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Mark: INVISIBLE DISABILITIES

INVISIBLE DISABILITIES

US Serial Number: 85548560

Application Filing Date: Feb. 21, 2012

US Registration Number: 4315808

Registration Date: Apr. 09, 2013

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 09, 2013

Publication Date: Jan. 22, 2013

Mark Information

Mark Literal Elements: INVISIBLE DISABILITIES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "DISABILITIES"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2010

Use in Commerce: Jul. 01, 2010

For: Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, bike-a-thons, concerts, cultural and art events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2010

Use in Commerce: Mar. 01, 2010

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44E: No

Current Owner(s) Information

Owner Name: Invisible Disabilities Association
Owner Address: P.O. Box 4067
Parker, COLORADO 80134
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Andrew A. Gonzalez, Esq., NY Bar Member

Correspondent

Correspondent Name/Address: ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER
GONZALEZ & OBERLANDER LLP
841 BROADWAY STE 500
NEW YORK, NEW YORK 10003-4704
UNITED STATES

Phone: [914] 220-5474 and [212] 587-7977

Fax: [914] 683-0147 and [212] 587-7955

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 09, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 22, 2013	PUBLISHED FOR OPPOSITION	
Jan. 02, 2013	NOTICE OF PUBLICATION	
Dec. 14, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Dec. 14, 2012	ASSIGNED TO LIE	70997
Nov. 30, 2012	EXAMINERS AMENDMENT MAILED	
Nov. 29, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 29, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 29, 2012	EXAMINERS AMENDMENT -WRITTEN	78324
Aug. 29, 2012	FINAL REFUSAL MAILED	
Aug. 29, 2012	FINAL REFUSAL WRITTEN	78324
Aug. 07, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 07, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 07, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 06, 2012	NON-FINAL ACTION MAILED	
Jun. 06, 2012	NON-FINAL ACTION WRITTEN	78324
Jun. 01, 2012	ASSIGNED TO EXAMINER	78324
Feb. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 09, 2013



INVISIBLE DISABILITIES

HELP SUPPORT INVISIBLE DISABILITIES

Find out how you can help support the expenses of this site, so IDA can continue to:

Make this site available to thousands of sufferers and their loved ones

What costs? You May Ask!

Website domain hosting, web space, Internet service, e-mail box, phone line, P.O. Box, computers, fax machines, computer programs, printers, printing expenses, postage [all of which come out of IDAs's pocket]

www.InvisibleDisabilities.org

info@InvisibleDisabilities.org


Past Events and Seminars — Invisible Disabilities Association - Windows Internet Explorer

http://www.invisibledisabilities.org/seminarsandevents/seminars/

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You are here: Home / IDA Events / Past Events and Seminars

Past Events and Seminars



The Invisible Disabilities Association has enjoyed being a part of so many wonderful events and seminars that offered education, encouragement, awareness and a great time!

12/5/2011 - Invisible Seminar with Colorado Marriott Hotels. Speaker, Wayne Connell. Private meeting at Denver Marriott South.

11/16/2011 - Colorado State Patient Representatives Meeting with Speaker, Wayne Connell. Private meeting at Parker Adventist Hospital

INVISIBLE NO MORE TV

Invisible No More TV: Tell Your Story

Submit Your Invisible No More Story!

INVISIBLE NO MORE! IDA WRISTBAND

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http://www.invisibledisabilities.org/seminarsandevents/seminars/

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SHOUTcast Radio - explore over 30,000 stations from around the world

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Past Events and Seminars — Invisible Disabilities Asso...

11/12/2011 - Caregiver Symposium with Keynote Speaker, Wayne Connell. Sponsored by Healings in Motion. Stockton, CA.

9/15/2011 - IDA Online Seminar Invisible Disabilities and the Husband as Caregiver with Wayne Connell. National Invisible Chronic Illness Awareness Week.

7/12/2011 - Book Signing at Tattered Cover. Luis Carlos Montalván and His Service Dog, Tuesday, New York Bestselling Authors of Until Tuesday: A Wounded Warrior and the Golden Retriever Who Saved Him. Luis was IDA's Keynote Speaker for the 2011 Honor Awards Banquet. This was not an IDA event, however, IDA spread awareness of the event and several IDA Board Members attended.


6/29/2011 - Denver Young Professionals Kick Off. Event at Comedy Works in Denver to provide education and awareness about invisible disabilities, as well as benefit the ongoing work of IDA.

3/26/2011 - IDA at the Health Fair. Free admission, screening and more. 710 KNIUS and Clinix Healing Center.

3/3/2011 - Meet IDA and Friends at Chez Cirque. Information, awareness and fundraiser. LIVE radio broadcast with Mac and Doog of Mille High Sports. door prizes, silent auction.

9/16/2010 - IDA Online Seminar. Invisible Disabilities and the Husband as Caregiver with Wayne Connell. National Invisible Chronic Illness Awareness Week.

1/8/2008 - Denver Commission for People with Disabilities. Invisible Disabilities Presentation by Founder and President, Wayne Connell.



