

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 79/052269

MARK:

79052269

CORRESPONDENT ADDRESS:

O.V. Shterz
P.O. box 242
RU-630132 Novosibirsk
RUSSIAN FED.

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. 0837983

This is a **PROVISIONAL PARTIAL REFUSAL** of the trademark and/or service mark in the above-referenced U.S. application that **applies to only the following goods in the application:** aromatics (essential oils), deodorants for personal use (perfumery), cosmetic sets, shaving stones (antiseptic), (cosmetic preparations for skin tanning), cosmetic products for skin care, make-up removing products; nail care products, oral care products for non-medical use, . See 15 U.S.C. §1141h(c).

WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL PARTIAL 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 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 United States; and
- (2) **Canadian agents/attorneys** who represent applicants residing in Canada and who have received reciprocal recognition by the USPTO under 37 C.F.R. §10.14(c).

37 C.F.R. §§10.1(c), 10.14; TMEP §602.

Foreign attorneys are not permitted to practice before the USPTO, other than properly authorized Canadian attorneys. TMEP §602.06(b). Filing written communications, 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. *See* TMEP §§602.03, 712.03.

THE APPLICATION HAS BEEN PROVISIONALLY PARTIALLY REFUSED AS FOLLOWS:

NOTE: This is a partial refusal Office action. The refusal(s) and/or requirement(s) in this Office action apply only to specified goods in the U.S. application.

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

IDENTIFICATION OF GOODS

In the identification of goods, applicant must use the common commercial or generic names for the goods, be as complete and specific as possible, and avoid the use of indefinite words and phrases. If applicant uses indefinite words such as “accessories,” “components,” “devices,” “equipment,” “materials,” “parts,” “systems” or “products,” such words must be followed by “namely,” followed by a list of the specific goods identified by their common commercial or generic names. *See* TMEP §§1402.01, 1402.03(a).

The identification of goods is unacceptable as indefinite. The applicant must delete the parentheses as the office does not allow them in the identification. The applicant may adopt the following, if accurate:

aromatics, namely, essential oils..... deodorants for personal use; perfumery;.....cosmetic sets comprising shaving products, namely antiseptic shaving stones.... cosmetic preparations for skin tanning..... cosmetic creams for skin care; make-up removers..... nail care products, namely,

If applicant does not respond to this Office action within the six-month period for response, then the following goods and/or services will be deleted from the application: aromatics (essential oils), deodorants for personal use (perfumery), cosmetic sets, shaving stones (antiseptic), (cosmetic preparations for skin tanning), cosmetic products for skin care, make-up removing products; nail care products, oral care products for non-medical use, .

The application will then proceed with the following goods and/or services only: Adhesives for cosmetic use; astringents for cosmetic use; cotton puffs for cosmetic use; scented wood; cosmetics; cosmetics for eyelashes; pencils for cosmetic use; cosmetic creams; skin whitening creams; bleaching preparations for cosmetic use, dentifrices; depilatories; eau-de-Cologne; scented water; eaux de toilette; make-up; petroleum jelly for cosmetic use; greases for cosmetic use; oils for cosmetic use; oils for cleaning; oils for toilet use; ethereal oils; oils for perfumes and scents; almond oil for cosmetic use; cleansing milks for toilet use; hair sprays; nail polish; lotions for cosmetic use; after-shave lotions; hair lotions; mascara; beauty masks; decorative transfers for cosmetic use; neutralizers for permanent waving; cotton wool for cosmetic use; perfumes; hydrogen peroxide for cosmetic use; pumice stone; antiseptic shaving stones; pomades for cosmetic use; potpourris; cosmetic preparations for baths; cosmetic preparations for slimming; hair waving preparations; sun blocks; perfumery; toiletries; antiperspirants; nail-polish removers; oral care toothpaste for non-medical use; make-up powder; lipstick; cakes of toilet soap; soaps for personal care; antiperspirant soaps; disinfectant soaps; deodorant soaps; medicated soaps, tissues impregnated with cosmetic lotions; shampoos; cosmetic dyes; hair dyes, in Class 3. 37 C.F.R. §2.65(a).

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at

<http://tess2.uspto.gov/netahtml/tidm.html>.

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(a); TMEP section 804.09. Therefore, the applicant may not amend to include any goods that are not within the scope of goods set forth in the present identification.

The international classification of goods and/or services in applications filed under Trademark Act Section 66(a) cannot be changed from the classification given to the goods and/or services by the International Bureau in the corresponding international registration. TMEP §§1401.03(d), 1904.02 (b).

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. Section 1052(d). TMEP section 1105.01.

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

/Anne T. Madden/
Trademark Examining Attorney
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571-272-9190
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RESPOND TO THIS ACTION: Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For *technical* assistance with the form, please e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; 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.