

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87460129
LAW OFFICE ASSIGNED	LAW OFFICE 125
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87460129/large
LITERAL ELEMENT	IDEALAB
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.
ARGUMENT(S)	
<p>Applicant Idealab ("Applicant") respectfully responds to the Office Action of October 22, 2019. In the Office Action, the Examiner has requested additional revisions to the proposed recitation of services. The Examiner also maintains the Section 2(d) refusal to the Class 42 services. In response, Applicant respectfully amends the recitation of services in accordance with the Examiner's requirements. With respect to the 2(d) refusal, Applicant maintains that there is no conflict with the cited registration, as set forth in its previously-filed response. Applicant does not provide information relating to parenting, and there is no chance that consumers would be confused by Applicant's Mark and the cited registration. To that end, Applicant has modified its services in Class 42 to highlight the differences, and is open to further modifying its services in Class 42 to expressly exclude services directed to providing parenting advice, if the Examiner believes that revision is necessary.</p>	
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Providing office equipment and office machinery; Providing facilities for use of office equipment and office machinery	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(proposed)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Providing office equipment and office machinery; Providing facilities for use of office equipment and office machinery	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (036)(current)	
INTERNATIONAL CLASS	036
DESCRIPTION	
Rental of office space that includes shared workspace and conference rooms	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (036)(proposed)	
INTERNATIONAL CLASS	036

DESCRIPTION	
Rental of office space that includes shared workspace and conference rooms	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (042)(current)	
INTERNATIONAL CLASS	042
DESCRIPTION	
Technology consultation and support services in the field of computers, the internet, office equipment and office machinery, and office facilities; Computer technology support services	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (042)(proposed)	
INTERNATIONAL CLASS	042
TRACKED TEXT DESCRIPTION	
Technology consultation and support services in the field of computers, the internet, office equipment and office machinery, and office facilities; Computer technology support services ; Help desk services in the nature of providing computer and computer software technical and technological support ; Computer technology support services	
FINAL DESCRIPTION	
Help desk services in the nature of providing computer and computer software technical and technological support	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/HSM/
SIGNATORY'S NAME	Howard S. Michael
SIGNATORY'S POSITION	Attorney for Applicant
SIGNATORY'S PHONE NUMBER	3123214244
DATE SIGNED	04/22/2019
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Apr 22 14:40:53 EDT 2019
TEAS STAMP	USPTO/RFR-XX.XX.XXX.XXX-2 0190422144053434277-87460 129-620470e688103f8224e4e 34a9340fec614a4397f9a13f 8d4e9e4febe5e4155937-N/A- N/A-20190422142902809381

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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. **87460129** IDEALAB(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87460129/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Applicant Idealab ("Applicant") respectfully responds to the Office Action of October 22, 2019. In the Office Action, the Examiner has requested additional revisions to the proposed recitation of services. The Examiner also maintains the Section 2(d) refusal to the Class 42 services. In response, Applicant respectfully amends the recitation of services in accordance with the Examiner's requirements. With respect to the 2(d) refusal, Applicant maintains that there is no conflict with the cited registration, as set forth in its previously-filed response. Applicant does not provide information relating to parenting, and there is no chance that consumers would be confused by Applicant's Mark and the cited registration. To that end, Applicant has modified its services in Class 42 to highlight the differences, and is open to further modifying its services in Class 42 to expressly exclude services directed to providing parenting advice, if the Examiner believes that revision is necessary.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Providing office equipment and office machinery; Providing facilities for use of office equipment and office machinery
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.

Proposed: Class 035 for Providing office equipment and office machinery; Providing facilities for use of office equipment and office machinery

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 proposes to amend the following class of goods/services in the application:

Current: Class 036 for Rental of office space that includes shared workspace and conference rooms

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.

Proposed: Class 036 for Rental of office space that includes shared workspace and conference rooms

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 proposes to amend the following class of goods/services in the application:

Current: Class 042 for Technology consultation and support services in the field of computers, the internet, office equipment and office machinery, and office facilities; Computer technology support services

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.

Proposed:

Tracked Text Description: ~~Technology consultation and support services in the field of computers, the internet, office equipment and office machinery, and office facilities;~~ [Help desk services in the nature of providing computer and computer software technical and technological support;](#) ~~Computer technology support services~~

Class 042 for Help desk services in the nature of providing computer and computer software technical and technological support

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.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /HSM/ Date: 04/22/2019

Signatory's Name: Howard S. Michael

Signatory's Position: Attorney for Applicant

Signatory's Phone Number: 3123214244

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.

Serial Number: 87460129

Internet Transmission Date: Mon Apr 22 14:40:53 EDT 2019

TEAS Stamp: USPTO/RFR-XX.XX.XXX.XXX-2019042214405343

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