

Petition To Revive For Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79073546
66(a) FILING BASIS	YES
LAW OFFICE ASSIGNED	LAW OFFICE 109
DATE OF NOTICE OF ABANDONMENT	05/28/2010
PETITION	
PETITION STATEMENT	Applicant has firsthand knowledge that the failure to respond to the Office Action by the specified deadline was unintentional, and requests the USPTO to revive the abandoned application.
RESPONSE TO OFFICE ACTION	
MARK SECTION (no change)	
OWNER SECTION (current)	
NAME	The Smiley Company (SPRL)
STREET	16 rue des Trois Arbres B-1180 Bruxelles
COUNTRY	Belgium
OWNER SECTION (proposed)	
NAME	The Smiley Company (SPRL)
STREET	16 rue des Trois Arbres B-1180 Bruxelles
ZIP/POSTAL CODE	1180
COUNTRY	Belgium
PHONE	3223322205
EMAIL	sbaron@mandellmenkes.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
LEGAL ENTITY SECTION (current)	
TYPE	Société privée à responsabilité limitée
LEGAL ENTITY SECTION (proposed)	
TYPE	private limited company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Belgium
NAME OF ALL GENERAL PARTNERS, ACTIVE MEMBERS, INDIVIDUAL, TRUSTEES, OR EXECUTORS, AND CITIZENSHIP/ INCORPORATION	N/A
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section	

EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_65175322-201345461 . Smiley Company Response to Office Action Ser. No. 79073546.pdf
CONVERTED PDF FILE(S) (8 pages)	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0002.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0003.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0004.JPG
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	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0007.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0008.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0009.JPG
ORIGINAL PDF FILE	evi_65175322-201345461 . French trademark Reg. No. 053352819 and English Translation.pdf
CONVERTED PDF FILE(S) (4 pages)	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0010.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0011.JPG
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	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0013.JPG
ORIGINAL PDF FILE	evi_65175322-201345461 . B International Registration 1015069 and English Translation.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0014.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0015.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\735\79073546\xml2\POA0016.JPG
DESCRIPTION OF EVIDENCE FILE	Proposed response to office action; Exhibit A (French Trademark registration and English translation); Exhibit B (International Trademark registration and English translation).
GOODS AND/OR SERVICES SECTION (016)(current)	
INTERNATIONAL CLASS	016
DESCRIPTION	
Printed matter, bookbinding materials; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paintbrushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); printing type; printing blocks; paper, cardboard; cardboard or paper boxes; posters; albums; cards; books; newspapers; prospectuses; pamphlets; calendars; writing implements; lithographic or engraved art objects; paintings, framed or not; watercolours; patterns for dressmaking; drawings; drawing instruments; paper handkerchiefs; paper towels; paper table linen; toilet paper; babies' napkins of paper and cellulose (disposable); bags, small bags (wrappings, pouches) for packaging purposes (of paper or plastic); garbage bags (of paper or plastic materials)	
GOODS AND/OR SERVICES SECTION (016)(proposed)	
INTERNATIONAL CLASS	016
DESCRIPTION	
Printed matter namely, books, stationery, greeting cards, note cards, post cards, posters, newspapers, printed calendars, printed forms, printed invitations, photo albums, scrapbooks, photographs; bookbinding materials, namely bookbinding papers or cloth, bookbinding adhesive tape or glue; adhesive tapes for stationery or household purposes; artists' materials namely, artists' paintbrushes, typeset printing blocks, printing type, art pads, art paper, paper, cardboard, dressmaking patterns, drawings, watercolors, paintings both framed and unframed; lithographic or engraved art objects; writing implements namely pens, pencils, fountain pens, artists' pencils; drawing instruments namely, charcoal pencils, drawing pencils, pencil cases; typewriters and office requisites except furniture namely, magnetic boards, file folders, desktop stationery cabinets; printed instructional and teaching materials except apparatus; cardboard or paper boxes; paper products, namely, paper handkerchiefs,	

paper towels, paper table linen, toilet paper, babies' disposable napkins of paper and cellulose; bags namely, paper or plastic for use as gift bags, paper bags or pouches, paper and plastic bags for merchandise packaging purposes, paper and plastic garbage bags; pamphlets in the field of fashion, home, decorating and licensing; prospectuses in the field of fashion, home, decorating and licensing.

