

### Description of Services

This application has been amended to change the listed services from IC 41 to IC 35, and to delete “Conducting on-line educational seminars in the field of insurance agency management and marketing.” The listed services are now: ***Conducting virtual tradeshows on-line in the field of insurance agency management and marketing*** in International Class 35.

### Substitute Specimen

Applicant is filing a verified substitute specimen of use, which is a screenshot of the web pages from [www.iaevolve.com](http://www.iaevolve.com), that has been in use since the original specimen was in use, and before the date of the allegation to allege use.

### No Likelihood of Confusion

The description of services has been amended to cover ***conducting virtual tradeshows on-line in the field of insurance agency management and marketing***. The refusal in the outstanding Office Action appears to be based primarily on the previously listed *educational services* which have now been deleted from the Application.

The IA in Applicant’s mark IA EVOLVE stands for Independent Agencies, and the virtual trade show services provided by Applicant are directed to Independent Insurance Agencies. In this channel of trade, it is widely known that IA stands for Independent Agencies. The IA in Registrant’s mark stands for Industrielle Alliance. Registrant does not appear to provide services directed to Independent Agencies. On the other hand, Applicant’s mark IA EVOLVE suggests that the Independent Agencies attending the virtual trade show will be introduced to vendor products and services, and business practices intended to modernize their way of doing business. In this regard, EVOLVE is an important aspect of how the service mark IA EVOLVE connoted by Applicant’s intended consumers, the Independent Agencies.

Applicant’s described services are substantially different than those listed by Registrant, and are also directed to a much different consumer. In addition, the mark IA EVOLVE has a different meaning and connotation to the relevant consumers, Independent Agencies, than Registrant’s expected consumers. Accordingly, in light of the amendment to the description of services and the arguments presented above, Applicant requests that the refusal under § 2(d) be withdrawn.