Response to "Romeo" jewelry trademark application.

My argue about LIKELIHOOD OF CONFUSION REFUSAL

In this case, because they(marks) are jewelry category, of course they offer similar goods, eg, necklaces or bracelets, which is common to every business category.

I show you similar marks accepted by USPTO and customers.

Let me show you the living marks in jewelry category, they have same word "JULIA".

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Here they are "5621916 JULIA", "5411767 JULIA B TSDR",
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"5540734 JULIA HARPER", "5540433 POPJULIA", "5506992 QUEEN JULIA", "5446604 JULIA KAYS", "4636313 JULIA KNIGHT".

Those marks offer similar goods like bracelets, necklaces etc jewelry.

Here are another team they share word "ANNA" in their marks.

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"4878955 ANNA ", "3291821 ANNA BECK ", 
"3235224 ANNA & AVA", "3556362 ANNA HU ", 
"2267282 ANNA SUI", "5627291 ANNA NUCCI".
```

Those marks offer similar goods like bracelets, necklaces etc jewelry.

You see that ANNA SUI is a big name to many people but USPTO accept other marks with "ANNA", so it is not a reason to reject my application.

#### **Comparison of the Marks**

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You see that "ANNA SUI" is a big name to many people but USPTO accept other marks with "ANNA", so it is not a reason to reject my application.

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression.

Consumers are generally know what they are looking for but they have no obligation to buy a certain brand they know, they have choice to buy from a new brand, or even they can return the goods they bought and buy the goods of new brand because fancy design. The market is open to everyone and both seller and buyer they get right to do things if they do not violate the law.

So, the reason to deny my application is not as strong as it should be.

#### Comparison of the Goods and/or Services

The goods and/or services of the parties is normal in the market and it cause no likehood of confusion. Every business get right to sell necklaces and bracelet etc jewelry. If there is no violation of patent, all sellers get right to sell bracelets with same design/color. For jewelry is something universal in market for decades, all jewelry has same function and it is acceptable they share something in common.

For the goods "jewelry" and "bracelet" in service, those marks "5627291 ANNA NUCCI", "4878955 ANNA", "2267282 ANNA SUI", "3556362 ANNA HU" are acceptable in USPTO system and in market.

Though goods are closely related, but they are still different brands and target different group of customers. Because they are all jewelry companies. It is not a reason for denial this specific mark to be registered. Photos make thing more easy to check. See

