PTO Form 1930 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 05/31/2014)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85590245
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION (no change)	
EVIDENCE SECTION	
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DESCRIPTION OF EVIDENCE FILE	See attached arguments and Exhibits A-B.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/daniellemattessich/
SIGNATORY'S NAME	Danielle I. Mattessich
SIGNATORY'S POSITION	Attorney for Applicant, Minnesota Bar Member
SIGNATORY'S PHONE NUMBER	612.332.5300
DATE SIGNED	07/08/2013
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jul 08 16:44:35 EDT 2013
TEAS STAMP	USPTO/RFR-173.227.220.2-20130708164435944986-85590245-500893ec27697b8b0186d7c41ee2c58b45b989cacf09ac4a1dd7fbb3428296a437-N/A-N/A-20130708164038561520

PTO Form 1930 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 05/31/2014)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **85590245** has been amended as follows:

EVIDENCE
Evidence in the nature of See attached arguments and Exhibits A-B. has been attached.
Original PDF file:
evi_1732272202-164038561_._Request_for_Reconsideration.PDF
Converted PDF file(s) (6 pages)
Evidence-1
Evidence-2
Evidence-3
Evidence-4
Evidence-5
Evidence-6
Original PDF file:
evi_1732272202-164038561_._eco_ex_a_20130708145440.pdf
Converted PDF file(s) (17 pages)
Evidence-1
Evidence-2
Evidence-3
Evidence-4
Evidence-5
Evidence-6
Evidence-7
Evidence-8
Evidence-9
Evidence-10
Evidence-11
Evidence-12

Evidence-13
Evidence-14
Evidence-15
Evidence-16
Evidence-17
Original PDF file:
evi_1732272202-164038561_._Exhibit_B__RR_.PDF
Converted PDF file(s) (8 pages)
Evidence-1
Evidence-2
Evidence-3
Evidence-4
Evidence-5
Evidence-6
Evidence-7
Evidence-8

SIGNATURE(S)
Request for Reconsideration Signature
Signature: /daniellemattessich/ Date: 07/08/2013
Signatory's Name: Danielle I. Mattessich
Signatory's Position: Attorney for Applicant, Minnesota Bar Member

Signatory's Phone Number: 612.332.5300

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: 85590245
Internet Transmission Date: Mon Jul 08 16:44:35 EDT 2013
TEAS Stamp: USPTO/RFR-173.227.220.2-2013070816443594
4986-85590245-500893ec27697b8b0186d7c41e
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-N/A-N/A-20130708164038561520

REQUEST FOR RECONSIDERATION

APPLICANT'S "CLEAN CARE FOR LIFE" MARK IS NOT LIKELY TO CAUSE CONFUSION WITH THE CITED "CARE FOR LIFE" REGISTRATION.

Applicant respectfully disagrees with the finding that its CLEAN CARE FOR LIFE mark so resembles the mark in U.S. Registration No. 3,268,395 (CARE FOR LIFE for charitable fund raising services) as to be likely to cause confusion, mistake or to deceive. Applicant bases this conclusion upon, among other factors, the dissimilar nature of the marks and the respective services.

The likelihood of confusion determination must be made in light of the total effect of the product and package in the eye and mind of the ordinary purchaser. *Vision Sports, Inc. v. Melville Corp.*, 888 F.2d 609, 616 (9th Cir. 1989). "A variety of factors may be material in assessing the likelihood of confusion and no one of these factors by itself is dispositive of the likelihood of confusion question." *McGraw-Edison Co. v. Walt Disney Productions*, 787 F.2d 1163, 1167 (7th Cir. 1986). The analysis of the likelihood of confusion involves consideration of several factors, such as:

1. The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression.
2. The similarity or dissimilarity, and nature, of the goods or services as described in an application or registration or in connection with which a prior mark is in use.
3. The similarity or dissimilarity of established, likely to continue trade channels.
4. The conditions under which, and buyers to whom, sales are made, i.e., "impulse" vs. careful, sophisticated purchasing.
5. The fame of the prior mark (sales, advertising, length of use).
6. The number and nature of similar marks in use on similar goods.
7. The nature and extent of any actual confusion.
8. The length of time during and conditions under which there has been concurrent use without evidence of actual confusion.
9. The variety of goods on which the mark is or is not used (house mark, "family" mark, product mark).
10. The market interface between applicant and the owner of a prior mark.

