


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION**

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 In re Application of :
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 Outdoor Composites Group LLC : Law Office: 104
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 Serial No.: 88/370,458 : Exam. Atty: Barney L. Charlon
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 Filed: April 3, 2019 :
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 Mark:  :
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Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

RESPONSE TO OFFICE ACTION

Responding to the Office Action mailed on June 13, 2019:

Amendments to Identification of Goods

Applicant respectfully requests that the identification of goods and services be amended as follows:

Cl. 25: [deleted in its entirety]

Cl. 28: Archery arrows; archery bows; archery equipment, namely, arrows and bows; archery accessories, namely, arrows, arrow fletchings, arrow nocks, non-telescopic archery bow sights, arrow rests, arrow stabilizers, and quivers.

Mark Drawing

Pursuant to the Examining Attorney's request, Applicant is submitting a clearer image of the mark without the inclusion of vertical borders.

Section 2(D) Refusal – LIKELIHOOD OF CONFUSION

The Examiner has refused registration based on a perceived likelihood of confusion with U.S. Reg. Nos. 3,879,276 and 4063215 as depicted below.



Applicant asserts the perceived conflicts between the applied-for mark and these registrations have been addressed and resolved by the restriction of goods, as indicated in this response. Notably, Applicant has removed all clothing items from its application and there are no longer any goods in Applicant's identification that would conflict with the registrant's clothing goods. Thus, Applicant respectfully requests these citations be withdrawn.



The Examining Attorney has also refused registration based on a perceived likelihood of confusion with U.S. Reg. 5,768,087 for the stylized design depicted above. Applicant asserts the perceived conflict between the applied-for mark and this registration has been addressed and resolved by the restriction of goods, as indicated in this response. Notably, Applicant has removed all clothing items from its application and there are no longer any goods in Applicant's identification that would conflict with the registrant's clothing goods. Thus, Applicant respectfully requests this citation be withdrawn.

PRIOR-FILED APPLICATIONS ADVISORY

In addition to the refusals noted above, the Examiner has advised that if application Serial Nos. 88/314,677 and 88/314,681 achieve registration, those prior filed applications may be formally cited as bars to registration of the applied-for mark. As previously stated herein, through this response, Applicant has removed the Class 25 clothing items from its application and submits the removal of these goods fully addresses the perceived conflicts between the applied-for mark and

the prior-filed applications. As a result, Applicant respectfully requests the Examiner reconsider his position with respect to these prior-filed applications and the applications not be cited as a potential bar to registration.


PEAK - U.S. Serial No. 88/314,677

Peak - U.S. Serial No. 88/314,681

IN CONCLUSION, for the reasons set forth above, Applicant requests that the Examiner reconsider the refusal of registration and prays that its application be approved for publication in the *Official Gazette*, as Applicant has complied with all outstanding requirements and established a valid basis for U.S. registration.

Respectfully submitted

Dated: June 28, 2019

By 
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