

Our request to Trademark Paris for our designs which are designed in France is not deceptive to the consumer. Our jewelry is designed in Paris, France and exported to us for sale and distribution in the USA and Internationally

In response to the office action in searching the terms “What is Paris Best Known For” In Google.com in the top 20 search links it brings up geographical locations such as Eiffel Tower, Arc de Triumphe. The Louvre, Versailles, Fashion, Food, Notre dame just to name a few. In the highest query links for Paris there is no mention to the word “Jewelry”.

Using the query term “Paris”; links to travel sites are the highest results given, destination in Paris France referring to cities, towns, landscape, wine, attractions such as museums and geographical cities and towns that are historic and monumental and links to sites such as museums and tourist attractions. Jewelry may fall under shopping within another website the query links to, as sub category or reference within the website, but no description of jewelry being one of France’s largest industries.

In fact, by definition the largest industries in Paris are sited at the link below with no mention of jewelry being a leading industry of the city. The examining officer has not provided factual information that jewelry is one of the largest industries in Paris http://en.wikipedia.org/wiki/Economy_of_Paris#Manufacturing

In fact by definition the largest industries in France are sited here with no mention of jewelry. http://en.wikipedia.org/wiki/Economy_of_France

In response to the reference that the jewelry industry is one of France’s largest industries, in fact in Frances leading corporations, not one of them is jewelry.

This definition listed <http://www.thefreedictionary.com/Paris>

Paris [ˈpæris (French) pari]

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1. (Placename) the capital of France, in the north on the River Seine: constitutes a department; dates from the 3rd century BC, becoming capital of France in 987; centre of the French Revolution; centres around its original site on an island in the Seine, the **Île de la Cité**, containing Notre Dame; university (1150). Pop.: 2 123 261 (1999) Ancient name **Lutetia** (Historical Terms)

Treaty of Paris

- a. a treaty of 1783 between the US, Britain, France, and Spain, ending the War of American Independence
- b. a treaty of 1763 signed by Britain, France, and Spain that ended their involvement in the Seven Years' War
- c. a treaty of 1898 between Spain and the US bringing to an end the Spanish-American War [via French and Old French, from Late Latin (*Lūtētia*) *Parisiōrum* (marshes) of the *Parisii*, a tribe of Celtic Gaul]

As sited here

<http://en.wikipedia.org/wiki/Jewelery> Jewellery market According to a recent KPMG study^[41] the largest jewellery market is the United States with a market share of 30.8%, Japan, India and China and the Middle East each with 8 - 9% and Italy with 5%. The Authors of the study predict a dramatic change in market shares by 2015, where the market share of the United States will have dropped to around 25%, and China and India will increase theirs to over 13%. The Middle East will remain more or less constant at 9%, whereas Europe's and Japan's marketshare will be halved and become less than 4% for Japan, and less than 3% for the biggest individual European countries: Italy and the UK.

As sited here at the link below for Paris business information facts of Paris, jewelry is not associated and or listed in the factual content here for business and trade
<http://www.biztradeshows.com/france/paris/business.html>

When people think of Paris they think of the city and the Eiffel Tower which is the most likely association. There are many countries and cities that make, market, advertise and export and import jewelry and luxury goods.

In response to this link provided in the office action here

<http://www.infoplease.com/ce6/world/A0837642.html>

This is merely an opinion that Paris is associated highly with jewelry. The link provided for this website claims to be a definition of Paris, France according to this website. This is the author's descriptive and subjective opinion in the 2nd paragraph and not a formal correct definition of a city. It seems to be based solely on presumption of term jewelry is or "may" be associated with Paris, but not one of its major industries according to this website showing the number of companies in each industry, only two companies are listed for jewelry here <http://www.transnationale.org/countries/fras.php>

The office action provides a link to a website that sells replica fake jewelry of well known trademarked brands, www.flyreplica.com. There was no substantial or conclusive evidence or statement in addition to , and has nothing been provided as reason for this website and why this website and article is a reason for this trademark to have a refusal consideration.

