



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

U.S. Application Serial No.: 79/003545
International Registration No.: 0827962

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

The identification of goods, name/consent requirements applies to all the goods and/or services in the application and therefore comprise a provisional full refusal of the entire application.

RESPONSE DUE:

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 05 January 2005.

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).

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UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 79/003545

JAN - 5 2005

APPLICANT: DYAG STOCK SA

CORRESPONDENT ADDRESS:
DYAG STOCK SA
67/69 avenue de la République
F-93170 BAGNOLET FRANCE



RETURN ADDRESS:
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: DEBORAH LEE

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 79/003545

The assigned examining attorney has reviewed the referenced application and determined the following.

NO CONFLICTING MARKS

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 1105.01.

LIVING INDIVIDUAL REQUIREMENT

If the name shown in the mark, DEBORAH LEE, identifies a particular living individual, the applicant must submit a written consent from that individual, authorizing the applicant to register the name. If the name does not identify a living individual, the applicant should state so for the record. Trademark Act Section 2(c), 15 U.S.C. Section 1052(c); TMEP sections 813 and 1206.

IDENTIFICATION OF GOODS - INDEFINITE

The applicant must clarify the identification of goods by amending the goods to read with greater

specificity. The applicant must specifically identify the clothing and the headgear items in question. TMEP section 804.

The applicant may adopt the following identification of goods, if accurate:

"Clothing, namely, shirts and pants, footwear and headgear, namely, hats, in International Class 25."

The PTO's Acceptable ID Manual, containing lists of acceptable identifications of goods and services is available on the Patent and Trademark Office's home page at [www.uspto.gov/web/offices/tac/doc/gsmannual/](http://www.uspto.gov/web/offices/tac/doc/gsmmanual/). The Manual includes explanations and notices of classification policy.

INCLUDE ONLY GOODS THAT ARE WITHIN THE SCOPE OF THE ORIGINAL IDENTIFICATION

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. Section 2.71(b); TMEP section 804.09. Therefore, the applicant may not amend to include any goods or services that are not within the scope of the goods and services recited in the present identification.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone or e-mail the assigned examining attorney.

NOTICE: TRADEMARK OPERATION RELOCATION

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

**Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451**

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

Florentina Blandu
l.o.112
tel 571 -272-9128
fax 571- 273-9128
florentina.blandu@uspto.gov (for informal
communications only)

How to respond to this Office Action:

You may respond formally using the Office's Trademark Electronic Application System (TEAS)

Response to Office Action form (visit <http://eteas.uspto.gov/V2.0/oa242/WIZARD.htm> and follow the instructions therein, but you must wait until at least 72 hours after receipt if the office action issued via e-mail). PLEASE NOTE: Responses to Office Actions on applications filed under the Madrid Protocol (Section 66(a)) CANNOT currently be filed via TEAS.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.