

xxxx (Rev 9/07)
651-0050 (Exp. x/200x)

Request for Reconsideration after Final Action

TEAS - Version 3.9: 09/30/2007

For more information regarding any of the following questions or topics, either go to HELP or click on the underlined word. You may use the Request for Reconsideration after Final Action form to:

- Respond to a final refusal of registration based on an application or Statement of Use

NOTE: Use this form only to file a Request for Reconsideration after issuance of a final Office action and before the deadline for filing an appeal. The filing of a Request for Reconsideration does *not* extend the time for filing an appeal or other proper response to the final action. F.R. §2.64(b). A Notice of Appeal is a different form that you must file separately to preserve your right to appeal the final refusal, if appropriate. See <http://esta.uspto.gov/>. If you file a Notice of Appeal concurrently with a Request for Reconsideration, your application will be referred to the Trademark Trial and Appeal Board for processing of the appeal. The Board will (1) acknowledge the appeal; (2) suspend proceedings with respect to the appeal (including the applicant's time to file an appeal brief; and (3) remand the application to the examining attorney for review of the Request for Reconsideration. TMEP §715.04; TBMP §1204.

NOTE: Do not use this form to respond to any actions mailed after the mark is published and/or registered, as the Intent-to-Use (ITU) forms that the Trademark Office issues them. Forms for filing a Statement of Use/Amendment to Allege Use and/or Request for Extension of Time to Allege Use are available at <http://www.uspto.gov/teas/eTEASpageB2.htm>. Forms for responding to Post Registration Office Actions are available in the future.

Deleted: respond to Office actions received from a Law Office on ANY type of file (i.e., regular letters; Priority Actions; Examiner's Amendment/Priority Actions (where a response is still required for the "Priority Action" portion; Suspension letters; or Suspension Inquiry letters).

To answer all of the questions below to create a Request for Reconsideration form showing only sections relevant to you. The fields of your form automatically completed using the Trademark Operation's database (based on your original filing), please enter the serial number of your application. Finally, click on the NEXT button; or, to start over, click on the CLEAR button.

NOTE: Fields containing the symbol "*" must be completed; all other relevant fields should be completed if the information is available. A declaration will automatically appear at the end of the actual form in each instance. To satisfy legal requirements, the declaration at the end of the response form must be signed if a "#" symbol precedes a specific item listed on the form. The declaration must be signed by someone who is a "proper party to sign on behalf of applicant" under Trademark Rule 2.33. If not required, the declaration may simply be left unsigned. However, the information for the Request for Reconsideration signature must always be entered.

NOTE: This form has a session time limit of 60 minutes. A session begins once you create and enter the form via the Form Wizard. If you exceed the 60 minute time limit, the form will not validate and you must begin the entire process again. Therefore, you should enter all information required to complete the form available prior to starting your session.

Serial Number:

(required only if completing the Request for Reconsideration form for the first time)

To access previously-saved data, use the "Browse/Choose File" button below to access the file from your local drive. NOTE: For detailed instructions on the process for retrieving saved data, please click here. FAILURE TO FOLLOW THESE

ACTIONS WILL RESULT IN THE DISPLAY OF YOUR DATA IN AN XML FORMAT THAT CANNOT BE EDITED.

NOTE: You can only use this form if the USPTO database shows the "Current Status" of your application to be "A Final Action has been filed (or e-mailed)." *You must wait 48-72 hours after receipt of an e-mailed action for the database to update to the proper status before attempting to use this form.*

Do you want to pay an additional fee?

Yes No

Do you want to present arguments related to a substantive refusal(s)?

NOTE: If you must submit a substitute specimen to overcome the refusal, answer YES to this question (to enter the argumentation), but then use Question #4, below, to attach the actual specimen image file.

Yes No

If the answer is Yes, do you wish to attach evidence?

Yes No

Do you need to ADD a new class of goods and/or services? (Note: If simply CHANGING an existing classification number, use Question #4, below.)

Yes No

If the answer is Yes, enter the number of classes:

Do you need to change/delete an existing classification number; modify listing of goods and/or services; add/modify dates of use; substitute a specimen and/or submit a foreign registration certificate?

Yes No

Do you want to correct any other procedural matter(s) / informalities / applicant information?