11. The extent to which applicant has a right to exclude others from use of its mark on its goods.
12. The extent of potential confusion.
13. Any other established fact probative of the effect of use.

In re E.I. DuPont de Nemours & Co., 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). Application of the above factors to the instant case shows that Applicant's mark is not likely to cause confusion with the cited references.

1. The Respective Marks Are Dissimilar in Overall Appearance, Sound, Meaning and Commercial Impression

The Trademark Office concluded that the marks CLEAN CARE FOR LIFE and CARE FOR LIFE are similar in sound, connotation and commercial impression because Applicant has merely added a term to a registered mark. However, marks must be considered in their entireties when determining whether there is a likelihood of confusion. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973). Contrary to the Trademark Office's conclusion, the marks "CLEAN CARE FOR LIFE " and "CARE FOR LIFE " are dissimilar in overall appearance, sound, meaning and commercial impression. Registrant's mark conveys the impression of "concern for well-being." Applicant's mark, on the other hand, calls to mind something that is maintained and sanitary, such that it is habitable. The respective marks do not convey the same idea, do not stimulate the same mental reaction, or have the same meaning.

Although the marks at issue both reference the term CARE FOR LIFE, Applicant notes that it is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser and remembered. *Bunte Bros. v. Standard Chocolates, Inc.,* 45 F. Supp. 478, 53 U.S.P.Q. 668 (D. Mass. 1942); *Presto Products, Inc. v. Nice-Pak Products,* Inc., 9 U.S.P.Q.2d 1895 (T.T.A.B. 1988). Therefore, consumers will perceive the dominant part of Applicant's mark as CLEAN, while Registrant's mark would be

remembered by the word CARE. As such, the parties' marks in this case, as they would be presented to and perceived by consumers in the marketplace, do not give rise to a likelihood of confusion because they are distinctly different.

2. The Cited Mark Is Not Entitled to the Strongest Available Protection.

Generally, the strength of a mark depends on two factors: (1) Distinctiveness of the mark; and (2) the extent to which the mark is recognized by the relevant consuming class. *Aveda Corp. v. Evita Marketing, Inc.,* 706 F.Supp. 1419, 1428 (D. Minn. 1989). Strength is only partially a function of the inherent nature of a mark—that is, its placement on the spectrum of trademarks. *McCarthy's on Trademarks and Unfair Competition,* §§11:1 to 11:3, 11.73. Trademark "strength" is measured by customer perception. Id at §11.73. As Chief Judge Markey noted:

> What is intended by references to "strong" and "weak" marks is the effect of such marks upon the mind of the consuming public. A mark that is strong because of its fame or uniqueness, is more likely to be remembered and more likely to be associated in the public mind with a greater breadth of products and services than is a mark that is weak because relatively unknown or very like similar marks or very like the name of the product.

James Burrough, Ltd. v. Sign of Beefeater, Inc., 540 F.2d 266, 192 U.S.P.Q. 555 (7th Cir. 1976).

Evidence of third party use of similar marks on similar services is admissible and relevant to show that the mark is relatively weak and entitled to only a narrow scope of protection. *Tektronix, Inc. v. Daktronics, Inc.,* 534 F.2d 915, 189 U.S.P.Q. 693 (C.C.P.A. 1976); *Loctite Corp. v. Tubbs Cordage Co.,* 175 U.S.P.Q. 663 (T.T.A.B. 1972); *MRI Systems Corp. v. Wesley-Jessen, Inc.,* 189 U.S.P.Q. 214 (T.T.A.B. 1975). Furthermore, "the number and nature of similar marks in use on similar goods" is another relevant factor to consider under the *DuPont* analysis in analyzing likelihood of confusion.

In this case, the term CARE FOR LIFE, by itself, is relatively weak and entitled to a narrow scope of protection because it is used by various unrelated third parties as a trademark for services related to health and support services. This common usage of the term CARE FOR LIFE indicates that each mark is entitled to a relatively narrow scope of protection, and that notable differences between the marks are likely to avoid creating a likelihood of confusion.

