

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FORD MOTOR COMPANY
Serial No.: 87032503
Filed: May 11, 2017
Mark: THUNDERBIRD
Class: 12
Atty. Docket No.: FMCTA31207TUS
Examining Attorney: Anthony M. Rinker / Law Office 102

RESPONSE TO OFFICE ACTION

The Applicant, Ford Motor Company, files this document in response to the Examiner's Office Action, dated August 19, 2016.

The Examiner had requested clarification of the designated goods, and Applicant submits that the clarification of goods submitted with this response will address the third party, coexisting registrations cited by the Examiner.

A. Request for Amendment to the Designation of Goods

In accordance with the Examiner's request, Applicant requests entry of the following amendment to the designation of goods:

“Motor vehicles, namely, passenger automobiles, their structural parts, engines, trims, badges, and accessories, namely, fitted motor vehicle covers, vehicle rooftop carriers, bug deflectors for motor vehicles, mud flaps for motor vehicles, trailer hitch receiver plugs for motor vehicles, sunshades and license plate frames for motor vehicles” in International Class 12.

Applicant submits that this is a proper clarification and limitation of the goods, and not an expansion of the goods, in accordance with 37 C.F.R. Sec. 2.71(a); TMEP Section 1401.06.

B. Request for Withdrawal of the Section 2(d) Citations

Applicant respectfully requests the withdrawal of the Section 2(d) citations to the third party registrations for THUNDERBIRD for “motorcycles and structural parts therefore” and “mini bikes,” as shown in Registration Nos. 1939115 and 2165500, respectively.

The proposed list of amended goods clearly distinguishes the Applicant’s goods from those of the cited registrants, and eliminates any likelihood of confusion in the relevant marketplaces. Applicant notes that its goods to be sold under this mark are sold through its authorized dealers, and that its customers are not likely to be confused as to the source or origin of Applicant’s goods.

The Applicant submits that its mark is in a form suitable for registration on the Principal Register, and respectfully requests such action. Should the Examiner have further questions or require additional information, he is requested to contact undersigned counsel.

Respectfully submitted,

FORD MOTOR COMPANY

By: /laura schwartz/
Laura Ernst Schwartz

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
248-358-4400
lschwartz@brookskushman.com, bktm@brookskushman.com