

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: RED LION CONTROLS, INC. :  
Serial No.: 88377026 : Trademark Attorney  
MARK: RL Red Lion : Maria- Victoria Suarez  
Filing Date: April 9, 2019 :

## RESPONSE TO PRIORITY ACTION DATED JUNE 27, 2019

**BOX RESPONSE NO FEE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

Dear Sir:

The Priority Action of June 27, 2019 has been received and its contents carefully noted. The Examiner has requested that the Applicant amend the identification of Applicant's goods and services. In addition, the Examiner has requested amendment of the color claim and mark description. In response, the Applicant states as follows:

I. Identification of Goods and/or Services

The Examining Attorney has rejected Applicant's identification of "industrial process control software" as too broad and unclear. In response to the Examiner's request, the Applicant amends the identification of goods as follows:

Class 09: Industrial control devices, namely, panel meters, human machine interface, touch panels, light emitting diode (LED) displays, liquid crystal displays (LCD), for purposes of industrial process monitoring; electrical network switching apparatus, namely switches for use in the field of industrial communications and control applications; electronic controllers for use in communications between computers in a network; cellular network routers; and downloadable industrial process control software; recorded industrial process control software.

II. Color Claim and Mark Description

The Examining attorney requested clarification of the color claimed and the description of the mark. In response to the Examiner's request, the Applicant amends the color claim and mark description as follows:

The color(s) ~~cool~~ gray (Pantone 10-C) ~~in lettering~~ and ~~red~~ ~~pantone~~ (Pantone 7621-C) ~~in triangle~~ is/are claimed as features of the mark.

The mark consists of the letters "R" and "L" above the word name "RED LION". A red (Pantone 7621C) triangle ~~triangular~~ shape is used on the left side ~~of the design at the base~~ of the single letter "R" at the base of the letter. The rest of the mark is gray (Pantone 10C). The color white represents the background and is not part of the mark.

Based upon the foregoing, and the fact that Examining Attorney has found no similar pending or registered marks that would bar registration, Applicant believes that its application is now acceptable for registration and request prompt and favorable action in this regard.

Respectfully submitted,

RED LION CONTROLS, INC.

/Helen Odar Wolstoncroft/

Dated: August 27, 2019

By: \_\_\_\_\_

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