

Applicant requests the Examining Attorney to withdraw her Sec. 2(d) refusal based on RN 2178992 **VME** owned by Mitsui Kagaku Kabushiki Kaisha because registrant and applicant Mitsui Chemicals, Inc. are one and the same. That status is explained in the attached Articles of Incorporation for Mitsui Chemicals, Inc. (applicant for SN 88086269) which state that "The name of the Company shall be "Mitsui Kagaku Kabushiki Kaisha". It shall be rendered in English as "Mitsui Chemicals, Inc."." Please see the attachment to this letter.

There can be no likelihood of confusion for consumers of the relevant products bearing the **VME** marks because the marks and goods emanate from the same owner. For this reason Applicant is claiming it is the owner of RN 2178992. There are no grounds for a Sec. 2(d) refusal to register, and the Examining Attorney is requested to so rule and to approve SN 88086269 for publication for opposition in the *Official Gazette*.

For the record, the status of RN 2178992 appears to be very much in doubt, as it was the subject of a Post Registration Office Action dated May 1, 2018 that is attached to this response, refusing the Sec. 8 portion of a April 27, 2018 Sec. 8 and 9 renewal filing. The use specimen was refused, but no timely response was filed by November 1, nor was a grace period response filed by the February 4, 2019 renewal grace period deadline. RN 2178992, thus, should be subject to cancellation for failure to submit an acceptable Sec. 8 use declaration.