ADVOCACY AND SUPPORT

Coping with Invisible Disabilities

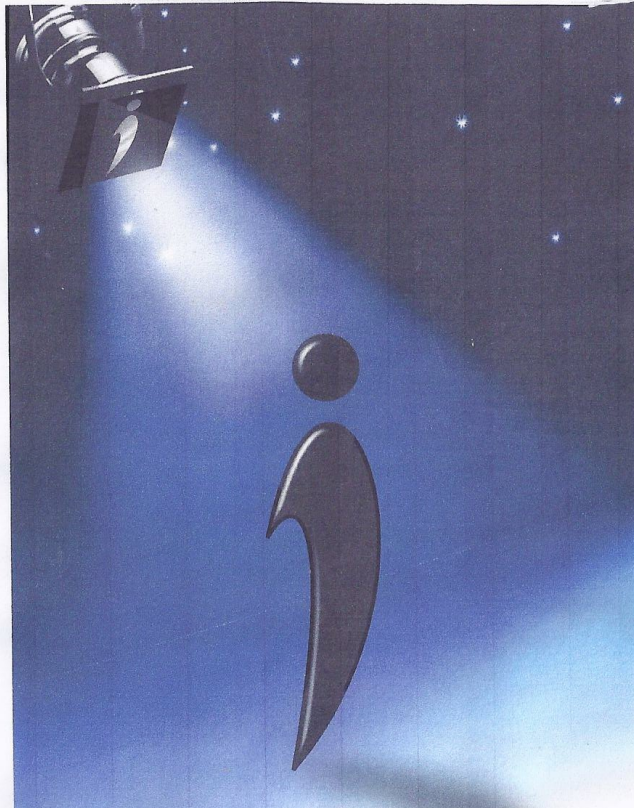
- > Accessibility & Assistance
- > Disability & Healthcare
- > Finding Humor
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- > Youth & Children
- > IDA Awareness to Invisible Disabilities
- > IDA Awards Others
- > IDA Events

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INVISIBLE DISABILITIES

A S S O C I A T I O N SM



Honors Banquet

Sunday 10•10•10

INVISIBLE DISABILITIES

Trademark/Service Mark Application, Principal Register

Serial Number: 85548560

Filing Date: 02/21/2012

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85548560
MARK INFORMATION	
*MARK	INVISIBLE DISABILITIES
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	INVISIBLE DISABILITIES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Invisible Disabilities Association
*STREET	P.O. Box 4067
*CITY	Parker
*STATE (Required for U.S. applicants)	Colorado
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	80134
PHONE	[720] 432-1144
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Colorado
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	036
*IDENTIFICATION	charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 07/01/2010
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT1\IMAGEOUT 11\855\485\85548560.xml1\ APP0003.JPG
	promotional literature requesting charitable and fundraising

SPECIMEN DESCRIPTION	support showing the mark as filed
INTERNATIONAL CLASS	041
*IDENTIFICATION	education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 03/01/2010
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT1\IMAGEOUT11\855\485\85548560\xml1\ APP0004.JPG
	\\TICRS\EXPORT1\IMAGEOUT11\855\485\85548560\xml1\ APP0005.JPG
SPECIMEN DESCRIPTION	promotional literature offering events and seminars showing the mark as filed
ATTORNEY INFORMATION	
NAME	Andrew A. Gonzalez, Esq., NY Bar Member
FIRM NAME	Gonzalez & Oberlander LLP
INTERNAL ADDRESS	Suite #500
STREET	841 Broadway
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10003
PHONE	[914] 220-5474 and [212] 587-7977
FAX	[914] 683-0147 and [212] 587-7955
OTHER APPOINTED ATTORNEY	Bert M. Oberlander, Esq.
CORRESPONDENCE INFORMATION	
NAME	Andrew A. Gonzalez, Esq., NY Bar Member
FIRM NAME	Gonzalez & Oberlander LLP
INTERNAL ADDRESS	Suite #500
STREET	841 Broadway
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10003

PHONE	[914] 220-5474 and [212] 587-7977
FAX	[914] 683-0147 and [212] 587-7955
FEE INFORMATION	
NUMBER OF CLASSES	2
FEE PER CLASS	325
*TOTAL FEE DUE	650
*TOTAL FEE PAID	650
SIGNATURE INFORMATION	
SIGNATURE	/aag/
SIGNATORY'S NAME	Andrew A. Gonzalez, Esq., NY Bar Member
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	02/20/2012

Trademark/Service Mark Application, Principal Register

Serial Number: 85548560

Filing Date: 02/21/2012

To the Commissioner for Trademarks:

MARK: INVISIBLE DISABILITIES (Standard Characters, see [mark](#))

The literal element of the mark consists of INVISIBLE DISABILITIES.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Invisible Disabilities Association, a corporation of Colorado, having an address of
P.O. Box 4067
Parker, Colorado 80134
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 036: charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain

In International Class 036, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 01/01/2010, and first used in commerce at least as early as 07/01/2010, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) promotional literature requesting charitable and fundraising support showing the mark as filed.

[Specimen File1](#)

International Class 041: education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 01/01/2010, and first used in commerce at least as early as 03/01/2010, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) promotional literature offering events and seminars showing the mark as filed.

