

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hong Kong NETEASE Interactive Entertainment Limited

Mark:

Onmyoji: Yokai Koya

Serial No. 88262409

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

PETITION TO THE DIRECTOR

Pursuant to TMEP § 37 C.F.R., §2.35(b)(2) and TMEP §806.03(j), Applicant hereby petitions the Director to allow the Examining Attorney to consider the proposed amendment to substitute the §44 basis for the §1(b) contained in the application as filed.

Amendment

Please amend the above-captioned application by deleting the Intent to Use, §1(b) filing basis and substituting instead §44.

Remarks

Applicant wishes to delete the §1(b) basis from the instant application and substitute instead §44. Applicant submits that such amendment is permissible pursuant TMEP §806.03(j)(ii). Applicant has attached, as Exhibit A, a copy of a certificate of registration No. 304817179 for the corresponding Applicant's trademark registration in Hong Kong, a country in which applicant has a bona fide and effective industrial or commercial establishment.

Applicant wishes to delete the following goods and services from the application:

In class 009: home video game consoles used with televisions and arcade-based video game consoles; pre-recorded DVDs, flash drives, CDs, video discs, downloadable audio and video recordings featuring motion picture and television films about children's entertainment and computer games;

In class 041: and computer game software; Provision of information relating to electronic computer games provided via the Internet;

Applicant wishes to proceed with the following goods and services:

Class 009: Downloadable computer game programs; Computer game programmes downloadable via the Internet; Downloadable computer game software; Downloadable computer game software for use with personal computers; Downloadable computer game software for use on mobile and cellular phones; Downloadable computer gaming software for recreational game playing purposes; Downloadable computer programs for pre-recorded games; Downloadable computer programs for video and computer games; Downloadable computer game software via a global computer network and wireless devices; Downloadable electronic game software for use on mobile and cellular phones, laptop, handheld computers, tablet computer, handheld wireless devices; Recorded computer game programs; Video disks and video tapes with recorded animated cartoons; Downloadable virtual reality game software; Downloadable augmented reality game software

Class 041: Entertainment services, namely, providing on-line computer games; Entertainment services, namely, providing on-line reviews of computer games; Entertainment services, namely, providing temporary use of non-downloadable computer games; Production of video; Providing a web-based system and on-line portal for customers to participate in on-line

gaming, operation and coordination of game tournaments, leagues and tours for recreational computer game playing purposes; providing online entertainment news and entertainment information in the field of computer games; arranging and conducting computer game competitions; Entertainment services, namely, providing online virtual reality games; Entertainment services, namely, providing online augmented reality games

Applicant requests that the Notice of Allowance be cancelled, the application be sent to the Examining Attorney for examination of the §44 basis, and the §1(b) basis be deleted from the application.

Pursuant to §37 C.F.R. §2.146 Applicant complied with the requirements for filing the petition to the Director by submission of the \$100 petition fee filed herewith.

Please direct any questions regarding this petition to the undersigned attorney for Applicant.

Respectfully submitted,



Date: July 14, 2020

By:

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