

From: Ririe, Verna Beth

Sent: 9/27/2018 8:36:50 PM

To: TTAB EFiling

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Subject: U.S. TRADEMARK APPLICATION NO. 86947471 - JAMES BEARD PUBLIC MARKET - PRM403 -  
Request for Reconsideration Denied - Return to TTAB

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Attachment Information:

Count: 1

Files: 86947471.doc

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

**U.S. APPLICATION SERIAL NO.** 86947471

**MARK:** JAMES BEARD PUBLIC MARKET



**CORRESPONDENT ADDRESS:**

DAVID P COOPER

KOLISCH HARTWELL PC

520 SW YAMHILL STREET SUITE 200

PORTLAND, OR 97204

**GENERAL TRADEMARK INFORMATION:**

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

[VIEW YOUR APPLICATION FILE](#)

**APPLICANT:** The Portland Public Market

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

PRM403

**CORRESPONDENT E-MAIL ADDRESS:**

docketing@khpateent.com

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 9/27/2018

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 following requirement(s) and/or refusal(s) made final in the Office action dated September 25, 2017 are maintained and continue to be final: likelihood of confusion under Trademark Act Section 2(d) with respect to U.S. Registration No. 3360195; and False suggestion of a connection under Trademark Act Section 2(a), 15 U.S.C. §1052(a). 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).

/Verna B. Ririe/

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