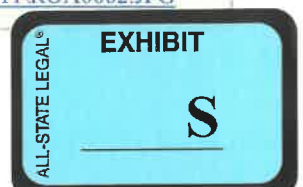


Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79242929
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/79242929/large
LITERAL ELEMENT	SYNERGY PANEL
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
OWNER SECTION (current)	
NAME	Hammersmith Nominees Pty Ltd
INTERNAL ADDRESS	430 Newcastle St
STREET	WEST PERTH WA 6005
COUNTRY	Australia
OWNER SECTION (proposed)	
NAME	Hammersmith Nominees Pty Ltd
STREET	430 Newcastle St
CITY	WEST PERTH WA
ZIP/POSTAL CODE	6005
COUNTRY	Australia
LEGAL ENTITY SECTION (current)	
TYPE	Proprietary limited company (p/l or pty. ltd.)
LEGAL ENTITY SECTION (proposed)	
TYPE	Proprietary limited company (p/l or pty. ltd.)
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Australia
ARGUMENT(S)	
Applicant's arguments in favor of registration are attached.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi 1-7411214226-20191002171844231854 . 2019-10-02 Response to OA.pdf
CONVERTED PDF FILE(S) (4 pages)	\\TICRS\EXPORT17\IMAGEOUT17\792429\79242929.xml11\ROA0002.JPG



	\\TICRS\EXPORT17\IMAGEOUT17\792\429\79242929\xml11\ROA0003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\792\429\79242929\xml11\ROA0004.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\792\429\79242929\xml11\ROA0005.JPG
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CONVERTED PDF FILE(S) (7 pages)	\\TICRS\EXPORT17\IMAGEOUT17\792\429\79242929\xml11\ROA0006.JPG
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ORIGINAL PDF FILE	evi_7411214226-20191002171844231854 . Exhibit 2.pdf
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	\\TICRS\EXPORT17\IMAGEOUT17\792\429\79242929\xml11\ROA0014.JPG
DESCRIPTION OF EVIDENCE FILE	Applicant's arguments; Exhibit 1 - TESS records for third party registrations; Exhibit 2 - article on Western and English riding
ATTORNEY SECTION (current)	
NAME	Josh A. Partington
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	Harness, Dickey & Pierce, PLC
STREET	11730 Plaza America Dr. #600
CITY	Reston
STATE	Virginia
POSTAL CODE	20190
COUNTRY	US
PHONE	703-668-8000
FAX	703-668-8200
EMAIL	dcdocketing@hdp.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	3029Y-200031
ATTORNEY SECTION (proposed)	
NAME	Josh A. Partington
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX

FIRM NAME	Harness, Dickey & Pierce, PLC
STREET	11730 Plaza America Dr. #600
CITY	Reston
STATE	Virginia
POSTAL CODE	20190
COUNTRY	United States
PHONE	703-668-8000
FAX	703-668-8200
EMAIL	dcdocketing@hdp.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	3029Y-200031
OTHER APPOINTED ATTORNEY	All other attorneys associated with Harness, Dickey & Pierce, PLC
CORRESPONDENCE SECTION (current)	
NAME	Josh A. Partington
FIRM NAME	Harness, Dickey & Pierce, PLC
STREET	11730 Plaza America Dr. #600
CITY	Reston
STATE	Virginia
POSTAL CODE	20190
COUNTRY	US
PHONE	703-668-8000
FAX	703-668-8200
EMAIL	dcdocketing@hdp.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	3029Y-200031
CORRESPONDENCE SECTION (proposed)	
NAME	Josh A. Partington
FIRM NAME	Harness, Dickey & Pierce, PLC
STREET	11730 Plaza America Dr. #600
CITY	Reston
STATE	Virginia
POSTAL CODE	20190
COUNTRY	United States
PHONE	703-668-8000
FAX	703-668-8200
EMAIL	dcdocketing@hdp.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	3029Y-200031

SIGNATURE SECTION	
RESPONSE SIGNATURE	/Josh A. Partington/
SIGNATORY'S NAME	Josh A. Partington
SIGNATORY'S POSITION	Attorney of record, Virginia Bar member
SIGNATORY'S PHONE NUMBER	703-668-8000
DATE SIGNED	10/02/2019
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Oct 02 17:27:05 EDT 2019
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XXX-2 0191002172705320809-79242 929-6103f14b687a886cf8b66 8ebc61315417a2cee536ca3b1 6999c8e81c9449662cd2a-N/A -N/A-20191002171844231854

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PTO Form 1957 (Rev 10/2011)
OMB No. 0651-0050 (Exp 09/20/2020)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **79242929** SYNERGY PANEL (Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/79242929/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Applicant's arguments in favor of registration are attached.