An article link is given in response to the office action on information about Van Clef and Arpel. The article is hardly a reference and or a proven fact that jewelry is one of the largest industries in Paris. Also to consider that the website illegally sells fake replica goods that are illegal www.flyreplica.com should not be considered as a reputable documentation for claims made in the office action.

Upon further research the office actions reference to jewelry being one of largest industries in Paris. We found no reference to factual statements at the US Department of States factual information on France that the jewelry industry is one of Paris or France's largest. <http://www.state.gov/r/pa/ei/bgn/3842.htm>

We found no substantial concrete figures or assessments from The US Department Of State website that jewelry is a major industry in France under the section economy.

Referenced Industry: *Types*--aircraft, electronics, transportation, textiles, clothing, food processing, chemicals, and machinery, steel were mentioned

<http://www.state.gov/r/pa/ei/bgn/3842.htm#econ>

- This website example listed in the office action of encyclopedia is not the encyclopedia definition found in It is not substantial proof that the terms jewelry is in fact so highly associated, or one of its major industries in Paris or the correct definition as the examining attorney states.

The proper and true definition of Paris which can be found at this link here makes no assumption and does not define the term Jewelry to be associated with Paris

<http://en.wikipedia.org/wiki/Paris>

It mentions the word fashion and when proceeding to the definition link here, there are no terms or term using jewelry.

<http://en.wikipedia.org/wiki/Fashion>

The argument that the proposed mark Paris would be deceptive and cause confusion because the office action states jewelry being one of Paris's largest industries is merely sense of opinion and no factual evidence has been concluded on this specific term Paris being France's most popular type of commerce. The office action has not provided evidence that the term Paris has caused confusion in the jewelry industry in another case of a jewelry manufacturer, designer, market or seller in the particular city of Paris. Evidence was not provided of any other jewelry industry trademark using a singular city or country name. Other cases cited are not comparable to our product or the retail fashion or clothing industry, showing confusion and deceptive to the Paris, France jewelry industry .

The office action provides a link to About.com website merely listing a handful of links that do not prove or state a fact or give a perception that Paris is popular to a consumer for jewelry specifically. The descriptive opinion of the website merely states that Paris is popular for shopping categories listed, but provides no proof that Paris is substantially particularly associated with jewelry.

The examining attorney provides website links to other jewelers in the area of Paris, France, but has not provided any factual evidence that our class of goods would be deceptive to the consumer or that these jewelers are major industries of Paris. They are simply articles and advertisements that do not provide any information on jewelry being a

main industry of Paris or being highly associated with it. France is also associated with wine and cheese and other industries that other countries are also know for.

We site trademark references below to these cities and countries that have been granted trademarks specifically for a country a country name or city name. Some have been found to be deceptive and initially refused registration and were awarded registration.

ATHENS Registration# 2827175 The mark was found to be geographically descriptive to the country of Greece initially via an office action. The trademark was granted with the applicant based in the USA

MADRID Registration#76651601 Madrid is a city in Spain. The company that registered this trademark makes skateboards and shoes for skateboards in California.

BORDEAUX Registration# 0640126 Bordeaux is a city of France. The company Pepperidge farms based in the USA makes cookies under this registration. Fact: During a trip to Belgium, Margaret Rudkin discovers delicious and delicate cookies produced by the Delacre Company in Brussels. Pepperidge Farm reaches an agreement with Delacre to produce these elegant cookies in America. In 1955, Pepperidge Farm launches its Distinctive line of European-style cookies with evocative names such as *Bordeaux*®, *Geneva*® and *Brussels*®.

Reference <http://www.pepperidgefarm.com/History.aspx>

MARSEILLE Registration#2564693. Marseille is a city in France. The company makes ceiling fans and has registered the mark as a ceiling fan name. Sited here an example of a names city in France that is a registered trademark for goods that are sold and distributed in the USA.

