

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85787307
LAW OFFICE ASSIGNED	LAW OFFICE 117
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (010)(current)	
INTERNATIONAL CLASS	010
DESCRIPTION	
<p>tubes for medical and/or veterinary purposes, namely, tubes for the transport of fluids/liquids/air and control systems, ventilation hoses, gas-sample-lines,tubes for the transport and/or application of contrast agent (radiopaque material) application, pressure tubes, tubes for vascular-, cardiac-, visceral-, laparoscopic, high frequency surgery, multilumen catheter for acute dialysis, filling tubes for infusion or plasma bag systems, working channels (endoscopy), protective tube (endoscopy, parental nutrition), tubes for laparoscopy, tubes for coloscopy, feeding tubes (parental nutrition), measuring lines (hemodialysis), pump segments,pump- and gravity infusion lines, filling tubes for infusion bag, tubes for transfusion medicine, tubes for blood transfusion, tubes for angioplasty, balloon dilatation, tubes for drug delivery, tubes for respiration systems, tubes for hearing aids and ear molds, tubes for radiopacity by embedded x-ray contrast strips, tubes for follicle-aspirationsets, tubes for embryo transfer, protective tubes for hollow needles, canula and trocars, urethral stents, urethral catheters, pushers (urology), deconnectors (nephrology), cannulae; drainage tubes for medical purposes; surgical, medical, dental and veterinary apparatus and instruments, namely in the field of anesthesiology, angiography, biotechnology, surgery, dialysis, drainage, endoscopy, (total parenteral) nutrition, hemodialysis, infusion, cardiology, laboratory and analysis systems, oncology, ophthalmology, pediatrics, pharmacy, pneumology, prosthesis, radiology, reproduction medicine, thermal isolation, urology, surgical, medical, dental and veterinary apparatus and instruments, namely, apparatus and instruments for storage and/or transportation of fluids/liquids and/or gas and/or solid, infusion systems, plasma bag systems, liquor drainage systems, hemodialysis pump segments, angioplasty systems, balloon dilatation systems, drug delivery systems, respirations systems, follicle-aspirationsets, embryo transfer systems, hollow needles, trocars</p>	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FOREIGN APPLICATION NUMBER	302012032512
FOREIGN APPLICATION COUNTRY	Germany
FOREIGN FILING DATE	05/30/2012

FILING BASIS	Section 44(e)
FOREIGN REGISTRATION NUMBER	302012032512
FOREIGN REGISTRATION COUNTRY	Germany
FOREIGN REGISTRATION DATE	07/17/2012
FOREIGN EXPIRATION DATE	05/31/2022
GOODS AND/OR SERVICES SECTION (010)(proposed)	
INTERNATIONAL CLASS	010
TRACKED TEXT DESCRIPTION	
<p>tubes for medical and/or veterinary purposes, namely, tubes for the transport of fluids/liquids/air and control systems, ventilation hoses, gas-sample-lines, tubes for the transport and/or application of contrast agent (radiopaque material) application, pressure tubes, tubes for vascular-, cardiac-, visceral-, laparoscopic, high frequency surgery, multilumen catheter for acute dialysis, filling tubes for infusion or plasma bag systems, working channels (endoscopy), protective tube (endoscopy, parental nutrition), tubes for laparoscopy, tubes for coloscopy, feeding tubes (parental nutrition), measuring lines (hemodialysis), pump segments, pump and gravity infusion lines, filling tubes for infusion bag, tubes for transfusion medicine, tubes for blood transfusion, tubes for angioplasty, balloon dilatation, tubes for drug delivery, tubes for respiration systems, tubes for hearing aids and ear molds, tubes for radiopacity by embedded x-ray contrast strips, tubes for follicle aspiration sets, tubes for embryo transfer, protective tubes for hollow needles, canula and trocars, urethral stents, urethral catheters, pushers (urology), deconnectors (nephrology), cannulae; <u> Tubes for medical and tubes for veterinary purposes, namely, drainage tubes for the transport of fluids for medical purposes, drainage tubes for the transport of liquids for medical purposes, drainage tubes for the transport of air for medical purposes, transportation tubes for the transport of fluids, transportation tubes for the transport of liquids, transportation tubes for the transport of air, tubes for use in medical control systems, breathing hoses, tubes for use in gas-sample-lines, transportation tubing for use in transport of contrast agent, application tubing for use in application of contrast agent, urethral catheters, cannulas, tubing for use with cannulas, tubes for use in infusion pump segments, storage tubes for use in storage systems, blood infusion bags, plasma infusion bags, medicine infusion bags, nutrition bags for use in artificial nutrition, pressure tubes to pass through under pressure fluids for medical purposes, pressure tubes to pass through under pressure liquids for medical purposes, pressure tubes to pass through under pressure air for medical purposes, pressure tubes for use in angiographic interventions, pressure tubes for the use as patient line, vascular tubes for use in vascular surgery, cardiac tubes for use in cardiac surgery, visceral tubes for use in visceral surgery, laparoscopic tubes for use in laparoscopic surgery, high frequency tubes for use in high frequency surgery, tubes for use in medical devices for vascular applications, tubes for use in medical devices for cardiac applications, tubes for use in medical devices for visceral applications, tubes for use in medical devices for high frequency applications, tubing for use with multilumen catheter for acute dialysis, tubing for use as multilumen tube as central venous catheter, blood filling tubing sets for blood infusion, plasma filling tubing sets for plasma infusion, blood filling tubing sets for blood bag systems, plasma filling tubing sets for plasma bag systems, filling tubes based on a single-layer design made of PVC for use in blood bags, filling tubes based on a multilayer-design made of thermoplastic elastomers and thermoplastics for use in infusion bags, filling tubes based on a multilayer design made of thermoplastic elastomers and thermoplastics for use in nutrition bags, endoscopic equipment in the nature of working</u></p>	

