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**To:** Conversive, Inc. (webblaw@webblaw.com)  
**Subject:** TRADEMARK APPLICATION NO. 78240385 - ASSISTED  
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Attachment - 10  
Attachment - 11  
Attachment - 12  
Attachment - 13  
Attachment - 14  
Attachment - 15  
Attachment - 16  
Attachment - 17  
Attachment - 18  
Attachment - 19  
Attachment - 20

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**[Important Email Information]**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 78/240385

**APPLICANT:** Conversive, Inc.



**CORRESPONDENT ADDRESS:**  
Kent E. Baldauf, Jr., Registration No. 3  
Webb Ziesenheim Logsdon Orkin & Hanson,  
700 Koppers Building 436 Seventh Avenue  
Pittsburgh, PA 15219-1818

**RETURN ADDRESS:**  
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Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**  
webblaw@webblaw.com

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 e-mail address..

Serial Number 78/240385

Applicant is requesting reconsideration of a final refusal dated June 12, 2004.

The request for reconsideration is based upon an amendment to the identification of goods. The examining attorney has determined that the proposed amendment to the identification is acceptable. However, after careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration of the refusal of the proposed mark pursuant to Section 2(e)(1) of the Trademark Act and must adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue. Pursuant to TMEP section 715.03(a), the examining attorney submits additional evidence to support the refusal of the mark pursuant to Section 2(e)(1) of the Trademark Act.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c).

/Linda M. Estrada, Esq./  
Trademark Attorney, Law Office 104  
U.S. Patent & Trademark Office  
(571) 272-9298  
(571) 273-9104 Fax

**Note:**

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1. ar-1
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5. ar3-1
6. ar3-2
7. ar3-3
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Email 2 includes the following 6 attachments

1. ar4-1
2. ar4-2
3. ar5-1
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6. ar7-2

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## AssistedResponseAgent.

[Ask Conversive.](#)

### **The Isolated Call Center.**

The Call Center is ground zero for your customer care. Operating budgets are enormous. Training, recruitment and management costs are a never-ending treadmill. Not to mention the sunk capital costs. But now you have a new challenge. The Internet. Your customers are going there. You know that there are big cost-saving opportunities. But shouldn't there be a way to exploit the resources that you have so painstakingly developed in your customer service center? Shouldn't there be a way to lay that last mile of railroad track that divides these two essential functions? Shouldn't you be able to use all of your human, data and systems resources in an online environment and gain the best of both worlds? Now you can.

### **The AssistedResponseAgent Solution.**

AssistedResponseAgent is a revolutionary product that for the first time integrates all of the human, process and data resources of the Call Center with the cost savings and scalability of the Internet.

#### **Automatic Escalation to a live online CSR.**

AssistedResponseAgent has all of the features and capabilities of AnswerAgent. But it provides more as well. For those companies that want to provide that level of customer service that only human beings are capable of, the AssistedResponseAgent uses Conversive's patent pending escalation process to seamlessly refer any question not immediately answerable by the Agent's NLP engine to a CSR. The CSR receives the question through Conversive's advanced message controller. Every aspect of the transaction is logged, and time records are kept. Routing can be based on skills, location, availability or other factors. CSR's are provided with a highly advanced interface that includes short cuts, editing capabilities and suggestions from our NLP engine. Once the reply is sent, the engine takes over the conversation again, and continues to answer every question that it can.

#### **Provide the information they want, whenever they want.**

Useful graphics are provided. Forms are presented. Problem tickets are generated and entered into the CRM system. The burden on the CSR is dramatically less than a comparable web chat conversation, because most of the burden is carried by the engine, with only occasional questions being escalated to the CSR. In addition to high-touch customer service, it is easy to see that the AnswerAgent solution is ideal for cost-effective service at help desks, travel booking services or other applications where complex information is being provided over the Internet. AssistedResponseAgent is the last mile of railroad track tying together the Internet and the Call Center. It leverages every human, process and data resource that you have invested in and makes them available online, in real time, with no phone calls or emails. Find out how it can impact your customer service strategy.

