Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79020816
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Software for 3D graphic display, especially for creating, animating, simulating and experimenting with objects, characters (people), information or ideas, for navigation, research, exploration, collaboration; software for marketing and maintenance of goods; software for presenting knowledge in connection with goods intended for industries or end consumers, their production, use, maintenance, documentation, perception and consumption; software for designing games; gaming software; software for media content management, preproduction and postproduction; data exchange software; educational software; training software; teaching software; 3D content management software; CD-ROMs, DVDs, minidisks and diskettes	
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Computer software recorded on data media for graphic visualization in two or three dimensions, namely for computer-aided design, animation, simulation, publishing, document searches, defeaturing, namely simplification of geometry, and for remote monitoring and surveillance; imaging software; maintenance computer utility software; software for presenting knowledge about industrial products, their manufacture, their use, their maintenance, their documentation; computer software for the design of computer games; computer game software; data exchange software, namely computer software for creating searchable databases of information and data; educational software featuring instructions in the field of the graphic representation of products in two or three dimensions; training software featuring instruction in the field of the graphic visualization of products in two or three dimensions; pre-recorded CDs, DVDs and computer software diskettes featuring instruction in the field of computer programming.	
GOODS AND/OR SERVICES SECTION (016)(current)	
INTERNATIONAL CLASS	016
DESCRIPTION	

Files, printed matter, newspapers, books, periodicals; programming manuals; operating manuals for computer programs; photographs, printing blocks; instructional and teaching material

GOODS AND/OR SERVICES SECTION (016)(proposed)

INTERNATIONAL CLASS	016
DESCRIPTION	

Documents files, printed matter, namely, newspapers and periodicals in the field of the graphic visualization of products in two or three dimensions and in the field of computer programming; computer programmers' manuals for graphic visualization in two or three dimensions of products; users handbooks for computer programs in the field of the graphic visualization in two or three dimensions of products; photographs, printing blocks, printed instructional and teaching material in the field of computer programming.

GOODS AND/OR SERVICES SECTION (038)(current)

INTERNATIONAL CLASS	038
DESCRIPTION	

Supply (transmission) of information on line with regard to training relating to software and software sale

GOODS AND/OR SERVICES SECTION (038)(proposed)

INTERNATIONAL CLASS	038
DESCRIPTION	

Electronic data transmission online, with regard to training relating to software and software sale

GOODS AND/OR SERVICES SECTION (041)(current)

INTERNATIONAL CLASS	041
DESCRIPTION	

Training services in the field of software, information technology and 3D content creation, training services and courses provided on line in the field of software; organization and conducting of conferences with regard to software, program development, computer systems and 3D content creation

GOODS AND/OR SERVICES SECTION (041)(proposed)

INTERNATIONAL CLASS	041
DESCRIPTION	

Training services in the field of software, information technology and 3D content creation; training services and courses provided on line in the field of software; organization and conducting of educational conferences with regard to software, program development, computer systems and 3D content creation

GOODS AND/OR SERVICES SECTION (042)(current)

INTERNATIONAL CLASS	042
DESCRIPTION	

Computer programming services; services for the design of goods and characters (people) or in connection with the operational sequencing of industrial processes assisted by computer; rental of computers, computer programs or peripheral equipment for computers; engineering services and technical consultancy concerning the design of goods and production means or the operational sequencing of industrial processes; software design, maintenance and updating services; technical assistance services for software customization for adapting said software to the specific needs resulting from the customer's activity and working methods; advisory services in the field of information technology

GOODS AND/OR SERVICES SECTION (042)(proposed)

INTERNATIONAL CLASS	042

DESCRIPTION	

Computer programming services; services for the design of goods and graphic characters in the nature of people and in connection with the operational sequencing of industrial processes assisted by computer; rental of computers, computer programs and peripheral equipment for computers; engineering services and technical consultancy concerning the design of goods and production means and the operational sequencing of industrial processes; software design, maintenance and updating services; technical assistance services for software customization for adapting said software to the specific needs resulting from the customer's activity and working methods; advisory services in the field of information technology.

ADDITIONAL STATEMENTS SECTION

DISCLAIMER	"No claim is made to the exclusive right to use 3D apart from the mark as shown."
MISCELLANEOUS STATEMENT	Applicant draws the Examiner's attention to application serial number 79015157 for the mark SIMULIA, in which the goods and services recitations, as proposed here, have been accepted.