Yes No

Do you want to modify your mark? (i.e., either change the mark itself or submit a better quality image)

DTE: While minor changes in the mark are *sometimes* permitted, any material alteration will NOT be permitted and will result a refusal being issued on that ground. If submitting a new mark image, it **MUST** be in the JPG format (only attachments in other portions of the form (e.g., specimens, evidence) can be in the PDF format).

Yes No

If the answer is Yes, do you need to attach a new mark image?

Yes No

Do you want to make any additional statement(s) of record to address a requirement, e.g., a disclaimer or claim of a prior right?

Yes No

more than one applicant own the mark?

Yes No

If the answer is Yes, enter the number of owners:

attorney filing this Request for Reconsideration?

DTE: Answering this question creates the appropriate signature section at the end of the Request for Reconsideration, but does not allow you to appoint an attorney or change a previously appointed attorney. An "Attorney Section" will NOT appear in the form if you check "Yes".

Yes No

do you need to submit a Signed Declaration? (i.e., to support a specific item in the Request for Reconsideration, designated on the form with a "#" symbol, e.g., new specimen.)

Yes No

If yes, what signature approach do you want to use? Choose one from below.

- Sign electronically directly on this Request for Reconsideration form
- E-mail Text Form to second party for electronic signature
- Handwritten pen-and-ink signature

what signature approach do you want to use for the Request for Reconsideration itself? Choose ONE from below.
A Request for Reconsideration MUST be signed.

DTE: Although a possible combination as selected on the form wizard, the following can NOT be used: 1. declaration signed

ectly and Request for Reconsideration signed through the e-mail text form approach; and 2. handwritten pen-and-ink signature
r the declaration and Request for Reconsideration signed through the e-mail text form approach.

- 6 Sign electronically directly on this response form
- 6 E-mail Text Form to second party for electronic signature

Clear

[Privacy Policy Statement](#)

Information collected on this form allows the USPTO to determine whether a mark may be registered on the Principal or Supplemental Register, and provides notice of an applicant's ownership of the mark. In response to the request for information, are required to obtain the consent of a registrant on the Principal register, 15 U.S.C. § 1051 et. seq. and 37 C.F.R. § 2.101, information collected will be made public. Gathering and providing the information will require an estimated 15 minutes (depending if the response is based on an intent to use or a common-law use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing the burden to the User Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that this web browser or sponsor a collection of information uses a form that does not display a valid DMV control number.

[Help Desk](#) | [Bug Report](#) | [Feedback](#) | [TEAS Home](#) | [Trademark Home](#) | [USPTO](#)

Wed Jan 10 08:24:05 EST

xx (Rev 9/07)
31-0050 (Exp. x/200x)

Request for Reconsideration after Final Action

TEAS - Version 3.9: 9/30/2007

To satisfy legal requirements, the declaration at the end of the Request for Reconsideration form must be signed if a red "#" symbol precedes a specific item listed on the form. The declaration must be signed by someone who is a "proper party to sign on behalf of applicant" under Trademark Rule 2.33. If not required, the declaration may simply be left unsigned. However, the information for the Request for Reconsideration signature section must always be entered.

Important: ONCE A REQUEST FOR RECONSIDERATION IS SUBMITTED ELECTRONICALLY, THE OFFICE WILL IMMEDIATELY PROVIDE THE SENDER WITH AN ELECTRONIC ACKNOWLEDGMENT OF RECEIPT. Please contact teas@uspto.gov within 24 hour transmission (or by the next business day) if you do not receive this acknowledgment.

Contact Points:

For general trademark information, please e-mail TrademarkAssistanceCenter@uspto.gov, or telephone 1-800-786-9199. If you need help in resolving technical glitches, please e-mail teas@uspto.gov. Please include your telephone number in your e-mail, so we can talk to you directly.

necessary. For **status** information on an application that has an assigned serial number, use <http://tarr.uspto.gov>.

NOTE: Do NOT attempt to check status until at least 72 hours after submission of a filing, to allow sufficient time for our databases to be updated.

Actions:

If the Request for Reconsideration form electronically, please complete the following steps:

Fill out all relevant fields.

Validate the form, using the "button" at the end of the form.

