

Petition to Director

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	97069982
LAW OFFICE ASSIGNED	LAW OFFICE 109
PETITION	
PETITION STATEMENT	ESTTA would not allow electronic filing Notice of Appeal due to regarded as untimely
MARK SECTION	
MARK FILE NAME	https://tmng-al.uspto.gov/resting2/api/img/97069982/large
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
OWNER SECTION (current)	
NAME	Loops, LLC
DBA/AKA/TA/Formerly	AKA Loops Flexbrush, LLC
MAILING ADDRESS	7152 Everett Road
CITY	Ferndale
STATE	Washington
ZIP/POSTAL CODE	98248
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	360-366-3009
FAX	3603663088
EMAIL	XXXX
OWNER SECTION (proposed)	
NAME	Loops, LLC
DBA/AKA/TA/Formerly	AKA Loops Flexbrush, LLC
MAILING ADDRESS	7152 Everett Road
CITY	Ferndale
STATE	Washington
ZIP/POSTAL CODE	98248
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	360-366-3009
FAX	3603663088
EMAIL	XXXX

EXPLANATION OF FILING

The ESTTA has deemed a final determination as being dated 02/28/2022 and will not allow initiation of Appeal; but however the Trademark Examining Attorney issued a Subsequent Final Office Action dated 07/11/2022 specifically providing a new six month response deadline. Applicant wishes to timely file a Notice of Appeal under Rule 2.141 with the required fee.

CORRESPONDENCE INFORMATION (current)

NAME	Timothy W. Fitzwilliam
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	fitzwilliam.esq@gmail.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	tfitzwilliam@yahoo.com
DOCKET/REFERENCE NUMBER	LOP.322US2

CORRESPONDENCE INFORMATION (proposed)

NAME	Timothy W. Fitzwilliam
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	fitzwilliam.esq@gmail.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	tfitzwilliam@yahoo.com
DOCKET/REFERENCE NUMBER	LOP.322US2

PAYMENT SECTION

PETITION TO DIRECTOR FEE	250
NUMBER OF CLASSES	1
EX PARTE APPEAL FEE PER CLASS	225
NUMBER OF CLASSES	1
TOTAL FEES DUE	475

SIGNATURE SECTION

DECLARATION SIGNATURE	/twfitzwilliam/
SIGNATORY'S NAME	Timothy W. Fitzwilliam
SIGNATORY'S POSITION	Attorney of record, California Bar member
SIGNATORY'S PHONE NUMBER	949-231-0434
DATE SIGNED	01/02/2023
SIGNATURE METHOD	Signed directly within the form
PETITION SIGNATURE	/twfitzwilliam/
SIGNATORY'S NAME	Timothy W. Fitzwilliam
SIGNATORY'S POSITION	Attorney or record, California Bar member
SIGNATORY'S PHONE NUMBER	9492310434
DATE SIGNED	01/02/2023
ROLE OF AUTHORIZED SIGNATORY	Authorized U.S.-Licensed Attorney
SIGNATURE METHOD	Signed directly within the form

FILING INFORMATION SECTION

SUBMIT DATE	Mon Jan 02 13:19:08 ET 2023
	USPTO/PGP-XXXX:XXXX:XXXX: XXXX:XXXX:XXXX:XXXX:XXXX- 20230102131910289447-9706 9982-850ef2d9ec43de626418

TEAS STAMP

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83652-2023010213003085579
8

PTO-2301

Approved for use through 03/31/2024. OMB 0651-0054

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Petition to Director

To the Commissioner for Trademarks:

Application serial no. **97069982** (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/97069982/large>) has been amended as follows:

PETITION

Petition Statement

ESTTA would not allow electronic filing Notice of Appeal due to regarded as untimely

EXPLANATION OF FILING

The ESTTA has deemed a final determination as being dated 02/28/2022 and will not allow initiation of Appeal; but however the Trademark Examining Attorney issued a Subsequent Final Office Action dated 07/11/2022 specifically providing a new six month response deadline. Applicant wishes to timely file a Notice of Appeal under Rule 2.141 with the required fee.