SIGNATURE SECTION

DECLARATION SIGNATURE	/Rebecca Stroder/
SIGNATORY'S NAME	Rebecca Stroder
SIGNATORY'S POSITION	Attorney and authorized agent
DATE SIGNED	12/28/2006
RESPONSE SIGNATURE	/Rebecca Stroder/
SIGNATORY'S NAME	Rebecca Stroder
SIGNATORY'S POSITION	Attorney and authorized agent
DATE SIGNED	12/28/2006
AUTHORIZED SIGNATORY	YES

FILING INFORMATION SECTION

Response to Office Action
To the Commissioner for Trademarks:

Application serial no. **79020816** 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 009 for Software for 3D graphic display, especially for creating, animating, simulating and experimenting with objects, characters (people), information or ideas, for navigation, research, exploration, collaboration; software for marketing and maintenance of goods; software for presenting knowledge in connection with goods intended for industries or end consumers, their production, use, maintenance, documentation, perception and consumption; software for designing games; gaming software; software for media content management, preproduction and postproduction; data exchange software; educational software; training software; teaching software; 3D content management software; CD-ROMs, DVDs, minidisks and diskettes

Proposed: Class 009 for Computer software recorded on data media for graphic visualization in two or three dimensions, namely for computer-aided design, animation, simulation, publishing, document searches, defeaturing, namely simplification of geometry, and for remote monitoring and surveillance; imaging software; maintenance computer utility software; software for presenting knowledge about industrial products, their manufacture, their use, their maintenance, their documentation; computer software for the design of computer games; computer game software; data exchange software, namely computer software for creating searchable databases of information and data; educational software featuring instructions in the field of the graphic representation of products in two or three dimensions; training software featuring instruction in the field of the graphic visualization of products in two or three dimensions; pre-recorded CDs, DVDs and computer software diskettes featuring instruction in the field of computer programming.
Filing Basis: Section 66(a).
Applicant hereby amends the following class of goods/services in the application as follows:
Current: Class 016 for Files, printed matter, newspapers, books, periodicals; programming manuals; operating manuals for computer programs; photographs, printing blocks; instructional and teaching material

Proposed: Class 016 for Documents files, printed matter, namely, newspapers and periodicals in the field

of the graphic visualization of products in two or three dimensions and in the field of computer programming; computer programmers' manuals for graphic visualization in two or three dimensions of products; users handbooks for computer programs in the field of the graphic visualization in two or three dimensions of products; photographs, printing blocks, printed instructional and teaching material in the field of computer programming.
Filing Basis: Section 66(a).
Applicant hereby amends the following class of goods/services in the application as follows:
Current: Class 038 for Supply (transmission) of information on line with regard to training relating to software and software sale

Proposed: Class 038 for Electronic data transmission online, with regard to training relating to software and software sale
Filing Basis: Section 66(a).
Applicant hereby amends the following class of goods/services in the application as follows:
Current: Class 041 for Training services in the field of software, information technology and 3D content creation, training services and courses provided on line in the field of software; organization and conducting of conferences with regard to software, program development, computer systems and 3D content creation

Proposed: Class 041 for Training services in the field of software, information technology and 3D content creation; training services and courses provided on line in the field of software; organization and conducting of educational conferences with regard to software, program development, computer systems and 3D content creation
Filing Basis: Section 66(a).
Applicant hereby amends the following class of goods/services in the application as follows:
Current: Class 042 for Computer programming services; services for the design of goods and characters (people) or in connection with the operational sequencing of industrial processes assisted by computer; rental of computers, computer programs or peripheral equipment for computers; engineering services and technical consultancy concerning the design of goods and production means or the operational sequencing of industrial processes; software design, maintenance and updating services; technical assistance services for software customization for adapting said software to the specific needs resulting from the customer's activity and working methods; advisory services in the field of information technology

Proposed: Class 042 for Computer programming services; services for the design of goods and graphic characters in the nature of people and in connection with the operational sequencing of industrial processes assisted by computer; rental of computers, computer programs and peripheral equipment for computers; engineering services and technical consultancy concerning the design of goods and production means and the operational sequencing of industrial processes; software design, maintenance and updating services; technical assistance services for software customization for adapting said software to the specific needs resulting from the customer's activity and working methods; advisory services in the field of information technology.
Filing Basis: Section 66(a).
Additional Statements

"No claim is made to the exclusive right to use 3D apart from the mark as shown."

Applicant draws the Examiner's attention to application serial number 79015157 for the mark SIMULIA, in which the goods and services recitations, as proposed here, have been accepted.

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