

EXHIBIT A

To: beyerdynamic GmbH & Co. KG (law@collardroe.com)
Subject: U.S. TRADEMARK APPLICATION NO. 79241388 - BEYER - N/A
Sent: 5/17/2019 8:55:28 AM
Sent As: ECOM123@USPTO.GOV
Attachments:

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

U.S. APPLICATION
SERIAL NO. 79241388

MARK: BEYER

79241388

CORRESPONDENT

ADDRESS:
SARA M. DORCHAK
COLLARD & ROE,
P.C.
1077 NORTHERN
BOULEVARD
ROSLYN NY 11576

**GENERAL TRADEMARK
INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

[VIEW YOUR APPLICATION FILE](#)

APPLICANT:

beyerdynamic GmbH &
Co. KG

**CORRESPONDENT'S
REFERENCE/DOCKET
NO:**

N/A

**CORRESPONDENT E-
MAIL ADDRESS:**

law@collardroe.com

SUSPENSION NOTICE: NO RESPONSE NEEDED

ISSUE/MAILING DATE: 5/17/2019
INTERNATIONAL REGISTRATION NO. 1424396

INTRODUCTION

The Trademark Examining Attorney is suspending action on the application for the reason stated below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

Upon review of Applicant's Response filed April 9, 2019, the Examining Attorney notes the following:

- The Section 2(d) Refusal with respect to Registration No. 5461617 is **OBVIATED**;
- The requirement that Applicant amend the identification of goods and services is **SATISFIED**.

PRIOR-FILED PENDING APPLICATIONS

The effective filing dates of the pending applications identified below precede the filing date of Applicant's application. If any of the marks in the referenced applications register, Applicant's mark may be refused registration under Section 2(d) because of a likelihood of confusion with the registered mark(s). *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, action on this application is suspended until the earlier-filed referenced applications are either registered or abandoned. 37 C.F.R. §2.83(c). Copies of information relevant to the referenced

applications were sent previously.

- **Application Serial Nos. 86787536, 86787546, and 87908201**

REFUSALS CONTINUED AND MAINTAINED

The following refusals are **CONTINUED** and **MAINTAINED**:

- Section 2(d) Refusal – Likelihood of Confusion with respect to Registration No. 4987511
- Section 2(e)(4) Refusal – Primarily Merely a Surname
- Refusal – Insufficient Section 2(f) Claim

WHAT HAPPENS NEXT

The USPTO will periodically conduct a status check of the application to determine whether suspension remains appropriate, and the Trademark Examining Attorney will issue as needed an inquiry letter to Applicant regarding the status of the matter on which suspension is based. TMEP §§716.04, 716.05. Applicant will be notified when suspension is no longer appropriate. *See* TMEP §716.04.

No response to this notice is necessary; however, if Applicant wants to respond, Applicant should use the “Response to Suspension Inquiry or Letter of Suspension” form online at <http://teasroa.uspto.gov/rsi/rsi>.

/Samantha Sherman/
Examining Attorney
Law Office 123
(571) 270-0903
Samantha.Sherman@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that Applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: beyerdynamic GmbH & Co. KG (law@collardroe.com)
Subject: U.S. TRADEMARK APPLICATION NO. 79241388 - BEYER - N/A
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Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **5/17/2019** FOR U.S. APPLICATION SERIAL NO. 79241388

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.