

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered																					
SERIAL NUMBER	78914982																					
LAW OFFICE ASSIGNED	LAW OFFICE 104																					
MARK SECTION (no change)																						
ARGUMENT(S)																						
<p>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Applicant: CONTERRA, INC.</td><td style="width: 5%; text-align: center;">)</td><td style="width: 45%;">Examining Attorney:</td></tr> <tr> <td></td><td style="text-align: center;">)</td><td>Linda M. Estrada</td></tr> <tr> <td>Serial No.: 78/914,982</td><td style="text-align: center;">)</td><td></td></tr> <tr> <td></td><td style="text-align: center;">)</td><td>Law Office 104</td></tr> <tr> <td>Filed: 06/22/2006</td><td style="text-align: center;">)</td><td></td></tr> <tr> <td></td><td style="text-align: center;">)</td><td>Attorneys' Ref. T215203</td></tr> <tr> <td>Mark: RIGGING-POD</td><td style="text-align: center;">)</td><td></td></tr> </table> <p style="text-align: center; margin-top: 20px;">REQUEST FOR RECONSIDERATION</p> <p>Commissioner for Trademarks PO Box 1451 Law Office 104 Alexandria, VA 22313-1451</p> <p>Sir:</p> <p style="margin-left: 40px;">This is in response to the Office Action emailed April 9, 2008. It is believed that no fee is presently due to maintain this application in full force and effect. However, if any such fee is due, please charge this to Account No. 502099.</p> <p style="text-align: center; margin-top: 20px;">REMARKS</p> <p style="margin-left: 40px;">This is in response to the Office Action dated April 9, 2008. In that Office Action, the Examining Attorney continued the refusal to register the present mark based on descriptiveness. The Applicant respectfully requests reconsideration of this refusal. The Applicant respectfully reasserts the arguments made in the response submitted on August 7, 2007, and further submits the following</p>		Applicant: CONTERRA, INC.)	Examining Attorney:)	Linda M. Estrada	Serial No.: 78/914,982))	Law Office 104	Filed: 06/22/2006))	Attorneys' Ref. T215203	Mark: RIGGING-POD)	
Applicant: CONTERRA, INC.)	Examining Attorney:																				
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Mark: RIGGING-POD)																					

evidence and arguments.

In particular, Mr. Richard A. Lipke, President of the Applicant Corporation, has executed a Declaration averring to the fact that the mark RIGGING-POD is not considered descriptive in the context of the marketplace. Mr. Lipke's Declaration states that he has 18 years of experience in the relevant marketplace, that the term "rigging pod" has no significance in the marketplace, and that he has conducted computer searches that support his understanding that the term RIGGING-POD is not descriptive of the goods and services recited in the present application. Mr. Lipke's Declaration is submitted herewith.

It is respectfully submitted that the above evidence and remarks place the present application in condition for registration, and reconsideration of the refusal to register the present mark is respectfully requested. To preserve its right to appeal, the Applicant is filing on the same date as this Amendment a Notice of Appeal.

The Examining Attorney is invited to contact the Applicant's undersigned attorney if doing so would help expedite registration. The Applicant's undersigned attorney can normally be reached at the telephone number set forth below.

Signed at Bellingham, County of Whatcom, State of Washington this 9th day of October, 2008.

Respectfully submitted,
Conterra Inc.
/michael r. schacht/
Michael R. Schacht, Reg. No. 33,550
2801 Meridian Street, Suite 202
Bellingham, WA 98225-2400
phone: (360) 647-0400
fax: (360) 647-0412

EVIDENCE SECTION

EVIDENCE FILE NAME(S)

ORIGINAL PDF FILE	http://tgate/PDF/RFR/2008/10/09/20081009222204844527-78914982-001_001/evi_2417178218-221939732_._T215203_DeclarationofRickLipke_20081009.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT4\IMAGEOUT4\789\149\78914982\xml1\RFR0002.JPG
	\\TICRS\EXPORT4\IMAGEOUT4\789\149\78914982\xml1\RFR0003.JPG
DESCRIPTION OF EVIDENCE FILE	Declaration of Richard A. Lipke, President of Applicant Corporation

SIGNATURE SECTION

RESPONSE SIGNATURE	/michael r schacht/
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SIGNATORY'S NAME	Michael R. Schacht
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	10/09/2008
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Oct 09 22:22:04 EDT 2008
TEAS STAMP	USPTO/RFR-24.17.178.218-2 0081009222204844527-78914 982-4304ef189dbd9fab4243a 32749b2013a6d3-N/A-N/A-20 081009221939732046

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action**To the Commissioner for Trademarks:**Application serial no. **78914982** has been amended as follows:**ARGUMENT(S)** In response to the substantive refusal(s), please note the following:

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant:	CON TERRA, INC.)	Examining Attorney:
)	Linda M. Estrada
Serial No.:	78/914,982)	
)	Law Office 104
Filed:	06/22/2006)	
)	Attorneys' Ref. T215203
Mark:	RIGGING-POD)	

REQUEST FOR RECONSIDERATION

Commissioner for Trademarks

PO Box 1451
Law Office 104
Alexandria, VA 22313-1451

Sir:

This is in response to the Office Action emailed April 9, 2008. It is believed that no fee is presently due to maintain this application in full force and effect. However, if any such fee is due, please charge this to Account No. 502099.

REMARKS

This is in response to the Office Action dated April 9, 2008. In that Office Action, the Examining Attorney continued the refusal to register the present mark based on descriptiveness. The Applicant respectfully requests reconsideration of this refusal. The Applicant respectfully reasserts the arguments made in the response submitted on August 7, 2007, and further submits the following evidence and arguments.

In particular, Mr. Richard A. Lipke, President of the Applicant Corporation, has executed a Declaration averring to the fact that the mark RIGGING-POD is not considered descriptive in the context of the marketplace. Mr. Lipke's Declaration states that he has 18 years of experience in the relevant marketplace, that the term "rigging pod" has no significance in the marketplace, and that he has conducted computer searches that support his understanding that the term RIGGING-POD is not descriptive of the goods and services recited in the present application. Mr. Lipke's Declaration is submitted herewith.

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Signed at Bellingham, County of Whatcom, State of Washington this 9th day of October, 2008.
Respectfully submitted,
Conterra Inc.
/michael r. schacht/
Michael R. Schacht, Reg. No. 33,550
2801 Meridian Street, Suite 202
Bellingham, WA 98225-2400
phone: (360) 647-0400
fax: (360) 647-0412

EVIDENCE

Evidence in the nature of Declaration of Richard A. Lipke, President of Applicant Corporation has been attached.

Original PDF file:

http://tgate/PDF/RFR/2008/10/09/20081009222204844527-78914982-001_001/evi_2417178218-221939732_._T215203_DeclarationofRickLipke_20081009.pdf

Converted PDF file(s) (2 pages)

Evidence-1

Evidence-2

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /michael r schacht/ Date: 10/09/2008

Signatory's Name: Michael R. Schacht

Signatory's Position: Attorney of Record

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.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 78914982

Internet Transmission Date: Thu Oct 09 22:22:04 EDT 2008

TEAS Stamp: USPTO/RFR-24.17.178.218-2008100922220484

4527-78914982-4304ef189dbd9fab4243a32749

b2013a6d3-N/A-N/A-20081009221939732046



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