

ESTTA Tracking number: **ESTTA663800**

Filing date: **03/30/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

| | |
|---------------------------------------|--|
| Name | Watts Water Technologies, Inc. |
| Granted to Date of previous extension | 03/29/2015 |
| Address | 815 Chestnut Street North Andover, MA 01845 UNITED STATES |
| Attorney information | Lawrence R. Robins Sullivan & Worcester LLP One Post Office Square Boston, MA 02109 UNITED STATES lrobins@sandw.com, trademark@sandw.com Phone:617-338-2803 |

Applicant Information

| | | | |
|------------------------|---|------------------------|------------|
| Application No | 86340302 | Publication date | 09/30/2014 |
| Opposition Filing Date | 03/30/2015 | Opposition Period Ends | 03/29/2015 |
| Applicant | aquatherm GmbH Biggen 5 Attendorn, 57439 GERMANY | | |

Goods/Services Affected by Opposition

| |
|--|
| Class 019. First Use: 1999/00/00 First Use In Commerce: 1999/00/00 All goods and services in the class are opposed, namely: Rigid pipes and fitting therefore made of polypropylene used for supply of drinking water in residential, commercial and industrial buildings |
|--|

Grounds for Opposition

| | |
|---|-------------------------------|
| The mark is merely descriptive | Trademark Act section 2(e)(1) |
| The mark comprises matter that, as a whole, is functional | Trademark Act section 2(e)(5) |

| | |
|-------------|---|
| Attachments | Notice of Opposition(B1856179).pdf(82408 bytes) Watts Water Technologies, Inc. Opposition - Exhibits A-F (part 1 of 4)(B1856280).PDF(1709956 bytes) Watts Water Technologies, Inc. Opposition - Exhibits G-H (part 2 of 4)(B1856281).PDF(2602566 bytes) Watts Water Technologies, Inc. Opposition - Exhibit I (part 3 of 4)(B1856296).PDF(1843883 bytes) |
|-------------|---|

| | |
|--|---|
| | Watts Water Technologies, Inc. Opposition - Exhibit J (part 4 of 4)(B1856294).PDF(13220 bytes) |
|--|---|

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

| | |
|-----------|----------------------|
| Signature | /Lawrence R. Robins/ |
| Name | Lawrence R. Robins |
| Date | 03/30/2015 |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

| | | |
|--------------------------------|---|----------------------|
| Watts Water Technologies, Inc. |) | |
| |) | |
| Opposer, |) | |
| |) | |
| v. |) | Opposition No. _____ |
| |) | |
| Aquatherm GmbH, |) | |
| |) | |
| Applicant. |) | |
| |) | |
| <hr/> | | |

Applicant Serial No.: 86340302
Filed: 7/17/2014
Published for Opposition: September 30, 2014
Mark: The Color Green—Pantone Q 380-3-2—for Polypropylene Plumbing Pipe

NOTICE OF OPPOSITION

Opposer, Watts Water Technologies, Inc. (“Opposer”) a Delaware corporation, having a principal place of business at 815 Chestnut Street, North Andover, MA 01845, believes that it is being damaged, and will be damaged, by Aquatherm GmbH’s (“Applicant”) registration of the color green (Pantone Q 380-3-2) for polypropylene plumbing pipe (“PP-R piping”), shown in Application Serial No. 86340302, and hereby opposes the same. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Opposer and its own acts, and upon information and belief as to other matters:

OPPOSER AND ITS BUSINESS

1. Opposer, a competitor of Applicant, is one of the leading global providers of plumbing, heating, and water quality solutions for residential, industrial, municipal, and commercial applications. Opposer, which was founded in 1874, has approximately 140 years of experience in water and piping technologies. Opposer’s products, including its polypropylene

plumbing pipe, provide water solutions to a variety of industries and applications, including agriculture and irrigation systems, healthcare facilities, foodservice and hospitality settings, residential housing, educational, marine, and municipal locations, and a range of other commercial and industrial sites.

2. Since 2012, Opposer, through its subsidiary Orion Fittings, Inc., has sold PP-R piping in competition with Applicant. Orion currently sells grey PP-R piping and intends to sell green PP-R piping in the near future. This decision was driven in part by the fact that, due to the overwhelming demand for green PP-R in Europe (currently the sole location where U.S. companies can purchase the material), the cost to Opposer to obtain and sell green PP-R pipe will be substantially less than it currently spends to import and sell grey pipe.

STANDARDS RELATING TO COLORING FOR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL FACILITIES

3. The American National Standards Institute (“ANSI”) Standard A13.1 (the “Standard”) was promulgated in order to standardize, *inter alia*, color codes for use in identifying the content of various piping. Ex. A.

4. The Standard establishes the color green as the standard color for labeling pipe for potable applications. Id.

APPLICANT AND ITS BUSINESS

5. Applicant is a corporation of Germany, with an address of Biggen 5, Attendorn 57439, Germany.

6. On July 17, 2014, Applicant filed Application Serial No. 86340302 (“the ‘302 Application”) to register the color green—Pantone Q 380-3-2—as a color mark for PP-R piping.

7. Applicant manufactures, markets, and sells a variety of colored piping products, and identifies them on its website as; *inter alia*, “Aquatherm Green Pipe”, “Aquatherm Lilac Pipe”, “Aquatherm Red Pipe”, and “Aquatherm Blue Pipe”. Ex. B.

8. On its website, Applicant states that its “Aquatherm green pipe” is the “safest, most reliable choice for potable applications.” Ex. C. In addition, the August 5, 2008 press release announcing the change of name of its green colored PP-R pipe product from “Fusiotherm” to “Aquatherm Green Pipe” featured the headline and sub-headline:

“GREEN ALL ALONG, FUSIOTHERM IS NOW AQUATHERM GREEN PIPE
AQUATHERM, INC. GIVES ITS ENVIRONMENTALLY FRIENDLY PIPING
SYSTEM A MORE APPROPRIATE AND TIMELY NAME.” Ex. D.

In the body of the press release, Applicant states that “The name change reflects that this environmentally friendly alternative to metal and plastic piping systems has been green all along—for the last 30-plus years.” *Id.*

APPLICANT’S EFFORTS TO REGISTER “GREEN” MARKS FOR PP-R PIPING

9. On October 7, 2005, Applicant filed United States Trademark Application Serial No. 78/728,854 (the ‘854 App) to register the color green—Pantone Q 380-3-2—for “RIGID PIPES AND FITTINGS MADE OF POLYPROPYLENE FOR THE SUPPLY OF DRINKING WATER IN HOUSES, OFFICE BUILDINGS, AND INDUSTRIAL BUILDINGS” Ex. E.

10. The ‘854 App was rejected pursuant to Section 2(e) of the Lanham Act because it was considered to be non-distinctive. Thereafter, on July 17, 2007, the ‘854 App matured into United States Trademark Registration Number 3,266,731, which issued on the Supplemental Register

11. On January 4, 2007, Applicant filed Application Serial No. 77/075,906 to register the word mark AQUATHERM GREENPIPE for “plastic plumbing pipes and pipe connection pieces being fittings for hot and cold water for use with heating, air conditioning and sanitation

purposes; plastic plumbing pipes and pipe connection pieces being fittings for water for use with the fire sprinkler system.” Ex. F.

12. In an Office Action dated April 26, 2007, the United States Patent and Trademark Office (PTO) stated that the term “greenpipe” was descriptive of the goods covered in the application and should be disclaimed. Applicant did not contest the disclaimer requirement, entered a disclaimer via Examiner’s Amendment, and the mark proceeded to registration. Ex. G.

13. On January 11, 2012, Aquatherm NA (an affiliate of Applicant) filed Application Serial No. 85/648,787, (the “‘787 App.”) covering a mark consisting of an illustration of a section of green pipe for the purpose of claiming the exclusive right to use the color green as trade dress for “rigid pipes and pipe fittings of polypropylene for the supply of potable water.” Ex. H.

14. In an Office Action dated July 17, 2012 the Examining Attorney rejected the ‘787 App on grounds that the color green as applied to PP-R piping was functional and not appropriate for registration. Ex. I.

15. The PTO also refused registration because the applied-for mark, consisting solely of a color, was not inherently distinctive. Id.

16. As grounds for his decision to reject the application, the Examining Attorney stated: “the evidence from ANSI color coding standards clearly show that the color green is the standard color for pipes to indicate potable water. Therefore, the color blue [*sic*; should read “green”] serves a functional purpose to indicate to others in the industry that such pipes contain potable water. Accordingly, the applied for color mark is refused registration.” Id.

17. The Examining Attorney also rejected the ‘787 App under Lanham Act Section 2(e) because Aquatherm NA did not submit any evidence that the color green had acquired distinctiveness or “secondary meaning” when used in association with PP-R piping. Id.

18. Aquatherm NA did not respond to the Office Action and the application was abandoned on February 21, 2013. Ex. J.

19. Applicant filed the present application on July 17, 2014. At no time during prosecution of this application did Applicant disclose to the PTO the existence of ANSI Standard A13.1 or the fact that the ‘787 App. was rejected based on both the ANSI Standard (functionality) and on a lack of overall distinctiveness.