OWNER AND/OR ENTITY INFORMATION

The owner proposes to amend the following:

Current: Loops, LLC, AKA Loops Flexbrush, LLC, a limited liability company legally organized under the laws of Delaware, having an address of

7152 Everett Road
Ferndale, Washington 98248
United States
Email Address: XXXX
360-366-3009
3603663088

Proposed: Loops, LLC, AKA Loops Flexbrush, LLC, a limited liability company legally organized under the laws of Delaware, having an address of

7152 Everett Road
Ferndale, Washington 98248
United States
Email Address: XXXX
360-366-3009
3603663088

Correspondence Information (current):

Timothy W. Fitzwilliam
PRIMARY EMAIL FOR CORRESPONDENCE: fitzwilliam.esq@gmail.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): tfitzwilliam@yahoo.com

The docket/reference number is LOP.322US2.

Correspondence Information (proposed):

Timothy W. Fitzwilliam
PRIMARY EMAIL FOR CORRESPONDENCE: fitzwilliam.esq@gmail.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): tfitzwilliam@yahoo.com

The docket/reference number is LOP.322US2.

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

FEE(S)

Fee(s) in the amount of \$475 is being submitted.

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU: If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(e), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; *for a collective trademark, collective service mark, collective membership mark application, or certification mark application*, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; *for a certification mark application*, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a)

COLLECTIVE/CERTIFICATION MARK APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: *for a trademark or service mark application*, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; *for a collective trademark, collective service mark, collective membership mark, or certification mark application*, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; *for a certification mark application*, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /twfitzwilliam/ Date: 01/02/2023
Signatory's Name: Timothy W. Fitzwilliam
Signatory's Position: Attorney of record, California Bar member
Signatory's Phone Number: 949-231-0434

Signature method: Signed directly within the form

Signature: /twfitzwilliam/ Date: 01/02/2023
Signatory's Name: Timothy W. Fitzwilliam
Signatory's Position: Attorney of record, California Bar member

Signatory's Phone Number: 9492310434 Signature method: Signed directly within the form

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the petitioner's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the petitioner in this matter: the petitioner has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal; the petitioner has filed a power of attorney appointing him/her in this matter; or the petitioner's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: Timothy W. Fitzwilliam
LAW OFC. OF TW FITZWILLIAM
STE. 221
5666 LA JOLLA BLVD.
LA JOLLA, California 92037

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PAYMENT: 97069982
PAYMENT DATE: 01/03/2023

Serial Number: 97069982
Internet Transmission Date: Mon Jan 02 13:19:08 ET 2023
TEAS Stamp: USPTO/PGP-XXXX:XXXX:XXXX:XXXX:XXXX:XXXX:
XXXX:XXXX-20230102131910289447-97069982-
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45a9a81f32a0f8afdf76476-CC-19083652-2023
0102130030855798

To: Loops, LLC (fitzwilliam.esq@gmail.com)
Subject: TRADEMARK APPLICATION NO. 97069982 - LOP.322US2
Sent: 5/18/2023 11:19:55 AM
Sent As: ECOMPET
Attachments:

United States Patent and Trademark Office (USPTO)

U.S. Application Serial No. 97069982

U.S. Registration No.

Mark:

Correspondence Address:
Timothy W. Fitzwilliam
LAW OFC. OF TW FITZWILLIAM
STE. 221
5666 LA JOLLA BLVD.
LA JOLLA CA 92037

Owner: Loops, LLC

Reference/Docket No. LOP.322US2

Correspondence Email Address:
fitzwilliam.esq@gmail.com

PETITION DECISION

Issue date: May 18, 2023

The United States Patent and Trademark Office (USPTO) received a petition to the Director on January 2, 2023, to accept an notice of appeal. The petition is hereby dismissed.

FACTS

The Office issued a subsequent final on July 11, 2022 providing six months to file a response or an appeal. Applicant submitted a request for reconsideration without an appeal on September 20, 2022. The examining attorney denied the reconsideration on September 22, 2022 allowing the remaining time to provide a proper response which the response period expired on January 11, 2023. Petition is dismissed.

DISCUSSION

A review of the record demonstrates that a petition is unnecessary.

DECISION

The petition is dismissed. The application file will be forwarded to the Trademark Trial and Appeal Board (TTAB) for consideration of the notice of appeal filed on January 2, 2023.

The USPTO will refund the petition fee in due course. TMEP §405.04.

/Jolie Washington/
Paralegal Specialist
Office of the Deputy Commissioner
for TM Exam Policy
jolie.washington@uspto.gov
571-272-9583