

Response to Office Action

Page 1 of 1

PTO Form (Rev 4/2000)
OMB Control #0651-.... (Exp. 04/30/2006)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. 76591389 is amended as follows:

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 028 for GAMES AND PLAYTHINGS, NAMELY, BOARD GAMES, CARD GAMES, DART GAMES, PADDLE BALL GAMES, PINBALL GAMES, DOLLS, SCIENCE GAMES; GYMNASTIC AND SPORTING GOODS, NAMELY, TENNIS RACKETS, BASEBALL BATS, SKIS, PLAYING BALLS FOR BASEBALL, FOOTBALL, SOCCER, BILLIARDS; BASEBALL GLOVES, SURF BOARDS; ELECTRONIC GAMES

Original Filing Basis: 1(b).

Proposed: Class 028 for GAMES AND PLAYTHINGS, NAMELY, BOARD GAMES, CARD GAMES, ELECTRONIC AND NON-ELECTRONIC DART GAMES, PADDLE BALL GAMES, PINBALL GAMES, DOLLS; SCIENCE GAMES FEATURING EXPERIMENTS TO BE PERFORMED BY CHILDREN ELECTRONICALLY AND NON-ELECTRONICALLY; GYMNASTIC AND SPORTING GOODS, NAMELY, TENNIS RACKETS, BASEBALL BATS, SKIS, PLAYING BALLS FOR BASEBALL, FOOTBALL, AND SOCCER; BALLS FOR BILLIARDS; BASEBALL GLOVES, SURF BOARDS; ELECTRONIC ACTION GAMES AND HAND-HELD UNITS FOR PLAYING ELECTRONIC GAMES

Additional Statements

The mark is presented in standard characters without claim to any particular font style, size, or color.

Response Signature

Signature: /Laurence R. Hefter/ Date: 06/03/2005

Signatory's Name: Laurence R. Hefter

Signatory's Position: Attorney

[Go Back](#)

02/09/05 16:49 FAX 5712730033

PTO LAW OFFICE 102

046

TRADEMARK APPLICATION NO. 76591389 - GOOWARE - N/A

Page 1 of 3

To: SILVERS, STEVEN A. (gewruc@hotmail.com)
 Subject: TRADEMARK APPLICATION NO. 76591389 - GOOWARE - N/A
 Sent: 12/8/04 2:32:47 PM
 Sent As: ECOM102@USPTO.GOV
 Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/591389

APPLICANT: SILVERS, STEVEN A.

CORRESPONDENT ADDRESS:
 Steven A. Silvers
 Silvers Entertainment Group, Inc.
 8983 Okeechobee Blvd. Ste. 202, PMB 203
 West Palm Beach FL 33411



RETURN ADDRESS:
 Commissioner for Trademarks
 P.O. Box 1451
 Alexandria, VA 22313-1451

MARK: GOOWARE

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:
gewruc@hotmail.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 76/591389

The assigned trademark examining attorney has reviewed the referenced application and has determined the following.

Search Results

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

However, the applicant must address the following issues:

Standard Character Claim

02/09/05 16:49 FAX 5712730023

PTO LAW OFFICE 102

047

TRADEMARK APPLICATION NO. 76591389 - GOOWARE - N/A

Page 2 of 3

Applicant must submit the following standard character claim: "The mark is presented in standard characters without claim to any particular font style, size, or color." 37 C.F.R. §2.52(a).

Claim of Prior Registrations

The applicant's claim of ownership of prior registrations (listed by serial number in the application) cannot be printed on any registration which may issue from this application because the registrations are either unrelated to this application or have been abandoned. TMEP §812.

Identification of Goods

The wording "dart games" in the identification of goods needs clarification. Applicant may change this wording to "electronic dart games", "non-electronic dart games", if accurate. TMEP §1402.01.

The wording "science games" in the identification of goods needs clarification. The applicant must be more specific about this item. Applicant may change this wording to "science games featuring tabletop science experiments for children", if accurate. TMEP §1402.01.

The wording "electronic games" in the identification of goods needs clarification and could be overly broad as it might include goods in several International Classes. Applicant may change this wording to "electronic game programs", in International Class 9; "hand held unit for playing electronic games", in International Class 28, if accurate. TMEP §1402.01.

The wording "billiards" in the identification of goods needs clarification and could be overly broad as it might include goods in several International Classes. Applicant may change this wording to "billiard cloth", in International Class 24; "billiard balls", in International Class 28, if accurate. TMEP §1402.01.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods or services that are not within the scope of the goods and services recited in the present identification.

For assistance with identifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identification of Goods and Services* at <http://www.uspto.gov/web/offices/tac/doc/gsmannual>

Possible Additional Fees Required

If applicant prosecutes this application as a combined, or multiple-class application, then applicant must comply with each of the following for those goods and/or services based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) Applicant must list the goods and/or services by international class with the classes listed in ascending numerical order. TMEP § 1403.01; and

Applicant must submit a filing fee for each international class of goods and/or services not covered by the fee already paid. 37 C.F.R. §2.86(a)(2); TMEP §§810.01 and 1403.01.

