



Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

U.S. Application Serial No.: 79252811
International Registration No.: 1245159

Attached is **FULL REFUSAL** Office action that applies to all the goods and/or services in the U.S. application identified above. 15 U.S.C. §1141h(c).

RESPONSE:

A response to this provisional refusal is due within six (6) months from the mailing date of the Office action, i.e., within six months from **August 30, 2019**.

APPLICANT OR ATTORNEY CAN RESPOND TO PROVISIONAL REFUSAL:

Applicant can respond directly to this provisional refusal Office action, or applicant can hire an attorney to represent itself before the Office and that attorney can respond on applicant's behalf. The Office cannot aid in the selection of an attorney. 37 C.F.R. §2.11.

NOTE: Attorneys hired to represent an applicant in a trademark matter before the Office must be eligible under 37 C.F.R. §10.14:

- (1) *Attorneys residing in the United States* who are in good standing with the bar of any United States court or the highest court of any state, may practice before the Office in trademark matters.
- (2) *A foreign attorney not residing in the United States* who is in good standing before the patent or trademark office of the country in which he or she resides, may practice before the Office in trademark matters only in cases where the patent and trademark office of that foreign country allows substantially reciprocal privileges to those permitted to practice before the Office. Currently, Canadian attorneys are the only foreign attorneys recognized as meeting this criterion. A foreign attorney who meets the requirements of 37 C.F.R. §10.14(c) can only represent parties located in the country in which the foreign attorney resides and practices. TMEP §602.

Please note that non-attorneys are not permitted to practice before the Office except under the very limited circumstances specified in 37 C.F.R. §10.14(b).

Pages enclosed – 3

To: TRENS SK, a.s. (iplaw@vorys.com)
Subject: U.S. Trademark Application Serial No. 79252811 - TRENS - 77912-000003
Sent: August 29, 2019 08:14:31 PM
Sent As: ecom104@uspto.gov
Attachments:

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application
Serial No.
79252811

Mark: TRENS

Correspondence
Address:
Anthony P.
Venturino
VORYS,
SATER,
SEYMOUR
AND PEASE
LLP
IPLAW@VORYS
- PO BOX 2255
COLUMBUS
OH 43216-2255

Applicant:
TRENS SK, a.s.

Reference/Docket
No.
77912-000003

Correspondence
Email Address:

iplaw@vorys.com

NONFINAL OFFICE ACTION

The USPTO must receive applicant's response to this letter within six months of the issue date below or the application will be abandoned. Respond using the Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Issue date: August 29, 2019
International Registration No. 1245159

This Office action is in response to applicant's communication of August 8, 2019. It contains a new requirement due to implementation of the new U.S. Counsel rule, fully explained below.

Prior Requirements of the Office that Have Been Satisfied by Applicant:

Applicant has satisfied the following requirements:

- Entity and Citizenship;
- Identification.

Accordingly, these requirements are withdrawn. TMEP §§713.02, 714.04.

Trademark Act Section 2(d) Refusal to Register – Likelihood of Confusion - MAINTAINED:

The refusal to register the applied-for mark because of a likelihood of confusion with the mark(s) in U.S. Registration No(s). 2262374 is maintained. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the previously enclosed registration(s).

U.S. Counsel Requirements:

Applicant must be represented by a U.S.-licensed attorney. The application record indicates that applicant's domicile is outside of the United States in Slovakia, but no attorney who is an active member in good standing of the bar of the highest court of a U.S. State or territory has been appointed to represent the applicant in this matter. All applicants whose permanent legal residence or principal place of business is not within the United States or its territories must be represented by a U.S.-licensed attorney at the USPTO. 37 C.F.R. §§2.2(o), 2.11(a). Thus, applicant is required to be represented by a U.S.-licensed attorney and must appoint one. 37 C.F.R. §2.11(a). This application will not proceed to registration without such appointment and representation. *See id.* See Hiring a U.S.-licensed trademark attorney for more information.

To appoint or designate a U.S.-licensed attorney. To appoint an attorney, applicant should (1) submit a completed Trademark Electronic Application System (TEAS) Revocation, Appointment, and/or Change of Attorney/Domestic Representative form and (2) promptly notify the trademark examining attorney that this TEAS form was submitted. Alternatively, if applicant has already retained an attorney, the attorney can respond to this Office action by using the appropriate TEAS response form and provide his or her attorney information in the form and sign it as applicant's attorney. *See* 37 C.F.R. §2.17(b)(1)(ii).

How to respond. Click to file a response to this nonfinal Office action

/James W. MacFarlane/
Examining Attorney
Law Office 104
(571) 270-1512 (phone)
(571) 270-2512 (fax)
james.macfarlane@uspto.gov

RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to abandon.** A response or notice of appeal must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS and ESTTA maintenance or unforeseen circumstances could affect an applicant's ability to timely respond.
- **Responses signed by an unauthorized party are not accepted and can cause the application to abandon.** If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant. If applicant has an attorney, the response must be signed by the attorney.
- If needed, find contact information for the supervisor of the office or unit listed in the signature block.

To:	TRENS SK, a.s. (iplaw@vorys.com)
Subject:	U.S. Trademark Application Serial No. 79252811 - TRENS - 77912-000003
Sent:	August 29, 2019 08:14:32 PM
Sent As:	ecom104@uspto.gov
Attachments:	

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on **August 29, 2019** for
U.S. Trademark Application Serial No. 79252811

Your trademark application has been reviewed by a trademark examining attorney. As part of that review, the assigned attorney has issued an official letter that you must respond to by the specified deadline or your application will be abandoned. Please follow the steps below.

(1) Read the official letter.

(2) Direct questions about the contents of the Office action to the assigned attorney below.

/James W. MacFarlane/
Examining Attorney
Law Office 104
(571) 270-1512 (phone)
(571) 270-2512 (fax)
james.macfarlane@uspto.gov

Direct questions about navigating USPTO electronic forms, the USPTO website, the application process, the status of your application, and/or whether there are outstanding deadlines or documents related to your file to the Trademark Assistance Center (TAC).

(3) Respond within 6 months (or earlier, if required in the Office action) from **August 29, 2019**, using the Trademark Electronic Application System (TEAS). The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. See the Office action for more information about how to respond.

GENERAL GUIDANCE

- **Check the status of your application periodically** in the Trademark Status & Document Retrieval (TSDR) database to avoid missing critical deadlines.
- **Update your correspondence email address**, if needed, to ensure you receive important USPTO notices about your application.
- **Beware of misleading notices sent by private companies about your application.** Private companies not associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices – most of which require fees. All official USPTO correspondence will only be emailed from the domain “@uspto.gov.”