

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
Kailash Union	)	International Classes: 016, 041, 044, 045
	)	
Serial No. 88843267	)	Trademark Attorney:
	)	ALLEN, BIANCA LEIGH
Mark: SHRIKAILASA	)	
	)	
Filed: Mar 22, 2020	)	LAW OFFICE 123
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RESPONSE TO OFFICE ACTION

**I. Introduction**

This is in response to the Non-Final Office Action issued by the Examining Attorney on June 20, 2020 (“Office Action”) in which the Examining Attorney has refused registration on the Principal Register for SHRIKAILASA (Serial Number 88843267) (“Applicant’s Mark” or the “Mark”) on the grounds of Specimen Required and Identification of Goods and Services (Classes 41 and 45 only).

Applicant respectfully traverses the Office’s refusal for the at least the reasons provided herein, and asks for reexamination, reconsideration, and publication of Applicant’s application.

## **I. Identification of Goods and Services**

The Examining Attorney states that the identification of goods and services is indefinite and must be clarified.

The Applicant adopts the following wording in Classes 41 and 45 as recommended by the Examining Attorney:

*International Class 41: Conducting workshops, conferences, classes, and seminars in religion, meditation, yoga, philosophy, spirituality and wellbeing; Education services, namely, providing live and on-line classes, seminars, distance learning, meetings in the field of religion, meditation, yoga, philosophy, self-help, self awareness, spirituality and well-being; Educational services, namely, conducting classes, seminars, meetings, individualized instructions in the field of religion, meditation, yoga, philosophy, spirituality and well-being and distribution of course material in connection therewith; Meditation training; educational services, namely, conducting workshops, conferences, classes, and seminars in the field of religion, meditation, yoga, philosophy, spirituality and wellbeing; Providing facilities for educational workshops, conferences, classes and seminars, including facilities for educational charitable event services; providing a website featuring non-downloadable videos in the field of spirituality, self-help, and personal empowerment.*

*International Class 45: Religious and spiritual services, namely, providing gatherings and retreats to develop and enhance the spiritual lives of individuals; Providing on-line information in the field of spirituality, self-help, and personal empowerment subject matters;*

*Providing a website featuring information concerning the field of spirituality, self-help, and personal empowerment subject matters*

The foregoing amendments to the goods and/or services with wording recommended by the Examining Attorney are believed to overcome the issues set forth in the Office Action.

## **II. Specimen Refusal**

The Examining Attorney asserts that the specimen is refused for Class 016 as the specimen does not appear to demonstrate any printed materials.

The Applicant has concurrently submitted new specimens that shows the mark associated with the goods in Class 016. The Applicant further states that the substitute specimens were in use in commerce at least as early as the filing date of the application or prior to the filing of the amendment to allege use.

The Examining Attorney asserts that the specimen is refused for Classes 041, 044, and 045 as the specimen does not show the mark in a source-indicating capacity.

The Applicant has concurrently submitted new specimens that show the mark associated with the services in Classes 041, 044, and 045. The Applicant further states that the substitute specimens were in use in commerce at least as early as the filing date of the application or prior to the filing of the amendment to allege use.

### **III. Conclusion**

In view of the foregoing remarks, it is believed that the application is in condition for prompt publication. Therefore, the Applicant respectfully requests the Examining Attorney to withdraw the Rejection and to pass the Applicant's Mark to publication.

Respectfully submitted,

/pejman yedidsion/ Dated: December 21, 2020

Pejman Yedidsion, Esq.

Registration No. 64,812

Attorney of Record, CA Bar Member