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UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re Dr. Mitchell Swartz

Serial No. 75/679,267

Request for Reconsideration

Dr. Mitchell Swartz, pro se.

Brian A. Rupp, Trademark Examining Attorney, Law Office 105
(Thomas G. Howell, Managing Attorney).

Before Quinn, Bottorff and Drost, Administrative Trademark
Judges.

Opinion by Drost, Administrative Trademark Judge:

On March 14, 2002, the Board affirmed the refusal to register applicant's mark SUN-BUG on the ground that the mark was confusingly similar to Registration No. 1,726,983 for the mark SUN & BUG STUFF under Section 2(d) of the Trademark Act for the identified goods.

Applicant has timely filed a request for reconsideration. In that request, applicant argues that

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the "standards of review have allowed the issue of other similar marks." Request for Reconsideration, p. 2.

Further, applicant argues that it was "unfair for the Board to simply dismiss this relevant and important information as 'new matter.'" Id.

We have considered applicant's arguments, but we find no basis to change our decision. We refer applicant to our discussion on pages 13-15 of the opinion, which explains why applicant's list of registrations was not properly before the Board and why, even if it were, it would not change the outcome in this case. Therefore, applicant's request for reconsideration is denied. The decision dated March 14, 2002 stands.