The chart below contains ***a mere sample*** of trademarks on the register that demonstrate the diluted nature of the term CARE FOR LIFE (and its equivalents, e.g., CARING FOR LIFE) in the marketplace:

Mark	Goods/Services	Serial No./ Reg. No.
CARE FOR LIFE	36: Charitable fund raising.	3,268,395
CARING FOR LIFE	42: Medical and scientific research services.	85/854,130
CARING FOR LIFE & DESIGN	41: Providing nursing assistant training classes.	4,087,363
SKIN CARE FOR LIFE	44: Cosmetic skin care services.	4,076,934
COMPASSIONATE CARE FOR LIFE	44: Health care; hospitals.	3,196,112
BRAINCARE FOR LIFE	44: Health care services, namely, therapies for sustaining/optimizing normal mental function.	3,677,571
CARING FOR LIFE	43: Providing assisted living facilities. 44: Nursing homes; nursing care; psychiatric services; addiction treatment services; home healthcare services; ambulatory medical care services.	3,652,236
CARE FOR LIFE	42: Pharmacy and home care services for chronic disease therapies.	2,058,890
COMPLETE CARE FOR WOMEN FOR LIFE & DESIGN	42: Health care services for women.	2,710,036
CARING FOR LIFE	5: Biopharmaceutical preparations for use in the treatment of immunological conditions; Biopharmaceutical preparations for use in the treatment of tissue and organ transplants; Biopharmaceutical preparations for use in the treatment of tumors; Biopharmaceutical	85/854,119

	preparations for use in the treatment of immune system conditions; medicinal preparations for the treatment of infectious diseases and for use in oncology; Medical fluids for organ perfusion and preservation; Immunosupression agents for use in organ transplantation; trifunctional antibodies for cancer treatment; Pharmaceutical and sanitary preparations for dialysis therapy; disinfectants, namely, all purpose disinfectants, disinfectant hand wash and disinfectants for medical instruments; Pharmaceutical preparations, etc…	
CAREPLAN4LIFE	45: Consulting and legal services, namely, providing parents of children afflicted with Cerebral Palsy, Erbs Palsy and other special needs with a comprehensive program and plan to guide them in medical, educational, and financial planning for their children.	3,429,354
FLOORCARE FOR LIFE	37: Cleaning of floors; maintenance and/or repair of floors.	3,504,790
CARE4LIFE	38: Mobile device messaging service for the support of diabetes education, namely, providing e-mail and instant messaging services. 42: Providing an online non-downloadable software application for the support of diabetes education.	4,189,344
CARE4LIFE HEALTHCARE MANAGEMENT	44: Nursing homes.	85/938,123

See attached Exhibit A for information regarding these references.

The co-existence of the aforementioned marks suggests that consumers would not confuse the sources of CLEAN CARE FOR LIFE and CARE FOR LIFE in the marketplace.

3. The Services of the Respective Parties Differ Such that Source Confusion is NOT Likely

Further minimizing the likelihood of consumer confusion in this case are the differences in the parties' services. Applicant's services are "charitable services, namely, coordination *of non-monetary* contributions to charities and non-profits" in Class 35 and "charitable foundation services, namely, providing financial assistance for programs and

services of others" in Class 36. The "non-monetary contributions" referenced in Applicant's Class 35 services include, among other things, Applicant's cleaning and hygiene products, non-monetary donations made by Applicant's employees and volunteer time donated by Applicant's employees to charities and non-profit organizations. Applicant's Class 36 services refer to the donation of Applicant's own funds to others. In contrast, the cited registration covers "charitable fund raising" services in Class 36. Registrant collects money from others and utilizes it to help impoverished people outside of the U.S. in Mozambique. *See* Exhibit B. Registrant specifically focuses on preserving families in all facets to encourage and enable the principle of self-reliance. Given the differences in the parties' services and the beneficiaries of those services, consumers are unlikely to be confused about their source.

4. Conclusion.

In light of all of the foregoing, Applicant respectfully requests that the United States Patent and Trademark Office withdraw the § 2(d) refusal with respect to Registration No. 3268395 and allow Applicant's application to proceed to publication.

If the Examining Attorney has any questions or comments, Applicant respectfully requests that the Examining Attorney contact the undersigned.

