

From: TEAS@uspto.gov
To: [Michael Gilman](#); [docketing](#)
Subject: 7129-026tmus Serial number 88390019: Received Your Response To Office Action
Date: Wednesday, October 30, 2019 9:15:33 AM

Filing Receipt for Response to Office Action Form and Next Steps in the Application Process

Application serial no. 88390019.

Mark. PLANET EARTH(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88390019/large>).

Thank you for submitting your form to the U.S. Patent and Trademark Office (USPTO). Please read this filing receipt carefully and keep a copy for your records. If you find an error, the [After You File](#) page gives information about correcting errors.

Next steps

- 1. In four to five days, please confirm that we received the documents submitted with this form** by checking [Trademark Status and Document Retrieval](#) (TSDR). If your documents do not appear in TSDR after four to five days, please [email us](#).
- 2. Within one to two months, the examining attorney will review your submission.**

If your submission is accepted, you will receive a notice that your mark will be published in the [Trademark Official Gazette](#). For more information on publication, click on [Box 5a, USPTO Publishes Mark](#), in the application timeline.

If your submission is not accepted, you will receive an Office action explaining why it was not accepted and listing your options for responding.

- 3. Continue to check [TSDR](#) every three to four months for any updates to your application status.**
- 4. Keep your addresses current in USPTO records using the [address forms](#) on our website.**
- 5. Questions?** Please visit [our website](#), [email us](#), or call us at 1-800-786-9199 and select option 1.

The information submitted in the form appears below:

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PTO Form 1957 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	88390019
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/88390019/large
LITERAL ELEMENT	PLANET EARTH
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.
GOODS AND/OR SERVICES SECTION (003)(current)	
INTERNATIONAL CLASS	003
DESCRIPTION	
Body care products, namely, soaps, shampoos, skin creams and lotions, essential oils and cosmetics; greenhouses; raised growing beds; plant boxes; chicken coops	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (003)(proposed)	
INTERNATIONAL CLASS	003
TRACKED TEXT DESCRIPTION	
Body care products, namely, soaps, shampoos, skin creams and lotions, essential oils and cosmetics; <u>Body care products, namely, non-medicated body soap, shampoo, and skin creams and lotions, essential oils and cosmetics.;</u> greenhouses; raised growing beds; plant boxes; chicken coops	
FINAL DESCRIPTION	
Body care products, namely, non-medicated body soap, shampoo, and skin creams and lotions, essential oils and cosmetics.	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (019)(class added)	
INTERNATIONAL CLASS	019
DESCRIPTION	Modular greenhouses not of metal

FILING BASIS	Section 1(b)
ATTORNEY SECTION (current)	
NAME	Michael R. Gilman
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	KAPLAN BREYER SCHWARZ LLP
INTERNAL ADDRESS	STE 201
STREET	90 MATAWAN RD.
CITY	MATAWAN
STATE	New Jersey
POSTAL CODE	07747
COUNTRY	US
PHONE	732-578-0103 x233
FAX	732-578-0104
EMAIL	mgilman@kbsiplaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	7129-026tmus
ATTORNEY SECTION (proposed)	
NAME	Michael R. Gilman
ATTORNEY BAR MEMBERSHIP NUMBER	2319002
YEAR OF ADMISSION	1990
U.S. STATE/ COMMONWEALTH/ TERRITORY	New York
FIRM NAME	KAPLAN BREYER SCHWARZ LLP
INTERNAL ADDRESS	STE 201
STREET	90 MATAWAN RD.
CITY	MATAWAN
STATE	New Jersey
POSTAL CODE	07747

COUNTRY	United States
PHONE	732-578-0103 x233
FAX	732-578-0104
EMAIL	mgilman@kbsiplaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	7129-026tmus
OTHER APPOINTED ATTORNEY	Milena Mishev
CORRESPONDENCE SECTION (current)	
NAME	MICHAEL R. GILMAN
FIRM NAME	KAPLAN BREYER SCHWARZ LLP
INTERNAL ADDRESS	STE 201
STREET	90 MATAWAN RD.
CITY	MATAWAN
STATE	New Jersey
POSTAL CODE	07747
COUNTRY	US
PHONE	732-578-0103 x233
FAX	732-578-0104
EMAIL	mgilman@kbsiplaw.com; docketing@kbsiplaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	7129-026tmus
CORRESPONDENCE SECTION (proposed)	
NAME	Michael R. Gilman
FIRM NAME	KAPLAN BREYER SCHWARZ LLP
INTERNAL ADDRESS	STE 201
STREET	90 MATAWAN RD.
CITY	MATAWAN
STATE	New Jersey
POSTAL CODE	07747
COUNTRY	United States