20. Applicant knew at the time it filed this Application that its PP-R piping’s green color served a functional purpose in connection with the applicable ANSI standard, and that the color is non-distinctive, both because the relevant market does not view the color green as an indication of source and because Applicant uses the color green to communicate the environmental benefits of its products.

21. Applicant was aware at the time it filed its Application that it was using the same or a similar green color to identify PP-R piping as were its competitors, both in the United States and in Europe, Central America, and South America.

COUNT I

22. Opposer incorporates by reference paragraphs 1 – 21 as if fully set forth herein.

23. The alleged mark in Applicant’s Application is non-distinctive and has not acquired secondary meaning or distinctiveness, and does not function as a trademark.

24. The alleged mark in Applicant’s Application is not a trademark and fails to fulfill the requirements of the Trademark Act, including Sections 1, 2, and 45, 15 U.S.C. §§ 1051, 1052, and 1127.

25. Entities other than Applicant manufacture, market, and sell PP-R piping of the same or similar green color that Applicant tries to register as a trademark in its Application, and Applicant promotes its “Aquatherm Green Pipe” as possessing “green” environmental benefits.

26. Opposer will be damaged because granting Applicant the exclusive right to use the color green to identify PP-R pipe for use in potable applications will give Applicant a substantial non-reputational advantage over its competitors, including Opposer, who could be precluded from accurately describing, promoting, and marketing the color, purpose, and environmental benefits of its own green-colored PP-R pipe products.

27. Opposer will be further damaged by because, if successful, such registration will confuse or mislead the public as to whether Opposer has the exclusive right to use the color green, including but not limited to Pantone Q 380-3-2, to color its PP-R piping, and would empower Applicant to take enforcement measures against Opposer for Opposer’s legal use of the functional, non-distinctive green color for its PP-R piping.

COUNT II

28. Opposer incorporates by reference paragraphs 1 – 27 as if fully set forth herein.

29. Applicant’s alleged mark is functional in that it is recognized by both the American National Standards Institute (ANSI) and by the relevant consuming public as an indication that Applicant’s product is for use in potable applications.

30. There are no manufacturers of PP-R piping currently operating in the United States. To procure pipe to sell in this country, Opposer must deal with a single manufacturer in Europe. Due to the pervasive use of green PP-R piping in Europe and elsewhere by multiple vendors, it is substantially less expensive for Opposer to purchase and sell green PP-R piping in the United States than it is to purchase and sell grey pipe. Therefore, if Applicant is permitted to

appropriate the color green for its sole and exclusive use in connection with PP-R piping, Opposer will be placed at a significant non-reputational competitive disadvantage.

31. Due to its functional nature, Applicant's alleged mark in its Application fails to fulfill the requirements of the Trademark act, including Section 2(E) (5), 15 U.S.C. § 1052(E) (5).

32. Opposer will be damaged because granting Applicant the exclusive right to use the color green to identify PP-R pipe for use in potable applications will give Applicant a substantial non-reputational advantage over its competitors, including Opposer, who could be precluded from complying with the applicable ANSI Standard and from profitably competing with Applicant in the marketplace.

33. Opposer will be further damaged by Applicant's attempted registration because, if successful, such registration will mislead the public as to whether Opposer has the right to use the functional color green, including but not limited to Pantone Q 380-3-2, to color its PP-R piping, and would empower Applicant to bring enforcement measures against Opposer for Opposer's legal use of the functional, non-distinctive green color for its PP-R piping.

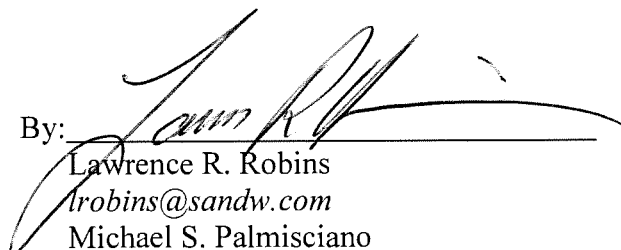
WHEREFORE, Opposer, a competitor of Applicant, is being damaged by the pending Application, and will be damaged by the registration of the mark shown in Application Serial No. 86340302, and requests that the Opposition be sustained, and that registration to Applicant be refused.

A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 500751.

Respectfully Submitted,

Dated: March 30, 2015

By:



Lawrence R. Robins

lrobins@sandw.com

Michael S. Palmisciano

mpalmisciano@sandw.com

Attorneys at Law

Sullivan & Worcester LLP

One Post Office Square

Boston, MA 02109

T 617 338 2800

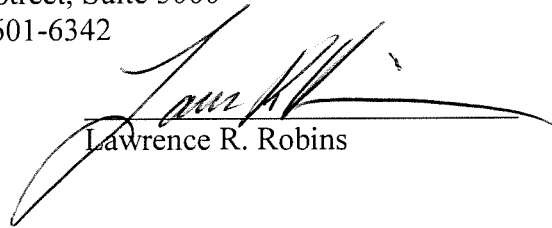
F 617 338 2880

Attorneys for Opposer

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing Notice of Opposition was served by first class mail, postage prepaid, on the this 30th day of March 2015, on Applicant at the following address of record listed below:

Leslie Bertagnoli
Baker & McKenzie LLP
300 E Randolph Street, Suite 5000
Chicago, IL 60601-6342



Lawrence R. Robins

Exhibit A

PIPE MARKING GUIDE

to the ANSI/ASME A13.1 – 2007 Standard for the Identification of Pipes

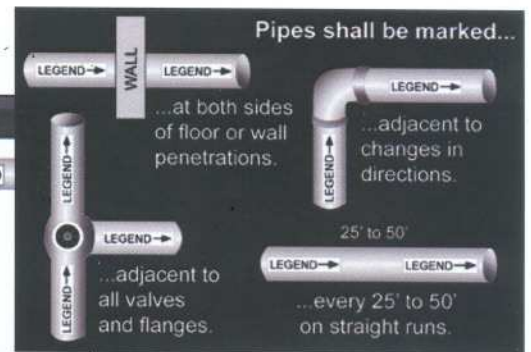
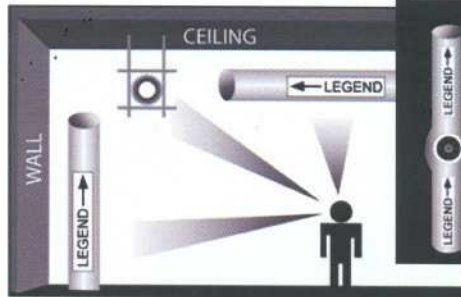
COLOR CODE

| Material Properties | Letter color on Field color | Example |
|---|-----------------------------|----------------------------|
| FLAMMABLE Fluids which are a vapor or produce vapors that can ignite and continue to burn in air | Black on Yellow | → HYDROGEN → |
| COMBUSTIBLE Fluids that may burn but are not flammable | White on Brown | → ACETIC ACID → |
| TOXIC & CORROSIVE Fluids which are corrosive or toxic or will produce corrosive or toxic substances | Black on Orange | → NITRIC ACID → |
| FIRE QUENCHING Water and other substances used in sprinkler fire-fighting piping systems | White on Red | → HALON → |
| OTHER WATER Any other water, except for water used in sprinkler and fire-fighting piping systems | White on Green | → BOILER WATER → |
| COMPRESSED AIR Any vapor or gas under pressure that does not fit a category above | White on Blue | → COMPRESSED AIR → |
| DEFINED BY USER | White on Black | → DEFINED BY USER → |
| DEFINED BY USER | Black on White | → DEFINED BY USER → |
| DEFINED BY USER | White on Purple | → DEFINED BY USER → |
| DEFINED BY USER | White on Gray | → DEFINED BY USER → |

PLACE MARKERS:

- To indicate direction of flow by labeling with arrows at one or both ends of the label
- To be visible from the point of normal approach
- Near valves, flanges and changes in pipe direction
- Both sides of ceiling, wall or floor penetrations
- At any line entry or re-entry point
- On straight pipe runs
- Every 50 feet

Right: Orientation of Labels



Above: Label placement in relation to point of normal approach

PIPE MARKER SIZE CHART Letter and Label Dimensions in accordance with pipe diameter

| Outside Pipe Diameter Including Covering | Minimum Length of Label Field Color | Minimum Height of Letters |
|--|-------------------------------------|---------------------------|
| .75" - 1.25" | 19 - 32 mm | 8" 203 mm |
| 1.5" - 2" | 38 - 51 mm | 8" 203 mm |
| 2.5" - 6" | 64 - 152 mm | 12" 305 mm |
| 8" - 10" | 203 - 254 mm | 24" 610 mm |
| Over 10" | Over 254 mm | 32" 813 mm |

NOTE: It is recommended that pipes less than .75" in diameter be labeled with a permanent tag.

