

## Petition to Director

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	88351048
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 122
<b>PETITION</b>	
<b>PETITION STATEMENT</b>	Accept petition for ex parte appeal of the application. Due to the coronavirus outbreak staff for the attorney of record began working remotely on Monday March 16. Because of coordination issues presented the petition for an ex parte appeal was not properly submitted even though a request for reconsideration was submitted with the notification that an ex parte appeal was being submitted. Counsel for Applicant therefore requests a late filing of a petition for an ex parte appeal.
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="https://tmng-al.uspto.gov/resting2/api/img/88351048/large">https://tmng-al.uspto.gov/resting2/api/img/88351048/large</a>
<b>LITERAL ELEMENT</b>	WINDOW GARDEN
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Window Garden, LLC
<b>STREET</b>	56 Leonard Bridge Rd
<b>CITY</b>	Lebanon
<b>STATE</b>	Connecticut
<b>ZIP/POSTAL CODE</b>	06249
<b>COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	United States
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Window Garden, LLC
<b>STREET</b>	56 Leonard Bridge Rd
<b>CITY</b>	Lebanon
<b>STATE</b>	Connecticut
<b>ZIP/POSTAL CODE</b>	06249
<b>COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	United States
<b>EMAIL</b>	kevin.keener@keenerlegal.com
<b>EXPLANATION OF FILING</b>	
Accept petition for ex parte appeal of the application. Due to the coronavirus outbreak staff for the attorney of record began working remotely on Monday March 16. Because of coordination issues presented the petition for an ex parte appeal was not properly submitted even though a request for reconsideration was submitted with the notification that an ex parte appeal was being submitted. Counsel for Applicant therefore requests a late filing of a petition for an ex parte appeal.	

<b>CORRESPONDENCE INFORMATION (current)</b>	
<b>NAME</b>	Kevin Keener
<b>PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE</b>	trademark@keenerlegal.com
<b>SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)</b>	angie.lane@keenerlegal.com; frank@windowgarden.us
<b>CORRESPONDENCE INFORMATION (proposed)</b>	
<b>NAME</b>	Kevin Keener
<b>PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE</b>	trademark@keenerlegal.com
<b>SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)</b>	angie.lane@keenerlegal.com; frank@windowgarden.us
<b>PAYMENT SECTION</b>	
<b>PETITION FEE PER PETITION</b>	100
<b>NUMBER OF CLASSES</b>	1
<b>EX PARTE APPEAL FEE PER CLASS</b>	200
<b>NUMBER OF CLASSES</b>	1
<b>TOTAL FEES DUE</b>	300
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/kevinkeener/
<b>SIGNATORY'S NAME</b>	Kevin Keener
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Illinois bar member
<b>SIGNATORY'S PHONE NUMBER</b>	3125232164
<b>DATE SIGNED</b>	03/17/2020
<b>PETITION SIGNATURE</b>	/kevinkeener/
<b>SIGNATORY'S NAME</b>	Kevin Keener
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Illinois bar member
<b>SIGNATORY'S PHONE NUMBER</b>	3125232164
<b>DATE SIGNED</b>	03/17/2020
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Mar 17 00:51:27 ET 2020
<b>TEAS STAMP</b>	USPTO/PGP-XXX.XX.XXX.XXX- 20200317005127284294-8835 1048-7106b3cd3d5e76d54ccc 676f090445331dcabf22ceaa7 71d3ad2436c1a5338d4-CC-51 258680-202003170037513512 66

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PTO Form 2301 (Rev 02/2020)  
OMB No. 0651-0054 (Exp 12/31/2020)

## Petition to Director

To the Commissioner for Trademarks:

Application serial no. **88351048** WINDOW GARDEN(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88351048/large>) has been amended as follows:

## **PETITION**

### **Petition Statement**

Accept petition for ex parte appeal of the application. Due to the coronavirus outbreak staff for the attorney of record began working remotely on Monday March 16. Because of coordination issues presented the petition for an ex parte appeal was not properly submitted even though a request for reconsideration was submitted with the notification that an ex parte appeal was being submitted. Counsel for Applicant therefore requests a late filing of a petition for an ex parte appeal.

### **EXPLANATION OF FILING**

Accept petition for ex parte appeal of the application. Due to the coronavirus outbreak staff for the attorney of record began working remotely on Monday March 16. Because of coordination issues presented the petition for an ex parte appeal was not properly submitted even though a request for reconsideration was submitted with the notification that an ex parte appeal was being submitted. Counsel for Applicant therefore requests a late filing of a petition for an ex parte appeal.

### **Owner AND/OR ENTITY INFORMATION**

#### **The owner proposes to amend the following:**

**Current:** Window Garden, LLC, a limited liability company legally organized under the laws of Connecticut, having an address of  
56 Leonard Bridge Rd  
Lebanon, Connecticut 06249  
United States

**Proposed:** Window Garden, LLC, a limited liability company legally organized under the laws of Connecticut, having an address of  
56 Leonard Bridge Rd  
Lebanon, Connecticut 06249  
United States  
Email Address: kevin.keener@keenerlegal.com

#### **Correspondence Information (current):**

Kevin Keener  
PRIMARY EMAIL FOR CORRESPONDENCE: trademark@keenerlegal.com  
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): angie.lane@keenerlegal.com; frank@windowgarden.us

#### **Correspondence Information (proposed):**

Kevin Keener  
PRIMARY EMAIL FOR CORRESPONDENCE: trademark@keenerlegal.com  
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): angie.lane@keenerlegal.com; frank@windowgarden.us

**Requirement for Email and Electronic Filing:** I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

#### **FEE(S)**

Fee(s) in the amount of \$300 is being submitted.

#### **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: /kevinkeener/ Date: 03/17/2020  
Signatory's Name: Kevin Keener  
Signatory's Position: Attorney of Record, Illinois bar member  
Signatory's Phone Number: 3125232164

Signature: /kevinkeener/ Date: 03/17/2020  
Signatory's Name: Kevin Keener  
Signatory's Position: Attorney of Record, Illinois bar member

Signatory's Phone Number: 3125232164

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 petitioner'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 petitioner in this matter: the petitioner 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; the petitioner has filed a power of attorney appointing him/her in this matter; or the petitioner's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: Kevin Keener  
KEENER AND ASSOCIATES, P.C.  
SUITE 1600  
161 NORTH CLARK STREET  
CHICAGO, Illinois 60601

Mailing Address: Kevin Keener  
KEENER AND ASSOCIATES, P.C.  
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161 NORTH CLARK STREET  
CHICAGO, Illinois 60601

RAM Sale Number: 88351048  
RAM Accounting Date: 03/17/2020

Serial Number: 88351048  
Internet Transmission Date: Tue Mar 17 00:51:27 ET 2020  
TEAS Stamp: USPTO/PGP-XXX.XX.XXX.XXX-202003170051272  
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90445331dcabf22ceaa771d3ad2436c1a5338d4-  
CC-51258680-20200317003751351266

