

ESTTA Tracking number: **ESTTA629766**

Filing date: **09/29/2014**

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

Proceeding	92059780
Party	Plaintiff Freshcoat Services, LLC
Correspondence Address	BRENT D SAUSSER THE LAW FIRM OF SAUSSER & SPURR LLC 2 ROSEDALE DRIVE CHARLESTON, SC 29407 UNITED STATES info@sausserspurrllaw.com, bsausser@sausserspurrllaw.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Brent D. Sausser
Filer's e-mail	info@sausserspurrllaw.com
Signature	/Brent D. Sausser/
Date	09/29/2014
Attachments	Petitioner Response to Mot. to Dismiss.pdf(110353 bytes) Amended Complaint(FRESHCOAT)-Final.pdf(137198 bytes) ExhibitA.pdf(933402 bytes) ExhibitB.pdf(1243447 bytes) ExhibitC.pdf(226585 bytes) ExhibitD.pdf(747551 bytes) ExhibitE.pdf(843620 bytes) ExhibitF.pdf(602397 bytes)

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

FRESHCOAT SERVICES, LLC,

Petitioner,

v.

F.C. FRANCHISING SYSTEMS, INC.

Respondent.

Cancellation No. 92059780

Mark: FRESH COAT PAINTING
DONE RIGHT

Registration No. 4,581,589

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451
PETITION FOR CANCELLATION

**PETITIONER’S RESPONSE TO RESPONDENT’S MOTION TO DISMISS AND MOTION TO
AMEND PETITION FOR CANCELLATION**

Petitioner Freshcoat Services, LLC (hereinafter “Petitioner”), through its attorneys The Law Firm of Sausser & Spurr, LLC, hereby responds to Respondent’s Motion to Dismiss by submitting an Amended Complaint.

As provided by Trademark Rule § 2.116(a), amendments to pleadings in proceedings before the Trademark Trial and Appeal Board are governed by Federal Rule of Civil Procedure (“FRCP”) § 15. Pursuant FRCP § 15, “[a] party may amend its pleading once as a matter of course” if (A) it is filed within 21 days of the filing of the pleading *or* (B) “if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading *or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.*” FRCP § 15(a)(1) (bold emphasis added). In all other cases, a party may amend its pleading only with written consent from the respondent and/or by leave of the Board. FRCP § 15(a)(2).

In this cancellation proceeding, there has not been service of a responsive pleading. Rather, Respondent has responded by way of a Motion to Dismiss pursuant to FRCP § 12(b)(6). Therefore,

because Petitioner's Amended Complaint has been filed within 21 days of service of the Respondent's Motion to Dismiss, it has the right to amend its pleading once as a matter of course. The Respondent's Motion to Dismiss is now moot.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brent D. Sausser", with a long horizontal flourish extending to the right.

Brent D. Sausser, Esq.

The Law Firm of Sausser & Spurr, LLC
2 Rosedale Dr.
Charleston, SC 29407

Phone: (843) 654-0078 ext. 2
Email: bsausser@sausserspurrllaw.com
Website: <https://onlinetrademarkattorneys.com>

Attorney for Petitioner
Freshcoat Services, LLC

CERTIFICATE OF SERVICE

I confirm that on September 29, 2014, I served a copy of the above PETITIONER'S RESPONSE TO RESPONDENT'S MOTION TO DISMISS AND MOTION TO AMEND PETITION FOR CANCELLATION to Registrant's Attorney of Record to the following by U.S. Mail, postage prepaid:

THOMAS M. WILLIAMS
ULMER & BERNE LLP
500 WEST MADISON STREET, SUITE 3600
CHICAGO, IL 60661
UNITED STATES

A handwritten signature in cursive script, appearing to read "Brent D. Sausser", written in dark ink.

Brent D. Sausser, Esq.

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

FRESHCOAT SERVICES, LLC,

Petitioner,

v.

F.C. FRANCHISING SYSTEMS, INC.

Registrant.

Cancellation No. 92059780

Mark: FRESH COAT PAINTING
DONE RIGHT

Registration No. 4,581,589

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

AMENDED PETITION FOR CANCELLATION

Freshcoat Services, LLC (“Petitioner”), a South Carolina Limited Liability Company located and doing business at 706 C White Avenue West Columbia, South Carolina 29169, believes that it is and will continue to be damaged by F.C. Franchising Systems, Inc.’s (“Registrant”) U.S. Registration No. 4,581,589 for the mark FRESH COAT PAINTING DONE RIGHT and hereby petitions to cancel said registration based on the following grounds.

1. Petitioner is the owner of U.S. Trademark Registration No. 2,404,359 for the mark DR. FRESHCOAT for “professional painting services, namely, providing residential building painting services for others” in International Class 37. This mark is hereinafter referred to as “Petitioner’s DR. FRESHCOAT Mark” and the professional painting services are hereinafter referred to as “Petitioner’s Services”. The Petitioner’s DR. FRESHCOAT Mark is incontestable; therefore, priority of use favors Petitioner. A copy of the United States Patent & Trademark Office (“USPTO”) database record for this registration as well as a copy of the registration certificate is attached as Exhibit “A”.
2. Petitioner has used and advertised Petitioner’s DR. FRESHCOAT Mark in interstate commerce in the United States for Petitioner’s Services since at least as early as 1998.

