

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Lizzo, LLC  
SERIAL NO: 88/498,468  
FILED: July 2, 2019  
MARK: LIZZO - Class 25

**RESPONSE**

This is a Response to the Office Action dated September 13, 2019. The time period for Response extends to and includes March 13, 2020.

**AMENDMENTS**

**Consent of Living Individual**

The Examining Attorney has requested clarification as to whether the name "LIZZO" in the mark identifies a particular living individual. Applicant requests that the subject Application be amended to include the following statement:

***"LIZZO" identifies Melissa Viviane Jefferson, a living individual whose consent is of record.***

In support, Applicant submits the Declaration of Melissa Viviane Jefferson, p/k/a Lizzo, attached hereto as **Exhibit A**, making her consent of record.

**REMARKS**

**2(d) Refusal**

The Examining Attorney has initially refused registration of the subject mark on the basis of an alleged, potential likelihood of confusion with the following United States Trademark Application:

LIZ LIZO, Serial No. 88/352,721, a pending intent to use based application in Class 25 for clothing, namely, aprons, ascots, bathrobes, bathing trunks, bathing suits, beach clothes being beach cover-ups, belts, bibs not of paper, camisoles, clothing of

imitations of leather being belts, jackets, coats and dresses, clothing of leather being belts, jackets, coats, corsets and dresses, dressing gowns, ear muffs, furs, gloves, headbands, hoods, jackets, jerseys, knitwear being sweaters, leggings, leg warmers, mittens, neckties, outer clothing being outdoor gloves, overalls, overcoats, drawers, parkas, pocket squares, ponchos, pullovers, pajamas, saris, sarongs, sashes for wear, scarves, shawls, shirts, short-sleeve shirts, sports jerseys, skirts, socks, stuff jackets, suits, sweaters, tee-shirts, tights, trousers, underpants, underwear, vest; headwear, namely, caps, hats, headwear for wear, skull caps, visors; and footwear, namely, bath sandals, bath slippers, beach shoes, boot uppers, boots, boots for sports, esparto shoes or sandals, footwear, footwear uppers, galoshes, half-boots, lace boots, sandals, shoes, slippers; leather headwear; trunks being clothing , and in Class 18 for all-purpose carrying bags, wallets and carriers, namely, attaché cases, bags for sports, all-purpose carrying bags for use by campers, gym bags, pouches of leather, beach bags, briefcases, credit card cases, notecases being briefcases, chain mesh purses, garment bags for travel, handbags, key cases, net bags for shopping, pocket wallets, pouch baby carriers, purses, rucksacks, backpacks, school bags, school satchels, reusable shopping bags, sling bags for carrying infants, slings for carrying infants, suitcases, travelling trunks, travelling luggage bag sets, leatherwear, namely, leather straps, leather bags, and trunks being luggage, owned by Liz Lizo LLC

Applicant respectfully submits that no likelihood of confusion exists between the subject mark and the mark covered by the cited application owned by Liz Lizo LLC.

As evidence that no likelihood of confusion exists, Applicant is submitting herewith a Consent Agreement entered into by Applicant and the cited registrant Sergio Lizarraga, whereby the parties agreed that no likelihood of confusion exists between their respective marks based upon: (1) there are differences between the respective marks themselves; (2) there are differences between the respective goods and services; (3) there are differences between the trade channels through which the respective goods and services are provided; and (4) the undertakings set forth in the Consent Agreement.

Applicant respectfully submits that on the basis of the above, no likelihood of confusion exists between the respective marks.

All of the issues raised in the Office Action are believed to have been addressed.  
Favorable action is hereby requested.