EXHIBIT A

CARE FOR LIFE

Word Mark	CARE FOR LIFE
Goods and Services	IC 036. US 100 101 102. G & S: Charitable fund raising. FIRST USE: 20030130. FIRST USE IN COMMERCE: 20030130
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78973128
Filing Date	September 13, 2006
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 8, 2007
Registration Number	3268395
Registration Date	July 24, 2007
Owner	(REGISTRANT) Care For Life, Inc. CORPORATION ARIZONA 3850 E. Baseline Road, Suite 114 Mesa ARIZONA 852064638
Attorney of Record	Lawrence Letham
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	**LIVE**

CARING FOR LIFE

Word Mark	CARING FOR LIFE
Goods and Services	IC 042. US 100 101. G & S: Medical and scientific research services
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85854130
Filing Date	February 19, 2013
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	June 11, 2013
Owner	(APPLICANT) Fresenius Kabi AG JOINT STOCK COMPANY FED REP GERMANY Else-Kröner-Str. 1 Bad Homburg FED REP GERMANY 61352
Attorney of Record	LEE J. EULGEN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

Word Mark	CARING FOR LIFE
Goods and Services	IC 041. US 100 101 107. G & S: Providing nursing assistant training classes. FIRST USE: 20100315. FIRST USE IN COMMERCE: 20100315
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards 10.07.05 - Stethoscope 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)
Serial Number	85334782
Filing Date	June 1, 2011
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 1, 2011
Registration Number	4087363
Registration Date	January 17, 2012
Owner	(REGISTRANT) Caring For Life, LLC LIMITED LIABILITY COMPANY NORTH CAROLINA PO Box 12922 Jacksonville NORTH CAROLINA 28546
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a 3D image of a heart with a stethoscope that wraps around the heart. The stylized text "CARING" is at the top of the heart near the ear pieces of the stethoscope and the stylized text "FOR LIFE" is at the bottom of the heart. The diaphragm of the stethoscope is on the middle left side of the heart. In between the ear pieces at the top of the heart is a cross.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

Skin Care for Life

Word Mark	SKIN CARE FOR LIFE
Goods and Services	IC 044. US 100 101. G & S: Cosmetic skin care services. FIRST USE: 20101001. FIRST USE IN COMMERCE: 20110201
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85322964
Filing Date	May 17, 2011
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 11, 2011
Registration Number	4076934
Registration Date	December 27, 2011
Owner	(REGISTRANT) Skin Care For Life LLC LIMITED LIABILITY COMPANY COLORADO 3240 Cherryridge Rd Englewood COLORADO 80113
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

Compassionate Care for Life

Word Mark	COMPASSIONATE CARE FOR LIFE
Goods and Services	IC 044. US 100 101. G & S: Health care; Hospitals. FIRST USE: 20011026. FIRST USE IN COMMERCE: 20011026
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78698361
Filing Date	August 23, 2005
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 24, 2006
Registration Number	3196112
Registration Date	January 9, 2007
Owner	(REGISTRANT) St. Mark's Medical Center CORPORATION TEXAS Administration One St. Mark's Place LaGrange TEXAS 78945
Attorney of Record	Daniel Sternthal
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

BRAINCARE FOR LIFE

Word Mark	BRAINCARE FOR LIFE
Goods and Services	IC 044. US 100 101. G & S: Health care services, namely, therapies for sustaining/optimizing normal mental function. FIRST USE: 20090331. FIRST USE IN COMMERCE: 20090331
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77499175
Filing Date	June 14, 2008
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	November 4, 2008
Registration Number	3677571
Registration Date	September 1, 2009
Owner	(REGISTRANT) Center for Cognitive Fitness & Innovative Therapies CORPORATION CALIFORNIA P. O. Box 2067 Santa Barbara CALIFORNIA 93120
Attorney of Record	Patrick F. Bright
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAINCARE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

