

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Imagination Holdings, LLC      Docket No.: 68672.03800  
U.S. App. No.: 88261321      Examining Attorney: Katherine Ferrell  
Filed: January 14, 2019      Law Office No.: 126  
Mark: SO GOOD YOU’LL LICK      International Classes: 21, 25  
THE BOX

**RESPONSE TO OFFICE ACTION**

Katherine Ferrell  
Examining Attorney, Law Office 126  
600 Dulany Street  
Alexandria, VA 22314

Dear Katherine:

On November 6, 2019, an Office Action was issued refusing registration of Applicant’s mark, SO GOOD YOU’LL LICK THE BOX (“Applicant’s Mark”), under Sections 1, 2, and 45 of the Trademark Act. In consideration of the argument detailed below, it is respectfully requested that the Examining Attorney withdraw the ornamental refusal under Sections 1, 2, and 45 of the Trademark Act. 15 U.S.C. §§ 1051-1052, 1127.

**Applicant’s Request to Withdraw Ornamental Refusal under Sections 1, 2, and 45.**

In response to the Examining Attorney’s ornamental refusal, Applicant submits substitute specimens that illustrate Applicant’s Mark serving as a source-indicator in use in commerce in connection with the identified clothing goods in the application. Accordingly, as the substitute specimens show use of Applicant’s Mark in a non-ornamental manner in commerce in connection with the identified clothing and beverage container goods in the application, it is respectfully

requested that the Examining Attorney withdraw its ornamental refusal under Sections 1, 2, and 45. TMEP § 1202.03(c).

If the Examining Attorney has any questions or requires additional information, please contact the undersigned. Applicant's counsel thanks the Examining Attorney for her assistance.