

# Note To The File

Serial Number: 90688064  
Date: 10/22/2021 8:44 pm  
Created by: John Salcido

r.e.m.beauty

R.E.M. BEAUTY

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## Changed

- Issued Examiner's Amendment and Entered Changes

## Discussed file with Attorney/Applicant

- via E-Mail

Hi John,

Thank you for the email.

The correction to the goods are approved, thank you.

Further, no claim is made to the exclusive right to use "BEAUTY" apart from the mark as shown.

Please let us know if you require any additional information.

Thank you for your time!

**Best regards,**

**Jared A. Smith**

**Associate | Adelman Matz PC**

T: 646.773.6121

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**From:** Salcido, John <[John.Salcido@USPTO.GOV](mailto:John.Salcido@USPTO.GOV)>  
**Sent:** Friday, October 22, 2021 4:16 PM  
**To:** Jared Smith <[jared@adelmanmatz.com](mailto:jared@adelmanmatz.com)>  
**Subject:** RE: USPTO Applications for: r.e.m. and r.e.m. beauty

Hi Jared,

Sure, I can move all of these to publication. Just need your OK to enter examiner's amendments for them to correct the ID of goods and accept the disclaimers and I can move them all forward.

Only ID change was in class 021 changing "apply" to "applying" to fix the entry grammatically. The following was proposed for all the applications:

Class 021: Foam applicator sticks for applying cosmetics; applicators sold separately for **applying** cosmetics; applicator wands for applying make-up to lips, eyes and skin; sponges for cosmetic use

And a disclaimer of BEAUTY for the applications that had that wording.

Let me know if these are OK.

Best,

John

**From:** Jared Smith <[jared@adelmanmatz.com](mailto:jared@adelmanmatz.com)>  
**Sent:** Thursday, October 21, 2021 4:22 PM  
**To:** Salcido, John <[John.Salcido@USPTO.GOV](mailto:John.Salcido@USPTO.GOV)>  
**Subject:** USPTO Applications for: r.e.m. and r.e.m. beauty

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Mr. Salcido,

My name is Jared Smith. I am an associate with Adelman Matz P.C., the law firm that represents Thunder Road, Inc. the owner of the marks: r.e.m. (Application Nos: 90692234, and 90552259) and r.e.m. beauty (Application Nos: 90688064, 90552136, and 90519804).

According to the office actions as to the above-referenced marks, the mark REM FRENCH RIVIERA (4839252) was an impediment to registration. The mark REM FRENCH RIVIERA was cancelled as a result of the non-use cancellation action filed by our client (see attached screenshots of the USPTO site showing the mark as cancelled).

In addition to the 2(d) refusal, the office actions also discussed a disclaimer that was required, which we wanted to see if we could handle via an examiner's amendment. Can you please contact me at: 646-773-6121 when you can so we can provide you with whatever information you need to get the examinations back underway?

Thank you!

**Best regards,**

**Jared A. Smith**