

Petition To Revive Abandoned Application - Failure To Respond Timely To Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86101919
LAW OFFICE ASSIGNED	LAW OFFICE 104
DATE OF NOTICE OF ABANDONMENT	09/17/2014
PETITION	
PETITION STATEMENT	Applicant has firsthand knowledge that the failure to respond to the Office Action by the specified deadline was unintentional, and requests the USPTO to revive the abandoned application.
RESPONSE TO OFFICE ACTION	
MARK SECTION	
MARK FILE NAME	http://tsdr.uspto.gov/img/86101919/large
LITERAL ELEMENT	DAHLIA
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_701095314-20150526142725954323_.DAHLIA_2d_goods_OAR.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\861\019\86101919\xml11\POA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\861\019\86101919\xml11\POA0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\861\019\86101919\xml11\POA0004.JPG
GOODS AND/OR SERVICES SECTION (014)(current)	
INTERNATIONAL CLASS	014
DESCRIPTION	
Fine and fashion jewelry; Necklaces; pendants; Earrings; Bracelets; Rings; Jewelry sets; Brooches; pins; Cufflinks, Jewelry boxes	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/01/2003
FIRST USE IN COMMERCE DATE	At least as early as 04/01/2003
GOODS AND/OR SERVICES SECTION (014)(proposed)	
INTERNATIONAL CLASS	014
TRACKED TEXT DESCRIPTION	
Fine and fashion jewelry; Necklaces; pendants; Earrings; Bracelets; Rings; Jewelry sets ; Jewelry sets comprised of necklaces, bracelets, rings, earrings ; Brooches; pins ; pins being jewelry ; Cufflinks, Jewelry boxes ; Cufflinks ; Jewelry boxes	
FINAL DESCRIPTION	

Fine and fashion jewelry; Necklaces; pendants; Earrings; Bracelets; Rings; Jewelry sets comprised of necklaces, bracelets, rings, earrings; Brooches; pins being jewelry; Cufflinks; Jewelry boxes

FILING BASIS	Section 1(a)
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FIRST USE ANYWHERE DATE	At least as early as 02/01/2003
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FIRST USE IN COMMERCE DATE	At least as early as 04/01/2003
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GOODS AND/OR SERVICES SECTION (025)(current)

INTERNATIONAL CLASS	025
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DESCRIPTION

Scarves; Wraps; Hats; Headwear, Gloves; Legwarmers; Armwarmers; Ties; Belts; Handbags; Handbag Accessories; Apparel Sets; Tops; Bottoms, Dresses, Sweater, Jeans, Coats, Jackets, Activewear, Shorts; Skirts, Pants; Shapewear, Sleep, Lounge, Robes; Leggings; Socks; Swimsuits; Cover-Ups

FILING BASIS	Section 1(a)
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FIRST USE ANYWHERE DATE	At least as early as 02/01/2003
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FIRST USE IN COMMERCE DATE	At least as early as 04/01/2003
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GOODS AND/OR SERVICES SECTION (025)(proposed)

INTERNATIONAL CLASS	025
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TRACKED TEXT DESCRIPTION

Scarves; Wraps; Hats; Headwear, Gloves; Legwarmers; ~~Armwarmers~~; [Clothing, namely, arm warmers](#); Ties; Belts; ~~Handbags~~; Tops; ~~Handbag Accessories~~; [Bottoms](#); ~~Apparel Sets~~; [Dresses](#); [Sweaters](#); ~~Bottoms, Dresses, Sweater, Jeans, Coats, Jackets, Activewear, Shorts~~; [Jeans](#); [Skirts](#); [Pants](#); ~~Coats~~; ~~Shapewear, Sleep, Lounge, Robes~~; [Jackets](#); [Active wear, namely, sweat pants, sweat shirts, sports bras](#); [Shorts](#); [Skirts](#); [Pants](#); [Shapewear, namely, girdles, bras](#); [Sleep shirts, Sleep pants](#); ~~Robes~~; Leggings; Socks; Swimsuits; Cover-Ups

