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Subject: U.S. TRADEMARK APPLICATION NO. 86149521 - N/A - Request for Reconsideration Denied -  
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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 86149521

**MARK:**



**CORRESPONDENT ADDRESS:**

KENNETH D. SUZAN

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**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

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**APPLICANT:** ATEK Access Technologies, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

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**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 5/16/2015

*This Action is in response to the applicant's Request for Reconsideration filed on April 24, 2015. Before the issuance of this Action the examining attorney and attorney of record spoke several times via email and telephone in an attempt to resolve this issue via an Examiner's Amendment.*

*The applicant is encouraged to adopt the examining attorney's Identification of Goods Amendment suggestions addressed in the Final Office Action issued on October 24, 2014.*

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The following requirement(s) and/or refusal(s) made final in the Office action dated October 24, 2014 are maintained and continue to be final:

- Amendment of Identification of Goods – Partial as to the Goods Identified Below in International Classes 6 and 9 Only

See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. See TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); see 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); see TMEP §§715.03, 715.03(a)(ii)(B), (c).

**AMENDMENT OF IDENTIFICATION OF GOODS – PARTIAL AS TO THE GOODS IDENTIFIED BELOW IN INTERNATIONAL CLASSES 6 AND 9 ONLY**

*The changes made by the applicant to the Identifications in the applicant's Request for Reconsideration filing have been incorporated into the suggested revisions below.*

**International Class 6:**

The wording "aluminum trim" in the Identification of Goods must be clarified because it is too broad and could include goods in other international classes. See TMEP §§1402.01, 1402.03.

In addition, the wording identified in bold below in the identification of goods is indefinite and must be clarified because the wording does not make clear the nature of the goods provided. See TMEP §1402.01.

Applicant may adopt the following identification, if accurate:

Aluminum trim **for buildings (or add IC 12 if related to automotive trim)**; metal rails, namely, metal guiderails; metal bollards; metal posts; **metal corrals for use as {indicate use, e.g. fencing}**; metal storage reels for wire, cable, metal ribbon, non-metal ribbon, flexible circuits, superconductors, film, magnetic tape, recording tape and testing strip material; metal spools **for {indicate nature or purpose, e.g. for use with dispensing and storing metal wire, or for reeling flexible tubes of metal, etc.}**.

**International Class 9:**

The wording identified below in bold in the Identification of Goods must be clarified because it may be too broad and could include goods in other international classes. See TMEP §§1402.01, 1402.03. In addition, the wording identified in bold below in the identification of goods may be indefinite and

therefore must be clarified because the wording does not make clear the nature of the goods provided. See TMEP §1402.01.

Applicant may adopt the following identification, if accurate:

Electronic control systems and components for {indicate usage for or with, e.g. machines, engines}, namely, electronic key-shaped and token-shaped portable data carrier systems comprised of central processing units (cpu), integrated circuits, and electronic non-volatile memory; Electronic systems and components, namely, electronic key receptacles and computer access terminals; Electronic mating receptacles used to interface electronic data carriers with microprocessors, microcontrollers and personal computers; Electronic mating unit in the nature of a data carrier reader and writer used to interface electronic data carriers with host microprocessors, programmable logic controllers (plcs), microcontrollers, or computers, with the capability to read and write information from/onto the data carrier based upon the data carrier's own electrical and command interface; Electronic evaluation modules, electronic control circuits and electronic interface units for use in interface tasks between electronic systems; Blank programmable electronic data carriers; Data carrier readers and writers used to interface with microprocessors, microcontrollers, and personal computers; ~~Containers for commercial use to house semiconductors, integrated circuits, microprocessors and microcomputers~~ (This identification is an International Class 20 good, however, if moved to International Class 20 the Identification must be amended to indicate that the goods are not of metal); Computer memory storage units for use in connection with {indicate specific IC 9 use, e.g. computer access control applications}; Electronic security control units for use in computer access control applications; Electronic motion sensitive switches; Electronic touch sensitive switches; Electrical switches; Electric push plate switches; Electric wall switches; Electric switches, namely, automatic door switches; Electric sensors, namely, automatic door sensors; Pressure sensitive mats in the nature of {indicate specific IC 9 good, e.g. Electronic sensing apparatus, namely, floor mats that sense the presence of a body thereon}; Door mats, namely, Automatic door mats {this is an international class 27 Identification. This items should be deleted or International Class 27 should be added to the application as indicated below}; Door mats, namely, door activation mats {this is an international class 27 Identification. This items should be deleted or International Class 27 should be added to the application as indicated below}; Door mats, namely, Revolving door mats {this is an international class 27 Identification. This items should be deleted or International Class 27 should be added to the application as indicated below}; Electronic safety mat, namely, {indicate specific good, e.g. a floor mat that ...indicate purpose or function. This item also appears to be classified in International Class 27}; Switch mats, namely, {indicate nature of goods, e.g. floor mats that protect against injury in IC 27 or "electronic switch mats" in International Class 9}; Pressure sensitive security mats, namely, {indicate nature of goods, e.g. mats containing electronic sensing apparatus that sense the presence of a body thereon}; Pressure sensitive safety strips, namely, {indicate nature or purpose of goods, e.g. metal strips as parts of

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