

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING DIVISION**

IN RE APPLICATION OF:	Stuller, Inc.	MARK: IN GOOD COMPANY
SERIAL NO.:	87/114,881	TRADEMARK LAW OFFICE: 113
FILED:	July 25, 2016	EXAMINER: Keeley, Alison
DOCKET NO.:	15018.254	

BOX RESPONSES
NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

RESPONSE

This paper is filed in response to the Office Action mailed by the examiner on May 12, 2017. The present response is believed to be timely filed. However, if any extension is required, please consider this a petition therefor. No fee is believed to be required in connection with this response. In the event that a fee is required, the Commissioner is hereby authorized and requested to charge the same to deposit account 18-2210.

Amendment

Applicant's goods and services description currently reads: "downloadable motion pictures about jewelry manufacturing; Motion pictures films about jewelry manufacturing." Please delete the "s" in the second "pictures." Please also delete "downloadable motion pictures about jewelry manufacturing" so that the goods and services description will read:

~~Downloadable motion pictures about jewelry manufacturing;~~ Motion pictures films
about jewelry manufacturing.

Response

The examiner indicated that Applicant's proof of usage did not show use of the mark in connection with "*downloadable* motion pictures." Applicant gratefully acknowledges the examiner's efforts in bringing this deficiency to Applicant's attention. Applicant was unaware that YouTube videos were not downloadable.

In light of the examiner's comments, Applicant has amended the goods and services description to delete "downloadable motion pictures about jewelry manufacturing." This should resolve the issues raised by the examiner.

The specimens submitted by Applicant show the mark in use with "motion picture films about jewelry manufacturing." This is an acceptable description in class 009. *See*, Term ID 009-31, *Acceptable Identification of Goods and Services Manual*. Accordingly, the proof of usage submitted on April 13, 2017, should be sufficient to prove use of the mark with the goods and services remaining in the application, after the amendments.

The amendments themselves are proper. Applicant has deleted a category of goods and services. Applicant has also corrected a typographical error by deleting the "s" from pictures_u, which was not idiomatically proper in the phrase "motion pictures_u films." Such amendments are expressly authorized. TMEP § 1402.06(a)(authorizing deletions); TMEP § 1402.06(b)(authorizing clarifications).

Conclusion

Applicant believes that the foregoing amendment and response will resolve all outstanding matters in the present application. However, if any additional matters remain or if the examiner has questions about any of the foregoing, she is respectfully invited to contact the undersigned attorney at the number listed below.

Respectfully submitted:

Dated: July 3, 2017

s/R. Bennett Ford, Jr./
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