#### **White Papers available for download:**

-  [ARA Executive Summary](#)
-  [AssistedResponseAgent](#)

## Enterprise Class Products.

[Ask Conversive.](#)

Conversive Enterprise Class Products include:

- ▶ [AssistedResponseAgent](#)
- ▶ [AnswerAgent](#)

Customer service solutions today are a source of concern for most major enterprises. CRM programs are legendary for becoming 'shelfware' because they are too hard to deploy, or because they simply don't address the real problems at hand. Between the high capital costs, high turnover rates and the high costs of sourcing and training new personnel, call centers are often proving to be difficult to sustain, much less improve.

Customers increasingly choose the Internet as their first point of customer contact. This should save companies money, since the Internet provides the single best opportunity to provide excellent service to customers in a scaleable, repeatable way. Unfortunately, most companies are not servicing their customers well on the Internet, so customers resort to

companies are not servicing their customers well on the internet, so customers resort to other, more expensive channels, such as telephone and email.

#### **The Conversive Solution**

Conversive's AnswerAgent and AssistedResponseAgent are designed to provide true relief for today's customer service problems. Our solutions provide a highly flexible customer interface that guides your customers through their problems with the same type of conversational process that a CSR would use. We provide your customers with web pages, forms, graphics, and data as appropriate. We can solicit information from your customers and write that information to the appropriate databases or CRM systems, so that it will be available in the appropriate form for further action. Conversive solutions leverage the value of your existing web investment by dramatically enhancing navigation and useability. At the same time, we enable you for the first time to make your back office resources truly available on the Internet, leveraging your investment dollars to achieve new levels of customer service quality and scalability.

#### **Compatible by Design**

Conversive's Enterprise Class Products, AnswerAgent and AssistedResponseAgent, are built from the ground up to be the kind of products that you will be glad to have in your shop. Our products employ highly modular architecture and operate on standard servers and operating systems. We design them to be highly scalable, with load balancing and fail-over redundancy capabilities. All I/O interfaces come with web services capabilities out-of-the-box. Have other interface requirements? Planning on changing interface requirements? No problem. Our products are designed to grow with you. Our professional services personnel can rapidly and cost-effectively provide you with an appropriate new interface in soap, xml, or a query language without requiring rework to our modules or to your Conversive knowledgebase.

Conversive's Enterprise Class products are distinguished by their reliability, flexibility, and low total cost of ownership. Our enterprise products are thoroughly architected to industry standards and best practices. All products are written in Microsoft .NET and run on Microsoft servers.

For more information Conversive's Enterprise Class products please [Contact Us](#).



# Email Scripts



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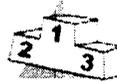
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## Pliner.net Assisted Response System

Pliner.net Assisted Response System

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Pliner.net Assisted Response System is multi-platform compatible. CRM system designed to help you quickly respond to incoming e-mail. Capabilities such as bulk mailings, bounce detection, and extensive reporting. Assists the operator in selecting the proper response for each e-mail, from a library of preconfigured responses.

### Detailed Information

Script name:	Pliner.net Assisted Response System
Price:	Ask
Version:	?
Platform(s):	Unix/Linux/Windows
Date Listed:	2004-01-19
Author(s):	<a href="http://www.pliner.net/ars/">http://www.pliner.net/ars/</a>
Hits Sent:	46

### Rating

Average Rating : ☆☆☆☆☆ 0.00 (out of 5)  
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## island data

Island Data is a Real-Time Customer Analytics company whose products capture customer feedback, analyze it to obtain valuable customer insights in real-time and provide the capability to take action immediately. Our applications enable the real-time enterprise to increase profitability, improve customer satisfaction and enhance product quality. Founded by experienced contact center professionals in 1995, Island Data recognized early on that letting customers express their thoughts and offer feedback in their own words would be essential to successful customer relationship management in the 21st century. Island Data's flagship product, Insight RTTM, enables the real-time enterprise to increase sales, identify attrition risks, monitor product trends, capture and manage knowledge for Web self-service and improve marketing campaigns. Insight RT captures customer feedback from various sources, analyzes for the critical concepts and intent of the unstructured feedback, and converts the feedback into data that can be acted upon in real time. RT stands for Real Time, which highlights our fundamental market differentiator of enabling organizations to take immediate action on customer insights. Our other key differentiator is our patent-pending Concept Recognition Engine which we use in combination with other analytical methods to identify insights from unstructured customer interactions.

