



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Sep 18, 2017

NOTICE OF ABANDONMENT

Bradley W. Bidwell
The Dow Chemical Company
2040 Dow Center
Midland, MI 48674

SERIAL NUMBER: 86/222974
MARK: SUSTAIN
APPLICANT: The Dow Chemical Company

The above-identified U.S. trademark application was abandoned, in full, on 09/18/2017 because the USPTO did not receive a statement of use (SOU) or a request for an extension of time to file a statement of use (extension request) within six (6) months of the notice of allowance (NOA) issuance date, as required by statute and Trademark Rules 2.88 and 2.89. 15 U.S.C. 1051(d); 37 C.F.R. §§2.88 and 2.89.

If you have acceptable proof of USPTO error in declaring the application abandoned, you may file a request for reinstatement of the application for no fee. See "Request for Reinstatement" form at <https://www.uspto.gov/trademarks-application-process/filing-online/petition-forms>. Acceptable proof would establish that: (1) a timely SOU or extension request was submitted to the USPTO, such as an e-mail confirmation of receipt from the Trademark Electronic Application System (TEAS); or (2) the USPTO erred by sending the NOA to the wrong address. A request for reinstatement must be submitted in writing, along with your proof, **within two (2) months of the abandonment issuance date** (see above).

If you did not receive the NOA or were unintentionally delayed in filing the SOU or extension request and do not have the proof necessary for reinstatement, you may file through TEAS a "petition to revive" form within two (2) months of the abandonment issuance date. See "Petition to Revive" form at <https://www.uspto.gov/trademarks-application-process/filing-online/petition-forms>. Trademark Rule 2.66 requires that the petition include the following: (1) a signed statement by someone with firsthand knowledge of the facts that the delay in responding by the due date was "unintentional"; (2) a petition fee; and (3) one of the following: (a) an SOU or extension request and the required fees, including any fees for extension requests that should have been filed if the application had never been abandoned; (b) a statement that the NOA was not received and a request to cancel the previous NOA and issue a new NOA; or (c) in a multiple basis application, a request to delete the section 1(b) basis. 37 C.F.R. §2.66.

NOTE: You may only file a petition to revive claiming non-receipt of the NOA one time.

WARNING: A petition to revive will not be granted to allow acceptance of an SOU filed more than thirty six (36) months after the NOA issuance date. 37 C.F.R. §2.89(e)(1).

If you want to delete all of the goods and/or services based on intent to use (ITU) from the application or to delete the intent-to-use basis and rely on a foreign registration that has already been accepted for the application, you may use the "Petition to Revive with Request to Delete Section 1(b) Basis or to Delete ITU Goods/Services after NOA" form at <https://www.uspto.gov/trademarks-application-process/filing-online/petition-forms>.

For additional information on filing a petition, go to <https://www.uspto.gov/trademarks-getting-started/trademark-basics/petition-revive-information-sheet> or contact the Trademark Assistance Center at 1-800-786-9199 or TrademarkAssistanceCenter@uspto.gov.

To view this notice and other documents for this application on-line, go to <https://tsdr.uspto.gov/>, enter the U.S. application serial number and select the button labeled "Documents."