PHONE	732-578-0103 x233
FAX	732-578-0104
EMAIL	mgilman@kbsiplaw.com; docketing@kbsiplaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	7129-026tmus
PAYMENT SECTION	
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	275
TOTAL FEES DUE	275
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/Michael R. Gilman/
SIGNATORY'S NAME	Michael R. Gilman
SIGNATORY'S POSITION	attorney of record, NY bar member
SIGNATORY'S PHONE NUMBER	7325780103
DATE SIGNED	10/30/2019
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Oct 30 09:15:30 EDT 2019
TEAS STAMP	USPTO/ROA-96.56.16.2-2019 1030091530833754-88390019 -700892568df371315fa20af6 3b7acc6add33324cfdc098f3 8a3e64c89f5c422a51-CC-152 93709-2019103009065897558 8

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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. **88390019** PLANET EARTH(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88390019/large>) 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 003 for Body care products, namely, soaps, shampoos, skin creams and lotions, essential oils and cosmetics; greenhouses; raised growing beds; plant boxes; chicken coops

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*

As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and 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.

Proposed:

Tracked Text Description: ~~Body care products, namely, soaps, shampoos, skin creams and lotions, essential oils and cosmetics;~~ Body care products, namely, non-medicated body soap, shampoo, and skin creams and lotions, essential oils and cosmetics.; ~~greenhouses;~~ ~~raised growing beds;~~ ~~plant boxes;~~ ~~chicken coops~~

Class 003 for Body care products, namely, non-medicated body soap, shampoo, and skin creams and lotions, essential oils and cosmetics.

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*

As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and 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.

Applicant hereby adds the following class of goods/services to the application:

New: Class 019 for Modular greenhouses not of metal

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*

As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and 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.

The applicant's current attorney information: Michael R. Gilman. Michael R. Gilman of KAPLAN BREYER SCHWARZ LLP, is located at

STE 201
90 MATAWAN RD.
MATAWAN, New Jersey 07747
US

The docket/reference number is 7129-026tmus.

The phone number is 732-578-0103 x233.

The fax number is 732-578-0104.

The email address is mgilman@kbsiplaw.com

The applicants proposed attorney information: Michael R. Gilman. Other appointed attorneys are Milena Mishev. Michael R. Gilman of KAPLAN BREYER SCHWARZ LLP, is a member of the New York bar, admitted to the bar in 1990, bar membership no. 2319002, and the attorney(s) is located at

STE 201
90 MATAWAN RD.
MATAWAN, New Jersey 07747
United States

The docket/reference number is 7129-026tmus.

The phone number is 732-578-0103 x233.

The fax number is 732-578-0104.

The email address is mgilman@kbsiplaw.com

Michael R. Gilman 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: MICHAEL R. GILMAN. MICHAEL R. GILMAN of KAPLAN BREYER SCHWARZ LLP, is located at

STE 201
90 MATAWAN RD.
MATAWAN, New Jersey 07747
US

The docket/reference number is 7129-026tmus.

The phone number is 732-578-0103 x233.

The fax number is 732-578-0104.

The email address is mgilman@kbsiplaw.com; docketing@kbsiplaw.com

The applicants proposed correspondence information: Michael R. Gilman. Michael R. Gilman of KAPLAN BREYER SCHWARZ LLP, is located at

STE 201
90 MATAWAN RD.
MATAWAN, New Jersey 07747
United States

The docket/reference number is 7129-026tmus.

The phone number is 732-578-0103 x233.

The fax number is 732-578-0104.

The email address is mgilman@kbsiplaw.com; docketing@kbsiplaw.com

FEE(S)

Fee(s) in the amount of \$275 is being submitted.

Declaration Signature

Declaration Signature

The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the *Trademark Rules of Practice*.

Response Signature

Signature: /Michael R. Gilman/ Date: 10/30/2019

Signatory's Name: Michael R. Gilman

Signatory's Position: attorney of record, NY bar member

Signatory's Phone Number: 7325780103

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.

Thank you,

The TEAS support team

Wed Oct 30 09:15:31 EDT 2019

STAMP: USPTO/ROA-96.56.16.2-20191030091530833754-88390019-700892568df371315fa20af63b7acc6add33324cfdcdb098f38a3e64c89f5c422a51-CC-15293709-20191030090658975588

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