

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	Cholesterol Control Laboratories, Inc.
Mark:	<b>POLYCOSANOL USA &amp; Design</b>
Serial No.:	76/120,200
Filing Date:	February 17, 2000
Response to Action Dated:	February 11, 2002
Attorney's Reference:	111605-00102

**AMENDMENT**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Sir:

In response to the Office Action dated February 9, 2001, applicant requests entry of the following amendments:

In the identification of goods, delete the identification of goods in its entirety and insert in lieu thereof the following:

--dietary supplements used for the reduction of cholesterol.--

In the Statement, delete "Principal" and insert in lieu thereof --Supplemental--.

Please enter the accompanying substitute drawing into the file for the above-identified application.

Remarks

The Examining Attorney has made final his refusal under section 2(d), in view of prior Registration No. 1,008,307 for "POLYCOSE." Applicant respectfully submits that the refusal to register in light of this registration is not warranted and should be withdrawn in view of the amendment of the drawing to show the mark as POLYCOSANOL USA & Design. The combined differences in the marks obviate any potential likelihood of confusion.

TRADEMARK TRIAL AND  
APPEAL BOARD  
02 AUG 29 PM 8:44

The application is now believed to be in condition for acceptance and publication. An early and favorable action is solicited.

Respectfully submitted,

August 12, 2002

A handwritten signature in cursive script, appearing to read "Susan B. Flohr", is written over a horizontal line.

Susan B. Flohr, Esq.  
Attorney for Applicant

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**TRADEMARKS**  
**DOCKET NO.: 111605.00102**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DRAWING PAGE**

Applicant's Name:	Cholesterol Control Laboratories, Inc.
Mark:	POLYCOSANOL
Serial No.:	75/919,413





TRADEMARKS  
ATTORNEY REF. NO. 111605.00102

**BOX RESPONSE/NO FEE**

Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**TRANSMITTAL**

Applicant: Cholesterol Control Laboratories, Inc.  
Mark: POLYCOSANOL USA & DESIGN  
Serial No.: 76/120,200  
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Submitted herewith are:

- Amendment (2 pages)
- Drawing Page (1 page)
- Postcard

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment of fees in connection with this communication to Deposit Account No. 23-2185.

Respectfully submitted,

Susan B. Flohr, Esquire  
Blank Rome Comisky & McCauley LLP  
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Washington, DC 20006  
(202) 530-7470  
Attorney for Petitioner

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that the foregoing has been deposited via courier service on August 12<sup>th</sup>, 2002, at the United States Patent and Trademark Office, addressed to the Commissioner of Trademarks, Box Response/No Fee, 2900 Crystal Drive, Arlington, VA 22202-3513.

Susan B. Flohr