

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: Tickle Me Pink  
Int. Class: 35

Applicant: Tickle Me Pink, LLC  
Business Address: 1321 Sunset Road, NW  
Albuquerque, New Mexico 87105  
Serial No. 77/099,523  
State of Organization: New Mexico  
Citizenship: U.S.A.

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TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

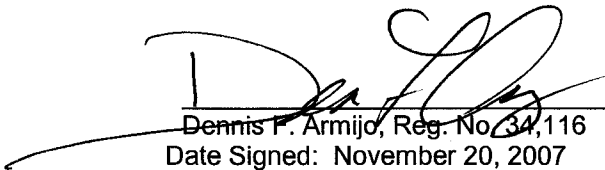
**AMENDMENT**

ATTN: Commissioner for Trademarks  
PO Box 1451  
Alexandria, VA 22313-1451

Examining Attorney: James W. Stein, Trademark Examining Attorney  
Law Office 107

This paper is in response to the office action of May 23, 2007. Please amend the identification of goods and services, as follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ATTN: Commissioner for Trademarks, PO Box 1451, Alexandria, VA 22313-1451, Attention: Examiner James W. Stein, on the 20 day of Nov., 2007.

  
Dennis F. Armijo, Reg. No. 34,116  
Date Signed: November 20, 2007

Attached to this document are substitute specimens:

Exhibit 1 is an invitation to a shop-at-home bachelorette party;

Exhibit 2 is an invitation to a shop-at-home party;

Exhibit 3 is an order form for use at a shop-at-home party; and

Exhibit 4 is a catalog for use at a shop-at-home party.

A declaration by the Applicant regarding the substitute specimens in compliance with 37 CFR § 2.20 is attached.

Please amend the identification of the services as follows;

Shop-at-home parties featuring services, namely sexual aids, in international class 35.

## REMARKS

This paper is filed in response to the Office Action of May 23, 2007.

The Examiner indicated that the mark in the application differs from the submitted specimen. The Examiner indicated that the novel spelling of the word "partez" is not separable from the other terms in the specimen, thus is not sufficient for the application for the mark. The Applicant disputes this contention. The services that are being performed that use this "applied for" mark, are for parties. As can be seen in the substitute specimens, the words "Tickle Me Pink" are separate and distinct from the word "partez" in font and color. Further, Exhibit 1, distinguishes the word "partez" further by including the word "bachelorette" before it. In addition, the remaining substitute specimens, Exhibits 3 and 4 do not contain the word "partez" or any other version of the word party. Thus with this explanation and the substitute specimens, this objection has been overcome. Please note that a declaration with the word suggested by the Examiner concerning the substitute specimens is being submitted herewith.

The Examiner indicated that the identification of the goods and services was unacceptable and indefinite. The Examiner further suggested language to overcome this objection. The identification has been amended as suggested by the Examiner, thus this objection has also been overcome.

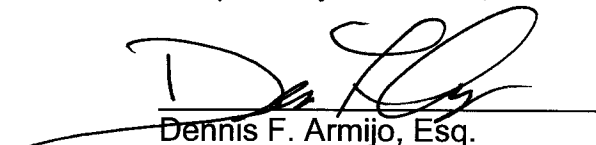
It is noted that the Examining Attorney has searched the Office records and has found no similar registered or pending mark which would bar the registration under Trademark Act Section 2(d), 15 U.S.C. § 1052(d). Therefore, with the amendments as set forth above, it appears that this mark is in condition

for publication. Should the Examiner have any questions, he is invited to call the undersigned collect at (505) 899-0269.

The Commissioner is authorized to charge any fees or credit any overpayment under 37 C.F.R. §§ 1.16 and 1.17 which may be required during the entire pendency of the application to Deposit Account No. 01-2335.

Respectfully submitted,

Dated: November 20, 2007



Dennis F. Armijo, Esq.  
Reg. No. 34,116


Dennis F. Armijo, Esq.  
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Facsimile: (505) 890-3431

DECLARATION OF APPLICANT

The substitute specimens were in use in commerce at least as early as the filing date of the application.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of her own knowledge are true; and all statements made on information and belief are believed to be true.

  
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MICHELLE TRUJILLO  
TICKLE ME PINK, LLC, Applicant

11-20-07  
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Date