If the desired signatory is not available to sign the form, to forward the form to the signatory, use either the Text Form option or the Download Portable Data option. Both options are available from the Validation Page. However, to use the Text Form option, you must first answer YES to Form Wizard Question #11. When you receive the form back, return to step 2.

At the point of final validation, it is critical to confirm that **all** information is displayed properly immediately before filing, *regardless* of the appearance of the data at any point earlier in the process. If any previously-entered argument text or image files (e.g., evidence) are now missing, you must re-enter or re-attach before final submission. Otherwise, the USPTO will **not** receive a complete Request for Reconsideration. *E.g.*, if you initially pasted text into the argument field, but the argument section is now blank, you **must** paste it in again after final validation but before actual submission of the Request for Reconsideration, or the USPTO will not receive that text at all.

Click on the Pay/Submit button at the bottom of the Validation Screen. If a fee payment is required, this will allow you to choose from 3 different payment methods: credit card, automated deposit account, or electronic funds transfer. After accessing the proper screen for payment, and making the appropriate entries, you will receive a confirmation screen if your transmission is successful. This screen will say **SUCCESS!** and will provide your assigned serial number.

You will receive an e-mail acknowledgement of your submission.

Serial Number

Mark

Law Office Assigned

FEE INFORMATION

number of Classes Paid x \$325 (per class) for Application fee for TEAS form= \$

number of Classes Paid x \$50 (per class) for Fee for failure to satisfy TEAS Plus requirements= \$

NOTE: This is NOT the proper choice if you must ADD a class— you must pay the "Application Fee," above.

TOTAL AMOUNT = \$

I hereby elect to by-pass any fee edit for an added class(es), because I believe the original fee payment was sufficient. I understand that the examining attorney could still, upon later review, require a fee payment.

NOTE: You may wish not to by-pass this requirement if the examining attorney's office action is a final action.

ARGUMENT(S)

EVIDENCE

Evidence File

Click on the 'Browse' button to select JPG/PDF file that contains the evidence from your local drive.

WARNING: Submission of an overall Request for Reconsideration as a PDF file is **NOT** permissible; *i.e.*, do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, re-identifications of goods/services, additional statements, *etc.* Any portion of this form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file. For complete requirements concerning PDF files, click [here](#).

WARNING: The file size cannot exceed 3 megabytes per attachment.
0 file(s) attached

Evidence

Describe what the evidence submitted consists of:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Enter information for the 1st Original Class

Check here to delete the following class of goods/services from your application. If checked, it is not necessary to modify the current class below.

Check here to modify the current classification number; listing of goods/services; dates of use; and/or filing basis; or to submit a substitute specimen or foreign registration certificate. If not checked, the changes will be ignored.

Original International Class : 043

International Class: (Enter class number 001- 045, A, B, A & B and 200)

Listing of Goods/Services [NOTE: Do not enter a Class or any other code in the field below. You must enter only the common commercial name for the specific goods and/or services associated with the mark. Also, do not include any html or other programming code or language that may create links in the listing of goods and/or recitation of services]. For more information about acceptable language for the goods and/or services, see the USPTO's on-line Goods and/or Services Manual.

Hotel Services

Filing Basis Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. NOTE: If the original application was filed under Section 1(b), Intent to Use, this form is not the correct method for now making use dates of record. You must file an Allegation of Use form.

#Date of First Use of Mark Anywhere by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as _____ (MM/DD/YYYY)

#Date of First Use of Mark Commerce by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as _____ (MM/DD/YYYY)

Specimen File

Click on the 'Browse' button to select JPG/PDF file that contains the specimen from your local drive.

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WARNING: The file size cannot exceed 3 megabytes per attachment.

0 file(s) attached

Describe what the specimen submitted consists of:



*#If additional or new specimen(s) is being submitted, check the appropriate statement:

For an application based on Section 1(a), Use in Commerce, "The substitute specimen(s) was in use in commerce as of the filing date the application."

For an application based on Section 1(b), Intent-to-Use, "The substitute specimen(s) was in use in commerce prior to the filing of the Amendment to Allege Use (AAU)."

For an application based on Section 1(b), Intent-to-Use, "The substitute specimen(s) was in use in commerce prior to expiration of the filing deadline for filing a Statement of Use (SOU)."

#Filing Basis Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

#Filing Basis Section 44(d), Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and asserts a claim of priority based upon a foreign application. 15 U.S.C. Section 1126(d), as amended.