3. Consumers have come to know and recognize Petitioner's DR. FRESHCOAT Mark and to associate Petitioner's DR. FRESHCOAT Mark with Petitioner and Petitioner's Services.
4. Upon information and belief, Registrant is an Ohio Corporation located and doing business at 10700 Montgomery Rd., Ste. 300, Cincinnati, Ohio 45242.
5. Registrant is the owner of U.S. Registration No. 4,581,589 for the mark FRESH COAT PAINTING DONE RIGHT for "consultation relating to painting of buildings" (Registrant's Services") in International Class 37 (hereinafter "FRESH COAT PAINTING DONE RIGHT Mark"). A copy of the USPTO trademark database record of said registration is attached as Exhibit "B".
6. Registrant's FRESH COAT PAINTING DONE RIGHT Mark was filed on July 5, 2013 pursuant to Section 1(a) of the Trademark Act, as an actual use application.
7. Pursuant to an amendment filed on November 20, 2013, Registrant changed that status pursuant to Section 1(b) of the Trademark Act, as an intent-to-use application.
8. Registrant filed a Statement of Use on May 8, 2014 alleging a date of first use on February 10, 2014 and date of first use in commerce on February 10, 2014.
9. Registrant's filed specimen for FRESH COAT PAINTING DONE RIGHT Mark contains seven separate references to "FRESH COAT", while only making one reference to "PAINTING DONE RIGHT". A copy of the USPTO trademark database record showing the submitted specimen is attached as Exhibit "C".
10. Registrant is also the owner of U.S. Serial No. 78/513,694 for the mark FRESH COAT for "house painting" in International Class 37 (hereinafter "FRESH COAT Mark"). A copy of the printout of the USPTO database record for this application is attached as Exhibit "D" and made part of the record.
11. Registrant's Abandoned FRESH COAT Mark received an Office action on June 14, 2005, whereby the Examiner denied registration based on Trademark Act section 2(d)

likelihood of confusion because the applied for mark was likely to be confused with Petitioner's DR. FRESHCOAT Mark. A copy of the USPTO database record is attached as Exhibit "E".

12. Registrant's Abandoned FRESH COAT Mark was filed on November 9, 2004 with a first use date of April 29, 2004 and a first use in commerce date of April 29, 2004.
13. Registrant's Abandoned FRESH COAT Mark was abandoned on December 15, 2005.

Count I: Likelihood of Confusion—12 U.S.C. § 1052(d)

14. Petitioner realleges and incorporates by reference the preceding allegations of its Petition for Cancellation.
15. Since more than fourteen (14) years prior to the July 5, 2013 filing date and the February 2, 2014 date of first use alleged in the U.S. Registration No. 4,581,589 for Registrant's FRESH COAT PAINTING DONE RIGHT Mark, Petitioner has continuously used and is currently using in commerce Petitioner's DR. FRESHCOAT Mark for professional painting services.
16. Registrant's FRESH COAT PAINTING DONE RIGHT Mark is virtually identical to Petitioner's DR. FRESHCOAT Mark.
17. Both Registrant and Petitioner are using their respective marks in identical International Classes.
18. Both Registrant and Petitioner are using their respective marks for identical services; painting services.
19. Petitioner's Services and Registrant's Services are sold to identical or similar consumers through identical or similar channels of trade.
20. Registrant refers to itself as "Fresh Coat" or "FreshCoat".
21. Registrant's use of "Fresh Coat" or "FreshCoat" further exacerbates the likelihood of confusion with Petitioner's DR. FRESHCOAT Mark. An image of the Registrant's

website showing references to itself as “Fresh Coat” as well as “FreshCoat” is attached as Exhibit “F”.

22. Registrant’s FRESH COAT PAINTING DONE RIGHT Mark so resembles Petitioner’s previously used and registered DR. FRESHCOAT Mark as to be likely, when applied to Registrant’s Services, to cause confusion or mistake or to deceive by creating the erroneous impression Registrant’s Services originate with, or are associated with Petitioner, or that Registrant’s Services are authorized, endorsed, or sponsored by Petitioner.
23. Registrant’s FRESH COAT PAINTING DONE RIGHT Mark would dilute the distinctive quality of Petitioner’s DR. FRESHCOAT Mark, which is famous in the painting services market.
24. U.S. Registration No. 4,581,589 for Registrant’s FRESH COAT PAINTING DONE RIGHT Mark was obtained without license, authorization, or permission from Petitioner.
25. The continued use of U.S. Registration No. 4,581,589 is contrary to 15 U.S.C. § 1052(d) and is violating and diminishing the prior and superior rights of Petitioner’s DR. FRESHCOAT Mark.
26. Petitioner has been and will continue to be damaged by the existence of Registration No. 4,581,589 because Registrant has obtained statutory rights in Registrant’s FRESH COAT PAINTING DONE RIGHT Mark in violation and derogation of the established prior rights of Petitioner’s DR. FRESHCOAT Mark, in violation of 15 U.S.C. § 1052(d).