[Specimen File1](#)

[Specimen File2](#)

The applicant's current Attorney Information:

Andrew A. Gonzalez, Esq., NY Bar Member and Bert M. Oberlander, Esq. of Gonzalez & Oberlander LLP

Suite #500
841 Broadway
New York, New York 10003
United States

The applicant's current Correspondence Information:

Andrew A. Gonzalez, Esq., NY Bar Member
Gonzalez & Oberlander LLP
Suite #500
841 Broadway

New York, New York 10003

[914] 220-5474 and [212] 587-7977(phone)

[914] 683-0147 and [212] 587-7955(fax)

A fee payment in the amount of \$650 has been submitted with the application, representing payment for 2 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /aag/ Date: 02/20/2012

Signatory's Name: Andrew A. Gonzalez, Esq., NY Bar Member

Signatory's Position: Attorney of Record

RAM Sale Number: 3167

RAM Accounting Date: 02/22/2012

Serial Number: 85548560

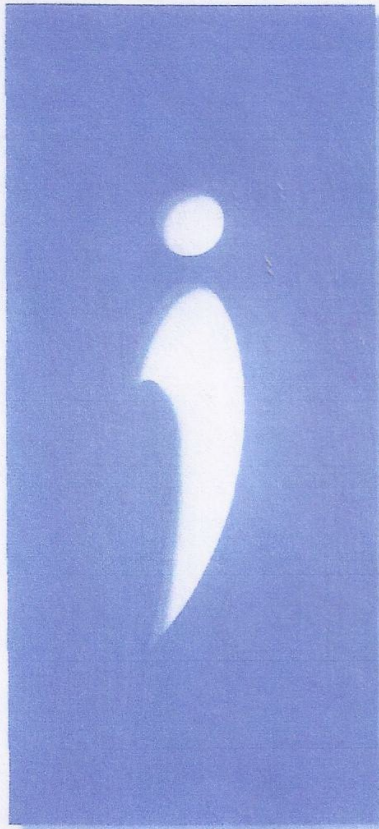
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TEAS Stamp: USPTO/BAS-XX.XX.XXX.XX-20120221160404594

573-85548560-490a36a39421837d924eb9d7fee

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INVISIBLE DISABILITIES



INVISIBLE DISABILITIES

HELP SUPPORT INVISIBLE DISABILITIES

Find out how you can help support the expenses of this site, so IDA can continue to:

Make this site available to thousands of sufferers and their loved ones

What costs? You May Ask!

Website domain hosting, web space, Internet service, e-mail box, phone line, P.O. Box, computers, fax machines, computer programs, printers, printing expenses, postage [all of which come out of IDAs's pocket]

www.InvisibleDisabilities.org

info@InvisibleDisabilities.org

Past Events and Seminars — Invisible Disabilities Association - Windows Internet Explorer

http://www.invisibledisabilities.org/seminarsandevents/seminars/

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Past Events and Seminars

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INVISIBLE NO MORE TV

Invisible No More TV: Tell Your Story

Submit Your Invisible No More Story!

INVISIBLE NO MORE! IDA WRISTBAND

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http://www.invisibledisabilities.org/seminarsandevents/seminars/

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ADVOCACY AND SUPPORT

Coping with Invisible Disabilities

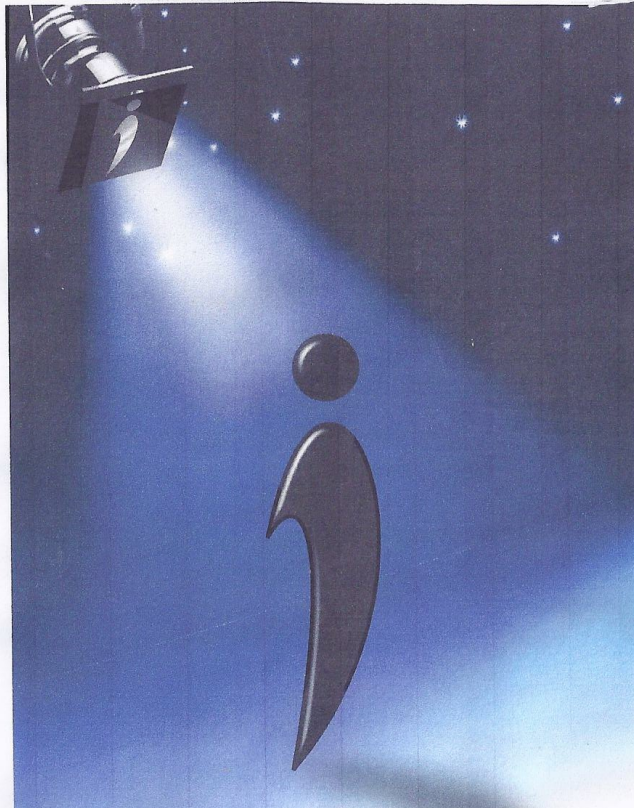
- > Accessibility & Assistance
- > Disability & Healthcare
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- > Household Tips
- > Just for Fun
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- > Youth & Children
- > IDA Awareness to Invisible Disabilities
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- > IDA Events

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INVISIBLE DISABILITIES

A S S O C I A T I O N SM



Honors Banquet

Sunday 10•10•10

*** User:tmurray ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
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02	247136	N/A	0	0	0:01	*no*[bi,ti]
03	38366	N/A	0	0	0:01	*mor*[bi,ti]
04	30	24	6	6	0:01	1 and (2 3)
05	2178740	N/A	0	0	0:03	"036"[cc]
06	204	N/A	0	0	0:01	1 and 5
07	196	121	75	68	0:01	6 not 4

Session started 6/1/2012 1:56:53 PM

Session finished 6/1/2012 1:59:42 PM

Total search duration 0 minutes 9 seconds

Session duration 2 minutes 49 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85548560

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

APPLICATION SERIAL NO. 85548560

MARK: INVISIBLE DISABILITIES

85548560

CORRESPONDENT ADDRESS:

ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER
GONZALEZ & OBERLANDER LLP
841 BROADWAY STE 500
NEW YORK, NY 10003-4704

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Invisible Disabilities Association

CORRESPONDENT'S REFERENCE/DOCKET NO. :

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE:

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

Search of Office Records for Conflicting Marks

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

Summary of the Issues

- 1. Identification of the Services in International Class 41;**
- 2. Disclaimer of "DISABILITIES".**

Identification of the Services – International Class 41 Only

NOTE: The identification of the services in International Class 36 is acceptable as submitted. The requirement for an acceptable identification applies only to the services listed in International Class 41.