Exhibit B



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about Aquatherm

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Aquatherm in action

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about Aquatherm

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my Aquatherm resources

INSTALL

Aquatherm systems

DESIGN

with Aquatherm

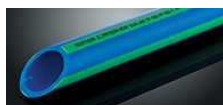
OUR PRODUCTS

After choosing the best piping material (PP-R), we started perfecting it for a variety of crucial applications. Select the system your building needs.



AQUATHERM GREEN PIPE

Aquatherm Green Pipe is our signature PP-R product and is used in potable, food-grade, residential sprinkler, and chlorinated water applications.



AQUATHERM BLUE PIPE

Aquatherm Blue Pipe is the best choice for high-performance pressure piping systems in a wide range of non-potable applications.



AQUATHERM LILAC PIPE

Aquatherm Lilac Pipe is specially formulated for water conservation systems that use water from



AQUATHERM BLACK SYSTEM

Aquatherm Black System delivers radiant heating and cooling using water, which is more

(801) 805-6657 | 500 S 500 W, Bldg. 1 | Lindon, Utah 84042

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Exhibit C

http://www.aquatherm.com/aquatherm-green-pipe#s Aquatherm Green Pipe

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aquatherm green pipe aquatherm blue pipe aquatherm iliac pipe aquatherm red pipe
aquatherm black system

aquatherm green pipe

As our signature PP-R pipe, Green Pipe is the

SAFEST, MOST RELIABLE CHOICE FOR POTABLE APPLICATIONS

and many other projects

HOT & COLD POTABLE WATER FOOD GRADE PURE SWIMMING POOL

Keeping drinking water clean requires a clean piping system. Aquatherm Green Pipe is completely free of heavy metals and toxic chemicals, providing the safest option in the market for drinking water and food processing.

Aquatherm Green Pipe sets the standard for potable water systems worldwide. Potable water should be free of chemicals and contaminants, and that's exactly what Aquatherm Green Pipe delivers. Whereas many other piping materials allow trace amounts of chemicals to be pulled from the pipe walls and into the water we drink, Aquatherm's polypropylene Green Pipe is hydrophobic, which prevents it from corroding or leaching.

Aquatherm Green Pipe is approved by **UPC, IPC, and IRC** and is in accordance with **CSA B137.11** for potable applications and has been used in buildings across the U.S. and Canada.

GREEN PIPE MOLDED FITTINGS

APPROVALS: SIZES:

NSF 14, 51, 61 SDR 7.4: 1/2" - 14"
IPC, UPC
NFPA & FM SDR 11: 1/2" - 18"

(801) 805-0667 | 500 S 500 W, Bldg. 1 | London, Utah 84042

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Exhibit D



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GREEN ALL ALONG, FUSIOTHERM IS NOW AQUATHERM GREEN PIPE

AQUATHERM, INC. GIVES ITS ENVIRONMENTALLY FRIENDLY PIPING SYSTEM A MORE APPROPRIATE AND TIMELY NAME.

Provo, UT -- (August 5, 2008) -- Aquatherm, Inc., a German-based manufacturer of proprietary polypropylene piping systems, announced that the piping product formerly known as Aquatherm Fusiotherm® is now called Aquatherm Green Pipe®. The name change reflects that this environmentally friendly alternative to metal and plastic piping systems has been green all along -- for the last 30-plus years.

Fully recyclable, Aquatherm Green Pipe uses a simple heat fusion connection to eliminate toxic materials, glues and resins, and open flames from the piping installation equation. It also creates seamless connections that when properly executed last a lifetime, while eliminating worries about the cost (and theft) of copper and other expensive metals.

The pipe and desired fitting are simply inserted onto an Aquatherm welding device and heated for a specified time (typically only seconds), then joined together. Pipes and fittings have the same physical properties, thus eliminating systematic weaknesses. Additionally, a faser-composite layer in the pipe reduces linear expansion of the pipe by 75%, ensuring that it hangs rigidly even when subjected to high operating temperatures (up to 200 °F).

Aquatherm systems come in pipe dimensions ranging from 3/8" to 10" (equivalent) and provide an extremely attractive alternative to metal and



plastic piping systems in the commercial HVACR, plumbing, and industrial markets (and others). Aquatherm Green Pipe's low material, installation, and non-existent maintenance costs, combined with environmental friendliness and code approvals (listed to NSF 61, NSF 51 and NSF 14, in addition to many state and local jurisdictions) position it as the piping system of the future.

A proven technology in 70 countries for the last three decades, Aquatherm piping systems are currently installed throughout Canada, with a rapidly growing U.S. presence. For more information, please visit www.aquathermpipe.com, or call 801-805-6657 (U.S.) or 403-653-4440 (Canada).

Tweet

(801) 805-6657

JT 84042 Friday

W 200 S W 200 S St W 600 S W 1600 N W 600 S N 800 W St N 1200 N Geneva Rd

Info

Aquatherm International

Map data ©2014 info@engle

Copyright © 2014. Aquatherm Polypropylene Pipe.

Exhibit E



Trademarks > Trademark Electronic Search System (TESS)

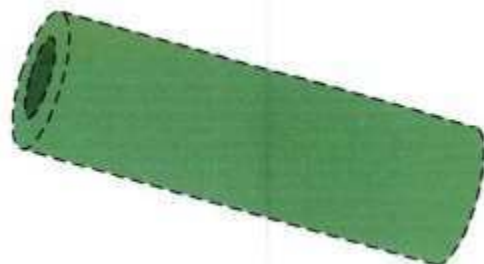
TESS was last updated on Mon Mar 30 03:21:40 EDT 2015

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP

Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)



Goods and Services IC 019. US 001 012 033 050. G & S: Rigid pipes and fittings made of polypropylene for the supply of drinking water in houses, office buildings and industrial buildings; pipes and pipe connection fittings made of polypropylene for the supply of drinking water in houses, office buildings and industrial buildings. FIRST USE: 19990000. FIRST USE IN COMMERCE: 19990000

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 14.01.01 - Couplings and joints, metal pipe; Pipe couplings and joints; Pipes and fittings; Tubes (hardware); Tubing (hardware)
29.02.06 - Green (single color used for the entire goods/services)

Serial Number 78728854

Filing Date October 7, 2005

Current Basis 1A;44E

Original Filing Basis 1A;44E

Date Amended to Current Register September 6, 2006

Registration Number 3266731

Registration Date July 17, 2007

Owner (REGISTRANT) aquatherm GmbH Kunststoff-Extrusions-und Spritzgiesstechnik GMBH FED REP GERMANY Biggen 5 D-57439 Attendorn FED REP GERMANY

(LAST LISTED OWNER) AQUATHERM GMBH CORPORATION FED REP GERMANY BIGGEN 5 ATTENDORN FED REP GERMANY 57439

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Leslie Bertagnolli

Description of Mark

Trademark Electronic Search System (TESS)

The color(s) Green - Pantone Q 380-3-2 is/are claimed as a feature of the mark. The mark consists of the color green as applied to the goods. The dotted outline of the goods is intended to show the position of the mark on the goods and is not part of the mark.

| | |
|----------------------------|----------------|
| Type of Mark | TRADEMARK |
| Register | SUPPLEMENTAL |
| Affidavit Text | SECT 8 (6-YR). |
| Live/Dead Indicator | LIVE |

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Exhibit F



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Mon Mar 30 03:21:40 EDT 2015

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AQUATHERM GREENPIPE

| | |
|------------------------------------|--|
| Word Mark | AQUATHERM GREENPIPE |
| Goods and Services | IC 017. US 001 005 012 013 035 050. G & S: Plastic plumbing pipes and pipe connection pieces being fittings for hot and cold water for use with heating, air conditioning and sanitation purposes; plastic plumbing pipes and pipe connection pieces being fittings for water for use with the fire sprinkler system. FIRST USE: 20080700. FIRST USE IN COMMERCE: 20080700 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77075906 |
| Filing Date | January 4, 2007 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | January 22, 2008 |
| Registration Number | 3534622 |
| Registration Date | November 18, 2008 |
| Owner | (REGISTRANT) aquatherm GmbH Kunststoff- Extrusions- und Spritzgießtechnik CORPORATION FED REP GERMANY Biggen 5, 57439 Attendorn FED REP GERMANY 57439 (LAST LISTED OWNER) AQUATHERM GMBH CORPORATION FED REP GERMANY BIGGEN 5 ATTENDORN FED REP GERMANY 57439 |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | David J. Davis 2490048 |

Prior Registrations

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GREEN PIPE" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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Exhibit G

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/075906

APPLICANT: aquatherm Kunststoff- Extrusions- und

77075906

CORRESPONDENT ADDRESS:

DAVID J. DAVIS
BAKER & MCKENZIE LLP
130 E RANDOLPH ST STE 3500
CHICAGO, IL 60601-6314

RETURN ADDRESS:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: AQUATHERM GREENPIPE

CORRESPONDENT'S REFERENCE/DOCKET NO : 070016

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

RESPONSE TIME LIMIT: TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

MAILING/E-MAILING DATE INFORMATION: If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the mailing date of the most recently issued Office communication.

Serial Number 77/075906

The assigned examining attorney has reviewed the referenced application and determined the following.

