

## **RESPONSE TO OFFICE ACTION DATED 03/12/2019**

In re application of Anyork of serial No.88215450.

This is responsive to Office Action dated 03/12/2019. The applicant respectfully requests that the application be reconsidered and the mark be published.

### **Background**

Applicant Shenzhen Fanyou Technology Co.,Ltd. applies registration of U.S. Serial No. 88215450 for Anyork in relation to all the covered products in class 10. The Examining Attorney refused registration of this trademark.

The basis of refusal is digitally altered image or a mock-up of the intended depiction of the mark on the goods, the specimen does not show the trademark is in actual commercial use.

### **Applicant argument of the actual use of the trademark**

#### **1. Applicant submits different specimen as showing in other attached six pictures of the product and package.**

The substitute specimen showing the product bearing the trademark.

#### **2. The information as a respond to those questions in the Office Action**

##### **(1) How are applicant's goods sold? Specify the retail, wholesale, or other sales environment in the goods are sold.**

The goods are sold on line in USA. The website is:

[https://www.amazon.com/dp/B07JR1YL64?language=en\\_US&ref=myi\\_title\\_dp%20https%3A%2F%2Fwww.amazon.com%2FTherapy-Muscle-Reliever-Rechargeable-Serfory%2Fdp%2FB07QNPM7GF%2Fref%3Dsr\\_1\\_4](https://www.amazon.com/dp/B07JR1YL64?language=en_US&ref=myi_title_dp%20https%3A%2F%2Fwww.amazon.com%2FTherapy-Muscle-Reliever-Rechargeable-Serfory%2Fdp%2FB07QNPM7GF%2Fref%3Dsr_1_4)

##### **(2) Please provide copies of invoices, bills of sale, or other documentation of sales of the goods.**

Please see the screenshot taken from

[https://www.amazon.com/dp/B07JR1YL64?language=en\\_US&ref=myi\\_title\\_dp%20https%3A%2F%2Fwww.amazon.com%2FTherapy-Muscle-Reliever-Rechargeable-Serfory%2Fdp%2FB07QNPM7GF%2Fref%3Dsr\\_1\\_4](https://www.amazon.com/dp/B07JR1YL64?language=en_US&ref=myi_title_dp%20https%3A%2F%2Fwww.amazon.com%2FTherapy-Muscle-Reliever-Rechargeable-Serfory%2Fdp%2FB07QNPM7GF%2Fref%3Dsr_1_4)

as follows:

Red Light Therapy 660nm Handheld Device Deep LED Light Therapy Pain Relief for Joints Arthritis Muscle Fingers/Knee/Shoulder/Hip/Calf-Dog Cat Horse Safe by Anyork

★★★★☆ 6 customer reviews | 7 answered questions



660nm LED red light's magical Functions !



Price: \$93.99

Only 9 left in stock - order soon. Ships from and sold by Serfory.

This item does not ship to China. Please check other sellers who may ship internationally.

Deliver to China

Qty: 1

Turn on 1-click ordering

Add to Cart

Buy Now

Add to List

Share

**(3) Was the specimen created for submission with this application?**

The trademark has been using in commerce actually.

**(4) Does the specimen show applicant's product as it is currently being sold to consumers?**

The specimen shows applicant's product as it is currently being sold to consumers.

**(5) How do applicant's goods appear in the actual sales environment? If sold in stores, provide photos showing the goods for sale in the stores. If sold online, identify the websites and provide copies of the web pages showing the goods for sale. And if sold in another type of sales environment, provide photos and/or documentation showing the goods for sale in that environment.**

Applicant's goods are sold by web

[https://www.amazon.com/dp/B07JR1YL64?language=en\\_US&ref=myi\\_title\\_dp%20https%3A%2F%2Fwww.amazon.com%2FTherapy-Muscle-Reliever-Rechargeable-Serfory%2Fdp%2FB07QNPM7GF%2Fref%3Dsr\\_1\\_4](https://www.amazon.com/dp/B07JR1YL64?language=en_US&ref=myi_title_dp%20https%3A%2F%2Fwww.amazon.com%2FTherapy-Muscle-Reliever-Rechargeable-Serfory%2Fdp%2FB07QNPM7GF%2Fref%3Dsr_1_4). For the screenshot of web page please refer to the screenshot above.

**(6) If the information in question (5) about how the goods appear in the actual sales environment is not available to applicant, then please describe how applicant's goods are transported for sale and provide photos and other documentation showing how applicant's mark appears on the goods and/or its packaging when the goods are being transported for sale.**

Question (5) was responded. Please refer to the response to question (5).

### **3. Conclusion**

Based on the above, applicant respectfully requests that the Examining Attorney remove all refusals for the trademark Anyork (U.S. Serial No. 88215450) and approve the mark for publication.

Respectfully submitted  
Shenzhen Fanyou Technology Co.,Ltd.