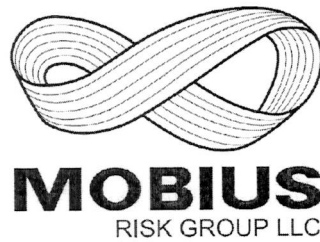


Mark: (current drawing)

Serial No.: 86027138



(replacement drawing)

RESPONSE TO OFFICE ACTION

This responds to the June 15, 2014 Office Action.

The outstanding issues with this application as raised by the Examiner are as follows:

1. Registration is refused because the specimen, in the Examiner's view, does not show the applied-for mark in the drawing in use in commerce. Specifically, the Examiner takes the position that "the specimen displays the wording and design element in the mark as being more elongated; however, the drawing displays the wording and design element in the mark as more compressed. The examining attorney notes that the mark on the drawing may be somewhat distorted."

2. registration is refused because the specimen, in the Examiner's view, does not show the applied-for mark in use in commerce in connection with any of the services specified in International Class 45",

and

3. Applicant must specify whether it is a limited liability company or a corporation and amend the application accordingly.

With respect to issue (3), Applicant clarifies that it is a limited liability company.

With respect to issue (1), Applicant filed a replacement drawing.

With respect to issue (2), Applicant respectfully disagrees with the Examiner's position that the original specimen does not show the mark in connection with the services in Class 45.

This application lists the following services in Class 45: "Regulatory compliance consulting regarding the Dodd-Frank Wall Street Reform and Consumer Protection Act"

Generally, in determining whether a specimen is acceptable evidence of service mark use, the examining attorney may consider applicant's explanations as to how the specimen is used, along with any other available evidence in the record that shows how the mark is actually used. TMEP, Section 1301(b). See *In re International Environmental Corp.*, 230 USPQ 688 (TTAB 1986), in which a survey distributed to potential customers of applicant's heating and air conditioning distributorship services was held to be an acceptable specimen even though it did not specifically refer to the services, where the applicant stated that the sale of its services involved ascertaining the needs of customers serviced, and the record showed that the surveys were directed to potential customers and were the means by which applicant offered its distributorship services to the public.

On August 2, 2013, Applicant submitted various specimens, including signage in front of its office. The mark is displayed in the process of rendering or performing services including Dodd Frank Compliance consulting. TMEP, Section 1301(b). Therefore, the originally filed specimen should be acceptable.

In addition, Applicant attaches screenshots of Applicant's website and the webpage titled "Services" which lists Applicant's services and shows the applied-for mark. The webpage specifically lists "Dodd Frank Compliance" as one of the services provided.

Accordingly, Applicant requests that the Examiner reconsider the originally-submitted specimen, withdraw the official objection to the specimens, accept Applicant's replacement drawing and specimen of use of the mark, and approve this application for publication. Should the Examiner have further questions, concerns or suggestions, she is encouraged to call either Max Voltchenko at 215-979-1823 or Lewis Gould at 215-979-1282.

Favorable action is requested.