Foreign Application Number _____

Date of Foreign Filing _____ (MM/DD/YYYY)

Country of Foreign Application

#Filing Basis Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and either attaches a copy of the foreign registration certificate, and translation thereof, or will submit a copy of the foreign registration/translation before the application may proceed to registration, in accordance with 15 U. S.C. 1126(e), as amended.

Foreign Registration Number
Foreign Registration Date
Renewal Date for Foreign Registration
Expiration Date of Foreign Registration
Country of Foreign Registration

Attach Foreign Registration

WARNING: Submission of an overall Request for Reconsideration as a PDF file is NOT permissible; i.e., do not use this section, or any other section, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of the form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file. For complete requirements concerning PDF files, click [here](#).

WARNING: The file size cannot exceed 3 megabytes per attachment.

0 file(s) attached

Check here if the foreign registration that is the basis of the U.S. application under §44(e) of the Trademark Act (15 U.S.C. §1126(e)) includes a claim of standard characters or the country of origin's standard character equivalent.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Enter information for the 1st New Class

International Class: (Enter class number 001- 045, A, B, A & B and 200)

Listing of Goods/Services [NOTE: Do not enter a Class or any other code in the field below. You must enter only the common commercial name for the specific goods and/or services associated with the mark. Also, do not include any html or other programming code or language. Do not create links in the listing of goods and/or recitation of services]. For more information about acceptable language for the goods and/or services, see the USPTO's on-line Goods and/or Services Manual.

Filing Basis Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. NOTE: If the original application was filed under Section 1(b), Intent to Use, this form is not the correct method for now making use dates of record. You must file an Allegation of Use form.

Date of First Use of Mark Anywhere by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as _____ (MM/DD/YYYY)
 Date of First Use of Mark Commerce by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as _____ (MM/DD/YYYY)

Specimen File

Click on the 'Browse' button to select JPG/PDF file that contains the evidence from your local drive.
WARNING: Submission of an overall Request for Reconsideration as a PDF file is **NOT** permissible; *i.e.*, do not use this section, or any other portion, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, *etc.* Any portion of the form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file. For complete requirements concerning PDF files, [click here](#).
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0 file(s) attached

Describe what the specimen submitted consists of:



If additional or new specimen(s) is being submitted, check the appropriate statement:

For an application based on Section 1(a), Use in Commerce, "The substitute specimen(s) was in use in commerce as of the filing date of application."

For an application based on Section 1(b), Intent-to-Use, "The substitute specimen(s) was in use in commerce prior to the filing of the amendment to Allege Use (AAU)."

For an application based on Section 1(b), Intent-to-Use, "The substitute specimen(s) was in use in commerce prior to expiration of the deadline for filing a Statement of Use (SOU)."

#Filing Basis Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

#Filing Basis Section 44(d), Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and asserts a claim of priority based upon a foreign application. 15 U.S.C. Section 1126(d), as amended.

Foreign Application Number _____
 Date of Foreign Filing _____ (MM/DD/YYYY)
 Country of Foreign Application: Select Country _____

#Filing Basis Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application, and either attaches a copy of the foreign registration certificate, and translation thereof, or will submit a copy of the foreign registration/translation before the application may proceed to registration, in accordance with 15 U. S.C. 1126(e), as amended.

Foreign Registration Number _____

Foreign Registration Date

(MM/DD/YYYY)

Renewal Date for Foreign Registration

(MM/DD/YYYY)

Expiration Date of Foreign Registration

(MM/DD/YYYY)

Country of Foreign Registration

Select Country

Attach Foreign Registration

WARNING: Submission of an overall Request for Reconsideration as a PDF file is NOT permissible; i.e., do not use this section, or any other portion, of the form to attach a multi-page document consisting of arguments, evidence, revised identifications of goods/services, additional statements, etc. Any portion of the form that exists for a specific purpose must be used for that purpose, rather than trying to "shoehorn" a complete form within one PDF file. For complete requirements concerning PDF files, click here.

WARNING: The file size cannot exceed 3 megabytes per attachment.

0 file(s) attached

Check here if the foreign registration that is the basis of the U.S. application under §44(e) of the Trademark Act (15 U.S.C. §1126(e)) includes a claim of standard characters or the country of origin's standard character equivalent.