NOTICE: TRADEMARK OPERATION RELOCATION

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark

02/09/05 18:50 FAX 5712730000

PTO LAW OFFICE 102

048

TRADEMARK APPLICATION NO. 76591389 - GOOWARE - N/A

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documents) must be sent to:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Ernest Shosho/
Trademark Attorney
Law Office 102
571-272-9705

How to respond to this Office Action:

You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://eteas.uspto.gov/V2.0/oa242/WIZARD.htm> and follow the instructions therein, but you must wait until at least 72 hours after receipt if the office action issued via e-mail). PLEASE NOTE: Responses to Office Actions on applications filed under the Madrid Protocol (Section 66(a)) CANNOT currently be filed via TEAS.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

Elizabeth Buckley - Received your Response to Office Action Form for 76591388

From: <TEAS@uspto.gov>
To: <docketing@finnegan.com>
Date: 6/3/2005 9:27 AM
Subject: Received your Response to Office Action Form for 76591388

We have received your Response to Office Action Form below.
Application serial no. **76591388** has been amended as follows:

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 032 for MINERAL AND AERATED WATER, FRUIT DRINKS AND FRUIT JUICES, SYRUPS FOR MAKING BEVERAGES

Original Filing Basis: 1(b).

Proposed: Class 032 for MINERAL AND AERATED WATER, FRUIT DRINKS AND FRUIT JUICES

Additional Statements

The mark is presented in standard characters without claim to any particular font style, size, or color.

Declaration Signature

Signature: // Date: 06/03/2005
Signatory's Name: //
Signatory's Position: //

Response Signature

Signature: /Laurence R. Hefter/ Date: 06/03/2005
Signatory's Name: Laurence R. Hefter
Signatory's Position: Attorney

=====TEAS XML RESPONSE=====

76591388

<http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=76591388>

Response to Office Action

Page 1 of 2

PTO Form 1966 (Rev 9/2002)
OMB Control #0651-0050 (Exp. 04/30/2006)**Response to Office Action**

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	76591388
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	032
DESCRIPTION	
MINERAL AND AERATED WATER, FRUIT DRINKS AND FRUIT JUICES, SYRUPS FOR MAKING BEVERAGES	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	032
DESCRIPTION	MINERAL AND AERATED WATER, FRUIT DRINKS AND FRUIT JUICES
FILING BASIS	Section 1(b)
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	The mark is presented in standard characters without claim to any particular font style, size, or color.
SIGNATURE SECTION	
SIGNATURE	//
SIGNATORY NAME	//
SIGNATORY POSITION	//
SIGNATORY DATE	06/03/2005
SIGNATURE	/Laurence R. Hefter/
SIGNATORY NAME	Laurence R. Hefter
SIGNATORY POSITION	Attorney
SIGNATORY DATE	06/03/2005

Response to Office Action

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02/09/05 16:32 FAX 5712730033

PTO LAW OFFICE 102

002

TRADEMARK APPLICATION NO. 76591388 - GOOBERRY - N/A

Page 1 of 3

To: SILVERS, STEVEN A. (gewruc@hotmail.com)
Subject: TRADEMARK APPLICATION NO. 76591388 - GOOBERRY - N/A
Sent: 12/8/04 2:32:29 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/591388

APPLICANT: SILVERS, STEVEN A.

CORRESPONDENT ADDRESS:
 Steven A. Silvers
 Silvers Entertainment Group, Inc.
 8983 Okeechobee Blvd. Ste. 202, PMB 203
 West Palm Beach FL 33411



RETURN ADDRESS:
 Commissioner for Trademarks
 P.O. Box 1451
 Alexandria, VA 22313-1451

MARK: GOOBERRY

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:
gewruc@hotmail.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 76/591388

The assigned trademark examining attorney has reviewed the referenced application and has determined the following.

Search Results

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

However, the applicant must address the following issues:

Standard Character Claim

02/09/05 16:32 FAX 5712730033

PTO LAW OFFICE 102

003

TRADEMARK APPLICATION NO. 76591388 - GOOBERRY - N/A

Page 2 of 3

Applicant must submit the following standard character claim: "The mark is presented in standard characters without claim to any particular font style, size, or color." 37 C.F.R. §2.52(a).

Claim of Prior Registrations

The applicant's claim of ownership of prior registrations (listed by serial number in the application) cannot be printed on any registration which may issue from this application because the registrations are either unrelated to this application or have been abandoned. TMEP §812.

Identification of Goods

The wording "syrups for making beverages" in the identification of goods needs clarification. Applicant may change this wording to "syrups for making beverages, namely, [indicate specific type of beverage, e.g., fruit drinks]", if accurate. TMEP §1402.01.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods or services that are not within the scope of the goods and services recited in the present identification.

For assistance with identifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identification of Goods and Services* at <http://www.uspto.gov/web/offices/tac/doc/gsmannual>

NOTICE: TRADEMARK OPERATION RELOCATION

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Ernest Shoshof/
Trademark Attorney
Law Office 102
571-272-9705

How to respond to this Office Action:

You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://etcas.uspto.gov/v2.0/oa242/WIZARD.htm> and follow the instructions therein, but you must wait until at least 72 hours after receipt if the office action issued via e-mail). PLEASE NOTE: Responses to Office Actions on applications filed under the Madrid Protocol (Section 66(a)) CANNOT currently be filed via TEAS.

