

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK EXAMINING OPERATION

In re Application of:)
Parks Communications, LLC)
Serial No. 87/109,191) Examining Attorney: Sani Khouri
Filed: July 19, 2016)
Mark: **MILLENNIUM**) Law Office: 110
)
)

RESPONSE TO OFFICE ACTION

The Examining Attorney on October 28, 2016 issued an Office Action in regards to this Application, rejecting the Application on the basis of Section 2(d) citing a likelihood of confusion with Registration No. 4,737,069 for MILLENNIUM PHOTO owned by Millennium Photo Inc., a Japan corporation. For the reason set forth below, Millennium Photo, Inc. has consented to Applicant's Application, and the Applicant herewith submits a copy of said Consent as Exhibit A to this Response. Applicant submits that this Consent and the arguments set forth below are sufficient to overcome the 2(d) Rejection, and that the Application should be approved and passed to Publication.

ARGUMENT

The Applicant has submitted the Consent of the cited Registrant which is attached hereto as Exhibit A. Further the Applicant notes, all as set forth in the Statement of Consent, that the Application is engaged in the business of general commercial printing, and the Applicant and the Registrant offer different goods and services. Additionally, the Applicant and Registrant offer their goods and services through different channels of trade and marketing. Finally, the marks of both the Applicant and Registrant have co-existed for a period of some years with no known incidents of confusion amongst their respective customers.

For the reasons set forth above, Applicant respectfully requests that the Application be approved and passed to Publication.

Respectfully submitted,

MANNING FULTON & SKINNER, P.A.

/David A. Harlow/

David A. Harlow

North Carolina Bar Member #1887

USPTO Reg. #37,146