PROCEDURAL MATTER(S) / INFORMALITIES / APPLICANT INFORMATION

Check here to modify the current applicant information. If not checked, the changes will be ignored. Note: If this change relates to a change in the correspondence address or e-mail, please use the Change of Correspondence Address Form

Name

Middle Initial or Name, if applicable

[If an individual, use the following format: Last Name, First Name

Note: If the owner has actually changed, it is not sufficient simply to "modify" the information. First, you must file an actual change of name document/assignment and recordation form PTO-1594. Second, once the new owner information has been recorded, you should delete the pre-populated information and enter all of the new owner information. The owner name should be followed by the assignee information (e.g., XYZ Corporation (by assignment, reel ___ frame ___)).

Street Address

NOTE: You must limit your entry here, and for all remaining fields within this overall section, to no more than 40 characters (the storage limit for USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, to truncation at the 40 character limit.

Internal Address

City

State

Select State

If not listed above, please select "OTHER" and specify here:

Zip/Postal Code

Country or U.S. Territory

Select Country or U.S. Territory

Internet E-mail

While the application may list an e-mail address for the applicant, applicant's attorney, and/or applicant's

domestic representative, **only one e-mail address** may be used for correspondence, in accordance with Office policy. The applicant must keep this address current in the Office's records.

Check here to **authorize** the USPTO to communicate with the applicant or its representative via e-mail.
NOTE: By checking this box, the applicant acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The applicant should periodically check the status of its application through the Trademark Applications and Registrations Retrieval (TARR) database, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the applicant's security or anti-spam software, or any problem within the applicant's e-mail system.

Phone Number

Fax Number

Entity Type Click on the one appropriate circle to indicate the applicant's entity type and enter the corresponding information.

Individual

Country of Citizenship

Select Country

Note: You may correct an error or omission in the original listing. However, if the State/Country of Incorporation has actually changed, should file an assignment document form PTO-1594.

Corporation

State or Country of Incorporation

Select State OR

Select Country

Note: You may correct an error or omission in the original listing. However, if the State/Country of Incorporation has actually changed, should file an assignment document form PTO-1594.

Partnership

State or Country Where Organized

Select State OR

Select Country

Note: You may correct an error or omission in the original listing. However, if the State/Country of Incorporation has actually changed, should file an assignment document form PTO-1594.

Limited Partnership

Joint Venture

Sole Proprietorship

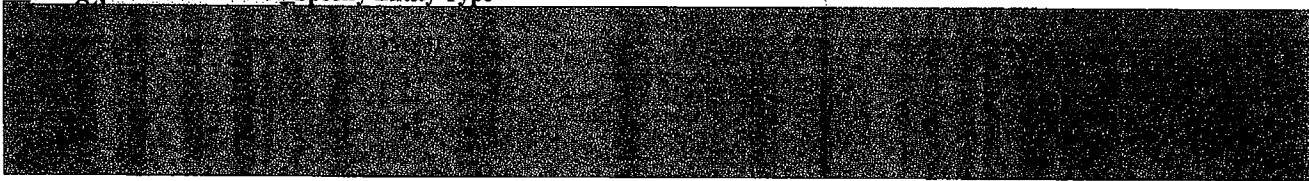
Trust

Estate

Name and Citizenship of All General Partners, Active Members, Individual, Trustees, or Executors (if applicable)

Note: If the name has actually changed, you may not do a "correction". You should file an actual change of name document.
Note: If this change relates to a change in the correspondence address or e-mail, please use the Change of Correspondence Address F

Specify Entity Type



Select State	OR
Select Country	

Note: You may correct an error or omission in the original listing. However, if the State/Country of Incorporation has actually changed, should file an [assignment document form PTO-1594](#).

**Name and Citizenship of All General Partners,
Active Members, Individual, Trustees, or Executors (if applicable)**

MARK

While minor changes in the mark are *sometimes* permitted, any material alteration will NOT be permitted and will result in a refusal being issued on that ground.

You have read and understood the above notice, you must check the box before you enter the proposed new mark.

Use this section if you wish to submit a Stylized word(s), letter(s), number(s), and/or a design. The design may also include words.