02/09/05 16:33 FAX 5712730033

PTO LAW OFFICE 102

004

TRADEMARK APPLICATION NO. 76591388 - GOOBERRY - N/A

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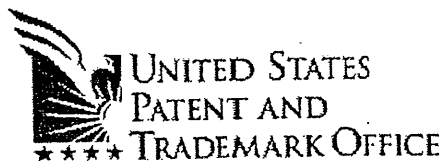
To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

Document Description: Notice of Publication
Mail / Create Date: 09-Mar-2005



Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Mar 9, 2005

NOTICE OF PUBLICATION UNDER 12(a)

- | | |
|--------------------------------------|--|
| 1. Serial No.:
76/591,387 | 2. Mark:
GOOGEAR
Standard Character Mark |
| 3. International Class(es):
25 | |
| 4. Publication Date:
Mar 29, 2005 | 5. Applicant:
SILVERS, STEVEN A. |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: (202) 512-1800

By direction of the Commissioner.

Correspondence Address:

Steven A. Silvers
Silvers Entertainment Group, Inc.
8983 Okeechobee Blvd. Ste. 202, PMB 203
West Palm Beach FL 33411

TMP&I

This document may be displayed as a PDF file containing images without text. You may view online or save the entire document using the file download icon to the upper right. [\[required PDF viewer\]](#) [FAQ: Are you seeing only the first page of this PDF document?](#)

If you need help:

- *Call the Trademark Assistance Center at 571.272.9250 for help on trademark matters.*
- *Send questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you have technical difficulties or problems with this application, please e-mail them to [Electronic Business Support Electronic Applications](#) or call 1 800-786-9199.*

Response to Office Action

Page 1 of 3

Elizabeth Buckley - Received your Response to Office Action Form for 76591385

From: <TEAS@uspto.gov>
To: <docketing@finnegan.com>
Date: 6/3/2005 9:41 AM
Subject: Received your Response to Office Action Form for 76591385

We have received your Response to Office Action Form below.
Application serial no. **76591385** has been amended as follows:

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 016 for PRINTED MATERIAL, BOOKS, GAMES, TOYS, WEB PAGES

Original Filing Basis: 1(b).

Proposed: Class 016 for PRINTED MATERIAL, NAMELY, BOOKS, MAGAZINES, NEWSPAPERS, PAMPHLETS, AND TEACHING MATERIAL IN THE FIELDS OF MATH, GEOGRAPHY, SPELLING, AND READING; TOYS, NAMELY STUFFED TOYS, ACTION FIGURES, TOYS OPERATED ELECTRONICALLY AND MECHANICALLY; CREATION AND PROVISION OF WEB PAGES DIRECTED TO CHILDREN AND PARENTS

Additional Statements

The mark is presented in standard characters without claim to any particular font style, size, or color.

Response Signature

Signature: /Laurence R. Hefter/ Date: 06/03/2005

Signatory's Name: Laurence R. Hefter

Signatory's Position: Attorney

=====TEAS XML RESPONSE=====

76591385

<http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=76591385>

Response to Office Action

Page 1 of 1

PTO Form (Rev 4/2000)
OMB Control #0651-.... (Exp. 04/30/2006)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. 76591385 is amended as follows:

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 016 for PRINTED MATERIAL, BOOKS, GAMES, TOYS, WEB PAGES

Original Filing Basis: 1(b).

Proposed: Class 016 for PRINTED MATERIAL, NAMELY, BOOKS, MAGAZINES, NEWSPAPERS, PAMPHLETS, AND TEACHING MATERIAL IN THE FIELDS OF MATH, GEOGRAPHY, SPELLING, AND READING; TOYS, NAMELY STUFFED TOYS, ACTION FIGURES, TOYS OPERATED ELECTRONICALLY AND MECHANICALLY; CREATION AND PROVISION OF WEB PAGES DIRECTED TO CHILDREN AND PARENTS

Additional Statements

The mark is presented in standard characters without claim to any particular font style, size, or color.

Response Signature

Signature: /Laurence R. Hefter/ Date: 06/03/2005

Signatory's Name: Laurence R. Hefter

Signatory's Position: Attorney

[Go Back](#)

02/09/05 16:46 FAX 5712730033

PTO LAW OFFICE 102

040

TRADEMARK APPLICATION NO. 76591385 - GOOTAINMENT - N/A

Page 1 of 3

To: SILVERS, STEVEN A. (gewrue@hotmail.com)
Subject: TRADEMARK APPLICATION NO. 76591385 - GOOTAINMENT - N/A
Sent: 12/8/04 2:31:07 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/591385

APPLICANT: SILVERS, STEVEN A.

CORRESPONDENT ADDRESS:

Steven A. Silvers
Silvers Entertainment Group, Inc.
8983 Okecchobee Blvd. Ste. 202, PMB 203
West Palm Beach FL 33411



RETURN ADDRESS:
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: GOOTAINMENT

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:

gewrue@hotmail.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 76/591385

The assigned trademark examining attorney has reviewed the referenced application and has determined the following.