Count II: Fraud

27. Petitioner realleges and incorporates by reference the preceding allegations of its Petition for Cancellation.
28. On or about June 14, 2005, Registrant was denied registration of the FRESH COAT mark based on it being cited as confusingly similar to the DR. FRESHCOAT mark by the

Examiner. Registrant, through one or more of its representatives, had knowledge of this denial and the DR. FRESHCOAT Mark at all times relevant herein.

29. In an effort to knowingly mislead the USPTO and acquire federal trademark registration, Applicant, through one or more of its representatives, willfully applied for the FRESH COAT PAINTING DONE RIGHT Mark on or about July 5, 2013 with the knowledge that their original trademark application for the FRESH COAT Mark was rejected based on the DR. FRESHCOAT Mark.
30. At the time of submitting the application for the FRESH COAT PAINTING DONE RIGHT Mark, Registrant, through one or more of its representatives, willfully deceived the USPTO as it has always had and continues to have the intent to refer to itself as “Fresh Coat” and/or “FreshCoat”, not “Fresh Coat Painting Done Right”. *See* Exhibit F.
31. In submitting its application on or about July 5, 2013 for U.S. Registration No. 4,581,589, Registrant, through one or more of its representatives, signed and acknowledged a declaration that stated they did not know of any “other person, firm, corporation, or association [that] has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive.” (the “Declaration”).
32. At the time of signing the Declaration for the FRESH COAT PAINTING DONE RIGHT Mark, Registrant, through one or more of its representatives, knew of and was aware of the Petitioner’s registered mark for DR. FRESHCOAT and that the DR. FRESHCOAT Mark precluded it from registering the FRESH COAT Mark.
33. In so signing the Declaration, Registrant, through one or more of its representatives, made a false representation to the USPTO that it had no knowledge of Petitioner’s conflicting mark despite having knowledge.

34. On or about May 8, 2014, Registrant, through one or more of its representatives, again agreed to the same Declaration when it submitted its Statement of Use with the USPTO to finalize and procure its trademark registration.
35. At all times relevant herein, Registrant, through one or more of its representatives, knew that the Petitioner has the right to use the DR. FRESHCOAT Mark and that the DR. FRESHCOAT Mark was such a near resemblance to both the FRESH COAT Mark and the FRESH COAT PAINTING DONE RIGHT Mark that it is likely to create confusion in the mind of the consumer.
36. The false representations that were willfully made by one or more of Registrant's representatives were material to the registrability of the mark.
37. One or more of Registrant's representatives had knowledge of the falsity of the representation at the time it was made.
38. One or more of Registrant's representatives made the representation with the willful intent to deceive the USPTO.

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WHEREFORE, Petitioner prays that this Petition for Cancellation be granted, that U.S. Registration No. 4,581,589 be cancelled, and for any and all other relief the Trademark Trial and Appeal Board may deem just and proper.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brent D. Sausser", with a long horizontal flourish extending to the right.

Brent D. Sausser, Esq.

The Law Firm of Sausser & Spurr, LLC
2 Rosedale Dr.
Charleston, SC 29407

Phone: (843) 654-0078 ext. 2
Email: bsausser@sausserspurrllaw.com
<https://onlinetrademarkattorneys.com>

Attorney for Petitioner
Freshcoat Services, LLC

CERTIFICATE OF SERVICE

I confirm that on September 29, 2014, I served a copy of the above AMENDED PETITION FOR CANCELLATION to Registrant's Attorney of Record to the following by U.S. Mail, postage prepaid:

THOMAS M. WILLIAMS
ULMER & BERNE LLP
500 WEST MADISON STREET, SUITE 3600
CHICAGO, IL 60661
UNITED STATES

A handwritten signature in cursive script, appearing to read "Brent D. Sausser", written in dark ink.

Brent D. Sausser, Esq.

Client Reference: FRE-114-2

Date Generated: August 07, 2014

Exhibit A

DR. FRESHCOAT

DR. FRESHCOAT (Stylized)

US Federal

Status: Renewed, November 14, 2010

Affidavit(s): 8 & 15

Goods/Services:

Int'l Class 37 (U.S. Class: 100, 103, 106)

Professional painting services, namely, providing residential building painting services for others

First Use: July 15, 1998

In Commerce: July 15, 1998

Most Recent Owner:

Freshcoat Services, LLC (South Carolina Limited Liability Company)

APPLICATION / REGISTRATION INFO.

Serial No.:75-885867

Registration No.:2,404,359

Filed:January 3, 2000

Published:August 22, 2000

Registered:November 14, 2000

Renewed:November 14, 2010

ADDITIONAL INFO.

