

DISCLAIMER REQUIRED

According to the office action, a disclaimer of the “checkered racing flag” is not required. The applicant therefore withdraws such a disclaimer.

Applicant, however, must disclaim “the Canadian national flag, the American national flag, and the words “CANADIAN”, “AMERICAN”, and “CHALLENGE CUP”.

Applicant submits a disclaimer in the following standardized format as suggested in the office action:

No claim is made to the exclusive right to use “CANADIAN”, “AMERICAN”, and “CHALLENGE CUP” apart from the mark as shown.

COLOR CLAIM INCOMPLETE

The color claim does not identify all the colors in the drawing of the mark. Specifically, the following colors have been omitted: **black**. A complete color claim must list *all* the colors appearing in the drawing of the mark.

The suggested color claim is modified to substitute “ghosted black” for “grey but otherwise is the same as the trademark examining attorney’s suggestion: “**The colors red, white, blue, ghost black, and black are claimed as a feature of the mark.**”

DRAWING DESCRIPTION INCOMPLETE

Applicant must provide a complete mark description because the mark description in the application does not include all elements and/or colors shown in the mark. A complete mark description for a mark depicted in color must identify all the literal and design elements in the mark and specify where the colors appear in those elements.

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A requirement was made that Applicant must specify substitute the color “grey” for “dark” in the mark description. Instead, the color “ghosted black” for “dark” in the mark description is being used.

Applicant must also specify the color of the wording “CANADIAN AMERICAN CHALLENGE CUP” and the colors of the Canadian and American flags.

The mark description suggested by the trademark examining attorney is modified as:

The mark consists of a checkered racing flag of alternating **ghosted black** and white squares covered by the four words “CANADIAN AMERICAN CHALLENGE CUP” **in black** and by **the Canadian national flag in red and white** and **the American national flag in red, white, and blue**, the upper left side of the American national flag slightly overlapping the lower right side of the Canadian national flag, the Canadian national flag being over the letters "NADIAN" and the American national flag being over the letters "AMERICA", each of the four words inclining from left to right, the foregoing words "CHALLENGE CUP" being arranged at a lower elevation than "CANADIAN AMERICAN" and being in larger size font, the foregoing word "CANADIAN" being at a higher elevation than the foregoing word "AMERICAN".

IDENTIFICATION OF SERVICES INDEFINITE

The wording “Organizing, promoting, sanctioning, and supervising the operation and administration of a series of international sports car racing events” in the identification of services is indefinite and must be clarified.

The trademark examining attorney’s suggestion is being adopted, namely:

“Promoting and business supervising and administration of a series of international sports car racing events of others.” 035

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Entertainment in the nature of automobile races; Entertainment services in the nature of automobile racing and exhibitions; Providing an on-line computer game in the field of automobile racing and fantasy automobile racing; **Entertainment services, namely, organizing, sanctioning, and operation** of a series of international sports car racing events.” **041**

An additional filing fee is being submitted.