

Mark: **BEAST**
Serial No.: 88419882

OFFICE ACTION RESPONSE

Likelihood of Confusion

The Examiner has refused registration in part based on an alleged likelihood of confusion with a number of third-party registrations. For the reasons described in more detail below, Applicant submits that there is no likelihood of confusion.

Applicant has deleted a number of goods and services. Applicant submits that these deletions obviate the various likelihood of confusion refusals as follows:

- The deletion of Class 25 and retail for “clothing” in Class 35 obviates the refusal based on Reg. Nos. 3719344 and 2918892 and the prior pending application advisory based on Serial No. 88/377097.
- The deletion of “Advertising services,” “On-line advertising and marketing services,” “business management assistance,” “organization of trade fairs for commercial or advertising purposes,” “sales promotion for others,” “Marketing services,” “commercial administration of the licensing of the goods and services of others,” and retail for “jewelry and imitation jewelry, Necklaces (jewellery)” in Class 35 obviates the prior pending application advisory based on Serial No. 87/275401.

Accordingly, Applicant requests that the likelihood of confusion refusals and prior-pending application advisories be withdrawn with respect to the above-referenced registrations.

Conclusion

Based on the foregoing, Applicant respectfully asserts that there is no likelihood of confusion. Applicant has addressed all outstanding issues and requests that the application be approved for publication without further delay.