NO CONFLICTING MARKS

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

INFORMALITIES

The applicant must respond to the following informalities.

Identification of Goods

The identification of goods is unacceptable as indefinite. The word in parenthesis (fittings) must be amended to “being fittings.” TMEP §1402.01. The applicant may adopt the following identification, if accurate:

Plastic plumbing pipes and pipe connection pieces, being fittings, for hot and cold water for use with heating, air conditioning and sanitation purposes; plastic plumbing pipes and pipe connection pieces, being fittings, for water for use with the fire sprinkler system, in IC 017.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods that are not within the scope of goods set forth in the present identification.

For additional information regarding acceptable identifications, the *Trademark Manual of Acceptable Identifications and Classifications for Goods and Services* is accessible on the world wide web at <http://tess2.uspto.gov/netahtml/tidm.html>.

Claim of Ownership of Prior Registration

If the applicant is the owner of Registration No. 2490048, the applicant must submit a claim of ownership. 37 C.F.R. §2.36; TMEP §812.

Disclaimer

The applicant must disclaim the descriptive wording “GREENPIPE” apart from the mark as shown. Trademark Act Section 6, 15 U.S.C. §1056; TMEP §§1213 and 1213.03(a). The wording is merely descriptive of a feature of the goods that are in whole or in part *green pipes*. See attached evidence captured from the applicant’s website on April 26, 2007 showing green pipes provided by the applicant under the AQUATHERM mark. The reference to green is also a reference to a feature being the color, but also to the environmental advantages of the goods as listed on that website.

A properly worded disclaimer should read as follows:

No claim is made to the exclusive right to use GREENPIPE apart from the mark as shown.

The Office can require an applicant to disclaim an unregistrable part of a mark consisting of particular wording, symbols, numbers, design elements or combinations thereof. 15 U.S.C. §1056(a). Under Section 2(e) of the Trademark Act, the Office can refuse registration of an entire mark if the entire mark is merely descriptive, deceptively misdescriptive, or primarily geographically descriptive of the goods. 15 U.S.C. §1052(e). Thus, the Office may require an applicant to disclaim a portion of a mark that, when used in connection with the goods or services, is merely descriptive, deceptively misdescriptive, primarily geographically descriptive, or otherwise unregistrable (e.g., generic). TMEP §1213.03(a).

Failure to comply with a disclaimer requirement can result in a refusal to register the entire mark. TMEP §1213.01(b).

A “disclaimer” is a statement that applicant does not claim exclusive rights to an unregistrable component of a mark. A disclaimer does not affect the appearance of the applied-for mark.

A disclaimer does *not* physically remove the disclaimed matter from the mark, but rather is a written statement that applicant does not claim exclusive rights to the disclaimed wording and/or design separate and apart from the mark as shown in the drawing.

The following cases explain the disclaimer requirement more fully: *Dena Corp. v. Belvedere Int’l Inc .*, 950 F.2d 1555, 21 USPQ2d 1047 (Fed. Cir. 1991); *In re Kraft, Inc.*, 218 USPQ 571 (TTAB 1983); *In re EBS Data Processing, Inc.*, 212 USPQ 964 (TTAB 1981); *In re National Presto Industries, Inc.*, 197 USPQ 188 (TTAB 1977).

RESPONSE

There is no required format or form for responding to this Office action. The Office recommends applicants use the Trademark Electronic Application System (TEAS) to respond to Office actions online at <http://www.uspto.gov/teas/index.html>. However, if applicant responds on paper via regular mail, the response should include the following information: (1) the name and law office number of the examining attorney; (2) the serial number of this application; (3) the mailing date of this Office action; and (4) applicant's telephone number.

The response should address each refusal and/or requirement raised in the Office action. If a refusal has issued, applicant may wish to argue against the refusal, i.e., submit arguments and/or evidence as to why the refusal should be withdrawn and why the mark should register. To respond to requirements, applicant should simply set forth in writing the required changes or statements and request that the Office enter them into the application record.

If the applicant has an attorney who is authorized to practice before the USPTO under 37 C.F.R. §10.14(e) (see TMEP §602), the attorney must sign the response. 37 C.F.R. §10.18(a). TMEP §712.01.

If the applicant is not represented by an attorney in this matter, the response *must* be signed by applicant or someone with legal authority to bind applicant (i.e., a corporate officer of a corporate applicant, the equivalent of an officer for unincorporated organizations or limited liability company applicants, a general partner of a partnership applicant, each applicant for applications with multiple individual applicants, etc.). TMEP §§712 *et seq.*

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

/Linda A. Powell/

Trademark Examining Attorney
Law Office 117
(571) 272-9327

NOTICE OF NEW PROCEDURE FOR E-MAILED OFFICE ACTIONS: In late spring 2007, for any applicant who authorizes e-mail communication with the USPTO, the USPTO will no longer directly e-mail the actual Office action to the applicant. Instead, upon issuance of an Office action, the USPTO will e-mail the applicant a notice with a link/web address to access the Office action using Trademark Document Retrieval (TDR), which is located on the USPTO website at <http://portal.uspto.gov/external/portal/tow>. The Office action will not be attached to the e-mail notice. Upon receipt of the notice, the applicant can then view and print the actual Office action and any evidentiary attachments using the provided link/web address. TDR is available 24 hours a day, seven days a week, including holidays and weekends. This new process is intended to eliminate problems associated with e-mailed Office actions that contain numerous attachments.

HOW TO RESPOND TO THIS OFFICE ACTION:

- **ONLINE RESPONSE:** You may respond using the Office's Trademark Electronic Application System (TEAS) Response to Office action form available on our website at <http://www.uspto.gov/teas/index.html>. If the Office action issued via e-mail, you must wait 72 hours after receipt of the Office action to respond via TEAS. **NOTE: Do not respond by e-mail. THE USPTO WILL NOT ACCEPT AN E-MAILED RESPONSE.**
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above, and include the serial number, law office number, and examining attorney's name. **NOTE: The filing date of the response will be the *date of receipt in the Office*, not the postmarked date.** To ensure your response is timely, use a certificate of mailing. 37 C.F.R. §2.197.

STATUS OF APPLICATION: To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

VIEW APPLICATION DOCUMENTS ONLINE: Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

GENERAL TRADEMARK INFORMATION: For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.

DESIGN MARK

Serial Number

75829585

Status

REGISTERED

Word Mark

AQUATHERM

Standard Character Mark

No

Registration Number

2490048

Date Registered

2001/09/18

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner

aquatherm GmbH Kunststoff-Extrusions - und Spritzgiesstechnik
CORPORATION FED REP GERMANY Fennentropfer Strasse 82 D-57439 Attendorn
FED REP GERMANY

Goods/Services

Class Status -- ACTIVE. IC 017. US 001 005 012 013 035 050. G & S:
plastic plumbing pipes for hot and cold water for use with heating and
sanitation installations.

Goods/Services

Class Status -- ACTIVE. IC 006. US 002 012 013 014 023 025 050. G
& S: metal pipe fittings and connectors.

Goods/Services

Class Status -- ACTIVE. IC 020. US 002 013 022 025 032 050. G & S:
non-metal pipe fittings and connectors.

Foreign Country Name

FED REP GERMANY

Foreign Registration Number

Print: Apr 26, 2007

75829585

39807050

Foreign Registration Date

1998/04/17

Foreign Expiration Date

2008/02/29

Filing Date

1999/10/22

Examining Attorney

BRACEY, KAREN

Attorney of Record

Leslie Bertagnolli

aquatherm



aquatherm

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the latest in pipe material

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The fusiotherm®-pipe system made by aquatherm has proved its technical suitability in worldwide applications for 25 years and is

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technical suitability in worldwide applications for 25 years and is highly recognized by experts as one of the most extensive and at the same time best plastic pipe system.

The program contains five different types of pipe - from cold water pipes to patented fibre-composite pipes with outside diameter from 16 mm to 160 mm. In addition there are over 350 joining and connection elements, referred to as fittings.

