

U.S. Trademark Application Serial No. 85/068,554

SECTIONS 1 AND 45 REFUSAL - FAILURE TO SHOW USE

The specimen provided with the application shows pages from an apartment guide. The pages advertise apartments for rent. The examining attorney claims they do not reference real estate management.

The applicant respectfully disagrees. In the field of multifamily real estate management, advertising sources such as the apartment guide typically show both the apartment community name (in this case "The Parc at Cherry Creek") and the company or owner providing real estate management services (in this case Carmel Partners as indicated by their logo "Carmel"). Thus, the presence of the "Carmel" logo on this page indicates that company is conducting real estate management services for the community "The Parc at Cherry Creek."