

## **RESPONSE TO THE OFFICE ACTION**

Applicant hereby responds to the Office Action dated July 1, 2019, as follows:

### **I. Section 2(d) Statutory Refusal Based Upon Registration No. 5723549 – Certain Goods Only**

The stated refusal refers to the following goods and does not bar registration for the other goods: “**compact and transportable devices; self-healing lights**” in Class 011.

Applicant hereby deletes “**compact and transportable devices; self-healing lights**” from Class 011.

### **II. Identification of Goods Indefinite – Classes 009 & 011**

Applicant adopts the following wording:

Current:

#### **Class 005:**

Larvae exterminating preparations and insect exterminating agents.

Proposed:

#### **Class 005:**

Larvae exterminating preparations and insect exterminating agents.

Current:

#### **Class 009:**

Marine safety products, namely, monitoring and detection systems, retracting cleats.

Proposed:

**Class 009:**

Marine safety products, namely, monitoring and detection systems comprising a communicating pile light assembly having an electrical system with a controller assembly, and further having a gateway/controller system, a local interface device and at least one sentinel, whereby the sentinel has transmitting circuitry to transmit specific event information to a nearest and/or respective communicating pile light assembly, which relays the transmitted specific event information to the gateway/controller system, which deciphers then notices the local interface device; and retracting cleats comprising a power cleat system having a cleat assembly, a cleat base assembly, a backer plate assembly, a guide assembly, and an actuating system to elevate and retract the cleat assembly from the cleat base assembly, and a power cleat system having a cleat assembly, a cleat base assembly, a backer plate assembly, a cylinder assembly, and a guide support assembly, whereby the power cleat systems further have a bezel gasket assembly, and an electrical assembly that has a light source to illuminate the cleat assembly and/or the cleat base assembly.

Current:

**Class 011:**

Outdoor automated mist system for insect and pest control; do-it-yourself pest control systems; compact and transportable devices; larvicide dispensing systems for outdoor standing water; insect repelling lighting systems for attics, garages and outdoor areas; marine dock lighting system; self healing lights.

Proposed:

**Class 011:**

Outdoor automated mist system for insect and pest control comprising a pump, container, lines, and hoses; do-it-yourself pest control systems comprising a pump, container, lines, and hoses; larvicide dispensing systems for outdoor standing water comprising a pump, container, lines, and hoses; rodent repelling lighting systems comprising lighting for attics, garages and outdoor areas; insect attracting lighting systems comprising lighting for attics, garages and outdoor areas; marine dock lighting system comprising lighting systems mounted onto dock piles docks, piers, and marinas.

It is respectfully requested that the Trademark Examiner withdraw the rejections of record, allow the application, and an early passage to publication is earnestly solicited.

If for some reason the present response does not place the case in condition for publication, the Examiner is respectfully requested to call Applicant's attorney at (305) 669-9848 to discuss any possible solutions to put the case in condition for publication.

Respectfully submitted,

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