

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Arcimoto, Inc.
Application No. : 90125600
Filed : August 20, 2020
Mark : Cameo
International Classes : 012
Examining Attorney : Brittany Paige Colton
Law Office : 127
Docket No. : ARI20410

Remarks

The following remarks are responsive to the Office action dated January 7, 2021, for U.S. Trademark Application No. 90125600.

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration is currently refused on the basis of a likelihood of confusion. While Applicant respectfully traverses the refusal, the goods description is hereby amended as follows in the interest of advancing prosecution of the application.

International Class 012: Self-propelled electric **three-wheel ride-on** vehicles **for cinematography and photography**

Applicant's intended goods are lightweight electric three-wheel vehicles that have a seat for a driver and a rearward-facing seat for a camera operator. The rearward-facing seat is in-line with the driver seat so that the driver and camera operator are seated back-to-back. Alternatively, the rearward facing seat could be omitted and a camera could be mounted to the rear of the vehicle behind the driver.

Applicant's vehicles can be referred to as three-wheel motorcycles. An example of the relative size and general shape of the vehicle is provided below in prototype form for illustrative purposes.



The evidence cited by the Office action includes U.S. registration 2498617 for the mark CAMEO in connection with “travel trailers and fifth wheel trailers”. As additional supporting evidence, the Office action cites to Airstream brand offering trailers and travel coaches.

The goods at issue are of the type that are purchased by consumers after significant research and consideration. Trailers and RVs are sufficiently different and involve different consumers than Applicant’s goods. When all factors are considered, Applicant respectfully submits that a likelihood of confusion is not present and respectfully requests that the refusal be withdrawn.