

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 79/046976

MARK:

79046976

CORRESPONDENT ADDRESS:

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RESPOND TO THIS ACTION:

<http://www.uspto.gov/teas/eTEASpageD.htm>

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Obchtchestvo s
ogranichennoi; otvetstve ETC.

CORRESPONDENT'S
REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE:

INTERNATIONAL REGISTRATION NO. 0840060.

This is a **PROVISIONAL FULL REFUSAL** of the trademark and/or service mark in the above-referenced U.S. application. *See* 15 U.S.C. §1141h(c).

WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL FULL REFUSAL:

Applicant may respond directly to this provisional refusal Office action, or applicant's attorney may respond on applicant's behalf. However, **the only attorneys who can practice before the United States Patent and Trademark Office (USPTO)** in trademark matters are as follows:

- (1) **Attorneys in good standing with a bar of the highest court of any U.S. state, the District of Columbia, Puerto Rico, and other federal territories and possessions of the U.S.; and**
- (2) **Canadian attorneys who represent applicants residing in Canada and who have applied for and received reciprocal recognition by the USPTO under 37 C.F.R. §10.14(c).**

37 C.F.R. §10.14; TMEP §602.

Other than duly authorized Canadian attorneys, foreign attorneys cannot sign responses or otherwise represent applicants before the USPTO. *See* TMEP §602.06(b). Preparing a paper, authorizing an amendment to an application, or submitting legal arguments in response to a requirement or refusal constitutes representation of a party in a trademark matter. *A response signed by an unauthorized foreign attorney is considered an incomplete response.* TMEP §§602, 602.03, 603.04, 605.05(a).

THE APPLICATION HAS BEEN PROVISIONALLY REFUSED AS FOLLOWS:

Introduction

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

Applicant

The application does not include applicant's "Legal Nature". Applicant must specify its entity type ("Legal Nature"). 37 C.F.R. §2.32(a)(3); TMEP §§803.03, 803.04.

Acceptable entity types include an individual, a partnership, a corporation or a joint venture. *See* 37 C.F.R. §2.32(a)(3); TMEP §§803.03 *et seq.*

Identification of Goods

The identification of goods is unacceptable as indefinite. The applicant must amend the identification to specify the common commercial name of the goods. If there is no common commercial name, the applicant must describe the product and its intended uses. TMEP §1402.01.

The applicant may adopt the following identification of goods, if accurate: Processed albuminous food adapted for medical purposes; dietetic foods adapted for medical purposes; food for babies; antiseptics; balms for medical purposes; biosides; dietetic beverages adapted for medical purposes; medicinal mud, namely, herbal mud packs for therapeutic purposes; disinfectants for hygiene purposes; sea water for medicinal bathing; lacteal flour adapted for use as baby food; ferments for pharmaceutical purposes; germicides; medicinal herbs in dried or preserved form; oils in the nature of baby oils for medical use; medicinal herbal infusions for medical purposes; liniments; lotions for pharmaceutical purposes, namely for skin; albuminous preparations in the form of food for medical purposes; bacterial preparations for medical and veterinary use; biological preparations for medical purposes; vitamin preparations; therapeutic preparations for the bath, namely, medicated bath salts; pharmaceutical preparations for treating dandruff; mouthwashes for medical purposes; plant roots for medicinal purposes; sanitary pads; tissues impregnated with pharmaceutical lotions; dietetic foods adapted for medical use; mineral supplements; herb teas for medicinal purposes (SUGGESTED IDENTIFICATION FROM COPENING U.S. APPLICATION SER. NO. 79041841).

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. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods that are not within the scope of goods set forth in the present identification.

Translation

Applicant must submit an English translation of the mark. 37 C.F.R. §2.61(b); TMEP §809. The following translation statement is suggested: "The English translation of the mark is (specify)."

Search

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. §1052(d). TMEP §704.02.

/Howard B. Levine/
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RESPOND TO THIS ACTION: If there are any questions about the Office action, please contact the assigned examining attorney. A response to this Office action should be filed using the form available at <http://www.uspto.gov/teas/eTEASpageD.htm>. If notification of this Office action was received via e-mail, no response using this form may be filed for 72 hours after receipt of the notification. **Do not attempt to respond by e-mail as the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.