

Serial No.: 88/160,908
Mark: FCMOVE
Docket No.: 130809.202

REMARKS

In an Office Action dated January 28, 2019, the Examining Attorney raises three issues: (A) requirement for copy of foreign registration; (B) issue regarding applicant's entity type; and (C) requirement to amend the identification of goods.

A. Canadian Registration Certificate

The application was filed specifying both an intent to use basis under Section 1(b) and priority under Section 44(d). Applicant currently intends to rely on Section 44(e) as a basis for registration in addition to the intent-to-use basis under Section 1(b).

The Canadian registration certificate has not yet issued. Applicant requests that the U.S. application be suspended until a copy of the foreign registration is available

B. Entity Type

The application was filed identifying the client as a "BC provincial company." The Examining Attorney requires that applicant also indicate that the applicant is Canadian.

Applicant herein amends the application to specifying that the applicant's entity type is a "BC Company organized under the laws of British Columbia, Canada."

C. Goods Description

The Examining Attorney objects to the term "electric power generators" and requires applicant to specify the purpose of the generators. Applicant herein amends the description to delete "electric power generators."

The Examining Attorney object to the term "hydrogen fuel management system" and requires that applicant list the primary parts or components of the systems. Applicant amends the description to specify that the hydrogen management fuel systems are "comprised primarily of valves, pumps, humidifies and pressure regulators."

The Examining Attorney objects to the term "membrane electrode assemblies" and requires specification. Applicant respectfully asserts that the term "membrane electrode assembly" is a common, well-known and widely used term of art in the fuel cell industry. Applicant attaches copies of the following registration certificates that incorporate the term or ""membrane

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electrode assemblies,” and respectfully requests that the Examining Attorney reconsider and withdraw the requirement that this term be amended:

US Reg. No. 3,788,200
US Reg. No. 3,794,169
US Reg. No. 3,564,968
US Reg. No. 3,081,524
US Reg. No. 2,735,201
US Reg. No. 2,210,129

D. Conclusion

Applicant believes the issues and objections raised by the Examining Attorney have all been resolved. Applicant requests that the rejections, objections and requests all be withdrawn, and that the application be suspended pending submission of the base Canadian registration certificate. If questions remain, the Examining Attorney is invited to contact Applicant's counsel, Kevin S. Costanza, by email at KevinC.Docketing@SeedIP.com or by telephone at 206-622-4900.