

RESPONSE FOR SERIAL NO. 88225610

The Examining Attorney has requested additional information on the Applicant's use of its mark and the goods on which they are used. In part to satisfy this requirement, Applicant submits with this Response a page from its website that provides a description of the goods.

Additionally, Applicant responds to the Examining Attorney's questions as follows:

Does applicant use its goods on lagoons? Yes, the client's product is used on lagoons and pits, so Applicant has added a disclaimer of the word "Lagoon" to the application.

Do applicant's competitors use "lagoon crawler" to advertise similar goods? No, no one else uses the term "lagoon crawler, not Applicant's competitors or anyone else. The generic term for the product is an "agitator" or "boat" and that is what competitors use. "Crawler" is a suggestive term adopted solely by the Applicant.

Is "crawler" a term used to describe similar goods? No, as explained above, "crawler" is a term adopted solely by Applicant. It is not used by competitors or known in the market other than in relation to it being part of Applicant's LAGOON CRAWLER trademark.

Finally, Applicant's Canadian application is still pending, so Applicant requests that this Application be suspended.