- News Stories
- Case Studies
- Company web site

## Core Products and Services

**Insight RT** Island Data's flagship product, Insight RTTM, enables the real-time enterprise to increase sales, identify attrition risks, monitor product trends, capture and manage knowledge for Web self-service and improve marketing campaigns. Insight RT captures customer feedback from various sources, analyzes for the critical concepts and intent of the unstructured feedback, and converts the feedback into data that can be acted upon in real time. RT stands for Real Time, which highlights our fundamental market differentiator of enabling organizations to take immediate action on customer insights. Our other key differentiator is our patent-pending Concept Recognition Engine which we use in combination with other analytical methods to identify insights from unstructured customer interactions.

**Insight RT - Web Self Service** Island Data's products make it easy for companies to automate online

S&P 500	1,221.13	▼ 0.56%
Top Gainers		
Asi Jeeves	32.63	▲ 0.88
West Tel	38.47	▲ 0.34
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**Insight RT - Web Self Service** Island Data's products make it easy for companies to automate online customer service, providing tremendous efficiency and cost savings, while increasing customer satisfaction through fast, accurate responses to customers' questions. IRT - Web Self Service is a hosted online customer service application that performs the following critical functions: - Receives customer queries from all online channels, including web form, e-mail, survey, FAQ, chat and newsgroups - Analyzes each customer inquiry using Concept Recognition technology and natural language processing techniques - Searches the knowledgebase for applicable responses to the inquiry Within seconds of receipt of the original customer inquiry, IRT - Web Self Service generates relevant, useable responses to the end user from the knowledgebase. Inquiries that cannot be answered effectively from the knowledgebase can be immediately escalated to a human call center agent for assistance. A variety of statistical reports are provided through an administration portal to help our customers analyze their online customerservice performance, including inquiry resolution performance and identification of knowledgebase gaps that impact end user satisfaction.

**Insight RT - Knowledge Management** The IRT - Knowledge Management module is a powerful application that enables companies to effectively implement a successful knowledge management strategy. With patent pending Response Fusion™ technology, IRT - Knowledge Management module offers a fully featured solution for the capture, creation, editing, review, approval and publishing of support knowledge. The IRT - Knowledge Management module provides workflow and task management for knowledge engineers, and high-level data analysis and reporting for program management. It is the perfect application for creating the initial knowledgebase to power IRT - Web Self Service, or for managing an existing knowledgebase that has been converted during the Web Self Service implementation. The key to the success of this solution is its ability to automatically identify and create re-useable knowledge that can be delivered through automated channels. Use of these automated channels (such as e-mail auto-response, web self-help, customer feedback, online surveys, etc.) is significantly less expensive than an agent-assisted response.

**Contact Information:**

**Address:** 2011 Palomar Airport Rd, Suite 300  
 Carlsbad, CA 92009  
 USA  
**Phone:** 760-937-4100  
**Fax:** 760-930-9699  
**Web:** www.islanddata.com  
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[November 19, 2002]

### Concerto Software Launches New Version Of Its Customer Interaction Management Solution

Concerto Software, Inc. launched EnsemblePro 5.0. EnsemblePro has been architected from the ground up to incorporate the functionality required by multimedia contact centers -- including ACD, predictive dialing, IVR, email, Web chat and collaboration, universal queuing, recording and reporting -- while also offering the ability to connect with, and add value to, existing contact center point solutions.

The new product is the result of collaborative development efforts that began when Davox Corporation merged with CELLIT Technologies to form Concerto Software in January 2002. By combining Davox's advanced CTI capabilities, developed over the past decade, with CELLIT's unified contact center platform, Concerto Software has created a complete CIM solution that enables users to reap the benefits of a unified platform while protecting and enhancing existing technology investments.

"Anticipating market demands, we envisioned creating a next-generation CIM solution that would make implementing and operating a true multimedia contact center attainable and affordable for users, regardless of their existing infrastructure and business requirements," said James Foy, president and CEO of Concerto Software. "That vision was the driving force behind the formation of Concerto

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- Open Source CRM
- Speech Applications
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- Speech Recognition A/S
- Speech Technologies
- Virtual Contact Center
- Virtual Contact Center
- Web Based Help Desk
- Web-based Product
- Web-based Utilization
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Concerto Software and Aspect Communications have joined forces to create Aspect Software. We are now the world's largest organization focused solely on delivering contact center solutions for sales and telemarketing, customer...

