

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86302887
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 106
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/86302887/large
<b>LITERAL ELEMENT</b>	AMERICAN BARRISTER
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_9624225055-20151023223022675935_.86302887TrademarkAppealBrief.pdf</a>
<b>CONVERTED PDF FILE(S) (15 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\028\86302887\xml15\RFR0002.JPG</a>
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	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\028\86302887\xml15\RFR0004.JPG</a>
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<b>DESCRIPTION OF EVIDENCE FILE</b>	Appeal Brief
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Robert J. Olejar/
<b>SIGNATORY'S NAME</b>	Robert J. Olejar
<b>SIGNATORY'S POSITION</b>	Owner
<b>SIGNATORY'S PHONE NUMBER</b>	201-400-8351
<b>DATE SIGNED</b>	10/23/2015
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri Oct 23 22:44:16 EDT 2015
<b>TEAS STAMP</b>	USPTO/RFR-96.242.250.55-2 0151023224416272443-86302 887-540ad6a5caafe252c9498 5fb172d961fe99a3afd9eee25 4b4a88651b7b24ffbd7-N/A- N/A-20151023223022675935

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

Application serial no. **86302887** AMERICAN BARRISTER(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86302887/large>) has been amended as follows:

## **EVIDENCE**

Evidence in the nature of Appeal Brief has been attached.

### **Original PDF file:**

[evi\\_9624225055-20151023223022675935\\_.86302887TrademarkAppealBrief.pdf](#)

### **Converted PDF file(s) ( 15 pages)**

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

## **SIGNATURE(S)**

### **Request for Reconsideration Signature**

Signature: /Robert J. Olejar/ Date: 10/23/2015

Signatory's Name: Robert J. Olejar

Signatory's Position: Owner

Signatory's Phone Number: 201-400-8351

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either: (1) the owner/holder ; or (2) a person(s) with legal authority to bind the owner/holder; and if an authorized U.S. attorney or Canadian attorney/agent previously represented him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

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

Serial Number: 86302887

Internet Transmission Date: Fri Oct 23 22:44:16 EDT 2015

TEAS Stamp: USPTO/RFR-96.242.250.55-2015102322441627

2443-86302887-540ad6a5caafe252c94985fb17

2d961fe99a3afd9eee254b4a88651b7b24ffbf7

-N/A-N/A-20151023223022675935

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Serial No.** 86302887

**Mark:** AMERICAN BARRISTER

**Attorney:** Applicant Pro Se

**Address:** 11 Morey Lane  
Randolph, NJ 07869-4628

**Applicant:** Robert J. Olejar (Esq.)

**BEFORE THE TRADEMARK TRIAL  
AND APPEAL BOARD  
ON APPEAL**

Applicant appeals the Trademark Examining Attorney's refusal to register the trademark AMERICAN BARRISTER on the grounds that it is merely descriptive within the meaning of §2(e)(1) of the Trademark Act, 15 U.S.C. §1052(e)(1), and primarily geographically descriptive within the meaning of §2(e)(2) of the Trademark Act, 15 U.S.C. §1052(e)(2).

**I. PROCEDURAL HISTORY:**

On June 6, 2014, Applicant filed a Trademark/Service Mark Application for the mark AMERICAN BARRISTER, for services all within Class 045, and identified as:

Alternative dispute resolution services; Arbitration services; Attorney services; Expert witness services in legal matters in the field of fraud, forensic accounting, money laundering, financial accounting, and legal damages; Legal consultation services; Legal document preparation services; Legal research; Legal services; Litigation consultancy; Litigation services; Litigation support services; Mediation; News reporting and expert legal commentary services in the field of legal news; Onsite legal services; Online news reporting and expert legal commentary services in the field of legal news; Providing information relating to legal affairs; Providing information, news and commentary in the field of law; Providing online information and news in the field of law.

On September 19, 2014, the Examining Attorney filed an Office Action refusing registration on the Principal Register on the grounds that “the proposed mark is geographically descriptive and merely descriptive of the goods/services.” On March 19, 2015, Applicant filed a timely Response to Office Action. On April 24, 2015, the Examining Attorney filed the Final Action, maintaining and making final the refusals set forth in the Office Action on the same grounds, giving rise to this Appeal.

## II. THE EVIDENTIARY RECORD:

Most of the exhibits attached to either the Office Action or the Final Action are of the same type, copies of USPTO Trademarks issued, all beginning with or including the word AMERICAN, summarized in the below table.

<u>No.</u>	<u>Geographic Term</u>	<u>Substantive Term</u>	<u>Disclaimers</u>	<u>Type of Mark</u>	<u>Register</u>
1	American	Immigration Lawyers Association	American Immigration Lawyers Association	Design (Statue of Liberty) Plus Words	Principal
2	American	Security Group	American Security Group	Design (Black Circle, Flag, Eagle, Swords) Plus Words	Principal
3	American	Defense Lawyers	Defense Lawyers	Standard Character	Supplemental
4	American	Discovery	None	Stylized OneWord	Supplemental
5	American	Divorce Association for Men	Divorce Association	Standard Character	Principal
6	The American	Law Institute ALI	Institute	Design Plus Words	Principal

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