

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86299454
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION	
MARK	http://tsdr.uspto.gov/img/86299454/large
LITERAL ELEMENT	LIVING VIDEO PORTRAITS
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_73394320-20150126171037335437_ . LivingVideoPortraits-ROA.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT16\IMAGEOUT16\862\994\86299454\xml4\ROA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\862\994\86299454\xml4\ROA0003.JPG
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DESCRIPTION OF EVIDENCE FILE	.pdf arguments in response to the 2(d) refusal.
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use video portraits apart from the mark as shown.
NEW ATTORNEY SECTION	
NAME	Antonio Vann
FIRM NAME	Dunlap Bennett & Ludwig PLLC
STREET	211 Church St SE
CITY	Leesburg
STATE	Virginia
ZIP/POSTAL CODE	20175
COUNTRY	United States
PHONE	855.226.9661

AUTHORIZED EMAIL COMMUNICATION	Yes
CORRESPONDENCE SECTION	
ORIGINAL ADDRESS	MOVINGSTORIES 426 BRIGHTON DAM RD BROOKEVILLE Maryland (MD) US 20833-2017
NEW CORRESPONDENCE SECTION	
NAME	Antonio Vann
FIRM NAME	Dunlap Bennett & Ludwig PLLC
STREET	211 Church St SE
CITY	Leesburg
STATE	Virginia
ZIP/POSTAL CODE	20175
COUNTRY	United States
PHONE	855.226.9661
EMAIL	ip@dbllawyers.com
AUTHORIZED EMAIL COMMUNICATION	Yes
SIGNATURE SECTION	
RESPONSE SIGNATURE	/avann/
SIGNATORY'S NAME	Antonio G. Vann
SIGNATORY'S POSITION	Attorney of Record, VA Bar Member
SIGNATORY'S PHONE NUMBER	855.226.9661
DATE SIGNED	01/26/2015
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jan 26 17:24:30 EST 2015
TEAS STAMP	USPTO/ROA-XX.XX.XX.XX-201 50126172430623887-8629945 4-530611cea8241a219fe28a1 42744beae78f16171332a5512 f672302c5e15159b-N/A-N/A- 20150126171037335437

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **86299454** LIVING VIDEO PORTRAITS(Standard Characters, see <http://tsdr.uspto.gov/img/86299454/large>) has been

amended as follows:

EVIDENCE

Evidence in the nature of .pdf arguments in response to the 2(d) refusal. has been attached.

Original PDF file:

[evi_73394320-20150126171037335437_-_LivingVideoPortraits-ROA.pdf](#)

Converted PDF file(s) (6 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

ATTORNEY ADDRESS

Applicant proposes to amend the following:

Proposed:

Antonio Vann of Dunlap Bennett & Ludwig PLLC, having an address of
211 Church St SE Leesburg, Virginia 20175
United States
ip@dbllawyers.com
855.226.9661

CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current:

MOVINGSTORIES
426 BRIGHTON DAM RD
BROOKEVILLE
Maryland (MD)
US
20833-2017

Proposed:

Antonio Vann of Dunlap Bennett & Ludwig PLLC, having an address of
211 Church St SE Leesburg, Virginia 20175
United States
ip@dbllawyers.com
855.226.9661

ADDITIONAL STATEMENTS

Disclaimer

No claim is made to the exclusive right to use video portraits apart from the mark as shown.

SIGNATURE(S)

Response Signature

Signature: /avann/ Date: 01/26/2015

Signatory's Name: Antonio G. Vann

Signatory's Position: Attorney of Record, VA Bar Member

Signatory's Phone Number: 855.226.9661

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed declaration of authorization naming the attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to

withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: Antonio Vann
Dunlap Bennett & Ludwig PLLC
211 Church St SE
Leesburg, Virginia 20175

Serial Number: 86299454

Internet Transmission Date: Mon Jan 26 17:24:30 EST 2015

TEAS Stamp: USPTO/ROA-XX.XX.XX.XX-201501261724306238

87-86299454-530611cea8241a219fe28a142744

beae78f16171332a5512f672302c5e15159b-N/A

-N/A-20150126171037335437

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: MovingStories
Serial No.: 86299454
Trademark Atty: Elizabeth F. Jackson
Word Mark: LIVING VIDEO PORTRAITS

RESPONSE TO SEPTEMBER 15, 2014 OFFICE ACTION

This Response is filed in reply to the Office Action e-mailed on September 15, 2014. The Applicant respectfully submits the following response. Applicant submits that the above-identified trademark application for LIVING VIDEO PORTRAITS is in condition for allowance to publication.

Potential Section 2(d) – Likelihood of Confusion

Applicant submits a preliminary response to the potential section 2(d) refusal; however, Applicant reserves all rights to provide a detailed and more descriptive response if Examining Attorney Elizabeth F. Jackson raises a Section 2(d) refusal in a subsequent Office Action.

<u>APPLICANT'S MARK</u>	<u>CITED REGISTRATION NO. 4232790</u>
<p data-bbox="344 1228 706 1255">LIVING VIDEO PORTRAITS</p> <p data-bbox="256 1291 792 1318">Class 41: Videography and Photography services</p> <p data-bbox="240 1354 490 1381">Applicant's Specimen:</p>  <p>The logo for 'LIVING VIDEO PORTRAITS' features the words 'LIVING VIDEO' stacked above 'PORTRAITS' in a blue, sans-serif font. To the right of the text is a stylized graphic of a camera lens with a green leaf-like shape and a blue arrow pointing towards it.</p>	 <p data-bbox="844 1354 1388 1501">ALWAYS THERE Living Video Diaries</p> <p data-bbox="828 1543 1372 1638">Class 09: Audio and video recordings featuring narration with images and activities of a person in the nature of personal journals</p> <p data-bbox="828 1669 1307 1732">Relevant Details: Disclaimer of "LIVING VIDEO DIARIES"</p>

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