The applicant has applied for the mark "i" for "education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain" in International Class 41.

The wording "education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain" is acceptable as submitted.

However, the wording "entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain" is indefinite and must be clarified. See TMEP §1402.01. Specifically, the term "events" is indefinite as the applicant is required to provide its type of events. For example, if accurate, the applicant may amend to "entertainment services, namely, organizing and conducting banquets and events, *namely, cultural and art events* in support of individuals with chronic illnesses, injuries and pain" in International Class

41.

Additionally, the wording “presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain” is indefinite because the applicant has failed to provide the field of the services. For example, it is not clear if the applicant is providing these services as entertainment or for educational purposes (or both). Therefore, the applicant must provide the field of its presentation of live speaking engagements.

Applicant must use the common commercial or generic names for the services, be as complete and specific as possible, and avoid the use of indefinite words and phrases. If applicant uses indefinite words and phrases such as “services in connection with,” “such as,” “including,” “and like services,” “systems,” “products,” “concepts,” or “not limited to,” such wording must be followed by “namely,” and a list of the specific services identified by their common commercial or generic names. See TMEP §§1402.01, 1402.03(a).

Applicant may substitute the following wording, if accurate:

“Charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain” in International Class 36; (no change)

“Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, **namely, cultural and art events** in support of individuals with chronic illnesses, injuries and pain; **entertainment and educational services, namely,** presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain” in International Class 41.

TMEP §§1402.01 and 1402.03.

The identification of goods or services should be clear, accurate and as concise as possible. See Procter & Gamble Co. v. Economics Laboratory, Inc., 175 USPQ 505 (TTAB 1972); In re Cardinal Laboratories, Inc., 149 USPQ 709 (TTAB 1966); California Spray-Chemical Corp. v. Osmose Wood Preserving Co. of America, Inc., 102 USPQ 321 (Comm'r Pats. 1954); Ex parte A.C. Gilbert Co., 99 USPQ 344 (Comm'r Pats. 1953). ***Furthermore, the identification of goods and services must be specific and definite.*** In re Societe Generale des Eaux Minerales de Vittel S.A., 1 USPQ2d 1296 (TTAB 1986), rev'd on other grounds, 824 F.2d 957, 3 USPQ2d 1450 (Fed. Cir. 1987).

The examining attorney may make any requirements necessary to ensure that the identification is clear and accurate and conforms to the requirements of the statute and rules. When an applicant has submitted an indefinite identification of goods or services, it is Office practice to suggest an acceptable identification. However, ***it is the applicant's duty and prerogative to identify the goods and services.*** TMEP Section 1402.01(d).

Although identifications of services may be amended to clarify or limit the services, adding to or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include services that are not within the scope of the services set forth in the present identification.

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahhtml/tidm.html>. See TMEP §1402.04.

Disclaimer Required

Applicant must disclaim the descriptive word “DISABILITIES” apart from the mark as shown because it merely describes a feature and characteristic of the services. See 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(a).

The applicant has applied for the mark “INVISIBLE DISABILITIES” for “Charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain” in International Class 36; “education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain” in International Class 41.

The term “disabilities” is defined as “*an illness, injury or condition that makes it difficult for someone to do the things that other people do*”. (See attached definition). As is evident by the applicant’s identification, the applicant’s services are for the benefit of those who have disabilities (chronic illnesses, injuries and pain). Thus, the applicant’s use of the term “disabilities” merely describes a feature and characteristic of the services. Therefore, the term “disabilities” is merely descriptive and must be disclaimed.

The Office can require an applicant to disclaim an unregistrable part of a mark consisting of particular wording, symbols, numbers, design elements or combinations thereof. 15 U.S.C. §1056(a). Under Trademark Act Section 2(e), the Office can refuse registration of an entire mark if

the entire mark is merely descriptive, deceptively misdescriptive, or primarily geographically descriptive of the goods. 15 U.S.C. §1052(e). Thus, the Office may require an applicant to disclaim a portion of a mark that, when used in connection with the goods or services, is merely descriptive, deceptively misdescriptive, primarily geographically descriptive, or otherwise unregistrable (e.g., generic). See TMEP §§1213, 1213.03.

Failure to comply with a disclaimer requirement can result in a refusal to register the entire mark. TMEP §1213.01(b).

A “disclaimer” is a statement that applicant does not claim exclusive rights to an unregistrable component of a mark. TMEP §1213. A disclaimer does not affect the appearance of the applied-for mark. See TMEP §1213.10.

A disclaimer does not physically remove the disclaimed matter from the mark, but rather is a written statement that applicant does not claim exclusive rights to the disclaimed wording and/or design separate and apart from the mark as shown in the drawing. TMEP §§1213, 1213.10.

