

This paper is submitted in response to the Office Action dated May 20, 2009.

The Examining Attorney has required an amendment to the recitation of services and a disclaimer of the wording .COM. Applicant agrees to amend the recitation of services.

Reconsideration of the disclaimer requirement is requested.

Disclaimer

The Examining Attorney has requested a disclaimer of wording .COM from the mark because it merely identifies the fact that the Applicant has an Internet presence. Though this is true, Applicant asserts that a disclaimer of the wording .COM is not necessary. A compound term composed of arbitrary or suggestive matter combined with a “dot” and a TLD is considered unitary, and therefore no disclaimer of the TLD is required. *See* TMEP § 1213.05. Applicant asserts that its compound mark BLACKFAITHLOVE is combined with a “dot” and a TLD and is therefore a unitary mark for which no disclaimer is required. In view of this, Applicant requests that the disclaimer requirement be withdrawn.

Recitations of Services

Applicant agrees to amend its recitation of services as the Examining Attorney has requested. Applicant requests that the wording “computer services, namely, providing news and information concerning subjects and topics of interest to individuals of common cultural heritage” be deleted from the recitation of goods. In addition, in connection with this filing, Applicant provides the appropriate fees for three additional classes to be added to the subject application.

Disclaimer Statement

In the alternative, if the Examining Attorney does not agree to withdraw the disclaimer requirement, Applicant submits the following disclaimer statement:

No claim is made to the exclusive right to use “.COM” apart from the mark as shown.

Conclusion

As Applicant has demonstrated that the disclaimer requirement of the wording .COM of the mark is unnecessary and the Applicant has appropriately amended its recitation of services and paid the appropriate fees for the classes to be added to the subject application, Applicant respectfully requests that the Office withdraw its disclaimer requirement, and approve the mark for publication.

Respectfully submitted,

/ Benita P. Collier/

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