GOODS AND/OR SERVICES SECTION (018)(current)

INTERNATIONAL CLASS 018

DESCRIPTION

Leather and imitation leather, animal skins and hides; trunks and suitcases; umbrellas, parasols and walking sticks; whips, harness and saddlery; wallets; purses not of precious metal; handbags, backpacks, wheeled bags; bags for climbers, bags for campers, travelling bags, beach bags, school bags; unfitted vanity cases; collars and clothing for animals; shopping nets or bags; bags or pouches (wrappings, pouches) for packaging (leather)

GOODS AND/OR SERVICES SECTION (018)(proposed)

INTERNATIONAL CLASS 018

DESCRIPTION

Leather and imitation leather, animal skins and hides; trunks and suitcases; umbrellas, parasols and walking sticks; whips, harness and saddlery; wallets, purses not of precious metal; handbags, backpacks, wheeled bags; sports bags for climbers; sports bags for campers; traveling bags, beach bags, school bags, unfitted vanity cases; collars and clothing for animals namely, pet clothing and collars; mesh shopping bags, mesh shopping nets for use in an automobile; leather bags or pouches.

GOODS AND/OR SERVICES SECTION (025)(current)

INTERNATIONAL CLASS 025

DESCRIPTION

Clothing, footwear, headgear; shirts; clothes of leather or imitation leather; belts (clothing); furs (clothing); gloves (clothing); scarves, neckties; hosiery; socks; slippers; beach, ski or sports footwear; textile babies' napkins; underwear

GOODS AND/OR SERVICES SECTION (025)(proposed)

INTERNATIONAL CLASS 025

DESCRIPTION

Clothing namely, shirts, t-shirts, pants, dresses, shorts, coats, jackets, jogging suits, bathing suits, bathing trunks; footwear used in connection with beach, ski or sports; slippers; socks; baby cloth bibs; clothing items made of leather or imitation leather namely, belts; headgear namely, hats, caps, berets; scarves; gloves as clothing; neckties; hosiery; underwear.

PAYMENT SECTION

TOTAL AMOUNT 100

TOTAL FEES DUE 100

SIGNATURE SECTION

RESPONSE SIGNATURE /Steven L. Baron/

SIGNATORY'S NAME Steven L. Baron

SIGNATORY'S POSITION Attorney of record, Illinois bar member

DATE SIGNED 07/28/2010

AUTHORIZED SIGNATORY YES

FILING INFORMATION SECTION

SUBMIT DATE Wed Jul 28 20:46:43 EDT 2010

TEAS STAMP
USPTO/POA-XX.XXX.XX.X-201
00728204643667413-7907354
6-460727161fd5ba53ff1f415
7e8935b252e-CC-7401-20100
728201345461536

Petition To Revive For Office Action

To the Commissioner for Trademarks:

Application serial no. **79073546** has been amended as follows:

PETITION

Petition Statement

Applicant has firsthand knowledge that the failure to respond to the Office Action by the specified deadline was unintentional, and requests the USPTO to revive the abandoned application.

RESPONSE TO OFFICE ACTION

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section.

EVIDENCE

Evidence in the nature of Proposed response to office action; Exhibit A (French Trademark registration and English translation); Exhibit B (International Trademark registration and English translation). has been attached.

