

**Response to Office Action
Textform with Handwritten Signature**

To the Commissioner for Trademarks:

Application serial no. **88322530** WINRED(Standard Characters, see below)(

WINRED

) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 036 for providing political fundraising services for others via a global computer network
Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 03/01/2019 and first used in commerce at least as early as 03/01/2019 , and is now in use in such commerce.

Proposed: Class 036 for providing political fundraising services for others via a global computer network

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 03/01/2019 and first used in commerce at least as early as 04/00/2019 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 036 . The specimen(s) submitted consists of Screenshots of applicant's website showing use of the mark on the homepage with explanation of how the service works and instructions to sign up for and use the service; screenshot of applicant's website Frequently Asked Questions page explaining how the service works with instructions how to sign up for and use the service; screenshots of applicant's Twitter profile promoting and advertising the service. .

"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] **OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. **OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen]. Specimen-1 [SPU0-38114145156-20191014122015029962_._WINRED_Specimen_1.jpg]

Specimen-2 [SPU0-38114145156-20191014122015029962_._WINRED_Specimen_2.jpg]

Specimen-3 [SPU0-38114145156-20191014122015029962_._WINRED_Specimen_3.jpg]

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 042 for software as a service (SAAS) services featuring software for creating websites for political fundraising, complying with political fundraising laws and regulations, managing political fundraisers, reporting on political fundraisers, making and receiving political donations, allocating political donations to marketing or consulting agencies or subcontractors, communicating with and managing political donors, promoting and selling tickets and sponsorships for political events, promoting and selling merchandise, and creating and managing online petitions

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 03/01/2019 and first used in commerce at least as early as 03/01/2019 , and is now in use in such commerce.

Proposed: Class 042 for software as a service (SAAS) services featuring software for creating websites for political fundraising, complying with political fundraising laws and regulations, managing political fundraisers, reporting on political fundraisers, making and receiving political donations, allocating political donations to marketing or consulting agencies or subcontractors, communicating with and managing political donors, promoting and selling tickets and sponsorships for political events, promoting and selling merchandise, and creating and managing online petitions

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 03/01/2019 and first used in commerce at least as early as 04/00/2019 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 042 . The specimen(s) submitted consists of Screenshots of applicant's website showing use of the mark on the homepage with explanation of how the service works and instructions to sign up for and use the service; screenshot of applicant's website Frequently Asked Questions page explaining how the service works with instructions how to sign up for and use the service; screenshots of applicant's Twitter profile promoting and advertising the service. .

"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR **"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. OR **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen]. [Specimen-1](#) [SPU1-38114145156-20190927124811725251_._WINRED_Specimen_1.jpg]

[Specimen-2](#) [SPU1-38114145156-20190927124811725251_._WINRED_Specimen_2.jpg]

[Specimen-3](#) [SPU1-38114145156-20191014122015029962_._WINRED_Specimen_3.jpg]

SIGNATURE(S)

Signatory's Position: CEO

Signatory's Phone Number: _____

Date Signed: 10/15/2019

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the declaration language. Do **not** include the entire application, but do ensure that the declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU: If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; *for a collective trademark, collective service mark, collective membership mark application, or certification mark application*, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; *for a certification mark application*, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a) COLLECTIVE/CERTIFICATION MARK APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: *for a trademark or service mark application*, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; *for a collective trademark, collective service mark, collective membership mark, or certification mark application*, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; *for a certification mark application*, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature Section:

Signature: _____

Signatory's Name: Carl Sceusa

Response Signature

Signatory's Name: Laura M. Franco

Signatory's Position: Attorney of record, California bar member

[Back](#)