mark to t	oe registerea.Pho	tos make thing more easy to check. Se	ee
•RN	5621916	JULIA	
· RN	5411767	JULIA B	
•RN	5540734	JULIA HARPER	
• RN	5540433	POPJULIA	0000
• RN	5506992	QUEEN JULIA	
• RN	5446604	JULIA KAYS	
• RN	4636313	JULIA KNIGHT	
• RN	4878955	ANNA	
• RN	3291821	ANNA BECK	
• RN	3235224	ANNA & AVA	
• RN	3556362	ANNA HU	
• RN	2267282	ANNA SUI	<b>②</b>
• RN	5627291	ANNA NUCCI	<b>②</b>
So t	he answe	r is	
• RN	5329984	ROMEO & JULIET	
• RN	4586720	ROMEO SANTAMARIA	
•		ROMEO	<b>②</b>

#### Conclusion

Because the marks are different even though the goods are similar, consumers are able to identify there are many marks in the market and they know which one they are looking for so that it will be no confusion. If they looking for "ROMEO & JULIET" or "4586720 ROMEO SANTAMARIA" but they buy "romeo" which is possible, but it is people's choice. Eg, if you looking for a "nike" shoes but the new style "addidas" shoes give you passion to place order, it is not the wrong of "addidas". At the same time, you will buy nothing if you real has that "nike" commitment in your heart.

And no one will say it is wrong, it is choice made by people's freedom. customers get right to do that.

If they buy my goods then they find it is not the one they want, they can return and get refund. Of course, if they buy from other marks and find i have better design, they may return and place order with me. Both are okay and it is something common in the open market.

More marks gives customers more choice, it creates jobs and it is something good to customers.

Accordingly, Romeo is okay to be a new mark in the market.

#### INFORMATION ABOUT SPECIMEN REQUIRED

(1) How are applicant's goods sold? Specify the retail, wholesale, or other sales environment in which the goods are sold.

The goods is sell online on amazon.com and ebay.com and will be available on official web in short future. Specimen photo see page 9.

- (2) Please provide copies of invoices, bills of sale, or other documentation of sales of the goods. Sure, see attachment photos on page 7,8.
- (3) Was the specimen created for submission with this application? Yes, this product is on sale for more than one year. The butterfly charm bracelet is loved by many female customers.
- (4)Does the specimen show applicant's product as it is currently being sold to consumers? Yes. The product is in a jewelry box and i ship the bracelet and box to customer when i receive order.
- (5) How do applicant's goods appear in the actual sales environment? If sold in stores, provide photos showing the goods for sale in the stores. If sold online, identify the websites and provide copies of the webpages showing the goods for sale. And if sold in another type of sales environment, provide photos and/or documentation showing the goods for sale in that environment.

