



Mark:

Serial No.: 90501488

Classes: 9, 38, 42, 45

Applicant: Vodafone Group PLC

OFFICE ACTION RESPONSE

This is in response to the Office Action of dated September 2, 2021. Applicant responds to each issue raised by the Examining Attorney in turn:

I. Prior-Filed Application and Foreign Registration

The prior-filed application, Serial No. 88362550, that the Examiner raised as a potential Section 2(d) bar is still pending. Applicant requests suspension of the subject application pending disposition of that application. Additionally, the foreign application on which the subject application is based has not yet proceeded to registration. Applicant requests that the application also be suspended on this basis.

II. Amendment of Mark Description

Applicant submits the following amended mark description: “The mark consists of the stylized wording “NEO” next to a design of a single quotation mark inside of a circle.”

III. Amendment of Goods and Services

Class 9: Smart watches; smartphones in the shape of a watch; smart watches and smart watchbands that communicate data to smartphones or other electronic devices; wearable communications apparatus, namely, wearable communications apparatus for transmission, reception and processing of communications signals and data; wearable communications devices in the form of smart wristwatches; downloadable application software for alerts, calls, messages and tracking users' location data for use with wearable electronic devices, namely smartwatches, smart watchbands and wearable activity trackers; wearable location trackers in the nature of in the nature of smart watches and smart wristbands; wearable location trackers, namely wearable electronic devices for tracking and locating articles, people or animals employing radio frequency, global positioning systems (GPS), wireless internet communications or cellular communication networks; wearable activity trackers; electronic positioning apparatus in the nature of electronic radio frequency positioning apparatus, global positioning system (GPS) apparatus and cellular communications positioning apparatus; electronic devices used to locate

articles, people or animals employing a cellular communications network; downloadable application software for alerts, calls, messages and tracking users' location data for use with wearable electronic devices, namely smartwatches, smart watchbands and wearable activity trackers; recorded computer games software for use with wearable electronic devices; downloadable computer, electronic, and video games software for use with wearable electronic devices; downloadable games software for use with wearable electronic devices

Class 42: Encryption, decryption, and authentication of information, messages, and data from electronic trackers; data conversion of electronic information from electronic trackers; creating, maintaining and updating databases, namely, database development services for traffic and travel information; providing temporary use of non-downloadable cloud-based telematics software, namely, telematics software for tracking and locating articles, people or animals; providing temporary use of non-downloadable cloud-based telematics software, namely, telematics software for the transmission, storage, and sharing of data and information; providing temporary use of non-downloadable cloud-based software for operating equipment using touch for use with haptic sensors; testing services for alarm and monitoring systems; design and development of personal alarms, pagers and panic buttons and response systems and related software; providing online non-downloadable software for facilitating communications, providing alerts and tracking users' location data in the field of personal safety and security; providing online non-downloadable software for facilitating communications, providing alerts and tracking users' location data in the field of GPS navigation and tracking; providing online non-downloadable software for providing alerts and tracking users' location data for use with personal alarm, paging or electronic messaging and response systems

Class 45: Location services, namely, tracking and locating individuals, animals and objects for personal safety and security purposes, using data from electronic tracking devices; goods location services, namely, locating and monitoring missing property, using data from electronic tracking devices; person location services, namely, tracking and locating individuals for personal safety and security purposes, using data from electronic tracking devices; animal location services, namely, tracking, locating and monitoring services for recovering lost animals and for safety and security purposes, using data from electronic tracking devices; tracking of missing or absent property, vehicles, animals, and persons for the purpose of protecting property, animals and individuals using data from electronic tracking devices

Respectfully submitted,

Vodafone Group PLC

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