Click on the 'Browse' button to select a properly-sized JPG image file (the **only** accepted format) from your local drive that shows a complete overall mark (*i.e.*, the stylized representation of the words; or, for a mark consisting of a design and words, the image of the complete "composite" mark, **not** just the design element alone). If claiming color, you must submit a color image; otherwise, the image must be clear black-and-white. After the file name appears in the window, click on the "Attach" button to upload the file into the application. A "thumbnail" version of the image will then display directly within the form.

WARNING: The image size cannot exceed 3 megabytes per attachment.

Legal Add/Modify/Delete the LITERAL element only of the mark here for a stylized word(s) or letter(s), or a design that also includes a word(s):

Format

Note: Do **not** enter any word(s), letter(s), or number(s) that do not appear in the attached image; the image file **must** reflect the overall mark, consisting of the design **and** the word(s), letter(s), and or number(s).

Check here if the mark consists of standard characters, without claim to any particular font, style, size or color.

Note: You cannot claim standard characters if you are using either non-Latin characters or non-Roman or Arabic numerals, or uncommon punctuation and/or diacritical marks, or special font, size, or color.

Check here if claiming color as a feature of the mark, and identify the color(s): (Required for color marks only.)

Section 2(f), based on Prior Registration(s): "The mark has become distinctive of the goods/services as evidenced by the ownership on the Register for the same mark for related goods or services of U.S. Registration No(s). [redacted]."

Section 2(f), IN PART, based on Use: "[redacted] has become distinctive of the goods/services through the applicant's substantially and continuous use in commerce for at least the five years immediately before the date of this statement."

Section 2(f), IN PART, based on Prior Registration(s): "[redacted] has become distinctive of the goods/services as evidenced by the [redacted] on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). [redacted]."

Section 2(f), IN PART, based on Evidence: "[redacted] has become distinctive of the goods/services, as demonstrated by the attached evidence." [redacted]

NAME(S), PORTRAIT(S), SIGNATURE(S) OF INDIVIDUAL(S):

name(s), portrait(s), and/or signature(s) shown in the mark identifies [redacted], whose consent(s) to register is submitted." [redacted]

[redacted]

name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual."

SUPPLEMENTAL REGISTER: "The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Register' to 'Supplemental Register')."

applicant has separately filed an Allegation of Use, to change the basis of this application from Section 1(b), intent-to-use, to Section 1(a), use in commerce, making conversion to the Supplemental Register permissible.

CONCURRENT USE: Enter the appropriate concurrent use information, e.g., specify the goods and the geographic area for which registration is sought.

[Redacted area for Concurrent Use information]

EXPLANATORY STATEMENT: Enter information here ONLY if required in the Response to Office Action and no other section of the form. If you wish to DELETE a statement previously submitted, you may indicate that here through an instruction. E.g., "Please delete the [redacted] currently of record."

[Redacted area for Explanatory Statement]

[redacted]

SIGNATURE(S)

This section of the declaration (if required) and Request for Reconsideration signature section will not be "signed" in the sense of a traditional paper document. The signatory must enter any alpha/numeric character(s) or combination thereof of his or her choosing, preceded and followed by the forward slash (/) symbol. The USPTO does not determine or pre-approve what the entry should be, but simply presumes that this specific entry has been made.

ted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "natures" could include /john doe/; /jd/; or /123-4567/.

DECLARATION SIGNATURE

signed declaration is required if a "#" symbol precedes a specific item listed on the form. The declaration must be signed by someone "proper party to sign on behalf of applicant" under Trademark Rule 2.33. If not required, the declaration may simply be left blank. However, the information for the Request for Reconsideration signature section must always be entered.

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of the Trademark Act. I understand that the examining attorney could still, upon later review, require a signed declaration. WARNING: If the examining attorney has required a signed declaration in a final office action, bypassing this requirement may result in the application being abandoned for failure to submit a complete response.

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant had a bona fide intention to use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods or services as of the filing date of the application. 37 C.F.R. §§ 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii). If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods or services of the application as of the application filing date. 37 C.F.R. §§ 2.34(a)(1)(i). The undersigned, being hereby warned that willful falsifications and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful falsifications may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to sign this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association 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 or services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

* Signature _____

* Date Signed _____ (MM/DD/YYYY)

* Signatory's Name _____

Signatory's Position _____

NOTE: Enter the appropriate title. If an individual, enter "Owner." If an attorney, enter "Attorney of record."