EVIDENCE

Evidence in the nature of Applicant's arguments; Exhibit 1 - TESS records for third party registrations; Exhibit 2 - article on Western and English riding has been attached.

Original PDF file:

[evi_1-7411214226-20191002171844231854_2019-10-02_Response_to_OA.pdf](#)

Converted PDF file(s) (4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

Original PDF file:

[evi_7411214226-20191002171844231854_Exhibit_1.pdf](#)

Converted PDF file(s) (7 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

Original PDF file:

[evi_7411214226-20191002171844231854 . Exhibit 2.pdf](#)

Converted PDF file(s) (2 pages)

[Evidence-1](#)

[Evidence-2](#)

APPLICANT AND/OR ENTITY INFORMATION

Applicant proposes to amend the following:

Current: Hammersmith Nominees Pty Ltd a(n) Proprietary limited company (p/l or pty. ltd.), having an address of

430 Newcastle St WEST PERTH WA 6005

,
Australia

Proposed: Hammersmith Nominees Pty Ltd, Proprietary limited company (p/l or pty. ltd.) legally organized under the laws of Australia, having an address of

430 Newcastle St
WEST PERTH WA, 6005
Australia

The applicant's current attorney information: Josh A. Partington. Josh A. Partington of Harness, Dickey & Pierce, PLC, is located at

11730 Plaza America Dr. #600
Reston, Virginia 20190
US

The docket/reference number is 3029Y-200031.

The phone number is 703-668-8000.

The fax number is 703-668-8200.

The email address is dcdocketing@hdp.com

The applicants proposed attorney information: Josh A. Partington. Other appointed attorneys are All other attorneys associated with Harness, Dickey & Pierce, PLC. Josh A. Partington of Harness, Dickey & Pierce, PLC, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

11730 Plaza America Dr. #600
Reston, Virginia 20190
United States

The docket/reference number is 3029Y-200031.

The phone number is 703-668-8000.

The fax number is 703-668-8200.

The email address is dcdocketing@hdp.com

Josh A. Partington submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current correspondence information: Josh A. Partington. Josh A. Partington of Harness, Dickey & Pierce, PLC, is located at

11730 Plaza America Dr. #600
Reston, Virginia 20190
US

The docket/reference number is 3029Y-200031.

The phone number is 703-668-8000.

The fax number is 703-668-8200.

The email address is dcdocketing@hdp.com

The applicants proposed correspondence information: Josh A. Partington. Josh A. Partington of Harness, Dickey & Pierce, PLC, is located at

11730 Plaza America Dr. #600
Reston, Virginia 20190
United States

The docket/reference number is 3029Y-200031.

The phone number is 703-668-8000.

The fax number is 703-668-8200.

The email address is dcdocketing@hdp.com

SIGNATURE(S)

Response Signature

Signature: /Josh A. Partington/ Date: 10/02/2019

Signatory's Name: Josh A. Partington

Signatory's Position: Attorney of record, Virginia Bar member

Signatory's Phone Number: 703-668-8000

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: Josh A. Partington
Harness, Dickey & Pierce, PLC

11730 Plaza America Dr. #600
Reston, Virginia 20190

Mailing Address: Josh A. Partington
Harness, Dickey & Pierce, PLC
11730 Plaza America Dr. #600
Reston, Virginia 20190

Serial Number: 79242929

Internet Transmission Date: Wed Oct 02 17:27:05 EDT 2019

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2019100217270532

0809-79242929-6103f14b687a886cf8b668ebc6

1315417a2cee536ca3b16999c8e81c9449662cd2

a-N/A-N/A-20191002171844231854

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hammersmith Nominees Pty Ltd)
Application No.: 79/242,929)
Filed: July 10, 2018)
Mark: SYNERGY PANEL)

Response to Office Action

In the Office Action issued April 2, 2019 ("Office Action"), registration was refused on the basis of a likelihood of confusion with Registration No. 5,608,313 (hereinafter the "cited registration") for the mark SYNERGY in standard characters (hereinafter the "cited mark").