The following cases further explain the disclaimer requirement: *Dena Corp. v. Belvedere Int'l Inc.*, 950 F.2d 1555, 21 USPQ2d 1047 (Fed. Cir. 1991); *In re Brown-Forman Corp.*, 81 USPQ2d 1284 (TTAB 2006); *In re Kraft, Inc.*, 218 USPQ 571 (TTAB 1983).

The computerized printing format for the Office’s *Trademark Official Gazette* requires a standardized format for a disclaimer. TMEP §1213.08(a)(i). The following is the standard format used by the Office:

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

TMEP §1213.08(a)(i); see *In re Owatonna Tool Co.*, 231 USPQ 493 (Comm’r Pats. 1983).

Telephone Response Suggested

Applicant is encouraged to telephone the assigned trademark examining attorney to resolve the issues raised in this Office action.

/Ty Murray/
Attorney Advisor
Law Office 113
571-272-9438
ty.murray@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

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 Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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disability

UK US /dɪs.əˈbɪl.ɪ.ti/ /-əˈtɪ/ noun [C or U]

an illness, injury or condition that makes it difficult for someone to do the things that other people do

a physical/learning disability

She is deaf, but refuses to let her disability prevent her from doing what she wants to do.

Trying to change attitudes to disability is an uphill struggle.

Compare: **inability**

(Definition of disability noun from the Cambridge Advanced Learner's Dictionary & Thesaurus © Cambridge University Press)

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- **disability** noun
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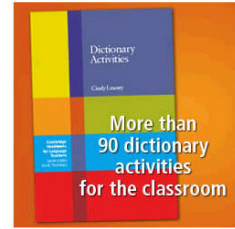
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• **disabuse** verb



Word of the Day

jubilee
(the celebration of the day on which an important event happened many years ago)



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Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85548560
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION	
MARK	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85548560
LITERAL ELEMENT	INVISIBLE DISABILITIES
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (036)(no change)	
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	
education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 03/01/2010
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	
education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; <u>entertainment services, namely, organizing and conducting banquets and events, namely, auctions, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain;</u> presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; <u>entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain;</u> on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain	
FINAL DESCRIPTION	
education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, auctions, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with	

chronic illnesses, injuries and pain	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 03/01/2010
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use DISABILITIES apart from the mark as shown.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/aag/
SIGNATORY'S NAME	Andrew A. Gonzalez, Esq., NY Bar Member
SIGNATORY'S POSITION	Attorney of Record
SIGNATORY'S PHONE NUMBER	[914] 220-5474 and [212] 587-7977
DATE SIGNED	08/02/2012
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Aug 07 11:07:29 EDT 2012
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XX-20 120807110729686145-855485 60-490b3d32996466bdcc0672 9d6cdf43fe616-N/A-N/A-201 20731145453219491

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **85548560** INVISIBLE DISABILITIES(Standard Characters, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85548560>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 041 for education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2010 and first used in commerce at least as early as 03/01/2010, and is now in use in such commerce.

Proposed:

Tracked Text Description: education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; ~~entertainment services, namely, organizing and conducting banquets and events in support of individuals with chronic illnesses, injuries and pain;~~ entertainment services, namely, organizing and conducting banquets and events, namely, auctions, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals

~~with chronic illnesses, injuries and pain; presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain;~~ on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

Class 041 for education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, auctions, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/01/2010 and first used in commerce at least as early as 03/01/2010, and is now in use in such commerce.

ADDITIONAL STATEMENTS

Disclaimer

No claim is made to the exclusive right to use DISABILITIES apart from the mark as shown.

SIGNATURE(S)

Response Signature

Signature: /aag/ Date: 08/02/2012

Signatory's Name: Andrew A. Gonzalez, Esq., NY Bar Member

Signatory's Position: Attorney of Record

Signatory's Phone Number: [914] 220-5474 and [212] 587-7977

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85548560

Internet Transmission Date: Tue Aug 07 11:07:29 EDT 2012

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XX-20120807110729686

145-85548560-490b3d32996466bdcc06729d6cd

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Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	85548560	FILING DATE	02/21/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	MURRAY, DAVID T	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	08/08/2012		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	08/07/2012		
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Invisible Disabilities Association
ADDRESS	P.O. Box 4067 Parker, CO 80134
ENTITY	03-CORPORATION

CITIZENSHIP	Colorado
-------------	----------

GOODS AND SERVICES

INTERNATIONAL CLASS	036
DESCRIPTION TEXT	charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, auctions, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	036	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	07/01/2010	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	03/01/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"DISABILITIES"

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/07/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
08/07/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007
08/07/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	006
06/06/2012	CNRT	F	NON-FINAL ACTION MAILED	005
06/06/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2012	DOCK	D	ASSIGNED TO EXAMINER	003
02/28/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/24/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Andrew A. Gonzalez, Esq., NY Bar Member
CORRESPONDENCE ADDRESS	ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER GONZALEZ & OBERLANDER LLP 841 BROADWAY STE 500 NEW YORK, NY 10003-4704
DOMESTIC REPRESENTATIVE	NONE

INVISIBLE DISABILITIES

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

APPLICATION SERIAL NO. 85548560

MARK: INVISIBLE DISABILITIES

85548560

CORRESPONDENT ADDRESS:

ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER
GONZALEZ & OBERLANDER LLP
841 BROADWAY STE 500
NEW YORK, NY 10003-4704

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Invisible Disabilities Association

CORRESPONDENT'S REFERENCE/DOCKET NO. :

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE:

THIS IS A FINAL ACTION.