FINAL DESCRIPTION

Scarves; Wraps; Hats; Headwear, Gloves; Legwarmers; Clothing, namely, arm warmers; Ties; Belts; Tops; Bottoms; Dresses; Sweaters; Jeans; Coats; Jackets; Active wear, namely, sweat pants, sweat shirts, sports bras; Shorts; Skirts; Pants; Shapewear, namely, girdles, bras; Sleep shirts, Sleep pants; Robes; Leggings; Socks; Swimsuits; Cover-Ups

FILING BASIS	Section 1(a)
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FIRST USE ANYWHERE DATE	At least as early as 02/01/2003
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FIRST USE IN COMMERCE DATE	At least as early as 04/01/2003
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GOODS AND/OR SERVICES SECTION (035)(current)

INTERNATIONAL CLASS	035
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DESCRIPTION

Retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Retail and wholesale mail order catalog services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Online retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Promoting goods and services and providing a website featuring links to online retail wholesale stores, retailing and wholesale services through other channels

FILING BASIS	Section 1(a)
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FIRST USE ANYWHERE DATE	At least as early as 02/01/2003
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FIRST USE IN COMMERCE DATE	At least as early as 04/01/2003
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GOODS AND/OR SERVICES SECTION (035)(proposed)

INTERNATIONAL CLASS	035
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TRACKED TEXT DESCRIPTION

Retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Retail and wholesale mail order catalog services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Online retail and wholesale

store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; ~~Promoting goods and services and providing a website featuring links to online retail wholesale stores, retailing and wholesale services through other channels;~~ [Promoting the goods and services of others by providing a website featuring links to online retail wholesale stores, retail and wholesale website services of others](#)

FINAL DESCRIPTION

Retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Retail and wholesale mail order catalog services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Online retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Promoting the goods and services of others by providing a website featuring links to online retail wholesale stores, retail and wholesale website services of others

FILING BASIS

Section 1(a)

FIRST USE ANYWHERE DATE

At least as early as 02/01/2003

FIRST USE IN COMMERCE DATE

At least as early as 04/01/2003

NEW ATTORNEY SECTION

NAME

THOMAS DUNLAP

FIRM NAME

DUNLAP, BENNET & LUDWIG PLLC

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STATE

Virginia

ZIP/POSTAL CODE

20175

COUNTRY

United States

PHONE

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AUTHORIZED EMAIL COMMUNICATION

Yes

CORRESPONDENCE SECTION

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NEW CORRESPONDENCE SECTION

NAME

THOMAS DUNLAP

FIRM NAME

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CITY

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STATE

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ZIP/POSTAL CODE

20175

COUNTRY

United States

PHONE

703.777.7319

EMAIL

ip@dbllawyers.com;ip@dbllawyers.com

AUTHORIZED EMAIL COMMUNICATION

Yes

PAYMENT SECTION

TOTAL AMOUNT	100
TOTAL FEES DUE	100
SIGNATURE SECTION	
PETITION SIGNATURE	/khardley/
SIGNATORY'S NAME	KEISHA HARDLEY
SIGNATORY'S POSITION	ASSOCIATE ATTORNEY DUNLAP BENNETT & LUDWIG (MD BAR)
SIGNATORY'S PHONE NUMBER	703.777.7319
DATE SIGNED	05/26/2015
RESPONSE SIGNATURE	/khardley/
SIGNATORY'S NAME	KEISHA HARDLEY
SIGNATORY'S POSITION	Associate Attorney, Dunlap, Bennett & Ludwig PLLC (MD Bar)
SIGNATORY'S PHONE NUMBER	703.777.7319
DATE SIGNED	05/26/2015
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Tue May 26 17:58:40 EDT 2015
TEAS STAMP	USPTO/POA-XX.XXX.XX.XX-20 150526175840479033-861019 19-530785acaae74fac74ba97 cd99d1ecfc79eaa5bbfb63b8e c94e3b0ae6ac5e8a4-CC-8813 -20150526175530247102

PTO Form 2194 (Rev 9/2005)
OMB No. 0651-0054 (Exp. 10/31/2017)

Petition To Revive Abandoned Application - Failure To Respond Timely To Office Action To the Commissioner for Trademarks:

Application serial no. **86101919** DAHLIA (Stylized and/or with Design, see <http://tsdr.uspto.gov/img/86101919/large>) has been amended as follows:

PETITION

Petition Statement

Applicant has firsthand knowledge that the failure to respond to the Office Action by the specified deadline was unintentional, and requests the USPTO to revive the abandoned application.

