLLP.com

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU: If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; **for a collective trademark, collective service mark, collective membership mark application, or certification mark application**, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; **for a certification mark application**, the applicant is not engaged 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. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a)

COLLECTIVE/CERTIFICATION MARK APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: **for a trademark or service mark application**, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; **for a collective trademark, collective service mark, collective membership mark, or certification mark application**, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; **for a certification mark application**, 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. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /Eileen C. DeVries/ Date: 08/12/2019
Signatory's Name: Eileen C. DeVries
Signatory's Position: Attorney of record, New York bar member
Signatory's Phone Number: 914-723-4300

Request for Reconsideration Signature

Signature: /Eileen C. DeVries/ Date: 08/12/2019
Signatory's Name: Eileen C. DeVries
Signatory's Position: Attorney of record, New York bar member

Signatory's Phone Number: 914-723-4300

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); 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.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney 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.

Mailing Address: HOWARD N. ARONSON
LACKENBACH SIEGEL LLP
LACKENBACH SIEGEL BUILDING
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Mailing Address: Howard N. Aronson
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1984-86928086-610491dfe4b38e1b52e2ae2c62
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a-N/A-N/A-20190812155100588416

Market Structure Update

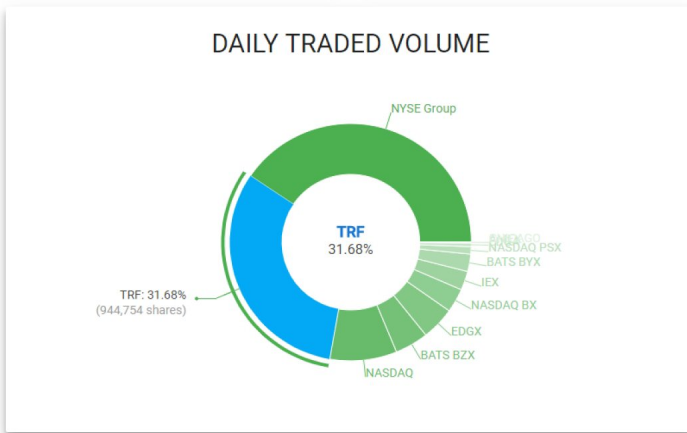
Where's the "Dark" Volume in PX Going? GTS's Illuminator¹ Finds Out

Monday, Jan 29th, 2018



GTS's risk position as a market maker forces us to "trade smarter" with better tools and analytics.

In response to the changing market structure, we created the "Illuminator" to track the market impact of trading in "dark pools" which we now can offer to our issuer clients.



- Customized time frames that study GTS' proprietary execution fills across multiple off-exchange trading venues.
- Pinpoints both stabilizing and de-stabilizing order flow to help issuers better understand execution slippage that may have an inverse effect on their own holder's movements as well as their own ATM and corporate repurchase programs.
- Long term comparisons enable specific times to be dissected potentially leading to conclusions about ownership changes in your stock.
- Meaningful dialogue with sell side execution firms.

¹ Patent Pending

Market Structure Update

What happens in the Dark?

Market Ranking

- A historical compilation of proprietary execution quality in specific off-exchange venues

Historic and Average Scores

- The amount of buying and selling pressure based on GTS proprietary execution fills that have been occurring on the various off-exchange trading venues during specific time frames.
- Higher scores demonstrate a stabilized trading environment for both Buy and Sell Rankings. The scores are on a running scale of 1-100 with 100 being the least de-stabilizing venue during the study period.

Public Market Disclosure

- The Illuminator dissects trading flows in a timely manner which GTS can cross check vs. volumes when FINRA reports dark pool activity (+2wks)

Symbol	PX	Report	NMS Tier 1
Description	Praxair Inc	Week of	01/15/2018
Product	CTS		
Total Shares	695,363	Total Trades	5,180

Scores Granularity

- Daily
 Weekly

History (1 days)

1 20

Venues Ranking

- Best to worst
 Worst to best