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## Inbound Toll Free Live Operator

Thanks for your interest in Centrac's inbound toll free live operator call center services. Our services are used for:

- ◆ customer service / product inquiry calls
- ◆ subscription & renewals
- ◆ sales & orders
- ◆ enrollments & reservations
- ◆ lead generation / databases
- ◆ dealer locator services
- ◆ patient / healthcare calls
- ◆ market research

### Centrac features:

- [Customized call greetings](#)
- [7 day per week coverage](#)
- Economical pricing
- [Data updates/Formats Exported](#)
- [Scripts programmed to your needs](#)
- [Sophisticated ACD telephone system](#)
- [Experienced staff, since 1971](#)
- [Friendly actionable reports](#)

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#### Customized Call Greetings

[ [Back To Top](#) ]

Each client or project is assigned a unique toll free telephone number that is answered on a customized basis by one of our representatives or operators.

When numbers are assigned by us we can insure calls are directed to our T-1 fiber optic trunks that take advantage of DNIS. DNIS or "direct number identification service" enables our system to automatically identify which telephone number is being called, and displays the appropriate greeting for customized answering. Should you already have a toll free number it may be migrated to our carrier or directed to us. However it is easier and quicker to have us provide a new number.

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#### Scripts Programmed

[ [Back To Top](#) ]

Centrac will answer calls according to a script developed in conjunction with our clients. All scripts are programmed into our state-of-the-art networked computer system. This enables all of our telephone service reps to answer in a consistent manner for each project and have access to the same information. Our system is capable of placing vast amounts of information at telephone rep's fingertips in

a flexible manner that is quickly and easily referenced when needed.

### Data Exported

[\[ Back To Top \]](#)

Centrac will update or export all information to you daily or weekly depending upon your needs. Typically data is sent via electronic data transfer. This data may be in a variety of formats to suit you including Excel, ASCII, comma or tab delimited, SPSS, dBase, or many other formats. As an option we can tabulate and analyze data and / or present it using easy to understand graphics similar to those used in marketing research surveys.

	A	B
1	000081000867	024706280608
2	000145000979	038406260729
3	000189000301	039806280710
4	000412000735	039806280317
5	000475000552	024706280925
6	000802001236	029606280658
7	001005000076	0272062
8	001007000560	02960

### Coverage

[\[ Back To Top \]](#)

Coverage is available 7 days per week, Monday through Saturday 9 a.m. until midnight, & Sunday noon until midnight--Eastern time

### Our Telephone System

[\[ Back To Top \]](#)



We utilize a state of the art inbound automatic call distributor (ACD), "AgentXpressNT," made by Applied Voice Technologies (AVT). This is the first call center management system built to take advantage of Microsoft's windows NT software. It also utilizes the latest in digital technology allowing interfacing with digital T-1 telephone spans which provide the highest quality voice telephone service and allows use of DNIS enabling us to efficiently route and answer your calls.

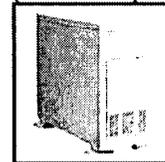
The AgentXpress is a fully programmable digital ACD designed to distribute a high volume of incoming calls to designated telephone representatives. The system allows efficient, real time control of the call center with powerful information reporting and extensive integration with advanced call center technologies. It offers the most flexible routing system available, with object-oriented routing that allows us to direct calls to specially trained operators for your project. Alternatively the system allows us to direct calls to prerecorded messages. Whether the call is handled by live operators or a prerecorded message, the system provides dynamic and accumulated reporting of all transactions.

Our system insures that your call will go to the next available rep trained on your project. About 75% or more of your calls will go directly to a rep and the balance will get a personalized greeting and remain on hold for an average of less than 20 seconds. We function as an integrated part of your office.

### Our Computer System

[\[ Back To Top \]](#)

Our telephone system is integrated with our network of CATI (Computer Assisted Telephone Interviewing) computer systems--CFMC (Computers for Marketing Corp.) & OSCAR--(On Site Computer Assisted Response) that displays the scripts and reference information our reps utilize during telephone calls. The system provides pop up lists and full integration with data bases. CATI may be programmed to accept keying in of virtually an unlimited amount of information obtained during phone conversations. Logic conditions may be programmed to insure high quality levels and proper ranges of data entered. CATI runs on the UNIX operating system.



For security, all data is automatically written to two redundant servers backing each other up. Additionally each server has mirroring disc images for further

backup. In total, all data captured is therefore written to four different disks virtually simultaneously! As an added precaution, backups to tape are conducted twice daily and are stored in fireproof vaults.