RESPONSE TO OFFICE ACTION

EVIDENCE

Original PDF file:

[evi_701095314-20150526142725954323 . DAHLIA 2d_goods OAR.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 014 for Fine and fashion jewelry; Necklaces; pendants; Earrings; Bracelets; Rings; Jewelry sets; Brooches; pins; Cufflinks, Jewelry boxes

Original Filing Basis:

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. The mark was first used at least as early as 02/01/2003 and first used in commerce at least as early as 04/01/2003 , and is now in use in such commerce.

Proposed:

Tracked Text Description: Fine and fashion jewelry; Necklaces; pendants; Earrings; Bracelets; Rings; ~~Jewelry sets; Jewelry sets comprised of necklaces, bracelets, rings, earrings;~~ Brooches; ~~pins; pins being jewelry; Cufflinks; Jewelry boxes;~~ Cufflinks; Jewelry boxes

Class 014 for Fine and fashion jewelry; Necklaces; pendants; Earrings; Bracelets; Rings; Jewelry sets comprised of necklaces, bracelets, rings, earrings; Brooches; pins being jewelry; Cufflinks; Jewelry boxes

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. The mark was first used at least as early as 02/01/2003 and first used in commerce at least as early as 04/01/2003 , and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 025 for Scarves; Wraps; Hats; Headwear, Gloves; Legwarmers; Armwarmers; Ties; Belts; Handbags; Handbag Accessories; Apparel Sets; Tops; Bottoms, Dresses, Sweater, Jeans, Coats, Jackets, Activewear, Shorts; Skirts, Pants; Shapewear, Sleep, Lounge, Robes; Leggings; Socks; Swimsuits; Cover-Ups

Original Filing Basis:

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. The mark was first used at least as early as 02/01/2003 and first used in commerce at least as early as 04/01/2003 , and is now in use in such commerce.

Proposed:

Tracked Text Description: Scarves; Wraps; Hats; Headwear, Gloves; Legwarmers; ~~Armwarmers;~~ Clothing, namely, arm warmers; Ties; Belts; ~~Handbags;~~ Tops; ~~Handbag Accessories;~~ Bottoms; ~~Apparel Sets;~~ Dresses; ~~Sweaters;~~ ~~Bottoms, Dresses, Sweater, Jeans, Coats, Jackets,~~ Activewear, Shorts; ~~Jeans;~~ ~~Skirts, Pants;~~ Coats; ~~Shapewear, Sleep, Lounge, Robes;~~ Jackets; Active wear, namely, sweat pants, sweat shirts, sports bras; ~~Shorts;~~ Skirts; Pants; Shapewear, namely, girdles, bras; Sleep shirts, Sleep pants,; Robes; Leggings; Socks; Swimsuits; Cover-Ups

Class 025 for Scarves; Wraps; Hats; Headwear, Gloves; Legwarmers; Clothing, namely, arm warmers; Ties; Belts; Tops; Bottoms; Dresses; Sweaters; Jeans; Coats; Jackets; Active wear, namely, sweat pants, sweat shirts, sports bras; Shorts; Skirts; Pants; Shapewear, namely, girdles, bras; Sleep shirts, Sleep pants,; Robes; Leggings; Socks; Swimsuits; Cover-Ups

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. The mark was first used at least as early as 02/01/2003 and first used in commerce at least as early as 04/01/2003 , and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Retail and wholesale mail order catalog services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Online retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Promoting goods and services and providing a website featuring links to online retail wholesale stores, retailing and wholesale services through other channels

Original Filing Basis:

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. The mark was first used at least as early as 02/01/2003 and first used in commerce at least as early as 04/01/2003 , and is now in use in such commerce.

Proposed:

Tracked Text Description: Retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Retail and wholesale mail order catalog services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Online retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; ~~Promoting goods and services and providing a website featuring links to online retail wholesale stores, retailing and wholesale services through other channels;~~ Promoting the goods and services of others by providing a website featuring links to online retail wholesale stores, retail and wholesale website services of others

Class 035 for Retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Retail and wholesale mail order catalog services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Online retail and wholesale store services featuring fine and fashion jewelry and jewelry accessories, clothing and accessories; Promoting the goods and services

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