Correspondent:

Thomas W. Epting
Smith Moore Leatherwood LLP
300 East Mcbee Avenue, Suite 500
Greenville SC 29601

Events:

May 28, 2014 - AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP
November 4, 2010 - REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)
November 4, 2010 - Registered - Sec. 8 (10-Yr) Accepted/Sec. 9 Granted
November 2, 2010 - TEAS Section 8 & 9 Received
September 8, 2006 - Registered - Sec.8 (6-Yr) Accepted & Sec.15 ACK.
September 6, 2006 - Assigned to Paralegal
August 1, 2006 - Case File in TICSRS
June 16, 2006 - Registered - Sec. 8 (6-Yr) & Sec. 15 Filed
June 16, 2006 - Paper Received
November 14, 2000 - Registered-Principal Register
August 22, 2000 - Published For Opposition

July 21, 2000 - Notice of Publication
June 14, 2000 - Approved for Pub - Principal Register
June 9, 2000 - Examiner's Amendment Mailed
June 6, 2000 - Assigned to Examiner

OWNER INFORMATION

1st New Owner After Registration

Freshcoat Services, LLC (South Carolina Limited Liability Company)
706 C White Avenue
West Columbia, South Carolina 29169

Registrant/ Applicant

Kerry Customs Inc. (South Carolina Corp.)
706 C White Avenue
West Columbia, South Carolina 29169

Owner At Publication

Kerry Customs Inc. (South Carolina Corp.)
706 C White House
West Columbia, South Carolina 29169

ASSIGNMENT HISTORY

Assignee

FRESHCOAT SERVICES, LLC (SOUTH CAROLINA LIMITED LIABILITY COMPANY)
706 C White Avenue
West Columbia, South Carolina 29169

Recorded:May 16, 2014

Assigned:May 1, 2014

Reel/Frame:5282/0041

Action:Assigns the entire interest and goodwill

Assignor

KERRY CUSTOMS, INC. (SOUTH CAROLINA CORP.)

This TDR Result for uf 1

Int. Cl.: 37

Prior U.S. Cls.: 100, 103 and 106

Reg. No. 2,404,359

United States Patent and Trademark Office Registered Nov. 14, 2000

SERVICE MARK
PRINCIPAL REGISTER

DR. FRESHCOAT

KERRY CUSTOMS INC. (SOUTH CAROLINA COR-
PORATION)
1111 NATURE LANE
GILBERT, SC 29054

FOR: PROFESSIONAL PAINTING SERVICES,
NAMELY, PROVIDING RESIDENTIAL BUILDING

PAINTING SERVICES FOR OTHERS, IN CLASS 37
(U.S. CLS. 100, 103 AND 106)
FIRST USE 7-15-1998; IN COMMERCE 7-15-1998.

SER. NO. 75-885,867, FILED 1-3-2000.

AMY PAGE, EXAMINING ATTORNEY

Generated on:

Mark:

DR. FRESHCOAT

75885867

Jan 03, 2000

2404359

Nov. 14, 2000

Principal

Service Mark

The registration has been renewed.

Nov. 04, 2010

Aug 22, 2000

Mark Literal Elements:

Standard Character Claim:

No

Mark Drawing Type:

5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Note: The following symbols indicate that the Å registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services,
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *...* identify additional (new) wording in the goods/services.

For:

Professional painting services, namely, providing residential building painting services for others

International Class(es):

037 - Primary Class

U.S. Class(es):

100, 103, 106

Class Status:

ACTIVE

Basis:

1(a)

First Use:

Jul. 15, 1998

Use in Commerce:

Jul. 15, 1998

Basis Information (Case Level)

Filed Use:

Yes

Currently Use:

Yes

Amended Use:

No

Filed ITU:

No

Currently ITU:

No

Amended ITU:

No

Filed 44D:

No

Currently 44D:

No

Amended 44D:

No

Filed 44E:

No

Currently 44E:

No

Amended 44E:

No

Filed 66A:

No

Currently 66A:

No

Filed No Basis:

No

Currently No Basis:

No

Current Owner(s) Information

Owner Name:
KERRY CUSTOMS INC.
Owner Address:
706 C White Avenue
West Columbia, SOUTH CAROLINA 29169
UNITED STATES
Legal Entity Type:
CORPORATION
State or Country Where Organized:
SOUTH CAROLINA

Attorney/Correspondence Information

Attorney of Record
Attorney Name:
THOMAS W. EPTING
Attorney Primary Email Address:
tom.epting@smithmoorelaw.com
Attorney Email Authorized:
No
Correspondent
Correspondent Name/Address:
THOMAS W. EPTING
SMITH MOORE LEATHERWOOD LLP
300 EAST MCBEE AVENUE, SUITE 500
GREENVILLE, SOUTH CAROLINA 29601
UNITED STATES
Phone:
864-240-2453
Fax:
864-240-2477
Correspondent e-mail:
tom.epting@smithmoorelaw.com
Correspondent e-mail Authorized:
No
Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 04, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
Nov. 04, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sen. 08, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK	70132

Sep. 06, 2006	ASSIGNED TO PARALEGAL	70132
Aug. 01, 2006	CASE FILE IN TICS	
Jun. 16, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 16, 2006	PAPER RECEIVED	
Nov. 14, 2000	REGISTERED-PRINCIPAL REGISTER	
Aug. 22, 2000	PUBLISHED FOR OPPOSITION	
Jul. 21, 2000	NOTICE OF PUBLICATION	
Jun. 14, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 09, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 06, 2000	ASSIGNED TO EXAMINER	76522