Search Results

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

However, the applicant must address the following issues:

Standard Character Claim

02/09/05 16:47 FAX 5712730033

PTO LAW OFFICE 102

041

TRADEMARK APPLICATION NO. 76591385 - GOOTAINMENT - N/A

Page 2 of 3

Applicant must submit the following standard character claim: "The mark is presented in standard characters without claim to any particular font style, size, or color." 37 C.F.R. §2.52(a).

Claim of Prior Registrations

The applicant's claim of ownership of prior registrations (listed by serial number in the application) cannot be printed on any registration which may issue from this application because the registrations are either unrelated to this application or have been abandoned. TMEP §812.

Identification and Classification of Goods

The wording "printed material" in the identification of goods needs clarification because the applicant must state the names of the goods using their common commercial names. Applicant may change this wording to "Printed teaching activity guides [indicate specific area of use or subject matter]," in International Class 16, if accurate. TMEP §1402.01.

The wording "books" in the identification of goods needs clarification because the applicant must state the subject matter of the books. Applicant may change this wording to "books, namely, science textbooks," in International Class 16, if accurate. TMEP §1402.01.

The wording "toys" in the identification of goods needs clarification because the applicant must state the names of the goods using their common commercial names. The phrase is also overly broad as it includes goods in several International Classes. Applicant may change this wording to "toys, namely, stuffed toys," in International Class 28, "toys, namely, video game cartridges", in International Class 9, if accurate. TMEP §1402.01.

The wording "web pages" in the identification of goods is unacceptable as indefinite, the applicant must be more specific about this item. The applicant may amend this wording to "Creation and provision of web pages to and for third parties", in International Class 42, "Design of web pages", in International Class 42, if accurate. TMEP §1402.01.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods or services that are not within the scope of the goods and services recited in the present identification.

For assistance with identifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identification of Goods and Services* at <http://www.uspto.gov/web/offices/lac/doc/gsmmanual>

Possible Additional Fees Required

If applicant prosecutes this application as a combined, or multiple-class application, then applicant must comply with each of the following for those goods and/or services based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) Applicant must list the goods and/or services by international class with the classes listed in ascending numerical order. TMEP § 1403.01; and

Applicant must submit a filing fee for each international class of goods and/or services not covered by the fee already paid. 37 C.F.R. §2.86(a)(2); TMEP §§810.01 and 1403.01.

NOTICE: TRADEMARK OPERATION RELOCATION

02/08/05 16:47 FAX 5712730033

PTO LAW OFFICE 102

042

TRADEMARK APPLICATION NO. 76591385 - GOOTAINMENT - N/A

Page 3 of 3

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Ernest Shosho/
Trademark Attorney
Law Office 102
571-272-9705

How to respond to this Office Action:

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For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

Response to Office Action

Page 1 of

Elizabeth Buckley - Received your Response to Office Action Form for 76591384

From: <TEAS@uspto.gov>
To: <docketing@finnegan.com>
Date: 6/7/2005 4:52 PM
Subject: Received your Response to Office Action Form for 76591384

We have received your Response to Office Action Form below.
Application serial no. **76591384** has been amended as follows:

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 016 for ALL PRINTED MATTER NAMELY, PAPER, CARDBOARD AND GOODS MADE FOR THESE MATERIALS, NAMELY, PRINTED MATTER IN THE NATURE OF BOOKS, AND MAGAZINES IN THE FIELD OF COMICS; PICTURE CARDS; STATIONERY; ARTISTS' MATERIALS, NAMELY, PENS, PENCILS, PASTELS, PALLETS, PAINT BRUSHES; TYPEWRITERS AND OFFICE SUPPLIES; STICKERS; PRINTED INSTRUCTIONAL AND TEACHING MATERIAL FOR USE IN TEACHING AND ENTERTAINMENT; GEOGRAPHICAL MAPS, DRAWING BOARDS; PLAYING CARDS; CHILDREN'S AND ADOLESCENTS' MAGAZINES, BOOKS, AND PAMPHLETS; WEB PAGES

Original Filing Basis: 1(b).

Proposed: Class 016 for GOODS MADE FROM PAPER AND CARDBOARD, NAMELY, PRINTED MATTER IN THE NATURE OF BOOKS AND MAGAZINES FOR CHILDREN; PICTURE CARDS, STATIONERY, ARTISTS' MATERIALS, NAMELY, PENS, PENCILS, PASTELS, AND PAINT BRUSHES; STICKERS, PRINTED INSTRUCTIONAL AND TEACHING MATERIAL IN THE FIELDS OF MATH, GEOGRAPHY, SPELLING, READING AND ENTERTAINMENT; GEOGRAPHICAL MAPS, CHILDREN'S AND ADOLESCENTS' MAGAZINES, BOOKS, AND PAMPHLETS

Response Signature

Signature: /Laurence R. Hefter/ Date: 06/07/2005

Signatory's Name: Laurence R. Hefter

Signatory's Position: Attorney

=====TEAS XML RESPONSE=====

76591384

GOOSICAL

Response to Office Action

Page 1 of

PTO Form (Rev 4/2000)
OMB Control #0651-.... (Exp. 04/30/2006)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. 76591384 is amended as follows:

Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 016 for ALL PRINTED MATTER NAMELY, PAPER, CARDBOARD AND GOODS MADE FOR THESE MATERIALS, NAMELY, PRINTED MATTER IN THE NATURE OF BOOKS, AND MAGAZINES IN THE FIELD OF COMICS; PICTURE CARDS; STATIONERY; ARTISTS' MATERIALS, NAMELY, PENS, PENCILS, PASTELS, PALLETS, PAINT BRUSHES; TYPEWRITERS AND OFFICE SUPPLIES; STICKERS; PRINTED INSTRUCTIONAL AND TEACHING MATERIAL FOR USE IN TEACHING AND ENTERTAINMENT; GEOGRAPHICAL MAPS, DRAWING BOARDS; PLAYING CARDS; CHILDREN'S AND ADOLESCENTS' MAGAZINES, BOOKS, AND PAMPHLETS; WEB PAGES

Original Filing Basis: 1(b).

Proposed: Class 016 for GOODS MADE FROM PAPER AND CARDBOARD, NAMELY, PRINTED MATTER IN THE NATURE OF BOOKS AND MAGAZINES FOR CHILDREN; PICTURE CARDS, STATIONERY, ARTISTS' MATERIALS, NAMELY, PENS, PENCILS, PASTELS, AND PAINT BRUSHES; STICKERS, PRINTED INSTRUCTIONAL AND TEACHING MATERIAL IN THE FIELDS OF MATH, GEOGRAPHY, SPELLING, READING AND ENTERTAINMENT; GEOGRAPHICAL MAPS, CHILDREN'S AND ADOLESCENTS' MAGAZINES, BOOKS, AND PAMPHLETS

Response Signature

Signature: /Laurence R. Hefter/ Date: 06/07/2005

Signatory's Name: Laurence R. Hefter

Signatory's Position: Attorney

[Go Back](#)

TRADEMARK APPLICATION NO. 76591384 - GOOSICAL - N/A

Page 1 of

Document Description: **Offc Action Outgoing**
Mail / Create Date: 06-Feb-2005

To: SILVERS, STEVEN A. (gewrue@hotmail.com)
Subject: TRADEMARK APPLICATION NO. 76591384 - GOOSICAL - N/A
Sent: 2/6/05 3:05:20 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/591384

APPLICANT: SILVERS, STEVEN A.

76591384

CORRESPONDENT ADDRESS:
Steven A. Silvers
Silvers Entertainment Group, Inc.
8983 Okeechobee Blvd. Ste. 202, PMB 203
West Palm Beach FL 33411

RETURN ADDRESS:
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: GOOSICAL

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:
gewrue@hotmail.com

- Please provide in all correspondence:
1. Filing date, serial number, mark and applicant's name.
 2. Date of this Office Action.
 3. Examining Attorney's name and Law Office number.
 4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 76/591384

This letter is in response to applicant's communication filed on 1/12/05

Applicant's amendment of the mark from GOOSICAL (S) to GOOSICAL to accepted and entered into the record.

Applicant's standard character claim is accepted and entered into the record.

However, the applicant has not addressed the identification of goods issues raised in the initial Office Action. This issue is continued and made FINAL.

Identification of Goods

The examining attorney required the applicant to amend the identification of goods in the application because the identification was indefinite, misclassified, and overly broad as it could be classified in several International Classes. The applicant has not responded to the identification of goods issues raised in the initial Office Action. The arguments in that Office Action are repeated below:

Identification and Classification of Goods

The wording "All printed matter, namely, paper, cardboard and goods made for these materials, namely" in the identification of goods is confusing and awkwardly worded. It is unclear if the applicant provides "paper" and "cardboard" as goods. The applicant should rewrite this initial phrase and make it clear regarding the goods provided by the applicant.

The wording "office supplies" in the identification of goods is unacceptable as indefinite because the applicant must state the supplies by their common commercial names. The applicant may amend this wording to "office supplies, namely, staplers", in International Class 16, if accurate. TMEP §1402.01.

The wording "printed instructional and teaching material for use in teaching and entertainment" in the identification of goods is unacceptable as indefinite because the applicant must state an area of use for the materials. The applicant may amend this wording to "Printed instructional and teaching materials for use in the field of [insert field of use, i.e. math] for use in teaching and entertainment", in International Class 16, if accurate. TMEP §1402.01.

The wording "web pages" in the identification of goods is unacceptable as indefinite, the applicant must be more specific about this item. The applicant may amend this wording to "Creation and provision of web pages to and for third parties", in International Class 42, "Design of web pages", in International Class 42, if accurate. TMEP §1402.01.

The applicant has classified the goods listed as "playing cards" incorrectly. The applicant must amend the application to classify the goods in International Class 028. 37 C.F.R. §§2.32(a)(7) and 2.85; TMEP §§1401.02(a) and 1401.03(b).

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods or services that are not within the scope of the goods and services recited in the present identification.