Sure, screen capture see page 4, 5, 6. blue butterfly charm bracelet, link ttps://www.ebay.com/itm/333342821374 purple butterfly charm bracelet, link https://www.ebay.com/itm/333342825673 beach life theme charm bracelet, link: https://www.ebay.com/itm/333342831438

If the information in question (5) about how the goods appear in the actual sales environment is not available to applicant, then please describe how applicant's goods are transported for sale and provide photos and other documentation showing how applicant's mark appears on the goods and/or its packaging when the goods are being transported for sale. See answer from question 1 to 5.

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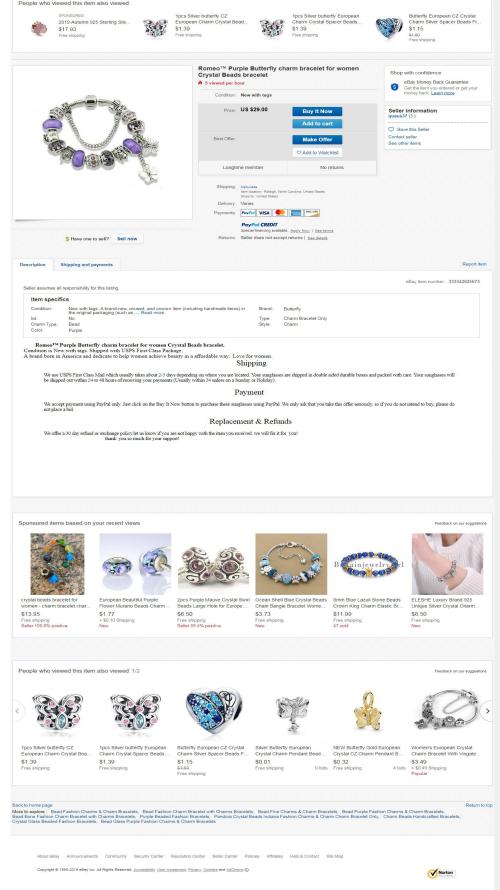
purple butterfly charm bracelet https://www.ebay.com/itm/333342825673 Shop by category • Q Search for anything Add to Watchlis  $\mathbf{Romeo}^{\mathsf{TM}} \ \mathbf{Purple} \ \mathbf{Butterfly} \ \mathbf{charm} \ \mathbf{bracelet} \ \mathbf{for} \ \mathbf{women} \ \mathbf{Crystal} \ \mathbf{Beads} \ \mathbf{bracelet}$ Shop with confidence Condition: New with tags Price: US \$29.00 PayPai CREDIT
Special financing available. Apply Now | See terms
Seller does not accept returns | See details Romeo<sup>TM</sup> Purple Butterfly charm bracelet for women Crystal Boads bracelet.

Condition is New with tags. Shipped with USPS First Class Package.

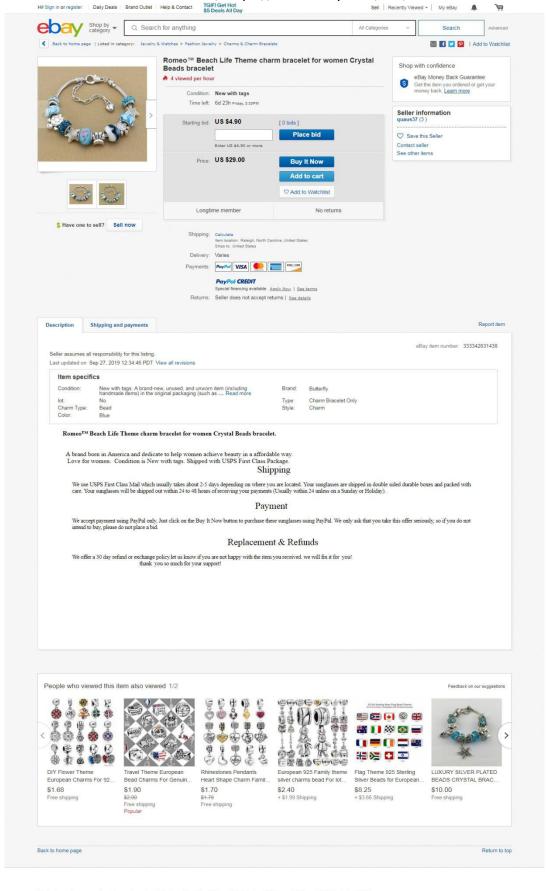
A brand born in America and dedicate to help women achieve beauty in a affordable way.

Love for women.

Shipping. We use USPS First Class Mail which usually takes about 2-5 days depending on where you are located. Your sunglasses are shipped in double sided durable boxes and packed with care. Your sunglasses will be shipped out within 24 to 48 hours of receiving your payments (Usually within 24 unless on a Sunday or Holiday). Payment Replacement & Refunds We offer a 30 day refund or exchange policy, let us know if you are not happy with the item you received, we will fix it for you thank you so much for your support! Ocean Shell Blue Crystal Beads Chain Bangle Bracelet Wome... \$3.73 Free shipping New 8mm Blue Lazuli Stone Beads Crown King Charm Elastic Br... \$11.99 Free shipping 47 sold \$1.77 + \$0.10 Shipping New \$6.50 Free shipping Seller 99.4% positive People who viewed this item also viewed 1/2



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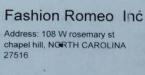


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BILLED TO Jane H\*\* Address: 120 Pineland Cir Raleigh, NC

janehunt120@gmail.com (919)-851-6676

# Invoice

INVOICE NUMBER 05703

DATE OF ISSUE 12/03/2018

UNIT COST	QTY/HR RATE	AMOUNT
29	1	\$29
		UNIT COST QTY/HR RATE

free shipping discount

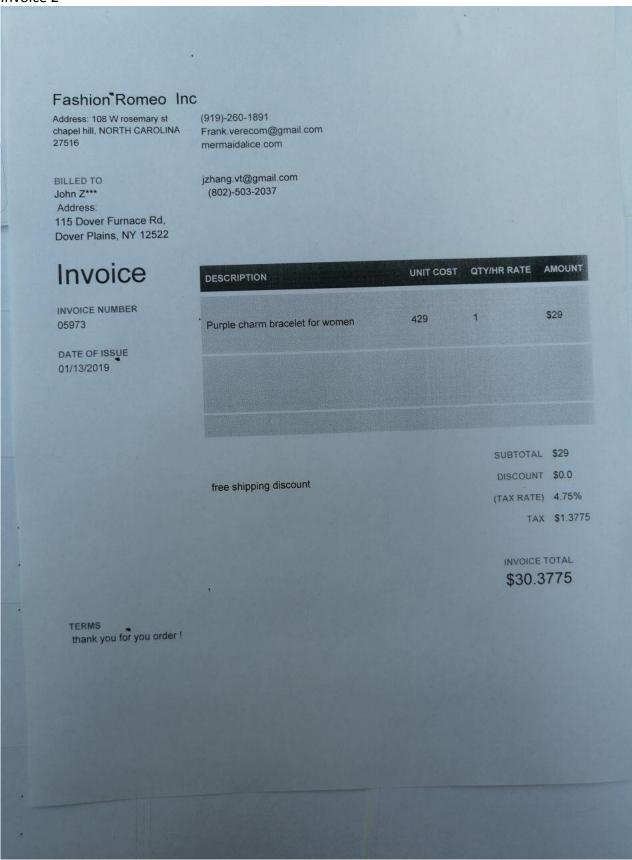
DISCOUNT \$0.0

(TAX RATE) 4.75%

TAX \$1.3775

INVOICE TOTAL \$30.3775

TERMS thank you for you order!



## Specimen