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:
 Section 8 - Accepted
 Affidavit of Incontestability:
 Section 15 - Accepted
 Renewal Date:
 Nov. 14, 2010

TM Staff and Location Information

TM Staff Information - None
 File Location
 Current Location:
 Not Found
 Date in Location:
 Nov. 04, 2010

Client Reference: FRE-114-2

Date Generated: August 07, 2014

Exhibit B

Fresh Coat Painting Done Right

FRESH COAT PAINTING DONE RIGHT

US Federal

Status: Registered, August 5, 2014

Goods/Services:

Int'l Class 37 (U.S. Class: 100, 103, 106)

Consultation relating to painting of buildings

First Use: February 10, 2014

In Commerce: February 10, 2014

Most Recent Owner:

F.C. Franchising Systems, Inc. (Ohio Corp.)

APPLICATION / REGISTRATION INFO.

Serial No.:86-003217

Registration No.:4,581,589

Filed:July 5, 2013

Published:February 11, 2014

Allowed:April 8, 2014

Registered:August 5, 2014

ADDITIONAL INFO.

Correspondent:

Jeffrey D. Siehl
10700 Montgomery Rd Ste 300
Cincinnati, OH 45242-3296

Disclaimer:"PAINTING"

Events:

August 5, 2014 - Registered-Principal Register
July 4, 2014 - NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED
July 3, 2014 - Allowed Principal Register - SOU Accepted
June 6, 2014 - Statement of Use Processing Complete
May 8, 2014 - Use Amendment Filed
June 4, 2014 - CASE ASSIGNED TO INTENT TO USE PARALEGAL
May 8, 2014 - TEAS Statement of Use Received
April 8, 2014 - NOA E-MAILED - SOU REQUIRED FROM APPLICANT
February 11, 2014 - OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
February 11, 2014 - Published For Opposition
January 22, 2014 - NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
January 6, 2014 - Law office Publication Review Completed
December 31, 2013 - Approved for Pub - Principal Register

December 30, 2013 - NOTIFICATION OF NON-FINAL ACTION E-MAILED
December 30, 2013 - Non-Final Action E-Mailed
December 30, 2013 - Non-Final Action Written - Sec.2 (e)
December 9, 2013 - TEAS/Email Correspondence Received
December 9, 2013 - Correspondence Received in law office
December 2, 2013 - Assigned to LIE
November 20, 2013 - TEAS Response to office Action Received
October 21, 2013 - NOTIFICATION OF NON-FINAL ACTION E-MAILED
October 21, 2013 - Non-Final Action E-Mailed
October 21, 2013 - Non-Final Action Written - Sec.2 (e)
October 17, 2013 - Assigned to Examiner
July 16, 2013 - NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
July 9, 2013 - New Application Entered In Tram

OWNER INFORMATION

Registrant/ Applicant

F.C. Franchising Systems, Inc. (Ohio Corp.)
Ste. 300
10700 Montgomery Rd.
Cincinnati, Ohio 45242

Owner At Publication

F.C. Franchising Systems, Inc. (Ohio Corp.)
Ste. 300
10700 Montgomery Rd.
Cincinnati, Ohio 45242

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This TDR Result for uf 7

United States of America

United States Patent and Trademark Office

Fresh Coat Painting Done Right

Reg. No. 4,581,589

Registered Aug. 5, 2014

Int. Cl.: 37

SERVICE MARK

PRINCIPAL REGISTER

FRESH COAT PAINTING SYSTEMS, INC. (FRESH COAT PAINTING)
SHELL
1000 MONTGOMERY RD
CINCINNATI, OH 45202

FOR CONSULTATION RELATING TO PAINTING OF BUILDINGS, IN CLASS 37 (U.S. CLS. 100, 103 AND 105)

FIRST USE IN COMMERCE 6-13-2011

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PAINTING" APART FROM THE MARK AS SHOWN.

SN 86,000,217, FILED 7-1-2013

BRITALEX, EXAMINING ATTORNEY



Michelle K. Lee
Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in effect for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a Federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection in the United States under the Madrid Protocol must also file the Declaration of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declaration of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141. For more information and renewal forms for the international registration, see <http://www.usipo.int/madrid/ce>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

•
Generated on:
This page was generated by TSDR on 2014-08-07 13:08:45 EDT
Mark:
FRESH COAT PAINTING DONE RIGHT



US Serial Number:
86003217
Application Filing Date:
Jul. 05, 2013
US Registration Number:
4581589
Registration Date:
Aug. 05, 2014
Filed as TEAS Plus:
Yes
Currently TEAS Plus:
Yes
Register:
Principal
Mark Type:
Service Mark
Status:
Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date:
Aug. 05, 2014
Publication Date:
Feb. 11, 2014
Notice of Allowance Date:
Apr. 08, 2014

Mark Information

Mark Literal Elements:
FRESH COAT PAINTING DONE RIGHT
Standard Character Claim:
Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type:
4 - STANDARD CHARACTER MARK
Disclaimer:
"PAINTING"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For:

Consultation relating to painting of buildings

International Class(es):

037 - Primary Class

U.S Class(es):

100, 103, 106

Class Status:

ACTIVE

Basis:

1(a)

First Use:

Feb. 10, 2014

Use in Commerce:

Feb. 10, 2014

Basis Information (Case Level)

Filed Use:

Yes

Currently Use:

Yes

Amended Use:

No

Filed ITU:

No

Currently ITU:

No

Amended ITU:

Yes

Filed 44D:

No

Currently 44D:

No

Amended 44D:

No

Filed 44E:

No

Currently 44E:

No

Amended 44E:

No
Filed 66A:
No
Currently 66A:
No
Filed No Basis:
No
Currently No Basis:
No

Current Owner(s) Information

Owner Name:
F.C. Franchising Systems, Inc.
Owner Address:
Ste. 300
10700 Montgomery Rd.
Cincinnati, OHIO 45242
UNITED STATES
Legal Entity Type:
CORPORATION
State or Country Where Organized:
OHIO

Attorney/Correspondence Information

Attorney of Record
Attorney Name:
Jeffrey D. Siehl
Attorney Primary Email Address:
jsiehl@franchisesupport.net
Attorney Email Authorized:
Yes
Correspondent
Correspondent Name/Address:
JEFFREY D. SIEHL
10700 MONTGOMERY RD STE 300
CINCINNATI, OHIO 45242-3296
UNITED STATES
Phone:
(513) 587-4980
Fax:
(513) 563-2691
Correspondent e-mail:
jsiehl@franchisesupport.net
Correspondent e-mail Authorized:
Yes
Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 05, 2014	REGISTERED-PRINCIPAL REGISTER	
Jul. 04, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 03, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 06, 2014	STATEMENT OF USE PROCESSING COMPLETE	65362
May 08, 2014	USE AMENDMENT FILED	65362
Jun. 04, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
May 08, 2014	TEAS STATEMENT OF USE RECEIVED	
Apr. 08, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 11, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 11, 2014	PUBLISHED FOR OPPOSITION	
Jan. 22, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 06, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Dec. 31, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 30, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 30, 2013	NON-FINAL ACTION E-MAILED	6325
Dec. 30, 2013	NON-FINAL ACTION WRITTEN	68181
Dec. 09, 2013	TEAS EMAIL CORRESPONDENCE ENTERED	77976
Dec. 09, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	77976
Dec. 02, 2013	ASSIGNED TO LIE	77976
Nov. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 21, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 21, 2013	NON-FINAL ACTION E-MAILED	6325
Oct. 21, 2013	NON-FINAL ACTION WRITTEN	68181
Oct. 17, 2013	ASSIGNED TO EXAMINER	68181
Jul. 16, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 09, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:

PUBLICATION AND ISSUE SECTION

Date in Location:

Jul. 03, 2014

Client Reference: FRE-114-2

Date Generated: August 07, 2014

Exhibit C

Added 2014-08-07 13:12 This TDR Result for uf 7



FRESH COAT™
Painting Done *RIGHT*

stewart

**20% OFF
Fresh Coat
Services**

We are excited to announce the partnership between Fresh Coat Painters and Stewart Title Company. With this joint venture, Fresh Coat Painters is pleased to offer any Stewart employees or affiliates 20% off any Fresh Coat services.

- Interior Painting
- Exterior Painting
- Decks & Out Buildings
- Room Prep & Renovation

FREE quotes
Experienced & professional painters
Painters are employees not subcontractors.
Fully insured, bonded & licensed
On-time - Every time
Eco-friendly, low odor paints
Satisfaction guaranteed
Major credit cards accepted
Offices across North America

855-FreshCoat
www.FreshCoatPainters.com

Client Reference: FRE-114-2

Date Generated: August 07, 2014

Exhibit D

FRESH COAT

US Federal

Status: Abandoned - Failure to Respond, January 10, 2006

Goods/Services:

Int'l Class 37 (U.S. Class: 100, 103, 106)

House painting

First Use: April 29, 2004

In Commerce: April 29, 2004

Most Recent Owner:

F.C. Franchising Systems, Inc. (Ohio Corp.)

APPLICATION / REGISTRATION INFO.

Serial No.:78-513694

Filed:November 9, 2004

Abandonment Date:December 15, 2005

ADDITIONAL INFO.

Correspondent:

Barry E. Nelson
Barry E Nelson LLC
575 Chamber Drive
Milford, OH 45150-1498

Events:

January 10, 2006 - Abandonment Notice Mailed - Failure to Respond
January 10, 2006 - Abandonment - Failure to Respond or Late Response
June 14, 2005 - Non-Final Action E-Mailed
June 14, 2005 - Non-Final Action Written - Sec.2 (d)
June 14, 2005 - Assigned to Examiner
November 15, 2004 - New Application Entered In Tram

OWNER INFORMATION

New Owner Before Publication

F.C. Franchising Systems, Inc. (Ohio Corp.)
10700 Montgomery Road
Suite 300
Cincinnati, Ohio 45242

Applicant

Rem Painting, Inc. (Ohio Corp.)
Suite 300
10700 Montgomery Road
Cincinnati, Ohio 45242

ASSIGNMENT HISTORY

Assignee

F.C. FRANCHISING SYSTEMS, INC. (OHIO CORP.)
10700 Montgomery Road
Suite 300
Cincinnati, Ohio 45242

Recorded: January 6, 2005

Assigned: January 6, 2005

Reel/Frame: 3004/0106

Action: Assigns the entire interest and goodwill

Assignor

REM PAINTING, INC. (OHIO CORP.)

