

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”.

Here they are "5621916 JULIA", "5411767 JULIA B TSDR" ,
"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.

"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 likelihood 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

- RN 5621916 JULIA ✓
- RN 5411767 JULIA B ✓
- RN 5540734 JULIA HARPER ✓
- RN 5540433 POPJULIA ✓
- 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 ✓
- RN 5627291 ANNA NUCCI ✓

So the answer is

- RN 5329984 ROMEO & JULIET ✓
- RN 4586720 ROMEO SANTAMARIA ✓
- ROMEO ✓

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

<https://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.

blue butterfly charm bracelet , <https://www.ebay.com/itm/333342821374>

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\$1-19
Free shipping
- Women Stainless Steel Butterfly Elephant Link Chain Bracelet...
\$1.34
\$1-49
Free shipping



Romeo™ Blue Butterfly charm bracelet for women Crystal Beads bracelet

Condition: **New with tags**

Price: **US \$29.00**

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Best Offer: [Add to Watchlist](#)

Longtime member | No returns

Shipping: Calculate
 Item location: Raleigh, North Carolina, United States
 Ships to: United States
 Delivery: Varies
 Payments:
PayPal CREDIT
 Special financing available. See details.
 Returns: Seller does not accept returns | See details

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Description | **Shipping and payments**

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eBay item number: 333342821374

Item specifics

Condition: New with tags: A brand-new, unused, and unworn item (including handmade items) in the original packaging (such as ... [Read more](#)
 Material: Beads
 Style: Beaded
 Lot: No
 Color: Blue

Brand: ROMEO
 Main Stone: Crystal
 Metal: Alloy
 Gender: Female

Romeo™ Blue Butterfly charm bracelet for women Crystal Beads bracelet. Condition is New with tags. Shipped with USPS First Class Package.

Romeo™ Blue Butterfly charm bracelet for women Crystal Beads bracelet.
 A brand born in America and dedicate to help women achieve beauty in a affordable way.
 Love for women.
 Condition is New with tags. Shipped with USPS First Class Package.

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

We accept payment using PayPal only. Just click on the Buy It Now button to purchase these sunglasses using PayPal. We only ask that you take this offer seriously, so if you do not intend to buy, please do not place a bid.

Replacement & Refunds

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\$3.73
Free shipping
New
- 8mm Blue Lazuli Stone Beads Crown King Charm Elastic Br...
\$11.99
Free shipping
34 watching
- Women Fashion Blue & White Crystal Charm 6mm Agate St...
\$2.98
Free shipping
New
- Crystal beads bracelet for women - charm bracelet char...
\$13.95
Free shipping
Seller 100.0% positive
- ELESHE Luxury Brand 925 Unique Silver Crystal Charm...
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Seller 100.0% positive

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- Women Silver Love Heart Butterfly Rhinestone Cuff Ban...
\$0.99
Free shipping
- Fashion Women Butterfly Pearl Crystal Rhinestone Plain Brac...
\$0.99
Free shipping
- Charm Gold Crystal Pearl Enamel Butterfly Bracelet Ch...
\$1.07
\$1-19
Free shipping
- Women Stainless Steel Butterfly Elephant Link Chain Bracelet...
\$1.34
\$1-49
Free shipping
- Chic Gold Carved Hollow Flower Butterfly Women Brac...
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Free shipping

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purple butterfly charm bracelet <https://www.ebay.com/itm/333342825673>

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\$1.39
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\$1.15
\$4.60
Free shipping

Romeo™ Purple Butterfly charm bracelet for women Crystal Beads bracelet
5 viewed per hour

Condition: **New with tags**

Price: **US \$29.00** [Buy It Now](#)

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Longtime member | No returns

Shipping: Calculate
Item location: Raleigh, North Carolina, United States (Ship to: United States)
Delivery: Varies
Payments:

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Returns: Seller does not accept returns | [See details](#)

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gians37 (3)

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Seller assumes all responsibility for this listing. eBay item number: 333342825673

Item specifics

Condition:	New with tags. A brand-new, unused, and unworn item (including handmade items) in the original packaging (such as ... Read more)	Brand:	Butterfly
lot:	No	Type:	Charm Bracelet Only
Charm Type:	Bead	Style:	Charm
Color:	Purple		

Romeo™ Purple Butterfly charm bracelet for women Crystal Beads 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).

