

Int. Cl.: 35

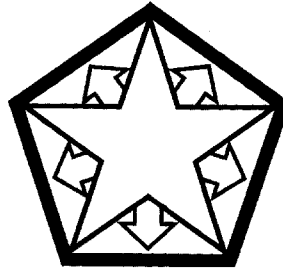
Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,752,673

Registered Aug. 19, 2003

**SERVICE MARK  
PRINCIPAL REGISTER**



**FGDLA**

FEDERAL GOVERNMENT DISTANCE LEARNING ASSOCIATION (VIRGINIA CORPORATION)  
7389 LEE HIGHWAY, SUITE 301  
FALLS CHURCH, VA 22042

FOR: ASSOCIATION SERVICES, NAMELY, PROMOTING THE INTERESTS OF FEDERAL AGENCIES USING AND DEVELOPING DISTANCE LEARNING PROGRAMS FOR EDUCATING AND TRAINING GOVERNMENT AND MILITARY PERSONNEL, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-2-1996; IN COMMERCE 9-2-1996.

COLOR IS CLAIMED AS A FEATURE OF THE MARK. THE OUTER PENTAGON BORDER IS COLORED IN DARK BLUE. THE INNER STAR IS COLORED IN WHITE. THE FIVE SMALL ARROWS ARE COLORED IN RED. THE TRIANGLES CONTAINING THE ARROWS ARE COLORED IN LIGHT BLUE.

SER. NO. 76-462,204, FILED 10-28-2002.

H. M. FISHER, EXAMINING ATTORNEY



Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513  
[www.uspto.gov](http://www.uspto.gov)

May 7, 2003

**NOTICE OF PUBLICATION UNDER 12(a)**

- |                                      |   |
|--------------------------------------|---|
| 1. Serial No.:<br>76/462,204         | 2. Mark:<br>FGDLA<br>and design                           |
| 3. International Class(es):<br>35    |   |
| 4. Publication Date:<br>May 27, 2003 | 5. Applicant:<br>Federal Government Distance Learning Ass |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: (202) 512-1800

By direction of the Commissioner.

Correspondence Address:

THOMAS P. PHILBRICK  
ALLMARK TRADEMARK SERVICE  
5327 ROMFORD DRIVE, SUITE A  
SAN JOSE, CALIFORNIA 95124

TMP&I

# UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 76/462204

**APPLICANT:** Federal Government Distance Learning Ass ETC.

**CORRESPONDENT ADDRESS:**

THOMAS P. PHILBRICK  
ALLMARK TRADEMARK SERVICE  
5327 ROMFORD DRIVE, SUITE A  
SAN JOSE, CALIFORNIA 95124

**RETURN ADDRESS:**

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513  
**ecom111@uspto.gov**

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

**MARK:** FGDLA

**CORRESPONDENT'S REFERENCE/DOCKET NO:** TA-1002-FGD-

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and email address.

Serial Number 76/462204

## EXAMINER'S AMENDMENT

In accordance with the authorization granted by Thomas Philbrick on March 19, 2003, the application has been AMENDED as indicated below. Please note that if the identification of goods or services has been amended below, any future amendments must be in accordance with 37 C.F.R. 2.71(a); TMEP section 1402.07(e). No response is necessary unless there is an objection to the amendment. If there is an objection to the amendment, the applicant should notify the examining attorney immediately.

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

The description of services has been amended to: association services, namely, promoting the interests of federal agencies using and developing distance learning programs for educating and training government and military personnel.