CARING FOR LIFE

Word Mark	CARING FOR LIFE
Goods and Services	IC 043. US 100 101. G & S: PROVIDING ASSISTED LIVING FACILITIES. FIRST USE: 20060601. FIRST USE IN COMMERCE: 20060601
	IC 044. US 100 101. G & S: NURSING HOMES; NURSING CARE; PSYCHIATRIC SERVICES; ADDICTION TREATMENT SERVICES; HOME HEALTHCARE SERVICES; AMBULATORY MEDICAL CARE SERVICES. FIRST USE: 20060601. FIRST USE IN COMMERCE: 20060601
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77440665
Filing Date	April 4, 2008
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	November 4, 2008
Registration Number	3652236
Registration Date	July 7, 2009
Owner	(REGISTRANT) SABER HEALTHCARE GROUP, LLC LIMITED LIABILITY COMPANY OHIO 26691 RICHMOND ROAD BEDFORD HEIGHTS OHIO 44146
Attorney of Record	Daniel A. Thomson
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

Typed Drawing

Word Mark	CARE FOR LIFE
Goods and Services	IC 042. US 100 101. G & S: pharmacy and home care services for chronic disease therapies. FIRST USE: 19930301. FIRST USE IN COMMERCE: 19930301
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75034694
Filing Date	December 21, 1995
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	February 11, 1997
Registration Number	2058890
Registration Date	May 6, 1997
Owner	(REGISTRANT) Health Service Pharmacy, Inc. CORPORATION WASHINGTON 6214 East 18th Vancouver WASHINGTON 98661 (LAST LISTED OWNER) NCS HEALTHCARE, LLC LIMITED LIABILITY COMPANY DELAWARE 100 EAST RIVERCENTER BLVD. 1600 RIVERCENTER II COVINGTON KENTUCKY 41011
Assignment Recorded	ASSIGNMENT RECORDED
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070619.
Renewal	1ST RENEWAL 20070619
Live/Dead Indicator	**LIVE**

Word Mark	COMPLETE CARE FOR WOMEN FOR LIFE
Goods and Services	IC 042. US 100 101. G & S: Health care services for women. FIRST USE: 20020100. FIRST USE IN COMMERCE: 20020100
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	02.07.04 - Families (adults and children); Groups, adults and children, including family groups 26.03.03 - Incomplete ovals; Ovals, incomplete
Serial Number	76319687
Filing Date	October 1, 2001
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	March 19, 2002
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	2710036
Registration Date	April 22, 2003
Owner	(REGISTRANT) Baylor Health Care System NON-PROFIT CORPORATION TEXAS 4005 Crutcher Street, Suite 300 Dallas TEXAS 75246
Attorney of Record	Alicia Morris Groos
Description of Mark	Color is not claimed as a feature of the mark.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130402.
Renewal	1ST RENEWAL 20130402
Live/Dead Indicator	**LIVE**

CARING FOR LIFE

Word Mark	CARING FOR LIFE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Biopharmaceutical preparations for use in the treatment of immunological conditions; Biopharmaceutical preparations for use in the treatment of tissue and organ transplants; Biopharmaceutical preparations for use in the treatment of tumors; Biopharmaceutical preparations for use in the treatment of immune system conditions; medicinal preparations for the treatment of infectious diseases and for use in oncology; Medical fluids for organ perfusion and preservation; Immunosupression agents for use in organ transplantation; trifunctional antibodies for cancer treatment; Pharmaceutical and sanitary preparations for dialysis therapy; disinfectants, namely, all purpose disinfectants, disinfectant hand wash and disinfectants for medical instruments; Pharmaceutical preparations, namely, enteral and parenteral nutrition, admixtures to parenteral nutrition, compounding of parenteral nutrition; compound of intravenous drugs, namely, pharmaceutical preparations as a constituent of compound of pharmaceuticals for use in nutritional therapy, immune therapy, pain therapy, cancer therapy, the treatment of infectious diseases, the treatment of blood and blood volume; infusion solutions for the delivery of drugs and pharmaceutical preparations, namely, for parenteral nutrition, for use in nutritional therapy, immune therapy, pain therapy, cancer therapy, the treatment of infectious diseases, the treatment of blood and blood volume, the treatment of oedema and for use in anaesthesia; standard infusion solutions for blood volume replacement and drug reconstitution; pharmaceutical preparations, namely, rinsing solutions for washing purposes, blood volume expanders, antibiotics, anti-infectives, analgesics and anaesthetics; injectable critical care drugs, namely anti-infectives, anaesthesia and analgesia for critical care; oral drugs, namely, antibiotics, anti-infectives, analgesics and anaesthetics; pharmaceutical preparations for the treatment of chronic kidney disease. pharmaceutical preparations used in oncology; urology irrigation solutions; sanitary preparations for medical purposes; dietetic substances adapted for medical use, namely, food for medically restricted diets, namely biden drink, and biden creme and food for diabetics, namely biden drink, and biden creme; food supplements, meal replacement drinks; meal replacement powders; nutritional supplements in paediatrics; disinfectants for sanitary purposes; disinfectants for the skin; medical packaging sets comprising bags, bottles, structural parts and replacement parts filled with pharmaceutical preparations and dietetic products for enteral and parenteral nutrition, admixtures to parenteral nutrition; clinical medical reagents for processing human blood for use in blood transfusions stored in bags; Pharmaceutical solutions used in dialysis; Pharmaceutical preparations for the treatment of blood volume; Intravenous fluids for nutrition and the delivery of pharmaceutical preparations; blood bank accessories for medical use, namely, solutions for the storage and washing of medical devices used in blood procedures
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85854119
Filing Date	February 19, 2013
Current Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Fresenius Kabi AG JOINT STOCK COMPANY FED REP GERMANY Else-Kröner-Str. 1 Bad Homburg FED REP GERMANY 61352
Attorney of	LEE J. EULGEN