Registration No. 5,608,313 covers "saddle pads for horses" and is owned by Weaver Leather, LLC ("Weaver").

Applicant's mark is SYNERGY PANEL and this application covers, "Goods and equipment for horse riding, namely, jump saddles."

The Office Action states that, "[b]oth marks contain the term SYNERGY. The marks are different, however, to the extent that applicant's mark contains the additional term PANEL. Yet, this difference does not obviate the similarity of the marks." This conclusion is due to the PANEL "wording [being] less significant in terms of affecting the mark's commercial impression, and renders the wording SYNERGY the more dominant element of the mark."

A common term between two marks does not mean there is a likelihood of confusion between the two, even when one mark contains the entirety of the other. *See Colgate-Palmolive Co. v. Carter-Wallace, Inc.*, 167 USPQ 529, 530 (CCPA 1970) ("the mere presence of the word [and opposer's mark] "peak" in the trademark PEAK PERIOD does not by reason of that fact alone create a likelihood of confusion").

In fact, it appears that the USPTO and Weaver have already accepted that PANEL is capable of distinguishing one mark from another in the horse pads and horse saddles field. The following USPTO registrations are instructive:

Mark	Reg. No.	Owner	Issued	Cancelled	Goods
SMARTPANEL	3,893,772	Shannon Olson	12/21/2010	7/28/2017	Cushion padding made for saddlery; pads for horse saddles
SMART COLLECTION (COLLECTION disclaimed)	2,602,412	Weaver Leather, LLC	7/30/2002	Active	Saddle and tack for use with horses
SMARTPAD	4,659,197	Natural Horseman Saddles LLC	12/23/2014	Active	Pads for horse saddles

Copies of the TESS records for these registrations are attached as Exhibit 1.

Weaver's registration of SMART COLLECTION (with COLLECTION disclaimed) for saddles issued in 2002 (and remains active). Subsequently, an application for SMARTPANEL for saddle pads was filed on the basis of use of the mark. The USPTO approved this SMARTPANEL application (without issuing any likelihood of confusion refusals) and Weaver did not oppose its registration. The SMARTPANEL registration then issued on the basis of use and remained active until its cancellation in 2017.

An application for SMARTPAD for saddle pads was filed by yet another third party on the basis of use and, again, approved by the USPTO and not opposed by Weaver.

To make the similarity to this case even clearer:

Weaver Mark	Weaver Goods	Other Mark	Other Goods
SMART COLLECTION (COLLECTION disclaimed)	Saddles	SMARTPANEL	Saddle pads
SYNERGY	Saddle pads	SYNERGYPANEL	Jump saddles

Not only do these facts demonstrate that in a previous, very similar case, both the USPTO and Weaver accepted that the addition of PANEL was sufficient to avoid confusion, but they also should be considered under the thirteenth factor in the *du Pont* analysis. *In re E. I. du Pont de Nemours & Co.*, 177 USPQ 563, 567 (CCPA 1973) (the thirteenth factor in the *du Pont* analysis is, "[a]ny other established fact probative of the effect of use.").

To ignore the addition of PANEL to Applicant's mark is an improper dissection and the facts discussed above clearly show that for the exact same types of goods at issue

here, both the USPTO and Weaver accept that this addition is sufficient to distinguish the marks.

The Office Action correctly notes that "marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression." However, the analysis that follows is a clear dissection of Applicant's mark in to SYNERGY and PANEL, rather than a comparison of Applicant's mark as a whole. "The commercial impression of a trade-mark is derived from it as a whole, not from its elements separated and considered in detail. For this reason it should be considered in its entirety..." *Estate of P.D. Beckwith, Inc. v. Commissioner of Patents*, 252 U.S. 538, 545-46 (1920). "It is incorrect to compare marks by eliminating portions thereof and then simply comparing the residue." *China Healthways Institute, Inc. v. Wang*, 83 USPQ2d 1123 (Fed. Cir. 2007).