Advantages of the fusiotherm® system

- **Resistant to corrosion** - the end of corrosion damage
- **Fusion welded joints** - for a life time connection
- **Heat & sound insulation** - high insulation quality, energy savings and less noise
- **Smell & taste neutrality** - hygiene quality confirmed
- **Food grade material** - hygienic material for food -transfer
- **Impact resistant pipes & fittings** - your durability guarantee
- **Environmental acceptability** - recyclable and non-polluting
- **Less pipe roughness** - improved flow rates
- **Ease of installation** - light & clean to handle
- **High heat stabilisation** - resists temperature changes



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Dictionary



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green



green [green]

adjective (*comparative green-er, superlative green-est*)

Definition:

1. grass-colored: of a color in the spectrum between yellow and blue, like the color of grass

2. having edible green leaves: consisting of or containing green leaves of vegetables
• a green salad

3. grassy or leafy: consisting of or containing grass, plants, or foliage

4. POLITICS. advocating protection of

| | | |
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- ↑
- Greek
- Greek Catholic
- Greek Church
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- Greek Orthodox Church
- Greek salad
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4. POLITICS **advocating protection of environment:** supporting or promoting the protection of the environment

5. **made with little environmental harm:** produced in an environmentally and ecologically friendly way, e.g. by using renewable resources

6. **not ripe:** unripe or not mature

- *green bananas*

7. **jealous:** envious or jealous

8. **sickly-looking:** pale and sickly-looking, especially as a result of nausea

9. **innocent:** naive and lacking experience, especially because of being new to something

10. **new:** young, new, recent, or fresh

11. WOODWORK **unseasoned:** describes newly cut and unseasoned wood

- *green wood*

12. INDUSTRY **untanned:** describes leather that is not yet tanned

13. CERAMICS **unfired:** describes objects that are not yet fired

noun (*plural greens*)

Definition:

1. **color of grass:** a primary color between yellow and blue in the spectrum, like the color of grass



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2. green coloring: a green pigment or dye

3. green cloth: green fabric or clothing

4. green thing: a green object

5. grassy area: an area of ground that is covered with grass, especially a public or communal area

6. LAWN BOWLING grassy area for lawn bowling: an area of grass that is maintained for lawn bowling and similar games

7. GOLF grassy area surrounding golf hole: the closely mowed area at the end of a fairway on a golf course on which the hole for the ball is located

8. POLITICS advocate of protection of environment: a supporter or advocate of protecting the environment, especially a member of a political party concerned with environmental issues

9. FINANCE money: cash or paper money (*slang*)

plural noun **greens**

Definition:

1. green vegetables: vegetables with green leaves and stems, e.g. cabbage and spinach

2. North America decorative green foliage: green foliage used for decoration

Laptops
Monitors
Software



3. green-colored clothing: green clothing, e.g. Army uniforms or operating room scrubs (*informal*)

transitive and intransitive verb (*past and past participle greened, present participle green-ing, 3rd person present singular greens*)

Definition:

1. become green: to become green, or make something green

2. ENVIRONMENT become environmental advocate: to become aware of environmental issues, or make somebody aware of environmental issues

[Old English *grene* < Germanic]

- **green-ish** *adjective*
- **green-ly** *adverb*
- **green-ness** *noun*

go green to become actively interested in environmental issues and support environmental causes

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Exhibit H



Trademarks > Trademark Electronic Search System (TESS)

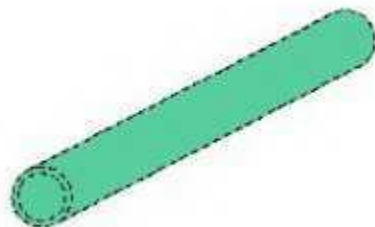
TESS was last updated on Mon Mar 30 03:21:40 EDT 2015

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP

Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)



Goods and Services (ABANDONED) IC 019. US 001 012 033 050. G & S: Rigid pipes and pipe fittings of polypropylene for the supply of potable water. FIRST USE: 20040000. FIRST USE IN COMMERCE: 20040000

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 14.01.01 - Couplings and joints, metal pipe; Pipe couplings and joints; Pipes and fittings; Tubes (hardware); Tubing (hardware)
29.02.06 - Green (single color used for the entire goods/services)

Serial Number **85648787**

Filing Date June 11, 2012

Current Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) AQUATHERM NA, L.C. LIMITED LIABILITY COMPANY UTAH 500 S 500 W Lindon UTAH 84042

Attorney of Record David E. Weslow

Prior Registrations 3266731

Description of Mark The color(s) green is/are claimed as a feature of the mark. The mark consists of the color green as applied to the goods. The dotted outline of the mark drawing is intended to show the position of the mark on the goods and is not part of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL-2(F)

Live/Dead Indicator DEAD

Abandonment Date January 18, 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG TOP HELP

Exhibit I

To: AQUATHERM NA, L.C. (dweslow@wileyrein.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85648787 - 85296.0002
Sent: 7/17/2012 3:42:59 PM
Sent As: ECOM114@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
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[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)

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

APPLICATION SERIAL NO. 85648787

MARK:

***8564878**

CORRESPONDENT ADDRESS:

DAVID E. WESLOW
WILEY REIN LLP
1776 K ST NW
WASHINGTON, DC 20006-2304

CLICK HERE TO RESP
<http://www.uspto.gov/tradem>

APPLICANT: AQUATHERM NA, L.C.

CORRESPONDENT'S REFERENCE/DOCKET NO :
85296.0002

CORRESPONDENT E-MAIL ADDRESS:
dweslow@wileyrein.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 7/17/2012

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

Search Results

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

Summary of Issues

- Section 2(e)(5) refusal
- Sections 1, 2 and 45 color refusal
- Five years' use insufficient

Section 2(e)(5) Refusal

Registration is refused because the applied-for mark, which consists of a color on the goods, appears to be a functional for such goods. Trademark Act Section 2(e)(5), 15 U.S.C. §1052(e)(5); *see* TMEP §1202.02(a)-(a)(ii). A feature is functional if it is "essential to the use or purpose of the [product]" or "it affects the cost or quality of the [product]." *TraFFix Devices, Inc. v. Mktg. Displays, Inc.*, 532 U.S. 23, 33, 58 USPQ2d 1001, 1006 (2001) (quoting *Qualitex Co. v. Jacobson Prods. Co.*, 514 U.S. 159, 165, 34 USPQ2d 1161, 1163-64 (1995)); *Inwood Labs., Inc., v. Ives Labs., Inc.*, 456 U.S. 844, 850 n.10, 214 USPQ 1, 4 n.10 (1982); TMEP §1202.02(a)(iii)(A).

A color that is functional for specific goods is not registrable on the Principal Register under Trademark Act Section 2(f) or on the Supplemental Register, regardless of evidence of acquired distinctiveness. TMEP §1202.05(b); *see Brunswick Corp. v. British Seagull Ltd.*, 35 F.3d 1527, 1534, 32 USPQ2d 1120, 1125 (Fed. Cir. 1994).

A color is functional if it yields a utilitarian or functional advantage, e.g., yellow or orange for safety signs make the signs more visible. *See, e.g., Brunswick Corp. v. British Seagull Ltd.*, 35 F.3d 1527, 32 USPQ2d 1120 (Fed. Cir. 1994) (holding the color black functional for outboard motors because it provides competitive advantages in terms of being compatible with a wide variety of boat colors and making the engines appear smaller); *Saint-Gobain Corp. v. 3M Co.*, 90 USPQ2d 1425, 1446-48 (TTAB 2007) (holding the color dark purple functional for sand paper because color serves a myriad of functions in the coated abrasives industry, including maintaining a uniform appearance of the product and color coding for grit size or coarseness); *In re Ferris Corp.*, 59 USPQ2d 1587 (TTAB 2000) (holding the color pink functional for use on surgical wound dressings because the actual color of the goods closely resembles Caucasian human skin). A color mark can also be functional if it provides competitive advantages, such as being more

economical with respect to the manufacture or use of the goods. *See* TMEP §§1202.02(a)(viii), 1202.05(b); *cf. Inwood Labs., Inc. v. Ives Labs., Inc.*, 456 U.S. 844, 850 n.10, 214 USPQ 1, 4 n.10 (1983).

In this case, the evidence from ANSI color coding standards clearly show that the color green is the standard color for pipes to indicate potable water. Therefore, the color blue serves a functional purpose to indicate to others in the industry that such pipes contain potable water. Accordingly, the applied for color mark is refused registration.

Sections 1, 2 and 45 Color Refusal

Registration is refused because the applied-for color mark, consisting of one or more colors used on some or all of the surfaces of a product or product packaging, is not inherently distinctive. Such marks are registrable only on the Supplemental Register or on the Principal Register with sufficient proof of acquired distinctiveness. Trademark Act Sections 1, 2 and 45, 15 U.S.C. §§1051-1052, 1127; *see Qualitex Co. v. Jacobson Prods. Co.*, 514 U.S. 159, 34 USPQ2d 1161 (1995); *In re Owens-Corning Fiberglas Corp.*, 774 F.2d 1116, 1120-21, 227 USPQ 417, 419 (Fed. Cir. 1985); *cf. Wal-Mart Stores, Inc. v. Samara Bros., Inc.*, 529 U.S. 205, 211-12, 54 USPQ2d 1065, 1068 (2000).

In this case, the proposed mark consists of the color green as applied to the goods. The attached evidence from third party websites clearly show that rigid pipes come in a variety of colors. Therefore, potential purchasers do not initially view such use of color as a trademark for the goods but as ornamentation.

Accordingly, the mark is refused registration on the Principal Register.

Applicant may respond to the refusal by submitting evidence and arguments in support of registration. See comments below on insufficiency of section 2(f) claim.

Amend to the Supplemental Register

In the alternative, applicant may amend the application to seek registration on the Supplemental Register. *See* 15 U.S.C. §1091; 37 C.F.R. §§2.47, 2.75(a); TMEP §§801.02(b), 816. Amending to the Supplemental Register does not preclude applicant from submitting evidence and arguments against the refusal(s). TMEP §816.04.

