

RESPONSE TO OFFICE ACTION

Mark: CHAMP
Class(es): 37; 44
Serial No.: 88733745
Applicant: Georgia Department of Transportation

The following is in response to the Office Action issued March 25, 2020.

The Examining Attorney finds the following:

1. With respect to the application to register the mark CHAMP in Class 44, the Examining Attorney issued a Section 2(d) refusal based on the mark THE LAWN CHAMPS (U.S. Registration No. 4213099) for “Landscape design; Landscape gardening; Lawn care; Lawn mowing services; Tree care services; Weed control; Yard care services” in Class 44.
2. With respect to the application to register the mark CHAMP in Class 44, the Examining Attorney maintains that the submitted specimen of use does not support registration of the mark CHAMP in Class 44.
3. With respect to the application to register the mark CHAMP in Classes 37 and 44, the Examining Attorney requires the Applicant to amend the identification and classification of services.

As is further discussed below, Applicant hereby deletes the services in Class 44 and amends its classification and identification of services as requested. Accordingly, Applicant’s mark CHAMP is entitled to proceed to registration.

I. DELETION OF SERVICES IN CLASS 44

Per the Examining Attorney’s Advisory – Applicant’s Response to Option to a Partial Refusal, Applicant hereby deletes the services identified in Class 44.

II. AMENDMENT OF IDENTIFICATION OF SERVICES

Per the Examining Attorney’s Requirement to Classification/Identification of Services, Applicant hereby amends the identification services in Class 37 as follows:

Class 37:

Emergency roadside assistance services, namely, responding to calls for roadside assistance, flat tire changing, emergency fuel supplying, and battery jump starting; roadside maintenance services, namely, street cleaning in the nature of sweeping ~~to sweep and clear~~ the roadways of debris such that traffic caused by an incident is lessened.

III. AMENDMENT OF CLASSIFICATION OF SERVICES

Per the Examining Attorney's Requirement to Classification/Identification of Services, Applicant hereby amends the classification services as follows:

Class 37 (as amended):

Emergency roadside assistance services, namely, responding to calls for roadside assistance, flat tire changing, emergency fuel supplying, and battery jump starting; roadside maintenance services, namely, ~~street cleaning in the nature of sweeping to sweep and clear~~ the roadways of debris such that traffic caused by an incident is lessened.

Class 39 (new):

Roadside maintenance debris removal services, namely, clearing the roadways of debris such that traffic caused by an incident is lessened.

Per the Examining Attorney's Multiple Class Application Advisory, the current specimen is acceptable for both Classes 37 and 39.

IV. CONCLUSION

As all outstanding issues associated with the present application have been addressed, Applicant respectfully requests that the application be approved for publication.

Respectfully submitted this 27th day of March, 2020.

/Katrina M. Quicker/
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