"Determining whether there is a likelihood of confusion requires careful consideration of the common elements of the marks at issue, as well as the overall commercial impression created by each mark." TMEP §1207.01(b)(iii). Again, it is the whole of Applicant's SYNERGYPANEL mark that must be evaluated. See *Coca-Cola Co. v. Seven-Up Co.*, 497 F.2d 1351 (CCPA 1974) ("[w]e have said, so often as not to require citation of authority, that marks must be viewed as the public sees them, i.e., in their entireties"). To break the mark into the two separate words is an impermissible dissection. See *In re Hutchinson Technology*, 7 USPQ2d 1490, 1492 (Fed. Cir. 1988) ("The board considered the mark as two separate parts, "Hutchinson" and "technology,"... the fatal flaw in the board's analysis is that the mark sought to be registered is not HUTCHINSON or TECHNOLOGY, but HUTCHINSON TECHNOLOGY."). This is especially clear here, where Applicant's mark is presented as a single word, rather than two.

Considering the whole of Applicant's mark, the differences in Applicant's mark give it a different connotation and meaning, such that it creates a much different commercial impression than the cited mark. Applicant's mark has a specific connotation and creates a single, unitary commercial impression. The cited mark is a vague buzzword that creates an equally nebulous commercial impression. The human mind differentiates between the general and the specific and so would form different impressions of Applicant's mark versus those it would have for the cited mark. Whatever the commercial impression created by the cited mark is, it clearly differs from that of Applicant's SYNERGYPANEL mark.

Again, Applicant's mark creates a more concrete commercial impression, which is different in meaning and connotation from that of the cited mark. These differences in connotation, meaning, and commercial impression distinguish Applicant's mark from the cited mark. See *In re Sears, Roebuck & Co.*, 2 USPQ2d 1312, 1314 (TTAB 1987) ("As a result of their different meanings when applied to the goods of applicant and registrant, the two marks create different commercial impressions, notwithstanding the fact that they are legally identical in sound and appearance.").

"Additions or deletions to marks may be sufficient to avoid a likelihood of confusion if: (1) the marks in their entireties convey significantly different commercial impressions; **or** (2) the matter common to the marks is not likely to be perceived by purchasers as distinguishing source because it is merely descriptive or diluted." TMEP §1207.01(b)(iii). [emphasis added]

At a minimum, the addition to Applicant's mark creates a significantly different commercial impression from the cited mark.

Of course, likelihood of confusion must be judged "in connection with the goods or services identified in the application." TMEP §1207.01. The SMARTPANEL registration also suggests that there is a sufficient difference between saddle pads and saddles for the addition of PANEL to avoid confusion. And this application covers a specific kind of saddle, rather than the broader identification of horse saddles in Weaver's SMART COLLECTION registration.

In particular, Weaver's saddle pads are for use in Western style horseback riding, while Applicant's jump saddles are for English style horseback riding. Attached as Exhibit 2 is an article from EquiSearch explaining differences between Western and English riding, which notes in particular that the "most obvious difference is the tack the horse wears." Accordingly, there is a clear separation between Applicant's goods and those of the cited registration and this separation will further avoid consumer confusion (although the differences between the marks themselves are sufficient).

The differences between Applicant's mark and the cited mark can be and are sufficient by themselves to obviate any likelihood of confusion, but these facts show that Applicant's goods and those of the cited registration are also not so related as to cause a likelihood of confusion. *See Kellogg Co. v. Pack'em Enterprises, Inc.*, 21 USPQ2d 1142, 1145 (Fed. Cir. 1991) ("In the present case, the Board ruled that the dissimilarity of "the marks in their entireties" itself made it unlikely that confusion would result from the simultaneous use of the marks. We cannot say that the Board committed any legal error in so holding.").

Because Applicant's mark differs in meaning, connotation, and commercial impression and because Applicant's goods are not so related to those of the cited registration, there is no likelihood of confusion. Accordingly, Applicant respectfully requests that the refusal be withdrawn and this application approved for publication.

