

RESPONSE

This filing is in response to the Office Action mailed November 27, 2018 in which the Examining Attorney initially refused registration of Application Serial No. 88/062,465 for the mark GUNNER (“Applicant’s Mark”) based on Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.* as more fully described below.

REMARKS

A. WHEN USED ON GUN SCOPES, APPLICANT’S MARK IS NOT MERELY DESCRIPTIVE

Registration of Applicant’s Mark, GUNNER, for the goods of gun scopes in International Class 009 has been refused by the Examining Attorney due to a supposition of that term being merely descriptive.

The Applicant respectfully submits that the Applicant’s Mark is not merely descriptive. “GUNNER” is a term used in multiple contexts and is suggestive of multiple ideas to a consumer. The Examiner addresses the term “GUNNER” as it is used to describe an individual person who uses a gun. While “GUNNER” is admittedly descriptive of a user of guns, the Applicant’s goods are neither guns, nor a user of guns. The goods at issue are optics. When applied to the goods, GUNNER is not merely descriptive.

CONCLUSION

Applicant has addressed all outstanding issues raised by the Examining Attorney. Applicant respectfully requests that the application be approved for publication and requests that the Examining Attorney take such action.