

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85205915
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION (no change)	
ADDITIONAL STATEMENTS SECTION	
SUPPLEMENTAL REGISTER	The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register'). NOTE: The applicant has separately filed an Allegation of Use, to change the basis of this application from Section 1(b), intent-to-use, to Section 1(a), use in commerce.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Nicole B. Emmons/
SIGNATORY'S NAME	Nicole B. Emmons
SIGNATORY'S POSITION	Attorney of record
DATE SIGNED	11/19/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Nov 19 15:29:42 EST 2012
TEAS STAMP	USPTO/RFR-64.214.103.98-2 0121119152942502914-85205 915-490fed994a84e9a6903ba f5f3c8acde3eb-N/A-N/A-201 21119134910716586

**Request for Reconsideration after Final Action
To the Commissioner for Trademarks:**

Application serial no. **85205915** has been amended as follows:

ADDITIONAL STATEMENTS

Supplemental Register

The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register'). NOTE: The applicant has separately filed an Allegation of Use, to change the basis of this application from Section 1(b), intent-to-use, to Section 1(a), use in commerce.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Nicole B. Emmons/ Date: 11/19/2012

Signatory's Name: Nicole B. Emmons

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 filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85205915

Internet Transmission Date: Mon Nov 19 15:29:42 EST 2012

TEAS Stamp: USPTO/RFR-64.214.103.98-2012111915294250

2914-85205915-490fed994a84e9a6903baf5f3c

8acde3eb-N/A-N/A-20121119134910716586

RETURN TO MAIN MENU

IM10109

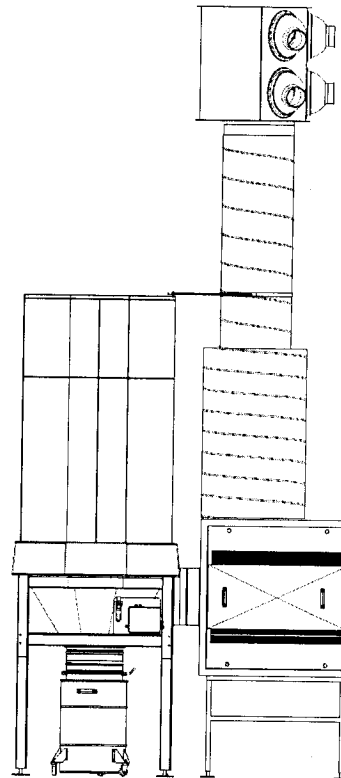
October, 2011

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For use with machines having Code Numbers: AD1326-8

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ARC WELDING CAN BE HAZARDOUS. PROTECT YOURSELF AND OTHERS FROM POSSIBLE SERIOUS INJURY OR DEATH. KEEP CHILDREN AWAY. PACEMAKER WEARERS SHOULD CONSULT WITH THEIR DOCTOR BEFORE OPERATING.

Read and understand the following safety highlights. For additional safety information, it is strongly recommended that you purchase a copy of "Safety in Welding & Cutting - ANSI Standard Z49.1" from the American Welding Society, P.O. Box 351040, Miami, Florida 33135 or CSA Standard W117.2-1974. A Free copy of "Arc Welding Safety" booklet E205 is available from the Lincoln Electric Company, 22801 St. Clair Avenue, Cleveland, Ohio 44117-1199.

BE SURE THAT ALL INSTALLATION, OPERATION, MAINTENANCE AND REPAIR PROCEDURES ARE PERFORMED ONLY BY QUALIFIED INDIVIDUALS.



FOR ENGINE powered equipment.

1.a. Turn the engine off before troubleshooting and maintenance work unless the maintenance work requires it to be running.



1.b. Operate engines in open, well-ventilated areas or vent the engine exhaust fumes outdoors.



1.c. Do not add the fuel near an open flame welding arc or when the engine is running. Stop the engine and allow it to cool before refueling to prevent spilled fuel from vaporizing on contact with hot engine parts and igniting. Do not spill fuel when filling tank. If fuel is spilled, wipe it up and do not start engine until fumes have been eliminated.

1.d. Keep all equipment safety guards, covers and devices in position and in good repair. Keep hands, hair, clothing and tools away from V-belts, gears, fans and all other moving parts when starting, operating or repairing equipment.

1.e. In some cases it may be necessary to remove safety guards to perform required maintenance. Remove guards only when necessary and replace them when the maintenance requiring their removal is complete. Always use the greatest care when working near moving parts.



1.f. Do not put your hands near the engine fan. Do not attempt to override the governor or idler by pushing on the throttle control rods while the engine is running.

1.g. To prevent accidentally starting gasoline engines while turning the engine or welding generator during maintenance work, disconnect the spark plug wires, distributor cap or magneto wire as appropriate.