Request for Information

To permit proper examination of the applied-for color mark, applicant must provide the following information and documentation:

- (1) An explanation as to whether the identified color(s) serve(s) any purpose as used on the goods;
- (2) An explanation as to whether the identified color(s) is/are a natural by-product of the manufacturing process for the goods;
- (3) Any available advertising, promotional or explanatory literature concerning the goods, particularly any material that relates specifically to the applied-for color mark;

- (4) An explanation as to whether any statutes, regulations, ordinances, codes or industry standards require, regulate and/or standardize the use of the identified color(s) on the goods;
- (5) An explanation as to the use of the identified color(s) in applicant's industry and any other similar use of color in applicant's industry;
- (6) An explanation describing any other similar use of color by applicant;
- (7) An explanation as to whether competitors produce the goods in the identified color(s) and in color(s) other than the identified color(s); and
- (8) Color photographs and color advertisements showing competitive goods in applicant's industry.
- (9) Explain any industry standards relating to color coding for pipes. Is the color green a color coded standard for pipes?

See 37 C.F.R. §2.61(b); TMEP §814.

Five Years' Use Insufficient

Applicant's "five years' use statement" is insufficient to show acquired distinctiveness because the burden of proving that a color mark has acquired distinctiveness is substantial. See *In re Owens-Corning Fiberglas Corp.*, 774 F.2d 1116, 227 USPQ 417 (Fed. Cir. 1985); TMEP §1212.05(a). Therefore, applicant must provide additional evidence that the applied-for mark has acquired distinctiveness for the identified goods. See *In re Star Pharms., Inc.*, 225 USPQ 209 (TTAB 1985).

Such evidence may include the following: (1) advertising and promotional materials specifically promoting the identified color as a mark; (2) dollar figures for advertising devoted to promotion of the specified color as a mark; (3) dealer and consumer statements of recognition of the specified color as a mark; and (4) any other evidence that might establish recognition of the identified color as a mark for the goods. See 37 C.F.R. §2.41(a); TMEP §§1212.06 *et seq.*

/William T. Verhosek/
William T. Verhosek
Examining Attorney
USPTO/Law Office 114
571-272-9464
william.verhosek@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

ANSI COLOR CODES FOR PIPE MARKING

Home > Articles > ANSI Color Codes Pipes

It is estimated that 90% of all piping uses the ANSI A13.1 standard for pipe marking. It is the pipe marking standard nearly everyone in the workplace should be familiar with.

The ANSI color codes are an important part of the standard. Color is one of the most effective means of communicating. The ANSI color codes for pipe marking provide a standardized color coding system that identifies the general type of material in the pipe and the potential hazard of presented by the pipe contents.



ANSI Standards for Pipe Marking

Pipe Marking Color Reference Guide

A complete reference guide to Pipe Marking

ANSI A13.1 Standard Pipe Marker Color Codes

The ANSI color codes use six predefined colors. They are the first six colors in the chart below. An additional four colors are provided for user defined substances. When a pipe contains a mixture, then the color code should be selected based on the most hazardous material.

| Pipe Contents | Color Scheme |
|--|----------------------|
| Fire-quenching fluids | White text on red |
| Toxic and corrosive fluids | Black text on orange |
| Flammable fluids | Black text on yellow |
| Combustible fluids | White text on brown |
| Potable, cooling, boiler feed, and other water | White text on green |
| Compressed air | White text on blue |
| User-defined | White text on purple |
| User-defined | Black text on white |
| User-defined | White text on grey |
| User-defined | White text on black |

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The ANSI color codes use a text color that provides a high contrast with the background. The text color should be considered as a part of the ANSI color code and should not be varied from what is given in the code.

ANSI Color Codes - Pipe Label Placement

There should be sufficient pipe markers such that a pipe marker can be seen from any normal angle of approach. For example, overhead pipes should have pipe markers that are below the center line of the pipe. The objective is to have pipe labels located such that pipes can be identifiable by an emergency responder, who has never been in the facility, from any place it is possible to see the pipe.

The ANSI pipe marking code requires that pipe markers be placed:

- Adjacent to all valves and flanges
- Adjacent to all changes of direction
- On both sides of wall or floor penetrations
- At regular intervals on straight runs (50' is the acceptable maximum spacing, but closer spacing might be necessary for pipe marker visibility.)



ANSI Color Codes - Label Size

Pipe marker labels must be large enough to be clearly visible. Color coding does no good if the color code labels are too small to be seen. The larger the pipe diameter, the bigger the label needs to be. The ANSI pipe marking code gives the following minimum label sizes:

| Outside Pipe Diameter <small>(including insulation)</small> | | Minimum Length of Label Color Field | | Minimum Letter Height | |
|---|---------|-------------------------------------|-----|-----------------------|----|
| Inches | mm | Inches | mm | Inches | mm |
| .75-1.25* | 19-32 | 8 | 203 | .5 | 13 |
| 1.5-2 | 38-51 | 8 | 203 | .75 | 19 |
| 2.5-6 | 64-152 | 12 | 305 | 1.25 | 32 |
| 8-10 | 203-254 | 24 | 610 | 2.5 | 64 |
| >10 | >254 | 32 | 813 | 3.5 | 89 |

If needed for good visibility larger labels may be used. Specialty labeling materials, such as reflective labeling supplies, may also be used to enhance the visibility of pipe markers.

Are you ready to do pipe marking? Call 1-888-326-9244 today and ask about our special pipe marking kits. You'll get a DuraLabel printer and all the supplies needed for making pipe markers that are fully compliant with the ANSI color codes.



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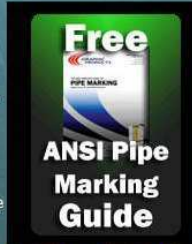
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Pipe Labeling Requirements

Home > ANSI ASME A13.1
ANSI / ASME A13.1

According to ANSI/ASME A13.1, pipe markers should conform to certain requirements. The most recent update to the ANSI/ASME A13.1 code has introduced a new color scheme that specifies which colors to use for pipe labels. The code also specifies standards for the label sizes and placement.

In 2007 the ANSI/ASME A13.1 standard was updated and is now recommended for all new pipe marker applications. For facilities with existing pipe markers, it is recommended that they are updated for consistent identification.



Get A Free Pipe Marking Best Practices Guide

ANSI/ASME A13.1 Standard Label Colors

The current version of the ANSI / ASME code uses a pipe labeling standards color code chart with six standard color combinations, and four user-defined combinations, as shown in the table below. The colors are based on the contents of the pipe; in general, the most hazardous feature of the contents should determine the colors used.

| Pipe Contents | Color Scheme |
|--|----------------------|
| Fire-quenching fluids | White text on red |
| Toxic and corrosive fluids | Black text on orange |
| Flammable fluids | Black text on yellow |
| Combustible fluids | White text on brown |
| Potable, cooling, boiler feed, and other water | White text on green |
| Compressed air | White text on blue |
| User-defined | White text on purple |
| User-defined | Black text on white |
| User-defined | White text on grey |
| User-defined | White text on black |

FREE ANSI/ASME A13.1 - Pipe Marking Guide

Pipe marker labels indicate which pipelines are dangerous, direction of flow, and pipe contents.

Pipe Label Placement

Pipe labels should be positioned so that they can be easily seen from the normal direction of flow. Labels should be placed on the pipe in the following order:



angle of approach—for instance, below the centerline of the pipe if the pipe is overhead, and above the centerline if the pipe is below eye level. Pipe labels should be placed:

- Adjacent to all valves and flanges
- Adjacent to all changes of direction
- On both sides of wall or floor penetrations
- At regular intervals on straight runs (50' is the acceptable maximum spacing, but closer spacing might be necessary for visibility.)

On many piping systems, there will be valves, actuators, and/or transmitters that can be tricky to label with an adhesive pipe marker. Accessories such as [Valve Tags](#) and [DuraTags](#) can make labeling these awkward places quick and easy.

Label Size

Pipe diameter determines the appropriate label and text sizes, as shown in the following table.

| Outside Pipe Diameter (including insulation) | | Minimum Length of Label Color Field | | Minimum Letter Height | |
|--|---------|-------------------------------------|-----|-----------------------|----|
| Inches | mm | Inches | mm | Inches | mm |
| .75-1.25* | 19-32 | 8 | 203 | .5 | 13 |
| 1.5-2 | 38-51 | 8 | 203 | .75 | 19 |
| 2.5-6 | 64-152 | 12 | 305 | 1.25 | 32 |
| 8-10 | 203-254 | 24 | 610 | 2.5 | 64 |
| >10 | >254 | 32 | 813 | 3.5 | 89 |

Need help with pipe labels? Give us a call at 1-888-326-9244. Our knowledgeable customer service staff will be glad to answer your questions and help find the right labeling solution for your facility.

[FREE ANSI/ASME A13.1 - Pipe Marking Guide](#)

Pipe marker labels indicate which pipelines are dangerous, direction of flow, and pipe contents.

