

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86390952
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION	
MARK FILE NAME	http://tsdr.uspto.gov/img/86390952/large
LITERAL ELEMENT	BRIGHTSIDE APARTMENTS
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 a picture of 2 apartment buildings and a house to the left side of the buildings. There are 2 shrubs on a hill above the words "BRIGHTSIDE APARTMENTS".
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_73394320-20150308175518495989_.OAResponse-Brightside.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT16\IMAGEOUT16\863\909\86390952\xml6\ROA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\863\909\86390952\xml6\ROA0003.JPG
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	\\TICRS\EXPORT16\IMAGEOUT16\863\909\86390952\xml6\ROA0007.JPG
DESCRIPTION OF EVIDENCE FILE	a .pdf document containing arguments in response to each refusal raised in the office action dated Dec. 23, 2014.
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use APARTMENTS apart from the mark as shown.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a stylized version of two apartment buildings with a stylized house and two shrubs to the left of the apartment buildings on a hill, above the wording "BRIGHTSIDE" with a horizontal bar to the left of the wording "APARTMENTS" below.
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
EMAIL	ip@dbllawyers.com
AUTHORIZED EMAIL COMMUNICATION	Yes
CORRESPONDENCE SECTION	
ORIGINAL ADDRESS	BRIGHTSIDE APARTMENTS 594 KENMORE AVE APT 3 BUFFALO New York (NY) US 14216-1609
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	03/08/2015
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Sun Mar 08 17:59:11 EDT 2015
TEAS STAMP	USPTO/ROA-XX.XX.XX.XX-201 50308175911021758-8639095 2-53036eb37e159b173df8dce 2f987ec555858f56eb6aa3a8c 3b6746959eb1e98463-N/A-N/ A-20150308175518495989

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **86390952** BRIGHTSIDE APARTMENTS (Stylized and/or with Design, see <http://tsdr.uspto.gov/img/86390952/large>) has been amended as follows:

EVIDENCE

Evidence in the nature of a .pdf document containing arguments in response to each refusal raised in the office action dated Dec. 23. 2014. has been attached.

Original PDF file:

[evi_73394320-20150308175518495989_..OAResponse-Brightside.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:

BRIGHTSIDE APARTMENTS

594 KENMORE AVE APT 3

BUFFALO

New York (NY)

US

14216-1609

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 APARTMENTS apart from the mark as shown.

Description of mark

The mark consists of a stylized version of two apartment buildings with a stylized house and two shrubs to the left of the apartment buildings on a hill, above the wording "BRIGHTSIDE" with a horizontal bar to the left of the wording "APARTMENTS" below.

SIGNATURE(S)

Response Signature

Signature: /avann/ Date: 03/08/2015

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 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 St SE

Leesburg, Virginia 20175

Serial Number: 86390952

Internet Transmission Date: Sun Mar 08 17:59:11 EDT 2015

TEAS Stamp: USPTO/ROA-XX.XX.XX.XX-201503081759110217

58-86390952-53036eb37e159b173df8dce2f987

ec555858f56eb6aa3a8c3b6746959eb1e98463-N

/A-N/A-20150308175518495989

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brightside Apartments
Serial No.: 86390952
Filed: September 10, 2014
Trademark Atty: Shavell McPherson-Rayburn
Word Mark: BRIGHTSIDE APARTMENTS

RESPONSE TO DECEMBER 23, 2014 OFFICE ACTION

This Response is filed in reply to the Office Action e-mailed on December 23, 2014. The Applicant respectfully submits the following response. Applicant submits that the above-identified trademark application for BRIGHTSIDE APARTMENTS is in condition for allowance to publication.

Description Of The Mark Amendment

Applicant requests to adopt the proposed description provided by the Examining attorney, and amend the description of the mark to the following:

The mark consists of a stylized version of two apartment buildings with a stylized house and two shrubs to the left of the apartment buildings on a hill, above the wording "BRIGHTSIDE" with a horizontal bar to the left of the wording "APARTMENTS" below.

Disclaimer Requirement

Applicant adopts the suggested disclaimer, namely:

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

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 Shavell

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