

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Examining Operation

In re Application of:)	
Navitas Systems)	
)	Kelly J. Trusilo
Serial Number: 88511498)	Examining Attorney
Filed: July 12, 2019)	Trademark Law Office 107
Mark: CENTURION)	

Box RESPONSES NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Date of Office Action: 10/29/2019

REQUEST FOR RECONSIDERATION OF FINAL OFFICE ACTION

The Examining Attorney has issued a final office action stating that the amendment to Applicant’s mark CENTURION, in International Class 9, to include the goods “batter charges,” is not acceptable.

As stated in its original response to the first non-final office action, Applicant filed its application for the mark CENTURION on Friday, July 12, 2019, and included the following as its recitation of goods:

battery or batteries for use in forklift trucks, in International Class 9

Due to a scrivener’s error, the goods “battery chargers” were inadvertently left out of the original recitation of goods, and on Tuesday, July 16, 2019, prior to assignment of the application to an Examining Attorney, Applicant filed an amendment to its original application to include “battery chargers” as part of the mark’s goods.

Because “battery or batteries” and “battery chargers” are clearly related, and are both in International Class 9, the amendment was filed prior to assignment to an Examining Attorney, Applicant respectfully asks that the Examining Attorney reconsider the decision to not allow the amendment.

Applicant also pointed out that it is the Owner of the following U.S. trademark registrations – each of which includes “batteries” and “battery chargers”:

Registration Number 4882750: CENTURION (design mark)

Modular and scalable mobile energy storage system used to provide multiple kilowatt hours of uninterrupted power, namely, an integrated power management system consisting primarily of lithium **batteries, battery chargers**, charge controllers and inverters, battery cables, in International Class 9.

Registration Number 5214326: CENTURION TELECOM BATTERY SYSTEM

Modular and scalable mobile energy storage system used to provide multiple kilowatt hours of uninterrupted power, namely, an integrated power management system consisting primarily of lithium **batteries, battery chargers**, charge controllers and inverters, battery cables, in International Class 9.

Registration Number 5214325: CENTURION UPS BATTERY SYSTEM

Modular and scalable mobile energy storage system used to provide multiple kilowatt hours of uninterrupted power, namely, an integrated power management system consisting primarily of lithium **batteries, battery chargers**, charge controllers and inverters, battery cables, in International Class 9.

As shown in each of Applicant's prior registrations, "batteries" and "battery chargers" are a part of its goods/services.

Applicant is also submitting with this Request for Reconsideration an additional specimen showing the mark as used on battery chargers.

Conclusion

In light of the foregoing, Applicant respectfully requests that the Examining Attorney allow its mark to proceed to registration.

NAVITAS SYSTEMS

By: /Laura McFarland-Taylor/
One of its Attorneys

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