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Min. Order: -

View as:



colored PVC rigid pipe

Min. Order: 10000 Pieces
FOB Price: US \$0.2-0.36 / Piece

1. Plastic PVC rigid pipe
 2. PVC rigid pipe, extruded plastic pipe
 3. We are PVC factory.
 4. OEM/ODM is welcomed
 5. SGS, ISO...
- Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Light Yellow Pvc Pipe | 25mm Pvc Pipe | Hard Plastic Pipe

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colored pvc rigid pipe/ pvc hard tube(HOT)

Min. Order: 500 Kilograms

1. CLEAR PVC TUBE
 2. FRIENDLY TO ENVIRONMENT
 3. GOOD QUALITY
 4. LIGHT WEIGHT...
- Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipe | Hard Plastic Tube | Rigid Pvc Pipe

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Rigid PVC Pipe/colorized pipe pvc

Min. Order: 3000 Meters
FOB Price: US \$1.5-4 / Meter

- Rigid PVC/HDPE Pipe/colorized pipe pvc
#Material:ABS,PVC,PP,PE,PPR
#OEM and ISO9001
#Any color is ok
#Assembled easily...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Colorized Pipe Pvc | Pvc Pipe | Plastic Hdpe Pipe

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 **Rigid PVC Pipe**
 Min. Order: 1000 Meters
Rigid PVC Pipe
 1)Material:Virgin PVC Meet Rohs
 2)Any size and color according to customer's requirement.
 3)Short delivery...
 Material: PVC
 Category: Rubber & Plastics | Plastic Tubes
 RelatedKeywords: Rigid Pvc Pipe | Upvc Pipe | Plastic Pipe

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 **Rigid PVC pipe for Industrial**
 Min. Order: 1000 Meters
 FOB Price: US \$1.25-2.31 / Kilogram
 Hello!
 We are factory of producing PVC PIPE as client's requirements;
 Material:PVC.
 Quality:ISO9001:2000.SGS,RoHS,FDA,UV...
 Material: PVC
 Category: Rubber & Plastics | Plastic Tubes
 RelatedKeywords: Pvc Pipe | Pvc Hose | Plastic Pipe

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 **Hard plastic extrusion rigid pvc pipe with RoHS**
 Min. Order: 5000 Meters
 FOB Price: US \$0.1-10 / Meter
 Hard plastic extrusion rigid pvc pipe with RoHS.
 1.Thickness:0.5-8.0MM
 2.inner diameter:0.5-100MM
 3.color:colorful
 RoHS&ISO...
 Model Number: YS-SP-PVC-02
 Category: Rubber & Plastics | Plastic Tubes
 RelatedKeywords: Extrusion Rigid Pvc Pipe | Hard Plastic Pvc Pipe | Extrusion Pvc Pipe

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 **rigid pvc pipe**
 Min. Order: 1000 Meters
 FOB Price: US \$0.4-1.2 / Meter
 rigid pvc pipe ,
 1) Factory
 2) OEM / ODM service
 3)Material:PVC
 4)Mould manufacturing...
 Grade: PVC
 Category: Minerals & Metallurgy | Aluminum Profiles
 RelatedKeywords: Rigid Pvc Pipe | Pvc Coated Pipe | Pvc Link Pipe

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 **colored pvc rigid pipe(HOT)**
 Min. Order: 500 Kilograms

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pex pipe



Pure PTFE Pipe



Laminated PVC



higher quality PPR pipes



PPR Pipe (20-160mm)



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PVC TUBE
1.CLEAR PVC TUBE
2.FRIENDLY TO ENVIROMENT
3.GOOD QUALITY
4.LIGHT WEIGHT...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipe | Hard Plastic Tube | Rigid Pvc Pipe

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White rigid pvc pipes
Min. Order: 100 Meters
FOB Price: US \$1.08-1.41 / Meter
1. Shedule 80 PVC pipe
2. Rigid color pipe
3. We have 26.7*4mm mould
4. MOQ:1000meters
5. PVC factory...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Schedule 80 Pvc Pipe | 0.75inch Pvc Pipe | 3/4" Pvc Pipe

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PVC Pipe, Rigid PVC Pipe, Plastic Pipe
PVC Pipe, Rigid PVC Pipe, Plastic Pipe
Material: Virgin PVC
Any size and color according to customer's requirement...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipe | Upvc Pipe | Plastic Pipe

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Compare

Rigid PVC Pipe/hard plastic tube
Min. Order: 3000 Meters
FOB Price: US \$1.5-4 / Meter
Rigid PVC-HDPE Pipe/hard plastic tube
#Material:ABS,PVC,PP,PE,PPR
#OEM and ISO9001
#Any color is ok
#Assembled easily...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Hard Plastic Tube | Pvc Pipe | Plastic Hdpe Pipe

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Hard plastic extrusion rigid pvc pipes with RoHS
Min. Order: 5000 Meters
FOB Price: US \$1-9 / Meter
Hard plastic extrusion rigid pvc pipes with RoHS
1.Thickness:0.5-8.0MM
2.Inner diameter:0.5-100MM
3.color:colorful
RoHS&ISO...
Category: Rubber & Plastics | Plastic Tubes

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RelatedKeywords: Rigid Pvc Pipes | Extrusion Rigid Pipes | Rigid Pipes



Rigid pvc pipes

Min. Order: 500 Kilograms

Rigid pvc pipe

Different materials

Different Color

Quality:ISO9001:2000;

OEM is ok...

Material: PVC

Category: Rubber & Plastics | Plastic Tubes

RelatedKeywords: Rigid Pvc Pipe | Pvc Rigid Pipe |

Rigid Conduit

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rigid pvc pipes

Min. Order: 1000 Meters

FOB Price: US \$0.4-1 / Meter

rigid pvc pipes .

1) Factory

2) OEM / ODM service

3)Material:PVC

4)Mould manufacturing...

Material: pvc

Category: Rubber & Plastics | Composite Pipes

RelatedKeywords: Rigid Pvc Pipes | Large

Diameter Pvc Pipe | Black Pvc Pipe

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high strength pvc pipe/ colored rigid pvc pipe(HOT)

Min. Order: 500 Kilograms

PVC TUBE

1.CLEAR PVC TUBE

2.FRIENDLY TO ENVIROMENT

3.GOOD QUALITY

4.LIGHT WEIGHT...

Material: PVC

Category: Rubber & Plastics | Plastic Tubes

RelatedKeywords: Pvc Pipe | Hard Plastic Tube |

Rigid Pvc Pipe

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green rigid pvc pipes

Min. Order: 100 Meters

FOB Price: US \$0.1-1.1 / Meter

1. PVC pipes

2. Rigid color pipe

3. We have 25mm*1.5mm mould

4. MOQ:1000meters

5. PVC factory...

Material: PVC

Category: Rubber & Plastics | Plastic Tubes

RelatedKeywords: Thin Wall Pvc Pipe | Small

Diameter Pvc Pipe | Pvc Pipe

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Hard plastic extrusion clear rigid pvc pipe with RoHS

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Min. Order: 5000 Meters
FOB Price: US \$1.9 / Meter

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Hard plastic extrusion clear **rigid pvc pipe**
1.Thickness:0.5-8.0MM
2.Inner diameter:0.5-100MM
3.color:colorful
RoHS&ISO...
Material: **PVC**
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Clear Rigid Pvc Pipe | Extrusion Pvc Pipe | Pvc Pipe



Rigid PVC Pipe/high quality pvc pipe

Min. Order: 3000 Meters
FOB Price: US \$1.5-4 / Meter

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Rigid PVC/HDPE Pipe/high quality **pvc pipe**
#Material:ABS,PVC,PP,PE,PPR
#OEM and ISO9001
#Any color is ok
#Assembled easily...
Material: **PVC**
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: High Quality Pvc Pipe | Pvc Pipe | Plastic Hdpe Pipe



rigid pvc pipe

Min. Order: 3000 Meters
FOB Price: US \$0.5-1.2 / Meter

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rigid pvc pipe,
1) Factory
2) OEM / ODM service
3)Material:PVC
4)Mould manufacturing;...
Material: **PVC**
Category: Rubber & Plastics | Composite Pipes
RelatedKeywords: Rigid Pvc Pipe | Rubber & Plastics | Plastic Products



HOT!!! colours plastic ABS, PVC tubc, PVC pipe,

Min. Order: 2000 Meters
FOB Price: US \$0.3-2 / Meter

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PVC pipe, rigid tube
1.colors, size and shape are offered!
2. Excellent ageing-resistance
3. Excellent chemical-resistan...
Standard: ABC/PS/PVC/PC/PE/PP/PETG
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Plastic Tube/pvc Water Pipe | Plastic Pipe Drain Tube | Pvc Clear Plastic Pipe



pvc rigid pipe and profile

Min. Order: 1000 Pieces
FOB Price: US \$0.1-2.0 / Piece

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1. OEM UPVC

Compare

1. OEM UPVC
2. Color: Any
3. ISO, ROHS
4. Application: as your need
5. Rich experience...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Black Pvc Pipe | Clear Pvc Pipe | Soundproof Pvc Pipe



