

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86387284
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION	
MARK FILE NAME	http://tsdr.uspto.gov/img/86387284/large
LITERAL ELEMENT	JH CREATIVE
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the letter J with an h coming out of it, the word creative underneath.
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_701095314-20150121095614818348_.JHCreativeResponse.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0005.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0006.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\872\86387284\xml4\ROA0007.JPG
DESCRIPTION OF EVIDENCE FILE	a .pdf document detailing responses to each of the grounds for the refusal within the office action dated Dec. 26, 2014.
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	042
DESCRIPTION	
Providing communication design services, in terms of apparel, print, online and other visual medias	
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
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	042
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](#)

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	
SUBMIT DATE	Wed Jan 21 10:05:07 EST 2015
TEAS STAMP	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

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

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

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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