Original PDF file:

[evi_65175322-201345461_.Smiley_Company_Response_to_Office_Action_Ser.No.79073546.pdf](#)

Converted PDF file(s) (8 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

Original PDF file:

[evi_65175322-201345461_.French_trademark_Reg.No.053352819_and_English_Translation.pdf](#)

Converted PDF file(s) (4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

Original PDF file:

[evi_65175322-201345461_.B_International_Registration_1015069_and_English_Translation.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 016 for Printed matter, bookbinding materials; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paintbrushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); printing type; printing blocks; paper, cardboard; cardboard or paper boxes; posters; albums; cards; books; newspapers; prospectuses; pamphlets; calendars; writing implements; lithographic or engraved art objects; paintings, framed or not; watercolours; patterns for dressmaking; drawings; drawing instruments; paper handkerchiefs; paper towels; paper table linen; toilet paper; babies' napkins of paper and cellulose (disposable); bags, small bags (wrappings, pouches) for packaging purposes (of paper or plastic); garbage bags (of paper or plastic materials)

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 016 for Printed matter namely, books, stationery, greeting cards, note cards, post cards, posters, newspapers, printed calendars, printed forms, printed invitations, photo albums, scrapbooks, photographs; bookbinding materials, namely bookbinding papers or cloth, bookbinding adhesive tape or glue; adhesive tapes for stationery or household purposes; artists' materials namely, artists' paintbrushes, typeset printing blocks, printing type, art pads, art paper, paper, cardboard, dressmaking patterns, drawings, watercolors, paintings both framed and unframed; lithographic or engraved art objects; writing implements namely pens, pencils, fountain pens, artists' pencils; drawing instruments namely, charcoal pencils, drawing pencils, pencil cases; typewriters and office requisites except furniture namely, magnetic boards, file folders, desktop stationery cabinets; printed instructional and teaching materials except apparatus; cardboard or paper boxes; paper products namely, paper handkerchiefs, paper towels, paper table linen, toilet paper, babies' disposable napkins of paper and cellulose; bags namely, paper or plastic for use as gift bags, paper bags or pouches, paper and plastic bags for merchandise packaging purposes, paper and plastic garbage bags; pamphlets in the field of fashion, home, decorating and licensing; prospectuses in the field of fashion, home, decorating and licensing.

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 018 for Leather and imitation leather, animal skins and hides; trunks and suitcases; umbrellas, parasols and walking sticks; whips, harness and saddlery; wallets; purses not of precious metal; handbags, backpacks, wheeled bags; bags for climbers, bags for campers, travelling bags, beach bags, school bags; unfitted vanity cases; collars and clothing for animals; shopping nets or bags; bags or pouches (wrappings, pouches) for packaging (leather)

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 018 for Leather and imitation leather, animal skins and hides; trunks and suitcases; umbrellas, parasols and walking sticks; whips, harness and saddlery; wallets, purses not of precious metal; handbags, backpacks, wheeled bags; sports bags for climbers; sports bags for campers; traveling bags, beach bags, school bags, unfitted vanity cases; collars and clothing for animals namely, pet clothing and collars; mesh shopping bags, mesh shopping nets for use in an automobile; leather bags or pouches.

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 025 for Clothing, footwear, headgear; shirts; clothes of leather or imitation leather; belts (clothing); furs (clothing); gloves (clothing); scarves, neckties; hosiery; socks; slippers; beach, ski or sports footwear; textile babies' napkins; underwear

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 025 for Clothing namely, shirts, t-shirts, pants, dresses, shorts, coats, jackets, jogging suits, bathing suits, bathing trunks; footwear used in connection with beach, ski or sports; slippers; socks; baby cloth bibs; clothing items made of leather or imitation leather namely, belts; headgear namely, hats, caps, berets; scarves; gloves as clothing; neckties; hosiery; underwear.

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

APPLICANT AND/OR ENTITY INFORMATION

Applicant proposes to amend the following:

Current: The Smiley Company (SPRL) a(n) Société privée à responsabilité limitée, having an address of
16 rue des Trois Arbres B-1180 Bruxelles

,
Belgium

Proposed: The Smiley Company (SPRL), private limited company legally organized under the laws of Belgium, comprising of N/A, having an address of

16 rue des Trois Arbres B-1180 Bruxelles 1180
Belgium
sbaron@mandellmenkes.com
3223322205

FEE(S)

Fee(s) in the amount of \$100 is being submitted.

SIGNATURE(S)

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