

NOTE TO THE FILE

SERIAL NUMBER: 85409833
DATE: 12/31/2012
NAME: mrossman

NOTE:

Searched:

Google
 Lexis/Nexis
 OneLook
 Wikipedia
 Acronym Finder
 Other:

Discussed ID with:

Senior Atty
 Managing Atty
 Protest evidence reviewed

Discussed file with

Attorney/Applicant via:

phone-stated 12/17/12 OA is 30 day deadline, walked atty thru Resp to 12/17/12 OA

email Attorney/Applicant I

OTHER: Copy of email from applicant's attorney, referenced in 12/17/12 Office action.

From: Rick Farrell [mailto:rfarrell@farrell-lawgroup.com]
Sent: Tuesday, May 22, 2012 4:06 PM
To: Rossman, Mary
Cc: Jacqueline Smith
Subject: Wake Up America [mark registration]: Final office action 4-19-12

Mary,

As you know, you and I have had several lengthy discussions relating to the registration of this mark. The following occurred relating to fully addressing the USPTO office actions of 12-22 and 12-23-2011:

*1-17-12: I sent to you a **preliminary proposed response** to both prior OA's prep'd by you.

*1-19-12: We had an extended discussion regarding the content of your OA's, and the content of my preliminary response, in which we reviewed each portion of the OA's, my draft prel. response, issues that you believed related to each aspect of the response, etc.

*1-23-12: I incorporated your comments into a **revised preliminary response** to the OA's of 12-22 and 12-23-11, and forward that revision to you.

*1-27-12: We then had a further lengthy conf. call revw'g the revised preliminary response to the OA's. Agreement was reached in detail as to each and every aspect and element of further revisions to the pending OA's, and you stated your satisfaction with the intended final revisions.

*2-9-12: the revised and final response to both OA's, incorporating in detail each item we had discussed, and each revision you had proposed, was submitted.

*2-15-12: my office followed up to insure that you had rec'd the final OA response incorporating each item we had discussed previously, which revisions incorporated, in detail, all of the requested revisions.

"the applicant neither satisfied nor overcame all requirements and/or refusals previously raised". As noted above, the final responses to OA's incorporated each and every revision you had requested, and addressed, per our discussions, each item that presented any type of "issue" communicated to me by you both within the OA's at the time of our multiple discussions. At the conclusion of our discussion on 1-27 you rep'd that we had addressed each of the issues raised in the OA's, and that you anticipated "no problem" [per my quoted notes] respecting the acceptance of the responses to each of the OA's.

Please let me know the best time for me to contact you to discuss, and hopefully address, this matter at your earliest opportunity.

Rick Farrell, for the applicant.