

From: Toy, Joshua

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Subject: U.S. TRADEMARK APPLICATION NO. 87298620 - BOYY - N/A - Request for Reconsideration Denied - Return to TTAB

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

U.S. APPLICATION SERIAL NO. 87298620

MARK: BOYY



CORRESPONDENT ADDRESS:

MARY A. DONOVAN

COWAN, LIEBOWITZ & LATMAN, P.C.

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GENERAL TRADEMARK INFORMATION:

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

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APPLICANT: Boyy Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

trademark@cll.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 2/15/2018

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 refusals made final in the Office action dated August 7, 2017 are maintained and continue to be final: Trademark Act Section 2(d) refusal for a likelihood of confusion with a registered mark; and Trademark Act Section 2(e)(1) because the applied-for mark is merely descriptive. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issues, nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issues in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues.

Specifically, the request for reconsideration merely describes the procedural processes of requests for consideration in general, the procedural background of the instant application, and had third-party registrations attached. The request for reconsideration did not, however, raise any arguments as to the outstanding refusals. 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).

/Josh Toy/

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