This Final Action is in reply to the applicant's Response of August 7, 2012. The applicant's amended identification in International Class 41 remains indefinite. Therefore the requirement for an acceptable identification of the services in International Class 41 is made FINAL.

Identification/Classification of the Services – International Class 41

The applicant has applied for the mark INVISIBLE DISABILITIES for the amended identification of "education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, auctions, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain" in International Class 41.

The wording "education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain" is acceptable as amended in International Class 41.

However, the wording "entertainment services, namely, organizing and conducting banquets and events, namely, auctions...." in support of individuals with chronic illnesses, injuries and pain" in the identification of services in International Class 41 is indefinite and must be clarified. *See* TMEP §1402.01.

Specifically, all auction services, including organizing and conducting auctions are properly classified in International Class 35. Therefore, the applicant must amend the application to include these services in International Class 35.

Applicant must use the common commercial or generic names for the services, be as complete and specific as possible, and avoid the use of indefinite words and phrases. If applicant uses indefinite words and phrases such as "services in connection with," "such as," "including," "and like services," "systems," "products," "concepts," or "not limited to," such wording must be followed by "namely," and a list of the

specific services identified by their common commercial or generic names. *See* TMEP §§1402.01, 1402.03(a).

Applicant may substitute the following wording, if accurate:

“Organizing and conducting charity auctions in support of individuals with chronic illnesses, injuries and pain” in International Class 35;

“Charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain” in International Class 36;

“Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, bike-a-thons, concerts, cultural and art events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain” in International Class 41.

TMEP §§1402.01 and 1402.03.

The identification of goods or services should be clear, accurate and as concise as possible. *See* Procter & Gamble Co. v. Economics Laboratory, Inc., 175 USPQ 505 (TTAB 1972); *In re* Cardinal Laboratories, Inc., 149 USPQ 709 (TTAB 1966); California Spray-Chemical Corp. v. Osmose Wood Preserving Co. of America, Inc., 102 USPQ 321 (Comm'r Pats. 1954); *Ex parte* A.C. Gilbert Co., 99 USPQ 344 (Comm'r Pats. 1953). ***Furthermore, the identification of goods and services must be specific and definite.*** *In re* Societe Generale des Eaux Minerales de Vittel S.A., 1 USPQ2d 1296 (TTAB 1986), *rev'd* on other grounds, 824 F.2d 957, 3 USPQ2d 1450 (Fed. Cir. 1987).

The examining attorney may make any requirements necessary to ensure that the identification is clear and accurate and conforms to the requirements of the statute and rules. When an applicant has submitted an indefinite identification of goods or services, it is Office practice to suggest an acceptable identification. However, ***it is the applicant's duty and prerogative to identify the goods and services.*** TMEP Section 1402.01(d).

Although identifications of services may be amended to clarify or limit the services, adding to or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include services that are not within the scope of the services set forth in the present identification.

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahhtml/tidm.html>. *See* TMEP §1402.04.

Multi-Class Advisory

For an application with more than one international class, called a “multiple-class application,” an applicant must meet all the requirements below for those international classes based on use in commerce:

- (1) LIST GOODS AND/OR SERVICES BY INTERNATIONAL CLASS: Applicant must list the goods and/or services by international class.
- (2) PROVIDE FEES FOR ALL INTERNATIONAL CLASSES: Applicant must submit an application filing fee for each international class of goods and/or services not covered by the fee(s) already paid (confirm current fee information at http://www.uspto.gov/trademarks/tm_fee_info.jsp).
- (3) SUBMIT REQUIRED STATEMENTS AND EVIDENCE: For each international class of goods and/or services, applicant must also submit the following:
 - (a) DATES OF USE: Dates of first use of the mark anywhere and dates of first use of the mark in commerce, or a statement that the dates of use in the initial application apply to that class. The dates of use, both anywhere and in commerce, must be at least as early as the filing date of the application.
 - (b) SPECIMEN: One specimen showing the mark in use in commerce for each international class of goods and/or services. Applicant must have used the specimen in commerce at least as early as the filing date of the application. If a single specimen supports multiple international classes, applicant should indicate which classes the specimen supports. Examples of specimens for goods are tags, labels, instruction manuals, containers, photographs that show the mark on the actual goods or packaging, or displays associated with the goods at their point of sale. *See* TMEP §§904.03 *et seq.* Examples of specimens for services are signs, photographs, brochures, website printouts, or advertisements that show the mark used in the actual sale or advertising of the services. *See* TMEP §§1301.04 *et seq.*

- (c) STATEMENT: The following statement: “**The specimen was in use in commerce on or in connection with the goods and/or services listed in the application at least as early as the filing date of the application.**”
- (d) VERIFICATION: Applicant must verify the statements in 3(a) and 3(c) (above) in an affidavit or signed declaration under 37 C.F.R. §2.20. Verification is not required where (1) the dates of use for the added class are stated to be the same as the dates of use specified in the initial application, and (2) the original specimens are acceptable for the added class(es).

See 15 U.S.C. §§1051(a), 1112, 1127; 37 C.F.R. §§2.32(a)(5), 2.34(a)(1), 2.56(a), 2.71(c), 2.86(a), 2.193(e)(1); TMEP §§1403.01, 1403.02(c).