 **rigid pvc drainage pipe**

Compare

Min. Order: 200 Pieces
FOB Price: US \$10-100 / Piece

rigid pvc drainage pipe
1. Thickness: 4.8-7.0mm
2. Color: white or others
3. Standard: BS, ASTM, ISO, ...
Brand Name: rigid pvc drainage pipe
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Rigid Pvc Drainage Pipe | Rigid Pvc Drainage Pipe | Rigid Pvc Drainage Pipe



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 **PVC Square Pipe**

Compare

Min. Order: 2000 Meters
FOB Price: US \$0.7-0.8 / Meter

PVC Square Pipe:
1. Material: rigid pvc
2. ROHS standard
3. We can make size, color by your request
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Square Pipe | Pvc Tube | Pvc Pipe



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 **White Rigid PVC Water Pipe**

Compare

Min. Order: 1000 Meters

1. China manufacturer
2. Length and color can be set
3. MOQ: one container
4. ISO and GB/T authentication
5. Quick delivery...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Water Pipe | Rigid Pvc Pipe | White Pipe



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 **Black PVC Plastic Pipe/Plastic pipe/extruded parts/Plastic Rigid PVC pipe**

Compare

Min. Order: 3000 Meters
FOB Price: US \$1-100 / Meter

Black PVC Plastic Pipe/Plastic pipe/extruded parts/Plastic Rigid PVC pipe.
*Material: pp, ppr, pvc, abs
*smooth surface
*OEM...
COLOR: Any color
Category: Construction & Real Estate | Other



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Category: Construction & Real Estate | Other
Plastic Building Materials
RelatedKeywords: Rigid Black Pvc Pipe | Plastic
Pipe Drain Tube | Thick Black Plastic Pipe



PVC pipe and fittings

Min. Order: 500 Kilograms
Different materials
Different Color
Quality:ISO9001:2000;
OEM is ok.
pvc pipes and fittings...
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipes And Fittings | Pvc Pipe
| Pvc Pipe

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plastic extrusion rigid pvc transparent pipe with RoHS

Min. Order: 5000 Meters
FOB Price: US \$1.9 / Meter
Hard plastic extrusion rigid pvc transparent pipe
1.Thickness:0.5-8.0MM
2.inner diameter:0.5-100MM
3.color:clear
ISO90012008..
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Transparent Pipe | Extrusion
Rigid Pipe | Rigid Pvc Pipe

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colored pvc pipe

Min. Order: 5000 Meters
rigid pvc pipes
1.Material:PVC
2.Light weight,nice figure
3.Acidproof,alkaliproof,endurable,nontoxic..
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Colored Pvc Pipe | Plastic Tube |
Pvc Pipe

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plastic pvc orange color pipe for water suction

Min. Order: 500 Meters
1)plastic pvc orange color pipe with smooth interior
2)Various size available, I.D.from 1" to 6" available
3)Suction..
Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Plastic Pvc Orange Color Pipe |
Plastic Pvc Orange Color Pipe | Plastic Pvc Orange
Color Pipe

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pvc clear pipe

Min. Order: 10000 Meters

Tongxiang Small Boss Special Plastic Products Co., Ltd.
Manufacturer

[Contact Supplier](#)

Offline



Compare

FOB Price: US \$0.01-0.1 / Meter
pvc extrusion profile
Materials: rigid materials extrusion
Color: any color...
Category: Construction & Real Estate | Plastic Profiles
RelatedKeywords: Plastic Profile Pvc Profile | Pvc Extrusion Profile | Pvc Door Profile

[Manufacturer]
China (Mainland)
ESCROW

Offline
Contact Information



Compare

superior quality air pipe
Min. Order: 1000 Meters
FOB Price: US \$0.1-15 / Meter
air pipe
1.Reinforcement: Spiral rigid PVC
2.Working pressure: 3 Bar to 5 Bar depending
3.Certification ISO 9001:2008...
Color: black,red,yellow,blue or light color
Category: Rubber & Plastics | Rubber Hoses
RelatedKeywords: Air Pipe | Air Hose Pipe | Rubber Air Hose

Tianjin Hongyite Rubber Products Trading Co., Ltd.
[Manufacturer, Trading Company]
China (Mainland)
ESCROW

Contact Supplier
Offline
Contact Information



Compare

RX-0232 Rigid & Soft ABS/ PC/ PVC pipe use for industry
Min. Order: 10000 Meters
FOB Price: US \$0.05-5 / Meter
RX-0232Rigid & Soft ABS/ PC/ PVC pipe use for industry.
1.Environment protection.
2.clear appearance.
3.flame resistance...
RoHS Report: Color: red, blue, grey,black...
Category: Rubber & Plastics | Plastic Rods
RelatedKeywords: Pvc Pipe /rod /tube | Plastic Pipe | Plastic Tube

Dongguan Shipai Ruixin Plastics Products Factory
[Manufacturer]
China (Mainland)
ESCROW

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Contact Information



Compare

PVC Rigid Pipes
We can supply PVC rigid pipe and blue color threaded pipes for water line form 1/2" to 6" - 20mm to 1...
Model Number: PVC RIGID WATER PIPE
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipe

Santosh Enterprises Bangalore
[Distributor/Wholesaler]
India
Unverified

Contact Supplier
Offline
Contact Information



Compare

White Color Rigid PVC Compound for Pipe and Pipe fittings
Min. Order: 1 Ton
FOB Price: US \$1000-1680 / Ton
1 Environmental friendly
2 Good low temperature flexibility
3 Flexibility perfectly
4 various color
5 Non-toxic...
Character: Rigid
Category: Rubber & Plastics | PVC
RelatedKeywords: White Color Rigid Pvc Compound | Rigid Pvc Compound | Pvc Compound

Longxiang Duocheng New Material Technology Co., Ltd.
[Manufacturer]
China (Mainland)
ESCROW

Contact Supplier
I'm Away
Contact Information

For Pipe



PVC 25mm rigid pipes

Min. Order: 10000 Pieces
FOB Price: US \$0.1-2.0 / Piece

- 1. UPVC pipe
 - 2. Factory
 - 3. ISO, ROHS
 - 4. Color: Any
 - 5. OEM and Standard...
- Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipe Color | Colored Pvc Pipe | 25mm Diameter Flexible Pvc Pipe

Compare

Shangyu Perfect Plastic Co., Ltd.
[Manufacturer]
China (Mainland)

Contact Supplier
 Offline
 Contact Information



White Rigid PVC Water Pipe

Min. Order: 1000 Meters

- 1. China manufacturer
 - 2. Length and color can be set
 - 3. MOQ: one container
 - 4. ISO and GB/T authentication
 - 5. Quick delivery...
- Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: White Pipe | Rigid Pipe | Pvc Pipe

Compare

Shandong Yanggu Hengtai Industrial Co., Ltd.
[Manufacturer]
China (Mainland)

Contact Supplier
 Offline
 Contact Information



PVC Pipe

Min. Order: 2000 Meters
FOB Price: US \$0.2-0.5 / Piece

- PVC Pipe :
- 1. Material : rigid pvc
 - 2. ROHS standard
 - 3. the colour is by your request..
- Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Pvc Pipe | Pvc Tube | Pvc Pipe

Compare

Dongguan Hongzheng Plastic Products Co., Ltd.
[Manufacturer, Trading Company]
China (Mainland)

Contact Supplier
 Offline
 Contact Information



Plastic color pipe/tube/color rigid pipes/home use pipe

Min. Order: 500 Kilograms
FOB Price: US \$1-2 / Meter

- Plastic color pipe/tube/color rigid pipes/home use pipe
- 1. Material: PVC and ABS
 - 2. High quality & competitive price
 - 3. colorful...
- Material: PVC
Category: Rubber & Plastics | Plastic Tubes
RelatedKeywords: Color Rigid Plastic Pipe | Abs Tube Plastic Pipe | Color Pvc Rigid Pipe

Compare

Changshu Shunlida Plastic Products Factory
[Manufacturer]
China (Mainland)

Contact Supplier
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Premium Related Products



Premium Related Products


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|  <p>pipe fittings pvc Gold Supplier Offline</p> |  <p>flexible pipe Gold Supplier Offline</p> |  <p>PE-RT pipe (EVOH) Gold Supplier Offline</p> |  <p>Anti-ultraviolet and Oxygen barrier PEX pipe for Water ... Gold Supplier Offline</p> |
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To: AQUATHERM NA, L.C. (dweslow@wileyrein.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85648787 - 85296.0002
Sent: 7/17/2012 3:43:00 PM
Sent As: ECOM114@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION HAS ISSUED ON **7/17/2012 FOR
SERIAL NO. 85648787**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from **7/17/2012** (or sooner if specified in the office action).

Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.

Exhibit J

Side - 1



NOTICE OF ABANDONMENT
MAILING DATE: Feb 21, 2013

The trademark application identified below was abandoned in full because a response to the Office Action mailed on Jul 17, 2012 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 85648787
MARK: MISCELLANEOUS DESIGN
OWNER: AQUATHERM NA, L.C.

Side - 2

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