

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 86/372,642

Examining Attorney: Verna B. Ririe

Trademark: SOLARIS

Law Office: 104

Applicant: Philip Morris Products S.A.

Action Dated: December 9, 2014

Filing Date: August 20, 2014

Attorney Ref. No.: 316862-4012

RESPONSE TO OFFICE ACTION

This Response answers the Office Action issued on December 9, 2014 in connection with Application Serial No. 86/372,642 for the trademark SOLARIS (“Applicant’s Mark”) filed in the name of Philip Morris Products S.A. (“Applicant”).

LIKELIHOOD OF CONFUSION

Applicant respectfully requests that the Trademark Act Section 2(d) refusal be withdrawn.

FILING BASES

Applicant herewith amends its Section 44 filing basis in order to rely upon a foreign application from Applicant’s country of origin, Switzerland. Applicant hereby notifies the Trademark Office that the relevant Swiss Application No. 59211 has not yet proceeded to registration. Applicant respectfully requests that further examination of its application be suspended pending issuance of the certificate of registration for its Swiss application.

Applicant also amends its application to include a Section 1(b) intent to use filing basis.

IDENTIFICATION OF GOODS

Applicant requests that the current identification of goods in International Class 11 be amended to read as follows:

Electronic vaporizers; electric liquid heaters; apparatus for generating vapor, namely, electronic vaporizers and wired vaporizers for personal use and not for medical purposes

Applicant requests that the current identification of goods in International Class 34 be amended to read as follows:

Tobacco, raw or manufactured; tobacco products, namely, cigars, cigarettes, cigarillos, tobacco for roll your own cigarettes, pipe tobacco, chewing tobacco, snuff tobacco, cigarettes containing clove as well as tobacco, moist powder tobacco known as snus, tobacco substitutes not for medical purposes; smokers' articles, namely, cigarette paper and tubes, cigarette filters, tobacco tins, cigarette cases, ashtrays, pipes, pocket apparatus for rolling cigarettes, cigarette lighters, matches; tobacco rolled in stick tubes, heated tobacco products, namely electronic tobacco stick holders that heat tobacco products; electronic cigarettes; electronic cigarettes for use as an alternative to traditional cigarettes; smoker's articles for electronic cigarettes, namely, electronic rechargeable cigarette cases and boxes, empty cartridges, chargers and extinguishers; replacement parts and fittings for use in connection with the foregoing goods.

CONCLUSION

Through the remarks and amendments submitted herewith, Applicant has fully complied with the Examining Attorney's requests. Applicant therefore respectfully requests that the Examiner withdraw the refusals and suspend its application pending issuance of the certificate of registration for Swiss Application No. 59211.

Dated: June 5, 2015

Respectfully submitted,

LOCKE LORD LLP

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