With respect to the specimen requirement in 3(b) above in which a specimen is required for each international class of services, the specimen(s) of record is acceptable for International Classes 36 and 41 only. Applicant must submit additional specimens if different international classes are added to the application.

Advisory Regarding Response to FINAL Action

If applicant does not respond within six months of the date of issuance of this final Office action, the following services to which the final refusal(s) and/or requirement(s) apply will be **deleted** from the application by Examiner’s Amendment: “Entertainment services, namely, organizing and conducting banquets and events, namely, auctions, in support of individuals with chronic illnesses, injuries and pain.”

The application will then proceed for the following services: “Charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain” in International Class 36;

“Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, bike-a-thons, concerts, cultural and arts events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain” in International Class 41.

15 U.S.C. §1062(b); 37 C.F.R. §2.65(a).

Applicant may respond to this final Office action by:

- (1) Submitting a response that fully satisfies all outstanding requirements, if feasible; and/or
- (2) Filing an appeal to the Trademark Trial and Appeal Board, with an appeal fee of \$100 per class.

37 C.F.R. §§2.6(a)(18), 2.64(a); TBMP ch. 1200; TMEP §714.04.

In certain rare circumstances, a petition to the Director may be filed pursuant to 37 C.F.R. §2.63(b)(2) to review a final Office action that is limited to procedural issues. 37 C.F.R. §2.64(a); TMEP §714.04; see 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

If the applicant has any questions, please contact the undersigned.

/Ty Murray/
Attorney Advisor
Law Office 113
571-272-9438
ty.murray@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

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 Trademark Applications and Registrations Retrieval (TARR) at

<http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, 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 TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

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

APPLICATION SERIAL NO. 85548560

MARK: INVISIBLE DISABILITIES

85548560

CORRESPONDENT ADDRESS:

ANDREW A. GONZALEZ, ESQ., NY BAR
MEMBER
GONZALEZ & OBERLANDER LLP
841 BROADWAY STE 500
NEW YORK, NY 10003-4704

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Invisible Disabilities Association

CORRESPONDENT'S REFERENCE/DOCKET NO :
N/A

CORRESPONDENT E-MAIL ADDRESS:

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE:

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by ANDREW A. GONZALEZ on November 29, 2012, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

Identification of the Services

The identification of services is amended to read as follows:

“Charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain” in International Class 36;

“Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, bike-a-thons, concerts, cultural and art events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain” in International Class 41.

See TMEP §§1402.01, 1402.01(e).

If the applicant has any questions, please contact the undersigned.

/Ty Murray/
Attorney Advisor
Law Office 113
571-272-9438
ty.murray@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 Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, 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 TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	85548560	FILING DATE	02/21/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	MURRAY, DAVID T	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	11/30/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	11/29/2012		
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Invisible Disabilities Association
ADDRESS	P.O. Box 4067 Parker, CO 80134
ENTITY	03-CORPORATION

CITIZENSHIP	Colorado
-------------	----------

GOODS AND SERVICES

INTERNATIONAL CLASS	036
DESCRIPTION TEXT	charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, bike-a-thons, concerts, cultural and art events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	036	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	07/01/2010	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	03/01/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"DISABILITIES"

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/29/2012	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	013
11/29/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	012
11/29/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	011
08/29/2012	CNFR	O	FINAL REFUSAL MAILED	010
08/29/2012	CNFR	R	FINAL REFUSAL WRITTEN	009
08/07/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
08/07/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007
08/07/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	006
06/06/2012	CNRT	F	NON-FINAL ACTION MAILED	005
06/06/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2012	DOCK	D	ASSIGNED TO EXAMINER	003
02/28/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/24/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Andrew A. Gonzalez, Esq., NY Bar Member
CORRESPONDENCE ADDRESS	ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER GONZALEZ & OBERLANDER LLP 841 BROADWAY STE 500

	NEW YORK, NY 10003-4704
DOMESTIC REPRESENTATIVE	NONE

INVISIBLE DISABILITIES

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	85548560	FILING DATE	02/21/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	MURRAY, DAVID T	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	11/30/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	11/29/2012		
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Invisible Disabilities Association
ADDRESS	P.O. Box 4067 Parker, CO 80134
ENTITY	03-CORPORATION

CITIZENSHIP	Colorado
-------------	----------

GOODS AND SERVICES

INTERNATIONAL CLASS	036
DESCRIPTION TEXT	charitable foundation services, namely, providing fundraising activities, funding, scholarships and financial assistance for individuals with chronic illnesses, injuries and pain
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Education services, namely, conducting presentations, forums, seminars, retreats, and workshops to educate the general public about individuals with chronic illnesses, injuries and pain; entertainment services, namely, organizing and conducting banquets and events, namely, bike-a-thons, concerts, cultural and art events, health fairs and walk-a-thons, in support of individuals with chronic illnesses, injuries and pain; entertainment and educational services, namely, presenting live speaking engagements to educate the general public about individuals with chronic illnesses, injuries and pain; on-line journals, namely, blogs featuring information of interest to individuals with chronic illnesses, injuries and pain

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	036	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	07/01/2010	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	03/01/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"DISABILITIES"

