

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	International Class: 009
SPIGEN KOREA CO., LTD.)	
Serial No. 88/134,944)	Law Office No.: 115
Filed: September 27, 2018)	Trademark Attorney:
)	John S. Yard, Esq.
For: Capella)	

Response to Office Action**CAPELLA, Serial No. 88134944**

Applicant submits this response to the Office Action, dated December 12, 2018. The Examining Attorney has refused registration of the applied-for mark CAPELLA under Trademark Act Section 2(d) because of an alleged likelihood of confusion with U.S. Registration No. 5297564, CAPSULE CAPELLA. Applicant respectfully requests that the refusal be withdrawn.

The Examiner cites the mark with U.S. Registration No. 5297564 as a potential reason for Section 2(d) refusal for a likelihood of confusion. However, the cited registration is owned by Spigen, Inc., which is a wholly-owned subsidiary of Applicant Spigen Korea Co., Ltd., and thus, Applicant claims ownership of U.S. Registration No. 5297564.

Based on the foregoing, Applicant respectfully requests the Examining Attorney withdraw the Section 2(d) refusal and allow this application to proceed to publication.

Dated: March 20, 2019

Respectfully submitted,

 /s/ Heedong Chae
Heedong Chae, Esq.

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