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CFTI-0111

IN THE UNITED STATES PATENT AND TRADEMARK



In re application of: CyberFone Technologies, Inc.

05-28-2002

Application No.: 76/061,291

U.S. Patent & TMO/TM Mail RcptDt. #26

Filing Date: June 1, 2000

Mark: CYBERFONE and Design

Box RESPONSES
NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Dear Sir:

TRANSMITTAL

Enclosed herewith is an Amendment and Response to the Office Action dated November 30, 2001 and copy of Notice of Appeal, filed concurrently. Please charge any deficiencies to our deposit account 50-1275.

JUN - 5 11 AM '02
LAW OFFICE

Respectfully submitted,

Date: May 28, 2002

Camille M. Miller
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I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, Box RESPONSES, NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CyberFone Technologies, Inc.

Serial No.: 76/061,291 Examiner: Monique C. Miller

Filed: June 1, 2000 Law Office: 108

For: **CYBERFONE and Design**

Box RESPONSES

NO FEE

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3513

Dear Sir:

AMENDMENT

In response to the official Office Action dated November 30, 2001, kindly amend the above-identified application as follows:

Page 1, paragraph 1, add the disclaimer --No claim is made to the exclusive right to use CYBER PHONE apart from the mark as shown--.

RESPONSE

This amendment is responsive to the Office Action dated November 30, 2001.

As requested by the Examiner, Applicant has disclaimed the words "CYBER PHONE".

The Examiner has indicated that the drawing that was submitted contains stippling. The stippling shown in the drawing is for shading purposes only.

CFTI-0111

Serial No. 76/061,291

Applicant acknowledges that the Examining Attorney has searched the Office records and has found no similar registered or pending mark that would bar registration of Applicant's mark.

In view of the foregoing, it is submitted that the mark is entitled to publication. Prompt notification to this effect is respectfully requested.

Respectfully submitted,



Camille M. Miller
cmiller@woodcock.com

Date: May 28, 2002

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