

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87761068
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87761068/large
LITERAL ELEMENT	CARGOGSM
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>In the Final Office Action the trademark examiner maintains the refusal to registration of the CARGOGSM mark over the prior registered KARGO mark. Applicant respectfully requests the trademark examiner reconsider this position. The CARGOGSM and KARGO marks make distinctively different overall impressions on consumers. When properly considered in their entireties, the marks look and sound different, and leave different commercial impressions on consumers. As to sight and sounds, the marks begin with different letters, have a different number of total letters, and different number of syllables. As to impression, the cited mark bears little connection to the registered goods, while the proposed mark provides consumers with a more complete message about the claimed goods. In view of these differences, consumers will mentally process the respective marks in a different manner, thus avoiding a likelihood of confusion.</p>	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/SSS/
SIGNATORY'S NAME	Sean S. Swidler
SIGNATORY'S POSITION	Attorney of Record, IL Bar Member
SIGNATORY'S PHONE NUMBER	312-784-1066
DATE SIGNED	06/03/2019
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jun 03 23:19:49 EDT 2019
TEAS STAMP	USPTO/RFR-XX.XX.XX.XXX-20 190603231949180830-877610 68-620a91d209b35184c93773 662eeac400631af05540bf79d 3693ea5fd27d53b11-N/A-N/A -20190603230954764843

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To the Commissioner for Trademarks:

Application serial no. **87761068** CARGOGSM(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87761068/large>) has been amended as follows:

ARGUMENT(S)

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

In the Final Office Action the trademark examiner maintains the refusal to registration of the CARGOGSM mark over the prior registered KARGO mark. Applicant respectfully requests the trademark examiner reconsider this position. The CARGOGSM and KARGO marks make distinctively different overall impressions on consumers. When properly considered in their entireties, the marks look and sound different, and leave different commercial impressions on consumers. As to sight and sounds, the marks begin with different letters, have a different number of total letters, and different number of syllables. As to impression, the cited mark bears little connection to the registered goods, while the proposed mark provides consumers with a more complete message about the claimed goods. In view of these differences, consumers will mentally process the respective marks in a different manner, thus avoiding a likelihood of confusion.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /SSS/ Date: 06/03/2019

Signatory's Name: Sean S. Swidler

Signatory's Position: Attorney of Record, IL Bar Member

Signatory's Phone Number: 312-784-1066

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: 87761068

Internet Transmission Date: Mon Jun 03 23:19:49 EDT 2019

TEAS Stamp: USPTO/RFR-XX.XX.XX.XXX-20190603231949180

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