

Arguments in Response to Office Action

SERIAL NUMBER: 90166062

MARK: RG

ARGUMENT(S):

I. INTRODUCTION

The Examining Attorney has identified the following issues with regard to the application:

1. Partial Section 2(d) refusal – likelihood of confusion with registered mark(s)
2. Identification of goods requirement

Applicant addresses these issues below and respectfully requests that the Examining Attorney allows Applicant's Mark to pass to publication.

II. PARTIAL SECTION 2(d) REFUSAL – LIKLIHOOD OD CONFUSION

The Examining Attorney has refused registration as to Class 20 only on the ground that registration of the applied-for mark in International Class 20 would create a likelihood of confusion with the mark in U.S. Registration No. 90166062, RG RADIANCE GOODS and design for goods that include "furniture."

Applicant responds to the partial Section 2(d) refusal by deleting Class 20 from the application.

III. IDENTIFICATION OF GOODS

A. Class 26

The Examining Attorney indicated the wording "Artificial plants" in the identification of goods for International Class 20 must be clarified because it is too broad and could include goods in other international classes. Specifically, the identification could encompass artificial Christmas trees, which are in Class 28.

Consequently, Applicant herewith amends the identification of goods as follows:

Artificial plants, **other than Christmas trees**; Artificial flower arrangements

B. Class 31

The Examining Attorney indicated the wording “Dried Flowers” in the identification of goods for International Class 31 must be clarified because it is too broad and could include goods in other international classes. Specifically, the identification could encompass edible flowers, which are in Class 29.

Consequently, Applicant herewith amends the identification of goods as follows:

Dried plants; Live flowering plants; Live plants; Living plants; Natural plants and flowers; Cut flowers; Dried flower arrangements; Dried flowers **for decoration**; Flowers; Live flower arrangements; Live flowers

IV. CONCLUSION

For the reasons discussed herein, it is respectfully requested that the Examining Attorney allows Applicant’s HOME RG GARDEN mark to pass to publication.

Respectfully submitted,

Dated: July 15, 2021

/Sherrie M. Flynn/

SHERRIE M. FLYNN
COLEMAN & HOROWITT, LLP
Attorneys for Applicant