For assistance with identifying goods and/or services in trademark applications, please see the online searchable Manual of Acceptable Identification of Goods and Services at <http://www.uspto.gov/web/offices/tac/doc/gsmmanual>

Possible Additional Fees Required

If applicant prosecutes this application as a combined, or multiple-class application, then applicant must comply with each of the following for those goods and/or services based on an intent to use the mark in commerce under Trademark Act Section 1(b):

(1) Applicant must list the goods and/or services by international class with the classes listed in ascending numerical order. TMEP § 1403.01; and

Applicant must submit a filing fee for each international class of goods and/or services not covered by the fee already paid. 37 C.F.R. §2.86(a)(2); TMEP §§810.01 and 1403.01.

Proper Response to a Final Action

If applicant fails to respond to this final action within six months of the mailing date, the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond to this final action by:

- (1) submitting a response that fully satisfies all outstanding requirements, if feasible (37 C.F.R. §2.64(a)); and/or
- (2) filing an appeal to the Trademark Trial and Appeal Board, with an appeal fee of \$100 per class (37 C.F.R. §§2.6(a)(18) and 2.64(a); TMEP §§715.01 and 1501 *et seq.*; TBMP Chapter 1200).

In certain circumstances, a petition to the Director may be filed to review a final action that is limited to procedural issues, pursuant to 37 C.F.R. §2.63(b)(2). 37 C.F.R. §2.64(a). See 37 C.F.R. §2.146(b), TMEP §1704, and TBMP Chapter 1201.05 for an explanation of petitionable matter. The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

NOTICE: FEE CHANGE

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

- (1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS); or
- (2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

NOTICE: TRADEMARK OPERATION RELOCATION

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Ernest Shosho/

TRADEMARK APPLICATION NO. 76591384 - GOOSICAL - N/A

Page 4 of 4

Trademark Attorney
Law Office 102
571-272-9705

HOW TO RESPOND TO THIS OFFICE ACTION:

- **ONLINE RESPONSE:** You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://www.uspto.gov/teas/index.htm> and follow the instructions, but if the Office Action issued via email you must wait 72 hours after receipt of the Office Action to respond via TEAS).
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above and include the serial number, law office number and examining attorney's name in your response.

STATUS OF APPLICATION: To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

VIEW APPLICATION DOCUMENTS ONLINE: Documents in the electronic file for pending applications viewed and downloaded online at <http://portal.uspto.gov/external/tow>.

GENERAL TRADEMARK INFORMATION: For general information about trademarks, please visit the Office website at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.

This document may be displayed as a PDF file containing images without text. You may view online or save the entire document using the file download icon to the upper right. [required PDF viewer] [FAQ: Are you seeing only the first page of this PDF document?](#)

If you need help:

- *Call the Trademark Assistance Center at 571.272.9250 for help on trademark matters.*
- *Send questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you have technical difficulties or problems with this application, please e-mail them to [Electronic Business Support Electronic Applications](#) or call 1 800-786-9199.*

JUN-16-2005 15:21 FROM:

TO: Finnegan Henderson P.2/2

SMART & BIGGAR

Intellectual Property & Technology Law

P.O. Box 2999, Station D
900 - 55 Metcalfe Street
Ottawa, Ontario Canada K1P 5Y6
Tel. (613) 232-2486 Fax (613) 232-8441
www.smart-biggarr.ca

A. Dennis Armstrong
adamstrong@smart-biggarr.ca

Our Ref: 66822-833

BY FACSIMILE
June 16, 2005

Mr. Laurence R. Hefter
Finnegan, Henderson, Farabow,
Garrett & Dunner L.L.P.
901 New York Avenue, NW
Washington, D.C.
20001-4413, U.S.A.

Dear Larry:

Re: Canadian Trade-mark Application
No.: 1236566
Trade-mark: GOOSICAL
Present Owner: Silvers, Steven A.
Your Ref: 09519.002-00131

Further to our telephone conversation of June 16, 2005, we have today proceeded with the preparatory and filing of a revised application in response to the outstanding Office action. In the revised application we have amended the specification of wares in accordance with your instructions.

We will keep you informed of developments.

Two copies of our response will follow with the original of this letter together with our debit note.

Yours very truly,

SMART & BIGGAR



A. Dennis Armstrong

JUN-15-2005 15:33 FROM:

TO: Finnegan Henderson P.2/3

SMART & BIGGAR

Intellectual Property & Technology Law

P.O. Box 2999, Station D
900 - 55 Metcalfe Street
Ottawa, Ontario Canada K1P 5Y6
Tel. (613) 232-2486 Fax (613) 232-844
www.smart-biggarr.ca

A. Dennis Armstrong
adamstrong@smart-biggarr.ca

Our Ref: 66822-833

BY FACSIMILE ONLY
June 15, 2005

Mr. Laurence R. Hefter
Finnegan, Henderson, Farabow,
Garrett & Dunner L.L.P.
901 New York Avenue, NW
Washington, D.C.
20001-4413, U.S.A.

Dear Laurence:

Re: Canadian Trade-mark Application
No.: 1,236,566
Trade-mark: GOOSICAL
Present Owner: Silvers, Steven A.
Your Ref: 09519.002-00131

Thank you for your facsimile message of June 14, 2005.

We have reviewed the proposed amendment to the description of the goods. In this respect the Trade-marks Office will not accept a description such as "printed instructional and teaching materials in the fields of math, geography, spelling, reading and entertainment". The Trade-marks Office will require that these materials be specifically listed. Would you please provide us with your further comments with respect to these items.