/Hannah Fisher/  
Trademark Examining Attorney

Law Office 111  
(703) 308-9110 x 171 or (301) 610-5388  
ecom111@uspto.gov  
Fax: (703) 746-8111

\*\*\* User: hfisher \*\*\*

| #  | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search  |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|---|
| 01 | 2              | 0             | 2                      | 2                        | 0:01                          | government and distance[on]   |
| 02 | 1              | 0             | 1                      | 1                        | 0:03                          | (*fgdla* or "f g d l a " or "f<br>gdla" or "fg dla" or "fgd la"<br>or "fgdl a") [bi,ti] |
| 03 | 91             | N/A           | 0                      | 0                        | 0:01                          | ("010103" and "241510") [dc]  |
| 04 | 34             | 0             | 2                      | 34                       | 0:01                          | 3 not dead  |
| 05 | 180            | N/A           | 0                      | 0                        | 0:01                          | ("010103" and "241525") [dc]  |
| 06 | 68             | 0             | 2                      | 68                       | 0:01                          | 5 not dead  |

Session started 3/18/03 1:27:28 PM  
Session finished 3/18/03 1:36:50 PM  
Total search duration 0 minutes 8 seconds  
Session duration 9 minutes 22 seconds

Default NEAR limit= 1 ADJ limit= 1

Sent to TICRS as Serial Number: 76462204



10-28-2002

U.S. Patent & TMOfo/TM Mail Ropt Dt. #10

**DRAWING PAGE**

**APPLICANT:** Federal Government Distance Learning Association

**BUSINESS ADDRESS:** 7389 Lee Highway, Suite 301

Falls Church, VA 22042

**STATE OF INCORPORATION:** Virginia

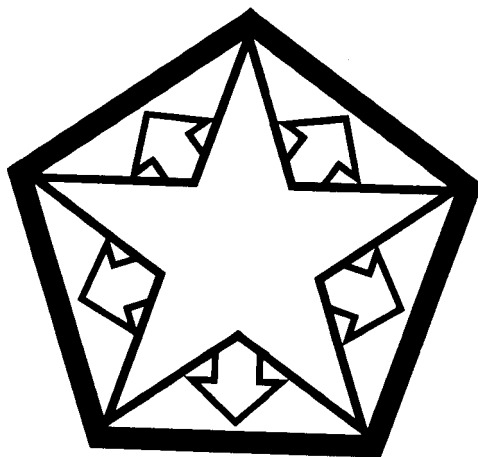
**IDENTIFICATION OF GOODS OR SERVICES:** Promoting the awareness of and lessons learned from the deployment of distance learning programs for the education and training of government and military personnel at the federal level; Association services, namely, facilitating the development of distance learning programs supporting government and military personnel at the federal level; Arranging and conducting educational conferences in the field of distance learning, in International Class 35.

**INTERNATIONAL CLASS:** 35

**DATE OF FIRST USE:** 9/2/1996

**DATE OF FIRST USE IN COMMERCE:** 9/2/1996

**DESCRIPTION, CLAIM OR LINING STATEMENT:** Color is claimed as a feature of the mark. The outer pentagon border is colored in dark blue. The inner star is colored in white. The five small arrows are colored in red. The triangles containing the arrows are colored in light blue.



**FGDLA**

U.S. Patent & TMOfo/TM



**76462204**

76462204

TRADEMARK APPLICATION SERIAL NO. \_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

10/31/2002 MPETTY 00000140 76462204

01 FC:6001

325.00 OP

PTO-1555  
(5/87)

# ALLMARK TRADEMARK SERVICE

5327 Romford Drive, Suite A  
San Jose, California 95124

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Phone: 1-408-978-6275  
Fax: 1-408-979-0929  
E-mail: [tom@allmarktrademark.com](mailto:tom@allmarktrademark.com)

**Box NEW APP FEE**  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: Application for Registration of Mark: FGDLA (Words & Design) Based on  
Use of Mark in Commerce  
Applicant: Federal Government Distance Learning Association  
Reference No.: TA-1002-FGD-1

Dear Commissioner:

Enclosed please find the following for registering the above-referenced mark based on Applicant's actual use of the mark in commerce:

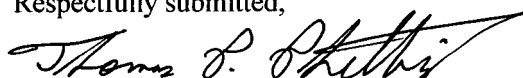
- \* Application for registration based on actual use pursuant to Section 1(a) of the Lanham Act;
- \* Signed Declaration in Support of Registration;
- \* Drawing Page;
- \* Specimen showing the mark as it is used;
- \* Payment of the \$325 fee for 1 class(es) (\$325 per class of goods or services) for filing this Application in the following form;

Check No. 857 in the amount of \$325, the fee for filing this Application; and

- \* A Return-Addressed Post Card.