Record	
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

CAREPLAN4LIFE

Word Mark	CAREPLAN4LIFE
Goods and Services	IC 045. US 100 101. G & S: Consulting and legal services, namely, providing parents of children afflicted with Cerebral Palsy, Erbs Palsy and other special needs with a comprehensive program and plan to guide them in medical, educational and financial planning for their children. FIRST USE: 20070113. FIRST USE IN COMMERCE: 20070113
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	NUM-4 The number 4 or the word Four
Serial Number	77093434
Filing Date	January 29, 2007
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 4, 2008
Registration Number	3429354
Registration Date	May 20, 2008
Owner	(REGISTRANT) Children's Legal Services, PLLC Professional Limited Liability Company MICHIGAN 41850 W. 11 Mile Road, Suite 121 Pinnacle North Office Centre Novi MICHIGAN 48375
Attorney of Record	Michael A. Lisi
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

FLOORCARE FOR LIFE

Word Mark	FLOORCARE FOR LIFE
Goods and Services	IC 037. US 100 103 106. G & S: Cleaning of floors; Maintenance and/or repair of floors. FIRST USE: 20060524. FIRST USE IN COMMERCE: 20061001
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77399855
Filing Date	February 18, 2008
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 8, 2008
Registration Number	3504790
Registration Date	September 23, 2008
Owner	(REGISTRANT) Global FloorCare Solutions, LLC LIMITED LIABILITY COMPANY GEORGIA 50 Highland Park Drive Sharpsburg GEORGIA 30277 (LAST LISTED OWNER) FLOORCARE FOR LIFE, LLC LIMITED LIABILITY COMPANY GEORGIA 206 MORGAN MILL RD BROOKS GEORGIA 30205
Assignment Recorded	ASSIGNMENT RECORDED
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FLOORCARE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

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TESS was last updated on Mon Jul 8 03:10:42 EDT 2013

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[Logout] Please logout when you are done to release system resources allocated for you.

[Start] List At: OR [Jump] to record: **Record 14 out of 536**

TSDR | ASSIGN Status | TTAB Status ***(Use the "Back" button of the Internet Browser to return to TESS)***

care4life

Word Mark	CARE4LIFE
Goods and Services	IC 038. US 100 101 104. G & S: Mobile device messaging service for the support of diabetes education, namely, providing e-mail and instant messaging services. FIRST USE: 20101110. FIRST USE IN COMMERCE: 20101110 IC 042. US 100 101. G & S: Providing an online non-downloadable software application for the support of diabetes education. FIRST USE: 20101110. FIRST USE IN COMMERCE: 20101110
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85405503
Filing Date	August 24, 2011
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 29, 2012
Registration Number	4189344
Registration Date	August 14, 2012
Owner	(REGISTRANT) Voxiva, Inc. CORPORATION DELAWARE 1990 K Street NW Washington

