

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X
Applicant: Hearst Communications, Inc. :
 : Examiner: Marco Wright
Serial No. 87/152399 :
 : Law Office: 120
Filed: August 26, 2016 :
 :
Mark: COSMOPOLITAN :
-----X

RESPONSE TO OFFICE ACTION

This is Applicant's response to the Office Action dated December 5, 2017 for the Trademark COSMOPOLITAN, Application Serial Number 87/152399 ("Applicant's Mark").

REMARKS

The examining attorney has refused Applicant's mark COSMOPOLITAN for use in connection with "cosmetics, toiletries, make-up, non-medicated skin care preparations, nail care preparations, nail polish" in International Class 3 pursuant to Trademark Act Section 2(d), 15 U.S.C. Section 1052(d) on the premise that registration of the Applicant's Mark is likely to cause confusion with Registration No. 3,102,445 for the word mark COSMOPOLITAN COCKTAIL owned by Demeter F.L., Inc. for use in connection with "fragrance for personal use, room fragrance, cologne, bath oil, bath gel, body lotion" in International Class 3 (the "Cited Mark").

AMENDMENT OF GOODS

Applicant wishes to amend the subject Application's goods as follows:

“cosmetics, non-medicated toiletries, make-up, non-medicated skin care preparations, nail care preparations, nail polish” in International Class 3.

CONCLUSION

Based on the foregoing remarks and amendment, Applicant respectfully submits that its mark COSMOPOLITAN is entitled to registration on the Principal Register.

Respectfully submitted by,

/Maureen Walsh Sheehan/
Maureen Walsh Sheehan
Attorney of Record
Dated: June 2, 2017