REQUEST FOR RECONSIDERATION SIGNATURE

Not Represented Applicant: I hereby confirm that currently I am not represented by an attorney, and that I am either (1) the applicant; or (2) an officer, director, or partner of the applicant, or an officer, director, or partner of an association with legal authority to bind the applicant. See TMEP §§712.01 *et seq.*

Authorized Signatory: You may click this first button *only* if you are legally authorized to bind the applicant, *e.g.*, an officer of the applicant or an officer, director, or partner of an association, or a general partner of the applicant partnership.

Attorney - No Other Attorney Has Previously Appeared: I hereby confirm that I am either (1) an attorney who is a member in good standing in the United States, or (2) an attorney who is a member in good standing in a foreign country and is admitted to practice law in that country.

of the bar of the highest court of a U.S. state; or (2) a Canadian attorney/agent who has been granted reciprocal recognition under §10.14(c) by the USPTO's Office of Enrollment and Discipline. I further confirm that (1) the applicant has not previously been represented in this matter by an authorized attorney; and (2) I am the applicant's attorney or an associate of that attorney.

WARNING: Foreign attorneys (other than authorized Canadian attorneys/agents) cannot sign this Request for Reconsideration, and are prohibited from representing an applicant before the USPTO in trademark matters.

Attorney - Change of Attorney Has Occurred (from attorney previously recognized by USPTO):

I confirm that I am either (1) an attorney who is a member in good standing of the bar of the highest court of a U.S. state; or (2) a Canadian attorney/agent who has been granted reciprocal recognition under 37 C.F.R. §10.14(c) by the USPTO's Office of Enrollment and Discipline. I further confirm that the applicant was previously represented in this matter by another authorized attorney or Canadian agent, but I have filed a new power of attorney appointing me in this matter, signed by the applicant.

WARNING: Foreign attorneys (other than authorized Canadian attorneys/agents) cannot sign this Request for Reconsideration, and are prohibited from representing an applicant before the USPTO in trademark matters.

Check here if you are filing a Notice of Appeal in conjunction with this Request for Reconsideration.

A Notice of Appeal is a different form that you must file separately to preserve your right to appeal the final refusal, if appropriate (<http://www.uspto.gov/esta>). If you file a Notice of Appeal concurrently with a Request for Reconsideration, your application will be referred to the Trademark Trial and Appeal Board for processing of the appeal. The Board will (1) acknowledge the appeal; (2) suspend further proceedings with respect to the appeal (including the applicant's time to file an appeal brief; and (3) remand the application to the examining attorney for review of the Request for Reconsideration. TMEP §715.04; TBMP §1204.

* Signature _____

* Date Signed _____ (MM/DD/YYYY)

* Signatory's Name _____

Signatory's Position _____

NOTE: Enter the appropriate title. If an individual, enter "Owner." If an attorney, enter "Attorney of record."

the desired action:

The "Validate Form" function allows you to run an automated check to ensure that all mandatory fields have been completed. You will receive an error message if you have not filled in one of the fields that are considered mandatory. For other fields that the USPTO believes are important, but not mandatory, you will receive a "warning" message if the field is left blank. This warning is a courtesy, if non-completion was merely an oversight. If you choose to ignore these messages, you may by-pass that "warning" message and validate the form (however, you cannot by-pass an "error" message). To print the completed Request for Reconsideration, in whole or in part, download and save the validated response, or electronically submit the Request for Reconsideration to the USPTO, click on the Validate Form button.

Privacy Policy Statement

Information collected on this form is provided to the USPTO to administer trademark law. Information is provided to the Trademark Office on the Principal Register, and provides notice of an applicant's intent to use the mark. Responses to the request for information are required to be provided to the Trademark Office on the Principal Register, 15 U.S.C. § 1051 et. seq. and 37 CFR Part 2. Information collected will be made public (including and providing the information will occur on a case-by-case basis), depending if the response is based on an intent to use the mark. Information collected on this form is a request for reconsideration of a trademark application or Supplemental Register. Information collected on this form is needed to complete this form, and/or suggestions for reducing the burden of this form.

U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Please note that the USPTO may use a collection of information using a form that does not display a valid OMB control number.

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