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crystal beads bracelet for women - charm bracelet char...
\$13.95
Free shipping
Seller 100.0% positive

European Beautiful Purple Flower Murano Beads Charm...
\$1.77
+ \$0.10 Shipping
New

2pcs Purple Masque Crystal Swirl Beads Large Hole for Europe...
\$6.50
Free shipping
Seller 99.4% positive

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

ELESHE Luxury Brand 925 Unique Silver Crystal Charm...
\$8.50
Free shipping
New

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\$1.39
Free shipping

1pcs Silver butterfly European Charm Crystal Spacer Beads...
\$1.39
Free shipping

Butterfly European CZ Crystal Charm Silver Spacer Beads F...
\$1.15
\$4.60
Free shipping

Silver Butterfly European Crystal Charm Pendant Bead...
\$0.01
Free shipping

NEW Butterfly Gold European Crystal CZ Charm Pendant B...
\$0.32
Free shipping
0 bids

Women's European Crystal Charm Bracelet With Vingtate...
\$3.49
+ \$0.49 Shipping
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Romeo™ Beach Life Theme charm bracelet for women Crystal Beads bracelet

🔥 4 viewed per hour

Condition: **New with tags**

Time left: 6d 23h Friday, 3:32PM

Starting bid: **US \$4.90** [0 bids]

Place bid

Enter US \$4.90 or more

Price: **US \$29.00**

Buy It Now
Add to cart

♥ Add to Watchlist

Longtime member
No returns

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Get the item you ordered or get your money back. [Learn more](#)

Seller information

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Shipping: Calculate

Item location: Raleigh, North Carolina, United States

Ships to: United States

Delivery: Varies

Payments:

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Returns: Seller does not accept returns | [See details](#)

Description
Shipping and payments
Report item

Seller assumes all responsibility for this listing.

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Item specifics

Condition: New with tags: A brand-new, unused, and unworn item (including handmade items) in the original packaging (such as ... Read more	Brand: Butterfly
Lot: No	Type: Charm Bracelet Only
Charm Type: Bead	Style: Charm
Color: Blue	

eBay item number: 333342831438

Romeo™ Beach Life Theme charm bracelet for women Crystal Beads bracelet.

A brand born in America and dedicate to help women achieve beauty in a affordable way. Love for women. Condition is New with tags. Shipped with USPS First Class Package.

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Free shipping

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\$2.40

+ \$1.99 Shipping

Flag Theme 925 Sterling Silver Beads for European...

\$8.25

+ \$3.66 Shipping

LUXURY SILVER PLATED BEADS CRYSTAL BRAC...

\$10.00

Free shipping

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photo of invoice.

Fashion Romeo Inc

Address: 108 W rosemary st
chapel hill, NORTH CAROLINA 27516
(919)-260-1891
Frank.verecom@gmail.com
mermaidalice.com

BILLED TO
Jane H**
Address:
120 Pineland Cir Raleigh, NC
27606
janehunt120@gmail.com
(919)-851-6676

Invoice

INVOICE NUMBER
05703

DATE OF ISSUE
12/03/2018

DESCRIPTION	UNIT COST	QTY/HR RATE	AMOUNT
Blue Butterfly charm bracelet	29	1	\$29

free shipping discount

SUBTOTAL \$29
DISCOUNT \$0.0
(TAX RATE) 4.75%
TAX \$1.3775

INVOICE TOTAL
\$30.3775

TERMS
thank you for you order !

Invoice 2

Fashion Romeo Inc

Address: 108 W rosemary st
chapel hill, NORTH CAROLINA
27516

(919)-260-1891
Frank.verecom@gmail.com
mermaidalice.com

BILLED TO
John Z****

Address:
115 Dover Furnace Rd,
Dover Plains, NY 12522

jzhang.vt@gmail.com
(802)-503-2037

Invoice

INVOICE NUMBER
05973

DATE OF ISSUE
01/13/2019

DESCRIPTION	UNIT COST	QTY/HR RATE	AMOUNT
Purple charm bracelet for women	429	1	\$29

free shipping discount

SUBTOTAL \$29
DISCOUNT \$0.0
(TAX RATE) 4.75%
TAX \$1.3775

INVOICE TOTAL
\$30.3775

TERMS
thank you for you order !

Specimen