Both our computer and telephone systems utilize several uninterrupted power supplies (UPS) that protects against electrical spikes and allows our critical systems to continue working during electrical outages for up to 20 minutes

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### Staffing & Training

[\[ Back To Top \]](#)

All calls are answered by experienced telephone service representatives. A personnel manager staffs our center appropriately for our needs. Unexpected surges of inbound calls can be quickly adjusted to as we also conduct a large amount of outbound calls. This provides us the ability to quickly reassign some outbound personnel almost immediately and within the same shift to handle unexpected increases of inbound volume.

All reps participate in a generic training program upon joining Centrac. New reps are first trained and work on outbound campaigns. Working on inbound campaigns represents a promotion for our highly experienced and most effective staff. On a quarterly basis our reps are further rotated into special "brush up" training sessions. Additionally they receive specialized training on each client's project before an assignment. The length and time spent on project training varies widely with the complexity of each project



We encourage clients to actively participate with our account executives and project directors as well as our telephone reps during the start up of new projects to insure full compliance with your expectations. Client participation can be in our offices or via remote teleconferencing.

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### Fulfillment Services

[\[ Back To Top \]](#)

Centrac can handle your fulfillment services including products, samples and literature, personalized letters, invoices, and action reports. Larger items are handled through outside affiliate companies.

Questions?

Call (732)920-0500

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Questions/Comments: [info@centracusa.com](mailto:info@centracusa.com)

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[Back To Top](#)

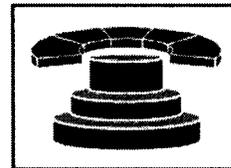


**PHOENIXCTI**

Chat & E-Mail

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Chat and e-mail integration solutions take standard voice agents and make it possible for them to become multichannel agents receiving the latest contact types. In addition, you can use chat and e-mail in a non-blended environment to leverage these new technologies with lowered investment. PhoenixCTI supports either configuration.



#### **Edify Chat**



Edify Chat quickly integrates your website into your call center, permitting customers to summon assistance from an agent at the click of a button. Edify Chat enables organizations the immediate benefits of higher cross-sell and up-sell conversions, accelerated web-channel acceptance and increased customer satisfaction, activity, and loyalty.

*Rocky Mountain Edify Users Group*

#### **Hipbone (Acquired by Kana)**

Superior service on the Web is about helping customers resolve their service issues - immediately. With Hipbone, live assistance tools prevent customers and prospects from abandoning online orders, Web site searches and self-service sessions by providing easy access to knowledgeable agents - without picking up the phone.

- Enable agents to manage up to four simultaneous chat sessions.
- Populate agents' screens with the web page the customer is viewing, including any data already entered into a form.
- Allow shared browsing and synchronized form filling
- Securely share data and transmissions.
- Improve response times and agent accuracy with pre-defined responses.
- Transfer a chat session or create conferences for complex inquires.
- Keep chat sessions professional and flowing with profanity and spell-checker.
- Provide automated internet call-back.

- Provide automated internet callback.

### **Edify E-Mail**

Edify E-Mail sends accurate, automated replies to incoming email messages. The system reads inbound email from customers, understands it with extremely high accuracy, and creates a response tailored to each email message.

If Edify E-Mail only understands part of a message, it will route it to a live agent with a suggested response for the part it did understand. For messages which need live interaction, Edify E-Mail offers assisted response capability as well as an authoring tool, complete with response repository capabilities.

### **Banter (acquired by iPhrase)**

Banter builds infrastructure software that enables systems to understand written human communication and automate appropriate action. Banter equips businesses, systems integrators, and other solution providers with products that automatically learn from each and every interaction and share a common knowledge base that works across all channels.

Banter's products are designed to deliver accurate responses or actions by taking into account

- Variations, ambiguity, and errors in expression, such as "what's my account balance?" vs. "how much money do I have left?"
- Continual change in the nature and the mix of the communication, as issues evolve naturally over time, both within the business (e.g., new products and services, web site upgrades) and external to a company (e.g., recalls, publicity, fads).
- Noisy, informal, free-form communications such as slang, new product names, new lines of business, misspellings, new jargon, footers/headers, symbols, emoticons, etc.
- Multiple intents and concepts from a single inquiry.

Our vision: to be the premier business interaction solutions provider leveraging appropriate technology  
Call us toll free at 1 800 PCTI IVR

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