JUN-15-2005 15:34 FROM:

TO: Finnesan Henderson P.3/3

Our Ref: 66822-833

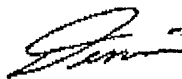
2

SMART & BIGGAR

We look forward to hearing from you in this matter well before the due date.

Yours very truly,

SMART & BIGGAR



A. Dennis Armstrong

ADA:dsk



FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

901 New York Avenue, NW ▪ Washington, DC 20001-4413 ▪ 202.408.4000 ▪ Fax 202.408.4400
www.finnegan.com

LAURENCE R. HEFTER
202.408.4053
larry.hefter@finnegan.com

June 14, 2005

Mr. A. Dennis Armstrong
Smart & Biggar
P.O. Box 2999, Station D
55 Metcalfe Street, Suite 900
Ottawa, Canada K1P 5Y6

VIA FACSIMILE

Canadian Trademark/Service Mark Application No. 1,236,566
Mark: GOOSICAL (in block letters)
Applicant: Steven A. Silvers
Your Reference: 66822-833
Our Reference: 09519.0022-00131

Dear Dennis:

Thank you for your letter of March 21, 2005, reporting on the Official Action which issued in this matter and your subsequent reminders that a response is due no later than July 3, 2005.

In accordance with the Examiner's request, we propose amending the definition of goods in the application to read as follows:

goods made from paper and cardboard, namely, printed matter in the nature of books and magazines in the field of comics; picture cards; greeting cards; writing paper and envelopes; artists' materials, namely, pens, pencils, pastels, pallets, paint brushes; stickers; playing cards; trading cards; printed instructional and teaching material in the fields of math, geography, spelling, reading and entertainment; geographical maps; drawing boards; children's and adolescents' magazines, books, and pamphlets.

We request that you revise the application accordingly and file the response to the Official Action before the deadline of **July 3, 2005**. If you have any questions or comments, please do not hesitate to contact us.

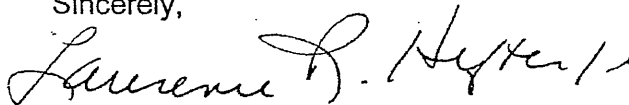
Mr. A. Dennis Armstrong
Page 2

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

Please acknowledge receipt of these instructions by return facsimile.

With best regards,

Sincerely,



Laurence R. Hefter

LRH/eab
914883_1.DOC

9519.0022-131

LRH/WXK/EAB

SMART & BIGGAR

Intellectual Property & Technology Law

P.O. Box 2999, Station D
900 - 55 Metcalfe Street
Ottawa, Ontario Canada K1P 5Y6
Tel. (613) 232-2486 Fax (613) 232-8440
www.smart-biggarr.ca

A. Dennis Armstrong
adamstrong@smart-biggarr.ca

Our Ref: 66822-833

March 10, 2005

Mr. Lawrence R. Hefter
Finnegan, Henderson, Farabow,
Garrett & Dunner L.L.P.
901 New York Avenue, NW
Washington, D.C.
20001-4413, U.S.A.

RECEIVED

MAR 15 2005

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.

Dear Larry:

Re: Canadian Trade-mark Application
No.: 1,236,566
Trade-mark: GOOSICAL
Present Owner: Steven A. Silvers
Your Ref: 09519-002-00131

We attach hereto the first Official Action in this matter dated March 3, 2005 to which a response is due within four months of the date thereof.

The Examiner has called for the filing of a revised application wherein the wares identified as "stationery; office supplies; printed instructional and teaching materials for use in teaching and entertainment; web pages" have been specifically defined in ordinary commercial terms. Would you please let us have your comments with respect to the specific wares which are meant to be covered by these designations.

We look forward to hearing from you in this matter well before the due date.

Yours very truly,

SMART & BIGGAR



A. Dennis Armstrong

ADA:bgw
Encl.

rec'd due 7-3-05

Re'to 3-15-05 pmd

OPIC
OFFICE DE LA PROPRIÉTÉ
INTELLECTUELLE DU CANADA
MARQUES DE COMMERCE



CIPO
CANADIAN INTELLECTUAL
PROPERTY OFFICE
TRADE-MARKS

RECEIVED
Ottawa Hull K1A 0C9
2005 MAR -8 A 8:49

SMART & BIGGAR
SUITE 900, 55 METCALFE STREET
P.O. BOX 2999, STATION D
OTTAWA
ONTARIO K1P 5Y6

3 mars/Mar 2005
Votre référence Your File
66822-833ADA:dsk
Notre référence Our File
1236566

RE: Trade-mark: GOOSICAL
Applicant: STEVEN A. SILVERS,

This examiner's report concerns the above identified application. To avoid abandonment proceedings, a proper response must be received by this office within 4 month(s) from the above date. All correspondence respecting this application must indicate the file number.

A statement in more specific terms of the wares underlined on the attached photocopy is required. The wares should be defined in ordinary commercial terms in compliance with the provisions of Section 30(a) of the Trade-marks Act.

A revised application is required.

Upon satisfactory compliance with the above-mentioned requirement(s), further office action will be undertaken.

