

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S
TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. -
SERIAL NUMBER ASSIGNED TO
ATTACHED ON FILING



MARK: ELECTRO

CORRESPONDENT ADDRESS:

BALAJI TRADING, INC.
BALAJI TRADING, INC.
4850 EUCALYTPUS AVE
CHINO, CA 91710

APPLICANT: Balaji Trading, Inc.

Applicant is a new applicant for ELECTRO trademark, though there is a related property which was abandoned. To facilitate the prosecution of this trademark, the following arguments and pre-emptive amendments to obviate the same conflicts are submitted.

On January 15, 2019 Balaji Trading, Inc. ("Applicant") previous application U.S. Serial No. 88131487 was questioned regarding two potential 2D Conflicts. U.S. Registration No. 1711292 is ELECTRO BRAND, U.S. Registration No. 1902476 is ELECTRO BRAND for old technology such as 8-track recorders and players, and cassette tape players. We find the language limiting on Registrant's mark in the Channel of Trade. And in the Sophistication of the purchaser.

The conflicts were not in a related channel of trade as the technology was antiquated. So there was no true possibility of non-theoretical confusion, yet the application became abandoned for failure to respond. On the merits, there is no conflict. So the following exclusions were made in anticipation and to obviate any conflict.

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 1711292 and 1902476 both owned by Electro Brand, Inc. Trademark Act Section 2(d), 15 U.S.C. §1052(d); see TMEP §§1207.01 et seq. See the attached registrations.

Applicant's applied-for mark is ELECTRO in standard characters for "Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery

charging devices, specially adapted for use with handheld digital electronic devices, namely, cell phones” in International Class 9.

U.S. Registration No. 1711292 is ELECTRO BRAND in standard characters for “Televisions, video cassette recorders and combinations thereof; home, automobile and portable compact disc players; telephones, telephone answering devices and combinations thereof; facsimile machines; portable and home radios, clock radios, radio, phonograph and tape player combinations, auto, home and portable cassette and 8-track recorders and players, walkie-talkies and CB transceivers” in International Class 9.

U.S. Registration No. 1902476 is ELECTRO BRAND featuring stylization for “Free-standing, portable; headphone and personal radios; radios with cassette tape players and recorders; portable cassette tape recorders and players; sing along cassette players and recorders; portable compact disc players; portable compact disc player combinations with radios and tape cassette players and recorders; stereo center combinations with compact disc players, radios and cassette tape players and recorders; televisions; video cassette recorders; telephones; telephone answering machines; clock radios; clock radio combinations with cassette tape players and recorders, telephones, walkie-talkies; CB transceivers” in International Class 9.

To proactively prevent the raised issue of a Section 2D Conflict the following products and related products and the channels of trade associated therewith are expressly excluded to obviate any conflicts with U.S. Registration No. 1711292 is ELECTRO BRAND and U.S. Registration No. 1902476 is ELECTRO BRAND.

Applicant adds the following IC 009 Express Exclusion to the goods and services scope. Smartphone protective accessories in the nature carrying cases and covers in the expressly limited channel of trade of applicant’s own website, expressly excluding all of the following products and accessories associated therewith free-standing, portable, headphone and personal radios, radios with cassette tape players and recorders, portable cassette tape recorders and players, sing along cassette players and recorders, portable compact disc players, portable compact disc player combinations with radios and tape cassette players and recorders, stereo center combinations with compact disc players, radios and cassette tape players and recorders, televisions, video cassette recorders, telephones, telephone answering machines, clock radios, clock radio combinations with cassette tape players and recorders, telephones, walkie-talkies, and CB transceivers.

Thus the original search summary would leave no scope that is overlapping between any search found, and the scope cited in the application.

{"IEY"}{"L"1:2}{"IEY"}{"CKQX"1:2}TR[bi,ti]not dead [ld]
"ELECTRO"[bi,ti]not dead [ld]
ELECTRO[bi,ti]not dead [ld]

<i>Doc</i>	<i>Image</i>	<i>Duratio</i>
<i>s</i>	<i>s</i>	<i>n</i>

0	742	N/			0:0	*{"IEY"}{"L"}1:2{"IEY"}{"CKQX"}1:2}TR*[bi,ti]not dead
1	0	A	0	0	1	[ld]
0	472	N/			0:0	*ELECTRO*[bi,ti]not dead [ld]
2	0	A	0	0	1	
0	419	0	41	36	0:0	"ELECTRO"[bi,ti]not dead [ld]
3			9	1	2	
0	504	N/			0:0	1 AND "009"[CC]
4	6	A	0	0	1	
0	357	N/			0:0	2 AND "009"[CC]
5	2	A	0	0	1	
0	228	0	22	19	0:0	3 AND "009"[CC]
6			8	9	1	
0	13	3	10	10	0:0	"Balaji Trading"[on]
7					1	