

PTO Form 1960 (Rev 9/2007)

OMB No. xxxx-xxxx (Exp. x/xxxx)

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77066763
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 117
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (005)(current)</b>	
<b>INTERNATIONAL CLASS</b>	005
<b>DESCRIPTION</b>	
Formulations used in electrohydrodynamic and electrostatic apparatuses, namely, formulations formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, films, filaments, fibers and webs, and structures made therefrom: for inhalation, pill format or topical drug delivery; for medical treatment of wounds, such as those caused by burns, incision or injury; for pesticide delivery to control pests on plant, animals and premises; and for delivery of fragrances for pest control and odor control	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (005)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	005
<b>DESCRIPTION</b>	
Formulations for medical purposes in the nature of formulations useful in electrohydrodynamic and electrostatic apparatuses, formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, and structures, namely films, filaments, fibers and webs for inhalation in the nose or lung, pill format, or topical drug delivery for medical treatment of wounds, such as those caused by burns, incision or injury; formulations for pesticide delivery in the nature of formulations useful in electrohydrodynamic and electrostatic apparatuses, formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, and structures, namely films, filaments, fibers and webs for pesticide delivery to control pests on plant, animals and premises; and formulations for odor control purposes in the nature of fragrance formulations useful in electrohydrodynamic and electrostatic apparatuses, formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, and structures, namely films, filaments, fibers and webs for delivery of fragrances for pest control and odor control	
<b>FILING BASIS</b>	Section 1(b)

<b>GOODS AND/OR SERVICES SECTION (009)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (010)(current)</b>	
INTERNATIONAL CLASS	010
<b>DESCRIPTION</b>	
Medical apparatuses for production of sprays in form of particles, droplets, aerosols, films, filaments, fibers and webs by formation of a Taylor cone, namely, electrohydrodynamic and electrostatic apparatuses: for delivery of drugs; and for delivery of wound care materials, namely, drugs, hormones, proteins, cells, DNA, collagen, fibrinogen, and thrombin	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (010)(proposed)</b>	
INTERNATIONAL CLASS	010
<b>DESCRIPTION</b>	
Medical apparatuses for production of sprays in form of particles, droplets, aerosols, films, filaments, fibers and webs by formation of a Taylor cone, namely, electrohydrodynamic and electrostatic apparatuses for delivery of drugs and for delivery of wound care materials, namely, drugs, hormones, proteins, cells, DNA, collagen, fibrinogen, and thrombin	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (042)(no change)</b>	
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/C. Michael Gegenheimer/
SIGNATORY'S NAME	C. Michael Gegenheimer
SIGNATORY'S POSITION	Attorney of record
DATE SIGNED	06/10/2008
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Jun 10 15:36:20 EDT 2008
TEAS STAMP	USPTO/RFR-131.167.76.198- 20080610153620038383-7706 6763-4202d8f9619b2794ad84 3df878a7b813693-N/A-N/A-2 0080610152230170229

PTO Form 1960 (Rev 9/2007)

OMB No. xxx-xxxx (Exp. x/xxxx)

**Request for Reconsideration after Final Action****To the Commissioner for Trademarks:**

Application serial no. 77066763 has been amended as follows:

**CLASSIFICATION AND LISTING OF GOODS/SERVICES****Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 005 for Formulations used in electrohydrodynamic and electrostatic apparatuses, namely, formulations formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, films, filaments, fibers and webs, and structures made therefrom: for inhalation, pill format or topical drug delivery; for medical treatment of wounds, such as those caused by burns, incision or injury; for pesticide delivery to control pests on plant, animals and premises; and for delivery of fragrances for pest control and odor control

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**Proposed:** Class 005 for Formulations for medical purposes in the nature of formulations useful in electrohydrodynamic and electrostatic apparatuses, formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, and structures, namely films, filaments, fibers and webs for inhalation in the nose or lung, pill format, or topical drug delivery for medical treatment of wounds, such as those caused by burns, incision or injury; formulations for pesticide delivery in the nature of formulations useful in electrohydrodynamic and electrostatic apparatuses, formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, and structures, namely films, filaments, fibers and webs for pesticide delivery to control pests on plant, animals and premises; and formulations for odor control purposes in the nature of fragrance formulations useful in electrohydrodynamic and electrostatic apparatuses, formulated to produce a Taylor cone which can create sprays, particles, droplets, aerosols, and structures, namely films, filaments, fibers and webs for delivery of fragrances for pest control and odor control

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 010 for Medical apparatuses for production of sprays in form of particles, droplets, aerosols, films, filaments, fibers and webs by formation of a Taylor cone, namely, electrohydrodynamic and electrostatic apparatuses: for delivery of drugs; and for delivery of wound care materials, namely, drugs, hormones, proteins, cells, DNA, collagen, fibrinogen, and thrombin

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**Proposed:** Class 010 for Medical apparatuses for production of sprays in form of particles, droplets, aerosols, films, filaments, fibers and webs by formation of a Taylor cone, namely, electrohydrodynamic

and electrostatic apparatuses for delivery of drugs and for delivery of wound care materials, namely, drugs, hormones, proteins, cells, DNA, collagen, fibrinogen, and thrombin

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

#### **SIGNATURE(S)**

##### **Request for Reconsideration Signature**

Signature: /C. Michael Gegenheimer/ Date: 06/10/2008

Signatory's Name: C. Michael Gegenheimer

Signatory's Position: Attorney of record

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77066763

Internet Transmission Date: Tue Jun 10 15:36:20 EDT 2008

TEAS Stamp: USPTO/RFR-131.167.76.198-200806101536200

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