	VIRGINIA 20006
Attorney of Record	Christopher E. Gatewood
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

Word Mark	CARE4LIFE HEALTHCARE MANAGEMENT
Goods and Services	IC 044. US 100 101. G & S: Nursing homes. FIRST USE: 20130429. FIRST USE IN COMMERCE: 20130429
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	29.01.07 - Inconspicuous designs functioning as punctuation or parts of letters; Small, inconspicuous design elements functioning as punctuation or parts of letters
Serial Number	85938123
Filing Date	May 21, 2013
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Tricare, LLC LIMITED LIABILITY COMPANY FLORIDA 142-27 Franklin Avenue Flushing NEW YORK 11355
Attorney of Record	Jean S. Perwin
Description of Mark	The color(s) blue, red and white is/are claimed as a feature of the mark. The mark consists of The word Care in blue with a white border next to a large number 4 in red, next to the word Life in blue with a white border and a blue heart above the i and the words healthcare management underneath it in red.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	**LIVE**

EXHIBIT B

http://www.careforlife.org/who-we-are/our-mission/

Care for Life

ALLEVIATE SUFFERING. PROMOTE SELF-RELIANCE. INSTILL HOPE.

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WHO WE ARE

Our Mission and History

The People We Serve

People of Care for Life

Team in Mozambique

Team in the USA

Our Partners

Financial Information

"Care for Life made an enormous difference in Mbatwe. Before we were in darkness, but Care for Life

Our Mission and History

Alleviate suffering. Promote self-reliance. Instill hope.

Care for Life is a global non-profit organization with a holistic approach to ending poverty in a sustainable way by preserving the family while encouraging and enabling the practice of self-reliance. Care for Life is not a handout or a give-away organization, but one that believes in working with people to help them take charge of their own destiny, realize their full potential, and create a culture of individual effort and responsibility.

The mission of Care for Life is to alleviate suffering, promote self-reliance, and instill hope. Founded in 2000 by Blair and Cindy Packard, Care for Life empowers people to change their lives. Care for Life is a non-profit foundation and a U.S. 501(c)(3) charitable organization. In 2002, Care for Life received non-government organization (NGO) status in Mozambique, which provides increased access and permission to operate within the country.

http://www.careforlife.org/what-we-do/

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Family Preservation Program

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8 Areas of Emphasis

Results

"Thanks to Care for Life there is no more cholera and no more malaria—we know how to treat water and take better care of our children."

What We Do

Care for Life is not a handout or give-away organization, but one that believes in working with people to help them take charge of their own destiny, realize their full potential, and create a culture of individual effort and responsibility.

How is this accomplished?

Through Care for Life's Family Preservation Program by focusing on the teachings and application of 8 vital areas: Education, Health & Hygiene, Sanitation, Income Generation, Home Improvement, Food Security & Nutrition, Psycho-social Well-being, and Community Participation.

This holistic approach of preserving families in all facets not only encourages and enables the principle of self-reliance, but also brings about lasting change.

http://www.careforlife.org/what-we-do/family-preservation/how-it-works/

Care for Life

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WHAT WE DO

- Family Preservation Program
  - How It Works
  - 8 Areas of Emphasis
- Results

"Thanks to Care for Life there is no more cholera and no more malaria—we know how to treat water and take better care of our children."
—Boavinda Luis, Mungassa

Works

believes in working with people to help them take charge of their own destiny, realize their full potential, culture of individual effort and responsibility. In order to accomplish these goals Care for Life works closely and individuals within Mozambican villages in an 8-step program focusing on setting goals, rewarding ents, education, and self-sufficiency.

Read about the 8 different steps:

Community Involvement, Tracking of Families, Personal, Regular Supervision, Setting and Working Toward Goals, Rewarding Families & Villages, Community Support & Instruction, Emotional Development, Exit Strategy

http://www.careforlife.org/what-we-do/results/

WHAT WE DO

Family Preservation Program

How It Works

8 Areas of Emphasis

Results

"Thanks to Care for Life there is no more cholera and no more malaria—we know how to treat water and take better care of our children."
—Boavinda Luis, Mungassa

LONG-TERM RESULTS MAKE THE DIFFERENCE

Care for Life strongly believes in measuring our exact impact per person served. We believe that all non-profit organizations should be measuring their effects carefully.