Monaco Registration# 2837048 in the class of foods by a USA Corporation, the foods are imported from other countries and not Monaco. Monaco is the second smallest country. This is an example of a product that is being marketed and distributed with a country name, was awarded the registration, and does not purchase or produce goods from Monaco. Monaco is the second [smallest country](#) (by size) in the world; only the [Vatican City](#) is smaller. Monaco is also the world's second smallest monarchy, and one of the most [densely populated](#) countries in the world. The state consists of only one [municipality](#) (*commune*). There is no geographical distinction between the State and City of Monaco, although responsibilities of the government (state-level) and of the [municipality](#) (city-level) are different. According to the [constitution](#) of 1911, the [principality](#) was subdivided into three municipalities: Source: <http://en.wikipedia.org/wiki/Monaco>

ESPRESSO MILANO registration #3851886 The company that registered this is USA based company REGISTRANT) The Baltimore Coffee & Tea Co., Inc. CORPORATION MARYLAND 9 W. Aylesbury Road Timonium MARYLAND

Milano is a city in Italy. Italy as like other countries is known for its coffee's. Espresso coffee as Espresso is an Italian term. Espresso Milano was granted registration and was not deemed to be deceptive with Italian Espresso a clearly known fact that Espresso is an Italian term. The office action for Espresso Milano simply states that the applicant should state a disclaimer that no claim is made to the exclusive right to use "ESPRESSO" apart from the mark as shown.

2nd factual reference and cited here <http://www.kitchenproject.com/history/Espresso/index.htm> Espresso first appeared in Italy in the early 20th century. Coffee had already become a necessity to Italian daily life thanks to North African Muslims who brought it through Venice's ports during the Renaissance. We owe much of the mystique coffee to Venetian merchants who charged wealthy patrons hefty sums to try out this new fangled drink when the first coffeehouses opened in the 1640's.

Fast forward about 200 years and we find business man **Luigi Bezzera** tinkering away with this coffee pot to find a way to make coffee faster. In 1903, Bezzera owned a manufacturing business and was frustrated by the time-consuming process of brewing his own coffee at home each morning. He soon found that adding steam pressure to the machine not only cut down on the brewing process but also produced a stronger, more robust cup of coffee. This new quick-brew process drew out the coffee bean's best qualities but somehow avoided over extraction. Bezzera immediately named his invention the "Fast Coffee Machine". Since the word '**espresso**' means fast in Italian, the name of the beverage the machine produced was quickly shortened to what we know today.

It is known that some people do associate Italy with Espresso, but not all. There is no factual evidence that all and are most do associate Espresso with Italy. There is no evidence that some or all people associate jewelry with Paris as the office action states in regard to our proposed mark Paris.

Berlin Registration # 3807091 the classifications listed may be popular associations to the people of Germany and Berlin and some of the items in the classes listed may be infamous to people outside Berlin. The items listed in these classes are also items found within other cities in town all over the world, Clearly that this trademark is not going to be deceptive to the people of Germany or the city of Berlin as they do not strictly associate some of the terms in class IC 014 such as key rings of precious metal, jewelry cases, cases for clock-and watch making, watch chains; alarm clocks; precious stones; jewelry; horological and chronometric instruments with this city- The city of Berlin sells these goods listed just like every city in the world . **There is no reason why Paris would have**

anymore identifiable association with jewelry than any other city in the world other than some else's personal opinion. There is no factual evidence to prove that people associate all jewelry with Paris and that jewelry is in particular popular over any other country that sells jewelry. There is no conflicting mark as stated in the office action that any other trademark has been registered with the term jewelry other than our own intellectual property. Because our jewelry and goods are designed in Paris, France, there is no deception to the other jewelers or the jewelry industry that the office action has provided.

The office action references do not show a factual source that Paris is the source of jewelry and refers that some jewelry is made in Paris. There is no proof to back up claims that jewelry is associated with Paris and would likely cause confusion. Such showing are no enough to establish a goods, place association, Paris is a large city and can conceivably be a source of wide range many goods. The mark is entitled to registration under the Lanham Act Section 2 (f) because the mark has become distinctive to the goods and services listed in the application. Applicant has been using the mark in commerce to market products. Prompt publication is believed to be appropriate and respectfully requested.