

RESPONSE TO OFFICE ACTION
MARK DIFFERING FROM DRAWING

APPLICANT: OIC TOYS, LLC
MARK: GRAB BAG (standard characters)
SERIAL NO.: 88270337
INTNL CLASS: Class 28
EXAMINER: Andrea B. Cornwell
LAW OFFICE: 115

Applicant, OIC Toys, LLC (“Applicant”), submits the following response to the April 1, 2019 Office Action. The Examining Attorney has initially refused the registration of Application Serial No. 88270307 (“Applicant’s Application”) because the Mark differs from the drawing and specimen. Applicant respectfully disagrees with the Examining Attorney’s conclusions and requests that the refusal be reconsidered and Applicant’s Application be permitted to continue with the registration process.

The Mark Used on the Product is As Filed.

The Applicant submitted a specimen of the product where the tag on the product that identifies the source of the product states “GRAB BAG”. See attached Exhibit A. The use of the word Halloween in the Amazon listings is simply used for search optimization purposes to ensure that customers are able to find the product among the vast number of products on Amazon.com. However, if the Examining Attorney still

determines that the mark differs from the drawing and specimen, the Applicant is willing to amend the submitted mark to include the word Halloween so that it reads Halloween Grab Bag.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Terry L. Traveland". The signature is written in a cursive, flowing style.

Terry L. Traveland
Attorney for the Applicant
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Exhibit A

Specimen