Care for Life performs such measuring during their bi-annual assessments by visiting each family in every village to determine how well they are progressing and/or if changes need to be made. These assessments continue up to five years after Care for Life has established self-sufficiency and has exited a village.

Here are some of the most recent statistics from our assessment:

96% FAMILIES USING A LATRINE
compared to 10% prior to Care for Life.

FAMILIES DRINKING TREATED WATER **97%**
compared to 3% prior to Care for Life.

96% FAMILIES SLEEPING UNDER A MOSQUITO NET
compared to 31% prior to Care for Life.

LITERATE ADULTS OVER AGE 15 **80%**
compared to 40% prior to Care for Life.

55% OWN A FAMILY BUSINESS
compared to 8% prior to Care for Life.

PEOPLE TESTED FOR HIV/AIDS AND GIVEN INSTRUCTIONS **41%**

http://www.careforlife.org/who-we-are/the-people-we-serve/

We help not only families, but entire villages take charge of their own future by teaching self-sustainability. It is each individual's and collectively each village's potential, effort and commitment that ultimately ignites a sustainable change. Care for Life provides the tools to help each individual to accomplish his or her goals, turning the downward spiral of poverty into an upward spiral of hope, opportunity and progress.

See what's happening among the people we serve:

97% of families treat their drinking water
...which has reduced the occurrences of diarrhea and sickness.

96% of our families sleep under a mosquito net
...reducing the incidences of malaria.

96% of families use a latrine
...which keeps them healthier so parents can provide for their families and children can go to school.

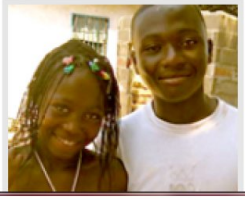
80% of adults can read and do basic math
...so they can now sign their names on documents and find employment.

81% of children are attending school
...which gives them the power in knowledge to make a better life.

Each year an average of 4,700 bags of cement are earned and distributed as rewards
...so that families can build improved latrines and stronger homes.

Each year an average of 1,500 tests are given for HIV/AIDS
...and referrals are given to those who tested positive for free treatment.

Since the beginning over 6,000 children ages 9-14 have been taught AIDS prevention
...to empower them with accurate knowledge to effectively prevent contracting the virus.



Team in Mozambique

The leadership of Care for Life in Mozambique are men and women chosen for their commitment, integrity and enthusiasm. They possess the ability to effectively inspire and mobilize people in the villages, as well the ability to perform thorough follow-up to track the families' progress. Care for Life leaders are people-centered, integrated, and focus on self-reliant development in their efforts to promote Care for Life's mission to alleviate suffering, promote self-reliance and instill hope.

Team in the USA

Care for Life's amazing Board of Directors is a critical component of our success in changing people's lives in Mozambique, Africa. We have a both long-time supporters and new board members, which creates the perfect combination of experience, enthusiasm and new ideas.

BOARD MEMBERS

Blair J. Packard, *Co-Founder*
Blair J. Packard is the co-founder of Care for Life along with his wife Cindy. He received his education at Brigham Young University with a Masters Degree at Duke University. He is a licensed physical therapist and co-owner of East Valley Physical Therapy in Mesa, Arizona. His volunteer professional service has included President of the Arizona Physical Therapy Association, Board of Directors of the American Physical Therapy Association, and President of the U.S. Federation of State Boards of Physical Therapy. He also served a humanitarian mission in Mozambique in 2005 and served as the Mission President for the Church of Jesus Christ of Latter-day Saints in Mozambique and Angola from 2006-2009.

Linda Harper, *President*
Linda Harper, President of Care for Life, began volunteering with Care for Life shortly after it was organized. During her time with Care for Life she has held a number of responsibilities including Board Member, Advisory Board Member, Volunteer Coordinator, and U.S. Operations Director. Over the past 10 years Linda has spent considerable time in Mozambique working in both the villages and with the Care for Life staff. Linda is a successful businesswoman; she and her husband Todd own a remodeling company in Gilbert, Arizona. They are the parents of five sons.