MARKS WITH SIMILAR OWNERSHIP

F.C. FRANCHISING SYSTEMS, INC. (OHIO CORP.) (or related entities)

FRESH COAT

FRESH COAT PAINTING DONE RIGHT

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This TARR Result for uf 3

http://www.corsearch-advantage.com/Inv/InvCache/2395553_512631_20140807115744/TARR/78513694/sn78513694_status.html

•

Generated on:

This page was generated by TSDR on 2014-08-07 13:16:44 EDT

Mark:

FRESH COAT



US Serial Number:

78513694

Application Filing Date:

Nov. 09, 2004

Register:

Principal

Mark Type:

Service Mark

Status:

Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date:

Jan. 10, 2006

Date Abandoned:

Dec. 15, 2005

Mark Information

Mark Literal Elements:

FRESH COAT

Standard Character Claim:

Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type:

4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

- Asterisks "*" identify additional (new) wording in the goods/services.

For:
House painting
International Class(es):
037 - Primary Class
U.S Class(es):
100, 103, 106
Class Status:
ACTIVE
Basis:
1(a)
First Use:
Apr. 29, 2004
Use in Commerce:
Apr. 29, 2004

Basis Information (Case Level)

Filed Use:
Yes
Currently Use:
Yes
Amended Use:
No
Filed ITU:
No
Currently ITU:
No
Amended ITU:
No
Filed 44D:
No
Currently 44D:
No
Amended 44D:
No
Filed 44E:
No
Currently 44E:
No
Amended 44E:
No
Filed 66A:
No
Currently 66A:
No
Filed No Basis:
No

Currently No Basis:

No

Current Owner(s) Information

Owner Name:

F.C. FRANCHISING SYSTEMS, INC.

Owner Address:

10700 MONTGOMERY ROAD

SUITE 300

CINCINNATI, OHIO 45242

UNITED STATES

Legal Entity Type:

CORPORATION

State or Country Where Organized:

OHIO

Attorney/Correspondence Information

Attorney of Record

Attorney Name:

Barry E. Nelson

Attorney Primary Email Address:

barrvenelson@msn.com

Attorney Email Authorized:

Yes

Correspondent

Correspondent Name/Address:

BARRY E NELSON

BARRY E NELSON LLC

575 CHAMBER DR

MILFORD, OHIO 45150-1498

UNITED STATES

Phone:

513-831-6660

Fax:

513-831-6010

Correspondent e-mail:

barrvenelson@msn.com

Correspondent e-mail Authorized:

Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 10, 2006	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	

Jan. 10, 2006	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Jun. 14, 2005	NON-FINAL ACTION E-MAILED	6325
Jun. 14, 2005	NON-FINAL ACTION WRITTEN	67971
Jun. 14, 2005	ASSIGNED TO EXAMINER	67971
Nov. 15, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney:

MICHELI, ANGELA M

Law Office Assigned:

LAW OFFICE 101

File Location

Current Location:

TMEG LAW OFFICE 101 - EXAMINING ATTORNEY ASSIGNED

Date in Location:

Jan. 10, 2006

Client Reference: FRE-114-2

Date Generated: August 07, 2014

Exhibit E

Added 2014-08-07 13:24

This TDR Result for uf 3

To: F.C. FRANCHISING SYSTEMS, INC. (barrynelson@msn.com)
Subject: TRADEMARK APPLICATION NO. 78513694 - FRESH COAT - N/A
Sent: 6/14/2005 6:42:32 PM
Sent As: ECOM101@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/513694

APPLICANT: F.C. FRANCHISING SYSTEMS, INC.

CORRESPONDENT ADDRESS:

BARRY E. NELSON
BARRY E NELSON LLC
575 CHAMBER DRIVE
MILFORD, OH 45150-1498

78513694

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

MARK: FRESH COAT

CORRESPONDENT'S REFERENCE/DOCKET NO : N/A

CORRESPONDENT EMAIL ADDRESS:

barrynelson@msn.com

Please provide in all correspondence:

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.

Serial Number 78/513694

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

Section 2(d) - Likelihood of Confusion Refusal

The examining attorney refuses registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), because the applicant's mark, when used in connection with the identified services and goods, is likely to be confused with the registered mark in U.S. Registration No. 2404359. See the enclosed registration.

The examining attorney must analyze each case in two steps to determine whether there is a likelihood of confusion. First, the examining attorney must look at the marks themselves for similarities in appearance, sound, connotation and commercial impression. *In re E. I. DuPont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). Second, the examining attorney must compare the goods or services to determine if they are related or if the activities surrounding their marketing are such that confusion as to origin is likely. *In re August Storck KG*, 218 USPQ 823 (TTAB 1983); *In re International Telephone and Telegraph Corp.*, 197 USPQ 910 (TTAB 1978); *Guardian Products Co., v. Scott Paper Co.*, 200 USPQ 738 (TTAB 1978).