1.h. To avoid scalding, do not remove the radiator pressure cap when the engine is hot.



ELECTRIC AND MAGNETIC FIELDS may be dangerous

2.a. Electric current flowing through any conductor causes localized Electric and Magnetic Fields (EMF). Welding current creates EMF fields around welding cables and welding machines

2.b. EMF fields may interfere with some pacemakers, and welders having a pacemaker should consult their physician before welding.

2.c. Exposure to EMF fields in welding may have other health effects which are now not known.

2.d. All welders should use the following procedures in order to minimize exposure to EMF fields from the welding circuit:

2.d.1. Route the electrode and work cables together - Secure them with tape when possible.

2.d.2. Never coil the electrode lead around your body.


2.d.3. Do not place your body between the electrode and work cables. If the electrode cable is on your right side, the work cable should also be on your right side.

2.d.4. Connect the work cable to the workpiece as close as possible to the area being welded.

2.d.5. Do not work next to welding power source.

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ELECTRIC SHOCK can kill.

3.a. The electrode and work (or ground) circuits are electrically "hot" when the welder is on. Do not touch these "hot" parts with your bare skin or wet clothing. Wear dry, hole-free gloves to insulate hands.

3.b. Insulate yourself from work and ground using dry insulation. Make certain the insulation is large enough to cover your full area of physical contact with work and ground.

In addition to the normal safety precautions, if welding must be performed under electrically hazardous conditions (in damp locations or while wearing wet clothing; on metal structures such as floors, gratings or scaffolds; when in cramped positions such as sitting, kneeling or lying, if there is a high risk of unavoidable or accidental contact with the workpiece or ground) use the following equipment:

- Semiautomatic DC Constant Voltage (Wire) Welder.
- DC Manual (Stick) Welder.
- AC Welder with Reduced Voltage Control.

3.c. In semiautomatic or automatic wire welding, the electrode, electrode reel, welding head, nozzle or semiautomatic welding gun are also electrically "hot".

3.d. Always be sure the work cable makes a good electrical connection with the metal being welded. The connection should be as close as possible to the area being welded.

3.e. Ground the work or metal to be welded to a good electrical (earth) ground.


3.f. Maintain the electrode holder, work clamp, welding cable and welding machine in good, safe operating condition. Replace damaged insulation.

3.g. Never dip the electrode in water for cooling.

3.h. Never simultaneously touch electrically "hot" parts of electrode holders connected to two welders because voltage between the two can be the total of the open circuit voltage of both welders.

3.i. When working above floor level, use a safety belt to protect yourself from a fall should you get a shock.

3.j. Also see Items 6.c. and 8.




ARC RAYS can burn.

4.a. Use a shield with the proper filter and cover plates to protect your eyes from sparks and the rays of the arc when welding or observing open arc welding. Headshield and filter lens should conform to ANSI Z87.1 standards.

4.b. Use suitable clothing made from durable flame-resistant material to protect your skin and that of your helpers from the arc rays.

4.c. Protect other nearby personnel with suitable, non-flammable screening and/or warn them not to watch the arc nor expose themselves to the arc rays or to hot spatter or metal.



FUMES AND GASES can be dangerous.

5.a. Welding may produce fumes and gases hazardous to health. Avoid breathing these fumes and gases. When welding, keep your head out of the fume. Use enough ventilation and/or exhaust at the arc to keep fumes and gases away from the breathing zone. **When welding with electrodes which require special ventilation such as stainless or hard facing (see instructions on container or MSDS) or on lead or cadmium plated steel and other metals or coatings which produce highly toxic fumes, keep exposure as low as possible and within applicable OSHA PEL and ACGIH TLV limits using local exhaust or mechanical ventilation. In confined spaces or in some circumstances, outdoors, a respirator may be required. Additional precautions are also required when welding on galvanized steel.**

5.b. The operation of welding fume control equipment is affected by various factors including proper use and positioning of the equipment, maintenance of the equipment and the specific welding procedure and application involved. Worker exposure level should be checked upon installation and periodically thereafter to be certain it is within applicable OSHA PEL and ACGIH TLV limits.

5.c. Do not weld in locations near chlorinated hydrocarbon vapors coming from degreasing, cleaning or spraying operations. The heat and rays of the arc can react with solvent vapors to form phosgene, a highly toxic gas, and other irritating products.

5.d. Shielding gases used for arc welding can displace air and cause injury or death. Always use enough ventilation, especially in confined areas, to insure breathing air is safe.

5.e. Read and understand the manufacturer's instructions for this equipment and the consumables to be used, including the material safety data sheet (MSDS) and follow your employer's safety practices. MSDS forms are available from your welding distributor or from the manufacturer.

5.f. Also see item 1.b.

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