

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86387284
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tsdr.uspto.gov/img/86387284/large
<b>LITERAL ELEMENT</b>	JH CREATIVE
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>COLOR(S) CLAIMED (If applicable)</b>	Color is not claimed as a feature of the mark.
<b>DESCRIPTION OF THE MARK (and Color Location, if applicable)</b>	The mark consists of the letter J with an h coming out of it, the word creative underneath.
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_701095314-20150121095614818348_.JHCreativeResponse.pdf</a>
<b>CONVERTED PDF FILE(S) (6 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0004.JPG</a>
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	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0006.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0007.JPG</a>
<b>DESCRIPTION OF EVIDENCE FILE</b>	a .pdf document detailing responses to each of the grounds for the refusal within the office action dated Dec. 26, 2014.
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>DESCRIPTION</b>	
Providing communication design services, in terms of apparel, print, online and other visual medias	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 01/04/2014
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 01/04/2014
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>TRACKED TEXT DESCRIPTION</b>	

~~Providing communication design services, in terms of apparel, print, online and other visual medias;~~ [Providing graphic design services, namely, graphic designs for apparel, print media, websites, home pages, commercial displays](#)

#### FINAL DESCRIPTION

Providing graphic design services, namely, graphic designs for apparel, print media, websites, home pages, commercial displays

#### FILING BASIS

Section 1(a)

#### FIRST USE ANYWHERE DATE

At least as early as 01/04/2014

#### FIRST USE IN COMMERCE DATE

At least as early as 01/04/2014

#### ADDITIONAL STATEMENTS SECTION

#### DISCLAIMER

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

#### NEW ATTORNEY SECTION

##### NAME

Antonio Vann

##### FIRM NAME

Dunlap Bennett & Ludwig PLLC

##### STREET

211 Church Street, SE

##### CITY

Leesburg

##### STATE

Virginia

##### ZIP/POSTAL CODE

20175

##### COUNTRY

United States

##### PHONE

855.226.9661

##### EMAIL

ip@dbllawyers.com

##### AUTHORIZED EMAIL COMMUNICATION

Yes

#### NEW CORRESPONDENCE SECTION

##### NAME

Antonio Vann

##### FIRM NAME

Dunlap Bennett & Ludwig PLLC

##### STREET

211 Church Street, 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 Vann

##### SIGNATORY'S POSITION

Attorney of Record

##### SIGNATORY'S PHONE NUMBER

855.226.9661

##### DATE SIGNED

01/21/2015

##### AUTHORIZED SIGNATORY

YES

**FILING INFORMATION SECTION**

<b>SUBMIT DATE</b>	Wed Jan 21 10:05:07 EST 2015
<b>TEAS STAMP</b>	USPTO/ROA-XX.XXX.XX.XX-20 150121100507843982-863872 84-5301c18d123751ac2fe595 9a941ec9fcff9bae4a83a0856 7e3ddc7639f714e2d41-N/A-N /A-20150121095614818348

PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 07/31/2017)

**Response to Office Action****To the Commissioner for Trademarks:**

Application serial no. **86387284** JH CREATIVE (Stylized and/or with Design, see <http://tsdr.uspto.gov/img/86387284/large>) has been amended as follows:

**EVIDENCE**

Evidence in the nature of a .pdf document detailing responses to each of the grounds for the refusal within the office action dated Dec. 26, 2014. has been attached.

**Original PDF file:**

[evi\\_701095314-20150121095614818348\\_.JHCreativeResponse.pdf](#)

**Converted PDF file(s)** ( 6 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

**CLASSIFICATION AND LISTING OF GOODS/SERVICES****Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 042 for Providing communication design services, in terms of apparel, print, online and other visual medias

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 01/04/2014 and first used in commerce at least as early as 01/04/2014 , and is now in use in such commerce.

**Proposed:**

**Tracked Text Description:** ~~Providing communication design services, in terms of apparel, print, online and other visual medias;~~ [Providing graphic design services, namely, graphic designs for apparel, print media, websites, home pages, commercial displays](#)

Class 042 for Providing graphic design services, namely, graphic designs for apparel, print media, websites, home pages, commercial displays

**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 01/04/2014 and first used in commerce at least as early as 01/04/2014 , and is now in use in such commerce.

**ATTORNEY ADDRESS**

Applicant proposes to amend the following:

**Proposed:**

Antonio Vann of Dunlap Bennett & Ludwig PLLC, having an address of  
211 Church Street, SE Leesburg, Virginia 20175

United States

[ip@dbllawyers.com](mailto:ip@dbllawyers.com)

855.226.9661

## **CORRESPONDENCE ADDRESS CHANGE**

Applicant proposes to amend the following:

### **Proposed:**

Antonio Vann of Dunlap Bennett & Ludwig PLLC, having an address of  
211 Church Street, 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 creative apart from the mark as shown.

## **SIGNATURE(S)**

### **Response Signature**

Signature: /avann/ Date: 01/21/2015  
Signatory's Name: Antonio Vann  
Signatory's Position: Attorney of Record

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 revocation of or substitute power of 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 Street, SE  
Leesburg, Virginia 20175

Serial Number: 86387284  
Internet Transmission Date: Wed Jan 21 10:05:07 EST 2015  
TEAS Stamp: USPTO/ROA-XX.XXX.XX.XX-20150121100507843  
982-86387284-5301c18d123751ac2fe5959a941  
ec9fcff9bae4a83a08567e3ddc7639f714e2d41-  
N/A-N/A-20150121095614818348

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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<b>Applicant:</b>	Joe Hughes Creative
<b>Serial No.:</b>	86387284
<b>Filed:</b>	December 26, 2014
<b>Trademark Atty:</b>	Kathy Wang
<b>Word Mark:</b>	JH CREATIVE

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**RESPONSE TO DECEMBER 26, 2014 OFFICE ACTION**

This Response is filed in reply to the Office Action e-mailed on December 26, 2014. The Applicant respectfully submits the following response. Applicant submits that the above-identified trademark application for JH CREATIVE is in condition for allowance to publication.

**AMENDMENT OF IDENTIFICATION**

The Examining Attorney has requested an amendment to the identification of the class 042 services.

Applicant amends the identification of the class 042 services to the following:

*Providing graphic design services, namely, graphic designs for apparel, print media, websites, home pages, commercial displays*

**DISCLAIMER**

The Applicant submits the following disclaimer:

**No claim is made to the exclusive right to use “CREATIVE” apart from the mark as shown.**

**POTENTIAL SECTION 2(d) REFUSAL – 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 Kathy Wang raises a Section 2(d) refusal in a subsequent Office Action.

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