Applicant seeks to register the mark FRESH COAT. The registrant's mark is DR. FRESHCOAT.

The examining attorney must compare the marks for similarities in sound, appearance, meaning or connotation. *In re E. I. DuPont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). Similarity in any one of these elements is sufficient to find a likelihood of confusion. *In re Mack*, 197 USPQ 755 (TTAB 1977). The marks are similar in appearance, sound and commercial impression as they both contain the wording, FRESH COAT, the dominant element of the registrant's mark and the only element of the applicant's mark.

If the marks of the respective parties are identical or highly similar, the examining attorney must consider the commercial relationship between the goods or services of the respective parties carefully to determine whether there is a likelihood of confusion. *In re Concordia International Forwarding Corp.*, 222 USPQ 355 (TTAB 1983).

The goods and services of the parties need not be identical or directly competitive to find a likelihood of confusion. They need only be related in some manner, or the conditions surrounding their marketing be such, that they could be encountered by the same purchasers under circumstances that could give rise to the mistaken belief that the goods and services come from a common source. *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 223 USPQ 1289 (Fed. Cir. 1984); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985); *In re Rexel Inc.*, 223 USPQ 830 (TTAB 1984); *Guardian Products Co., Inc. v. Scott Paper Co.*, 200 USPQ 738 (TTAB 1978); *In re International Telephone & Telegraph Corp.*, 197 USPQ 910 (TTAB 1978).

Applicant's services are house painting. The registrant's services are professional painting services, namely, providing residential building painting services for others. The services are identical in that they both involve painting residences. The goods and services would also flow in the same channels of trade. They would be provided to consumers who are looking for someone to paint their homes. As a consequence confusion as to the identity of the source of the services is likely to occur.

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

NOTICE: FEE CHANGE

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

- (1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS); or

(2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

NOTICE: TRADEMARK OPERATION RELOCATION

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

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

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Angela Micheli/
Trademark Examining Attorney, Law Office 101
(571) 272-9196
(571) 273-9196 (fax)
angela.micheli@uspto.gov

HOW TO RESPOND TO THIS OFFICE ACTION:

- **ONLINE RESPONSE:** You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://www.uspto.gov/teas/index.html>) and follow the instructions, but if the Office Action issued via email you must wait 72 hours after receipt of the Office Action to respond via TEAS).
- **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 in your response.

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 application 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.

Print: Jun 14, 2005

75885867

DESIGN MARK

Serial Number
75885867

Status
REGISTERED

Word Mark
DR. FRESHCOAT

Standard Character Mark
No

Registration Number
2404359

Date Registered
2000/11/14

Type of Mark
SERVICE MARK

Register
PRINCIPAL

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

Owner
KERRY CUSTOMS INC. CORPORATION SOUTH CAROLINA 1111 Nature lane Gilbert
SOUTH CAROLINA 29054

Goods/Services
Class Status -- ACTIVE. IC 037. US 100 103 106. G & S:
Professional painting services, namely, providing residential building
painting services for others. First Use: 1998/07/10. First Use In
Commerce: 1998/07/10.

Filing Date
2000/01/03

Examining Attorney
PAGE, AMY

DR. FRESHCOAT

Date Generated: August 07, 2014

Client Reference: *FRE-114-2*

Date Generated: August 07, 2014

Exhibit F

Added 2014-08-07 13:04

This Mark on Web Result for uf 1

<http://www.freshcoatpainters.com/aboutus.aspx>



Franchise
Opportunities

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About Us

Fresh Coat Painters' History & Promise

With services in more than 100 major cities across North America, Fresh Coat's experienced business owners and their **professional painters** understand how important your surroundings are to you. We know whether we're painting the interior or exterior of your home or the inside and outside of your office, condominium, or apartment building, you expect the very best service at the very best price.

It's our goal to provide you with an exceptionally positive experience from the time we deliver your guaranteed written quote until our contractors walk you through the finished job.

The Fresh Coat Promise



To provide quality painting at an affordable price to all our customers in a timely manner. Customer service is very important to us and we strive to meet and exceed our home and business owners' expectations.

To back-up this promise, we carefully screen and hire only skilled painters who are experienced professionals. Unlike some other painting companies, Fresh Coat painters are employees, not subcontractors, and are bonded and insured to ensure our clients are fully-protected.



Find Your Local Fresh Coat Painter

Enter Zip Code



Within:

FIND

Top 7 Reasons to Choose Fresh Coat

- > We're residential & commercial painting experts
- > Our painters are screened, bonded, and insured
- > A trained project manager is assigned to every job
- > You'll receive a FREE written quote with firm pricing
- > We use premium low-odor, eco-friendly paint - at no additional charge
- > Take advantage of our popular \$199 per room painting program
- > We arrive on time - every time - and we'll leave your home sparkling fresh.

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