

Applicant respectfully submits the following arguments in support of its Request for Reconsideration after Final Action.

The mark is currently in use in U.S. commerce on a series of sound recordings, and the performer controls the quality of the recordings and controls the use of the name, such that the name has come to represent an assurance of quality to the public. Applicant hereby submits CD covers for two different albums that have been released under the name LOS LUZEROS DE RIOVERDE. Applicant declares as follows: “Applicant produces the goods and controls their quality.”

Applicant requests to amend the mark to a black and white drawing. Applicant hereby submits a new drawing of the mark in black and white. Applicant hereby amends its application to no longer claim color as a feature of the mark. Because the mark is now in black and white, the specimens need not appear in any particular color, and may appear as black on a white background, or white on a colored background, or any variation thereof.

If the Examining Attorney does not find the specimens match the drawings or are otherwise not acceptable, Applicant respectfully requests to amend the application to an intent to use basis under Section 1(b) and in that case declares as follows: “Applicant has a bona fide intention to use the mark in commerce as of the filing date of the application.”

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Applicant: /Indira Rivera/

Applicant: /Ricardo Rivera/