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/29/2012	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	013
11/29/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	012
11/29/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	011
08/29/2012	CNFR	O	FINAL REFUSAL MAILED	010
08/29/2012	CNFR	R	FINAL REFUSAL WRITTEN	009
08/07/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
08/07/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007
08/07/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	006
06/06/2012	CNRT	F	NON-FINAL ACTION MAILED	005
06/06/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2012	DOCK	D	ASSIGNED TO EXAMINER	003
02/28/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/24/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Andrew A. Gonzalez, Esq., NY Bar Member
CORRESPONDENCE ADDRESS	ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER GONZALEZ & OBERLANDER LLP 841 BROADWAY STE 500

	NEW YORK, NY 10003-4704
DOMESTIC REPRESENTATIVE	NONE

INVISIBLE DISABILITIES

Trademark Snap Shot Publication & Issue Review Stylesheet
(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	85548560	FILING DATE	02/21/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	MURRAY, DAVID T	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	12/15/2012		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	12/14/2012		
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	INVISIBLE DISABILITIES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Invisible Disabilities Association
ADDRESS	P.O. Box 4067 Parker, CO 80134
ENTITY	03-CORPORATION

CITIZENSHIP	Colorado
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INTERNATIONAL CLASS	041	FIRST USE DATE	01/01/2010	FIRST USE IN COMMERCE DATE	03/01/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"DISABILITIES"

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/14/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
12/14/2012	ALIE	A	ASSIGNED TO LIE	015
11/30/2012	CNEA	O	EXAMINERS AMENDMENT MAILED	014
11/29/2012	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	013
11/29/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	012
11/29/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	011
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02/24/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Andrew A. Gonzalez, Esq., NY Bar Member
CORRESPONDENCE ADDRESS	ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER GONZALEZ & OBERLANDER LLP 841 BROADWAY STE 500 NEW YORK, NY 10003-4704
DOMESTIC REPRESENTATIVE	NONE

INVISIBLE DISABILITIES

Side - 1



NOTICE OF PUBLICATION UNDER §12(a)

MAILING DATE: Jan 2, 2013

PUBLICATION DATE: Jan 22, 2013

The mark identified below will be published in the Official Gazette on Jan 22, 2013. Any party who believes they will be damaged by registration of the mark may oppose its registration by filing an opposition to registration or a request to extend the time to oppose within thirty (30) days from the publication date on this notice. If no opposition is filed within the time specified by law, the USPTO may issue a Certificate of Registration.

To view the Official Gazette online or to order a paper copy, visit the USPTO website at <http://www.uspto.gov/web/trademarks/tmog/> any time within the five-week period after the date of publication. You may also order a printed version from the U.S. Government Printing Office (GPO) at <http://bookstore.gpo.gov> or 202-512-1800. To check the status of your application, go to <http://tarr.uspto.gov/>.

SERIAL NUMBER: 85548560
MARK: INVISIBLE DISABILITIES
OWNER: Invisible Disabilities Association

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL
U.S POSTAGE
PAID

ANDREW A. GONZALEZ, ESQ., NY BAR MEMBER
GONZALEZ & OBERLANDER LLP
841 BROADWAY STE 500
NEW YORK, NY 10003-4704

United States of America

United States Patent and Trademark Office

INVISIBLE DISABILITIES

Reg. No. 4,315,808

Registered Apr. 9, 2013

Int. Cls.: 36 and 41

SERVICE MARK

PRINCIPAL REGISTER

INVISIBLE DISABILITIES ASSOCIATION (COLORADO CORPORATION)
P.O. BOX 4067
PARKER, CO 80134

FOR: CHARITABLE FOUNDATION SERVICES, NAMELY, PROVIDING FUNDRAISING ACTIVITIES, FUNDING, SCHOLARSHIPS AND FINANCIAL ASSISTANCE FOR INDIVIDUALS WITH CHRONIC ILLNESSES, INJURIES AND PAIN, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-1-2010; IN COMMERCE 7-1-2010.

FOR: EDUCATION SERVICES, NAMELY, CONDUCTING PRESENTATIONS, FORUMS, SEMINARS, RETREATS, AND WORKSHOPS TO EDUCATE THE GENERAL PUBLIC ABOUT INDIVIDUALS WITH CHRONIC ILLNESSES, INJURIES AND PAIN; ENTERTAINMENT SERVICES, NAMELY, ORGANIZING AND CONDUCTING BANQUETS AND EVENTS, NAMELY, BIKE-A-THONS, CONCERTS, CULTURAL AND ART EVENTS, HEALTH FAIRS AND WALK-A-THONS, IN SUPPORT OF INDIVIDUALS WITH CHRONIC ILLNESSES, INJURIES AND PAIN; ENTERTAINMENT AND EDUCATIONAL SERVICES, NAMELY, PRESENTING LIVE SPEAKING ENGAGEMENTS TO EDUCATE THE GENERAL PUBLIC ABOUT INDIVIDUALS WITH CHRONIC ILLNESSES, INJURIES AND PAIN; ON-LINE JOURNALS, NAMELY, BLOGS FEATURING INFORMATION OF INTEREST TO INDIVIDUALS WITH CHRONIC ILLNESSES, INJURIES AND PAIN, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 1-1-2010; IN COMMERCE 3-1-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DISABILITIES", APART FROM THE MARK AS SHOWN.

SER. NO. 85-548,560, FILED 2-21-2012.

DAVID MURRAY, EXAMINING ATTORNEY



Sean Street Lee
Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.