If the applicant/agent has any questions or needs assistance in responding to this Office action, please telephone the assigned examiner.

Yours truly,

Lisette Lafleur
Examination Section
(819) 997-2484

jr-03/03
fax: (819) 953-2476



file: n:\ec\trade_mark\01\23\65\66\1236566.htm printed: 2004-11-09 07:42

Transmission Identification: SmartDSK811115836_app

Electronic Application Receive TimeStamp: November 8, 2004 2:41:11 PM

Reference No. : 66822-833ADA:dsk

Date : November 8, 2004

Registrar of Trade-marks
Trade-marks Office
Gatineau, Quebec K1A 0C9
CANADA

Attention: FORMALITIES SECTION

Enclosed is a trade-mark application for the trade-mark GOOSICAL.

The Registrar of Trade-marks on behalf of the Receiver General for Canada is hereby authorized to deduct the prescribed fee from this firm's deposit account for a total amount of CDN\$250.

APPLICATION FOR THE REGISTRATION OF A TRADE-MARK

1. The applicant, **STEVEN A. SILVERS**, the full post office address of whose principal office or place of business is 8983 Okeechobee Blvd., Suite 202, PMB 203, West Palm Beach, Florida 33411, UNITED STATES OF AMERICA, applies for the registration, in accordance with the provisions of the *Trade-marks Act*, of the trade-mark identified below.

2. The trade-mark is

GOOSICAL

3. The applicant by itself or through a licensee, or by itself and through a licensee, intends to use the trade-mark in Canada in association with **(1) printed matter**,

namely, paper, cardboard and goods made for these materials, namely, printed matter in the nature of books, and magazines in the field of comics; picture cards; stationery; artists' materials, namely, pens, pencils, pastels, pallets, paint brushes; typewriters and office supplies; stickers; printed instructional and teaching material for use in teaching and entertainment; geographical maps, drawing boards; playing cards; children's and adolescents' magazines, books, and pamphlets; web pages and requests registration of the trade-mark in respect of such wares.

4. The applicant claims priority under section 34 of the Act on the ground that an application for registration of the same or substantially the same trade-mark was filed in or for **UNITED STATES OF AMERICA** by the applicant. The application was filed in **UNITED STATES OF AMERICA** on **May 07, 2004** under No. **76/591384** and such application was the earliest application filed in any country of the Union other than Canada by the applicant or any predecessor in title of the applicant for the registration of the same or substantially the same trade-mark for use in association with the same kind of wares as those set out in **wares No. 1 above**. At the date of such application the applicant had a real and effective industrial or commercial establishment in **UNITED STATES OF AMERICA**.

5. The applicant appoints SMART & BIGGAR, whose full post office address in Canada is SUITE 900, 55 METCALFE STREET, P.O. BOX 2999, STATION D, OTTAWA, ONTARIO, CANADA, K1P 5Y6, as the person (firm or any member of the said firm), as its agent to prosecute this application with full powers of amendment and substitution, to execute any amendment related thereto as well as any amended application, and to represent the applicant with respect to this application, the said agents being authorized to receive the registration certificate on behalf of the applicant.

6. The applicant appoints SMART & BIGGAR, whose full post office address in Canada is SUITE 900, 55 METCALFE STREET, P.O. BOX 2999, STATION D, OTTAWA, ONTARIO, CANADA, K1P 5Y6 as the person (or firm) to whom any notice in respect of the application or registration may be sent, and upon whom service of any proceedings in respect of the application or registration may be given or served with the same effect as if they had been given to or served upon the applicant or registrant.

7. The applicant is satisfied that he is entitled to use the trade-mark in Canada in association with the wares described above.

LPH/EAB
9519.0022-00183

UNITED STATES PATENT AND TRADEMARK OFFICE

USPTO REFERENCE NO: Z1231805

APPLICANT: STEVEN A. SILVERS

April 18, 2005

CORRESPONDENT ADDRESS:

LAURENCE R. HEFTER
FINNEGAN HENDERSON FARABOW GARRETT ET AL
901 NEW YORK AVE. NW
WASHINGTON, DC 20001-4413

RETURN ADDRESS:
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
MPU@USPTO.GOV

MARK: GOOSICAL

APPROVAL OF RESPONSE TO IRREGULARITY

RE: USPTO Reference Number Z1231805

IRREGULARITY NOTICES

Applicant's response to the notice of irregularity from the International Bureau (IB) was received on 05 April 2005. Your response is being forwarded to the IB.

HECF

APR 5 2005

La'Shawn D. Cave

FIN. HENDERSON, FARABOW,
GARRETT AND LUNNER, LLP

La'Shawn D. Cave
Madrid Processing Unit
Paralegal Specialist
(571) 272-9560
(571) 273-9560 Fax No.

On November 1, 2004, the United States Patent and Trademark Office (USPTO) deployed electronic forms for the filing of an application for international registration, subsequent designation, and response to a notice of irregularity. These forms can be accessed from <http://www.uspto.gov/teas/index.html>.

To check the status of your applications at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>. For applications for international registrations, use the UPTO Reference Number assigned at time of filing.

[Handwritten signature]
4/21/05

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>