

To: Disney Enterprises, Inc. (trademarks@disney.com)
Subject: TRADEMARK REGISTRATION NO. 4094327 - DISNEY JUNIOR - 65093
Sent: 02/22/18 05:49:37 PM
Sent As: PRG@uspto.gov
Attachments:

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

**U.S.
REGISTRATION
NO. 4094327**

85058885

**OWNER: Disney
Enterprises, Inc.**

**CORRESPONDENT'S
ADDRESS:**

KEVIN
DALEY
THE
WALT
DISNEY
COMPANY
IP
Department
- Trademark
Group
500 South
Buena Vista
Street
BURBANK
CA 91521

MARK: DISNEY JUNIOR

**CORRESPONDENT'S
REFERENCE/DOCKET NO.
65093**

**CORRESPONDENT'S EMAIL
ADDRESS:**

trademarks@disney.com

CLICK ON THE LINK BELOW TO RESPOND TO THIS LETTER AND SELECT FORM NUMBER 11:

http://www.uspto.gov/trademarks/teas/reg_maintain.jsp

POST REGISTRATION OFFICE ACTION

ISSUE/MAILING DATE: 2/22/2018

U.S. Registration Number 4094327

The Sections 8 & 15 Combined Affidavit received on 01/29/2018 is otherwise acceptable; however, the owner of the registration must comply with an audit as explained below.

REGISTRATION SELECTED FOR AUDIT

The USPTO is performing random audits of US trademark registrations to assess and promote the accuracy and integrity of the trademark register. See 37 C.F.R. §§ 2.161(h), 7.37(h). This registration has been randomly selected for audit to determine whether the mark is in use with all of the services identified in the registration.

To comply with the audit, you must submit proof of use of the registered mark for two additional services per class, as identified below. *Id.* **If proof of use for the services identified below is not available, the identified services and any other services not currently in use should be deleted from the registration.**

Therefore, the owner must submit the following:

- (1) Proof of current use of the registered mark in commerce for the following services:

“production, presentation, distribution of television programs” and “on-line entertainment services, namely, providing on-line computer games” in International Class 41.

And:

- (2) The following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: “**The owner was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the affidavit of use.**” 37 C.F.R. §§ 2.161(h), 7.37(h).

Acceptable proof of use for services includes signs, photographs, brochures, website printouts or advertisements that show the mark used in the actual sale or advertising of the services.

Form Declaration

The following statement and declaration under 37 C.F.R. § 2.20 should be properly signed and dated and submitted in response to this audit to verify the use of the mark, as evidenced by the items submitted as proof of use.

Please note that the first paragraph of the below statement verifying proof of use is slightly different than the standard substitute specimen statement. Therefore, when responding to this Office Action, you should copy and paste the first paragraph of the below statement into the free-text entry box in the online response form:

The owner was using the mark in commerce on or in connection with the goods and/or services identified in the registration for which use of the mark in commerce is claimed, as evidenced by the submitted proof of use, during the relevant period for filing the affidavit of use.

The signatory 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 this submission, declares that the facts set forth above are true; all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature of Authorized Person

Type or Print Name

Date

WARNING: If your response to this Office action does not meet the requirements of the audit, or includes a request to delete the services identified for the audit, and other services remain in the registration without acceptable proof of use, a second Office action will issue requiring proof of use for all remaining services for which proof of use is not already of record. See 37 C.F.R. §§ 2.161(h), 7.37(h). **Therefore, the owner should delete all services for which proof of use cannot be provided.**

RESPONSE TIME DEADLINE: A complete response must be received within 6 months from the issuance date of this Office action. The owner must respond to all inquiries set forth in this Office action to avoid cancellation of the registration. *If a response is not received, the registration will be cancelled in its entirety.* 37 C.F.R. §2.163(b)-(c); TMEP §1604.16.

HOW TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) online response form titled [Response to Post-Registration Office action](#), which is form number 11 at http://www.uspto.gov/trademarks/teas/reg_maintain.jsp.

FOR MORE INFORMATION ABOUT THIS AUDIT: Detailed information regarding the audit program is provided on the following webpage: <https://www.uspto.gov/trademarks-maintaining-trademark-registration/post-registration-audit-program>.

/Kristin Carlson/
Trademark Examiner, LO 105
571-272-2240
kristin.carlson@uspto.gov
800-786-9199 (Trademark Assistance Center)

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) Response to Post-Registration Office action form number 11 at http://www.uspto.gov/trademarks/teas/reg_maintain.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the registration. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned specialist. **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 registration will be placed in the official registration record.

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

CHECK THE STATUS OF THE REGISTRATION: To check the status of your registration at any time, visit the Office's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. 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/trademarks/teas/correspondence.jsp>.

To: Disney Enterprises, Inc. (trademarks@disney.com)
Subject: TRADEMARK REGISTRATION NO. 4094327 - DISNEY JUNIOR - 65093
Sent: 02/22/18 05:49:37 PM
Sent As: PRG@uspto.gov
Attachments:

**IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 02/22/2018 FOR
REGISTRATION NO. 4094327**

Please follow the instructions below to continue the examination of your post registration filing:

VIEW OFFICE ACTION: Click on this link

<http://tsdr.uspto.gov/view.action?DDA=Y&sn=85058885&type=OOA&date=20180222>

(or copy and paste this URL into the address field of your browser), or visit <http://tsdr.uspto.gov/> and enter the registration number to access the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required, (2) how to respond and (3) the applicable response time period your response deadline will be calculated from.

Do NOT hit 'Reply' to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For technical assistance in accessing the Office action, please e-mail tsdr@uspto.gov. Please contact the assigned examiner with questions about the Office action.

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline may result in the cancellation and/or expiration of your registration.**