

Likelihood of Confusion Statement Letter

U.S. APPLICATION SERIAL NO. :88358284

MARK: Eggcellent

International Class: 031

Identification of Goods: Edible organic pet food for wild birds and poultry

Regarding Section 2(d) of the Trademark Act for a Likelihood of Confusion with the mark in U.S. Registration No. 5589018, EGGCELLENT GOODS.COM, now it addresses a declared statement below to prevent any confusion.

In this case, upon compared with both marks, applicant's mark created a distinct commercial impression with the registered marks, it's apparent to see that would distinguish it from that registrant's mark as below basic differences, as below:

Applicant's mark: 

Registrant's mark: 

As Trademark Act Section 2(d) for a likelihood of confusion with a registered mark, compared with 2 marks, that existed a distinct difference obviously between marks, it's not likely that consumers could be confused, mistaken, or deceived as to the commercial source of the goods and/or services of the parties.

As per guide, for more accurate identification, applicant has also been remedied the identification to clarify or limit the goods and/or services as follow:

International Class 31: Edible organic pet food for wild birds and poultry.

As a U.S.-licensed attorney, applicant designates me to make the appropriate response for Office Action, please note this change.

Best regards,
Koh, Francis H

Signature: 

Date: Oct 2nd, 2019

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