

# NOTE TO THE FILE

SERIAL NUMBER: 76717906  
DATE: 08/31/2015  
NAME: slawrence

## NOTE:

**From:** Lawrence, Sue  
**Sent:** Monday, August 31, 2015 12:02 PM  
**To:** 'John Conway'  
**Subject:** RE: "The Pride" 76/717906

Mr. Conway –

Please note that until you submit a formal response, I cannot completely review a response and provide you with a detailed discussion of the issues. That being said, I will note the following:

- The amended drawing appears to be acceptable
- The amended identification and classification of goods appears to be acceptable
- In order to comply with the requirements for a multiple-class application, you must submit a fee for any additional classes (in this case, I believe you have already paid for two classes and therefore must still pay for one additional class if you include three classes)
- There are no specimens showing use of the mark on the goods in class 29 and 30; there must be a specimen submitted for each class of goods – that is, there must be a specimen which shows the applied-for mark (just at it appears on the drawing page with no part of the mark obscured).
- Please note that the coffee cup holder submitted with the original application does not show the mark as it appears on the new drawing page because it includes a banner below the mark with the word COFFEE on it (which is not in the applied-for mark); nor is it for any goods listed in your amended identification (coffee is not included in the goods listed). Similarly, the picture of the fountain drink cup does not show the applied for mark because the mark includes a banner with the term FOUNTAIN – again, this is not the applied-for mark. And again, it does not show use of the mark on the goods listed in the application (fountain drinks are not listed). Finally, the photo showing the Urban Counter sign – does not show the applied-for mark at all – nor does it show use of the mark on any of the goods. As indicated, there must be a specimen which shows use of the mark on the class 29 and 30 goods. Please refer to the Office Action for further explanation regarding types of specimens.
- You may also note that the original application included an acceptable specimen for class 35.

I hope this helps. If you have specific questions regarding your response or the Office action, you may email me or call me at the number listed below. Please note that in order for me to fully review a response, you must file a formal response.

**Susan K. Lawrence**  
**Susan Kastriner Lawrence**  
**Trademark Examining Attorney**  
**Law Office 116**  
**(571) 272-9186**

*Please note that all e-mail communications will be placed in the official application record.*

**From:** John Conway [mailto:johnconway@shlawfirm.com]  
**Sent:** Thursday, August 13, 2015 11:16 AM  
**To:** Lawrence, Sue  
**Subject:** "The Pride" 76/717906

Ms. Lawrence,

I am writing as a preliminary response to your action letter that is attached hereto. I understand that our email communication is not official. However, I would like to save time and to see if my attached response will satisfy the issues in your letter. I also want to know whether an additional fee will be required with my response. My assumption is that an additional fee for another class will be required. I have attached a drawing page and two additional specimens. I look forward to hearing from you.

John Conway  
Sullivan Hincks & Conway  
120 West 22nd Street  
Suite 100  
Oak Brook, IL 60523  
630-573-5021  
630-573-5130 (fax)

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