EXHIBIT 1.

Trademark Electronic Search System (TESS)



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Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

SMARTPANEL

Word Mark SMARTPANEL
Goods and Services (CANCELLED) IC 018. US 001 002 003 022 041. G & S: Cushion padding made for saddlery; Pads for horse saddles. FIRST USE: 20090530. FIRST USE IN COMMERCE: 20091201
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85032390
Filing Date May 6, 2010
Current Basis 1A
Original Filing Basis 1A
Published for Opposition October 5, 2010
Registration Number 3893772
Registration Date December 21, 2010
Owner (REGISTRANT) Olson, Shannon A. DBA Phoenix Saddles USA INDIVIDUAL UNITED STATES 1047 SR 506 Vader WASHINGTON 98593
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date July 28, 2017

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Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

SMART COLLECTION

Word Mark	SMART COLLECTION
Goods and Services	IC 018. US 001 002 003 022 041. G & S: SADDLE AND TACK FOR USE WITH HORSES. FIRST USE: 20010108. FIRST USE IN COMMERCE: 20010108
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76144954
Filing Date	October 12, 2000
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	November 27, 2001
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	2802412
Registration Date	July 30, 2002
Owner	(REGISTRANT) Weaver Leather Goods, Inc. CORPORATION OHIO 7540 CR 201 Mt. Hope OHIO 44660 (LAST LISTED OWNER) WEAVER LEATHER, LLC LIMITED LIABILITY COMPANY DELAWARE P.O. BOX 68 MT. HOPE OHIO 446600068
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Andrew P. Lycans
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COLLECTION" APART FROM THE MARK AS SHOWN

Trademark Electronic Search System (TESS)

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 8 (6-YR), SECTION 8(10-YR) 20120324.
Renewal 1ST RENEWAL 20120324
Live/Dead Indicator LIVE

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Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

SMARTPAD

Word Mark	SMARTPAD
Goods and Services	IC 018. US 001 002 003 022 041. G & S: Pads for horse saddles. FIRST USE: 20130300. FIRST USE IN COMMERCE: 20130300
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86275486
Filing Date	May 8, 2014
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 7, 2014
Registration Number	4659197
International Registration Number	1231452
Registration Date	December 23, 2014
Owner	(REGISTRANT) Natural Horseman Saddles LLC LIMITED LIABILITY COMPANY COLORADO 25 South Clover Lane Bayfield COLORADO 81122
Attorney of Record	Thomas S. Birney
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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EXHIBIT 2.

EQUISEARCH

For People Who Love Horses

English Versus Western Riding - What's the Difference?

Many people thinking about learning to ride ask about the differences between English and Western riding.

JAYNE PEDIGO WILSON · UPDATED: MAR 20, 2017 · ORIGINAL: JAN 16, 2003

One question I frequently get asked in my email is: "What is the difference between English and Western riding?" The next question is usually: "Is one easier than the other?"

There are both differences and similarities between English and Western riding. The most obvious difference is the tack the horse wears.

As explained in my [Saddle Facts](#) article, the Western saddle is larger and heavier than the English saddle. It's designed to spread the weight of the rider over a larger area of the horse's back, making it more comfortable for long days out chasing cows.

The English saddle is smaller and lighter and designed to give the rider a closer contact with the horse's back.

With both the English and the Western saddle, different designs are available to accommodate certain styles, sports and disciplines.

As far as riding goes, the main difference between English and Western riding is that in English riding, the rider takes a direct contact with the horse's mouth via the reins and uses the reins as part of the "aids" (along with the seat and the leg) for speed and direction. Most Western riding horses are ridden on little or no contact and the rider uses his seat, his weight and neck-reining to give aids to the horse.

The position of the rider is much the same in both English and Western. The rider should sit tall and straight, leaning neither forward nor backward. The rider's legs should hang naturally against the horse's sides and the arms should be relaxed and against the rider's sides (flapping elbows are frowned upon in both disciplines).

In English riding, the rider takes a rein in each hand, whereas Western riders take both reins in one hand, allowing the other hand to fall naturally at their side, or lay on their thigh.

Next page > [So, which is easier?](#) > Page 1, 2, 3