**This letter shall also confirm that the undersigned will be representing Applicant in the aforementioned proceeding.**

Respectfully submitted,



Thomas P. Philbrick, Esq.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**MARK:** FGDLA (Words & Design)  
**INTERNATIONAL CLASS:** 35  
**APPLICANT:** Federal Government Distance Learning Association  
**STATE OF INCORPORATION:** Virginia  
**BUSINESS ADDRESS:** 7389 Lee Highway, Suite 301  
Falls Church, VA 22042

**Box NEW APP FEE**  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**Application for Registration on the Principal  
Register Based on Actual Use**

Gentleperson:

The above-identified Applicant hereby requests that the mark shown in the accompanying drawing be registered 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 goods or services:

Promoting the awareness of and lessons learned from the deployment of distance learning programs for the education and training of government and military personnel at the federal level; Association services, namely, facilitating the development of distance learning programs supporting government and military personnel at the federal level; Arranging and conducting educational conferences in the field of distance learning, in International Class 35.

Applicant is using the mark in commerce on or in connection with the identified goods or services.

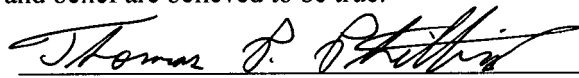
Applicant first used the mark in International Class 35 at least as early as September 2, 1996; and first used the mark in interstate commerce, since at least as early as September 2, 1996; and the mark is now used in such commerce.

The mark is used for services by applying it to advertising materials, promotional materials, signage, etc.; and one (1) specimen per class showing the mark as actually used is presented herewith.

## Declaration

Thomas P. Philbrick, being duly warned that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, document or any registration resulting therefrom, declares that he is Attorney for Applicant and is authorized to make this declaration on behalf of Applicant; that he believes Applicant to be the owner of the mark sought to be registered; that to the best of his knowledge and belief no other person, firm, corporation or association has the right to use that mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when used on or in connection with the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive; that the accompanying specimen shows the mark as used in commerce in connection with Applicant's goods or services; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true.

Date: 10/24/02



*Signature of Attorney for Applicant*

Name: Thomas P. Philbrick, Esq.

Title: Attorney for Applicant

Applicant: Federal Government Distance Learning  
Association



10-28-2002

U.S. Patent & TMOfo/TM Mail Ropt Dt. #10

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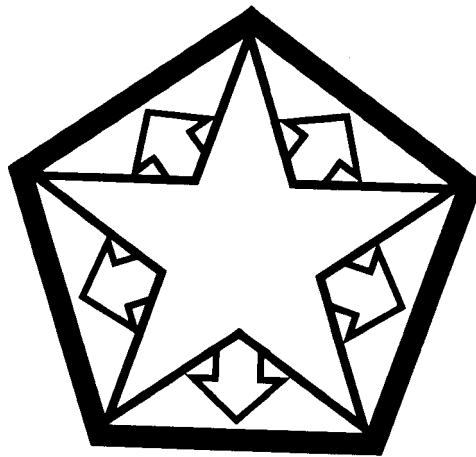
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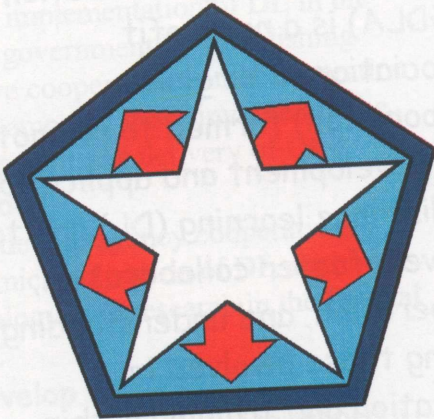


**FGDLA**

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**76462204**



**FGDLA**

**FEDERAL  
GOVERNMENT  
DISTANCE  
LEARNING  
ASSOCIATION**