

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO OFFICE ACTION

This responds to the Office Action dated January 12, 2019 for U.S. Serial No. 88123927 for the mark HAWKEYE.

IDENTIFICATION OF GOODS AND SERVICES

Applicant respectfully requests amendment of its description of services as follows:

Class 9: ~~computer hardware~~; computer software for eye-tracking and gaze-tracking

Class 42: design and development of computer hardware; design and development of computer software

Applicant submits that its identification of goods, as amended, makes it clear that no confusion is likely with U.S. Registration No. 3655128 or U.S. Application Serial No. 88123029.

RESPONSE TO 2(d) REFUSAL: NO LIKELIHOOD OF CONFUSION

The Office cited U.S. Registration No. 3655128 and U.S. Application Serial No. 88123029 as potential bars to the registration of Applicant's mark based on the fact Applicant's mark was applied for in connection with "computer hardware." As set forth above, Applicant has herein amended the identification of goods to delete "computer hardware" and narrow the scope of its goods. In light of Applicant's more definite identification of goods, Applicant respectfully requests that the Examining Attorney reconsider its objection as it is clear there is no likelihood of confusion with the prior registration and the prior pending application.

CONCLUSION

Applicant has responded to all matters in the Office Action and should the Examining Attorney have any questions with regard to this Response or to any matter relating to this Application, in general, a telephone call to Applicant's undersigned representative at the telephone number listed below would be greatly appreciated.

Respectfully submitted,

/s/ /Kathleen S. Fennessy

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