channels tubing, protective equipment in the nature of tubes for use in endoscopy surgery, protective equipment in the nature of tubes for use in parental nutrition, protective equipment for use as needle cap made of thermoplastic elastomers or thermoplastics, protective equipment for guide wires based on tubes made of polyolefins, thermoplastic elastomers or thermoplastics, covering tubes for use in protection of hollow needles, covering tubes for use in protection of canula, covering tubes for use in protection of trocars, laparoscopy tubes, coloscopy tubes, working channel tubes for use in coloscopic interventions, hydraulic tubes for use in coloscopic interventions, intravenous feeding tubes, stomach feeding tubes for use in parental nutrition, hemodialysis apparatus in the nature of measuring lines for controlling an ongoing therapy, pump tubes for use in pump segments, pump tubes for use in pump infusion lines, gravity tubes for use in infusion lines, patient line for dialysis applications, blood filling tubes for blood infusion bags, plasma filling tubes for plasma infusion bags, medicine filling tubes for medicine infusion bags, tubes for transfusion of medicine, angioplasty tubes, balloon dilatation tubes for use in balloon dilatation, drug delivery tubes for use in drug delivery, tubes for respiratory masks for use with respiration systems, tubes for hearing aids and ear molds, tubes for a gentle removal of follicles used in connection with follicleaspiration sets, embryo transfer tubes, tubes for the storage of follicles, cannulae, drainage tubes for medical purposes, urethral tubes for use as stents in urology, urethral tubes for use as catheters in urology pusher tubes for use in urology, deconnector tubes for use in nephrology; drainage tubes for medical purposes; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, anesthesiology tubes, angiography tubes, biotechnology tubes, surgery tubes, dialysis tubes, drainage tubes, endoscopy tubes, stomage feeding tubes for use in total parenteral nutrition, intravenous feeding tubes for use in total parenteral nutrition, hemodialysis tubes, infusion tubes for use in infusion of blood, infusion tubes for use in infusion of plasma, infusion tubes for use in infusion of medicine, cardiology tubes, laboratory tubes for use in laboratory systems, analysis tubes for use in analysis systems, oncology tubes, ophthalmology tubes, pediatrics tubes, pharmacy tubes, pneumology tubes, prosthesis tubes, radiology tubes, reproduction tubes for use in reproduction medicine, isolation tubes for use in thermal isolation, urological tubes; surgical, medical, dental and veterinary apparatus and instruments, namely in the field of anesthesiology, angiography, biotechnology, surgery, dialysis, drainage, endosecopy, (total parenteral) nutrition, hemodialysis, infusion, cardiology, laboratory and analysis systems, oncology, ophthalmology, pediatrics, pharmacy, pneumology, prosthesis, radiology, reproduction medicine, thermal isolation, urology, surgical, medical, dental and veterinary apparatus and instruments, namely, apparatus and instruments for storage and/or transportation of fluids/liquids and/or gas and/or solid, infusion systems, plasma bag systems, liquor drainage systems, hemodialysis pump segments, angioplasty systems, balloon dilatation systems, drug delivery systems, respirations systems, follicle-aspirationssets, embryo transfer systems, hollow needles, trocars; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, storage tubes, transportation tubes for transport of fluids, transportation tubes for transport of liquids, transportation tubes for transport of gas, transportation tubes for transport of solid material, blood infusion tubes for use in blood infusion systems, plasma infusion tubes for use in plasma infusion systems, medicine infusion tubes for use in medicine infusion systems, tubes for use in plasma bag systems, drainage tubes for use in liquor drainage systems, hemodialysis tubes for use in hemodialysis pump segments, angioplasty tubes for use in angioplasty systems, balloon dilatation tubes for use in balloon dilatation systems, transportation tubes for use in drug delivery systems, breathing hoses for use in respirations systems, aspiration tubes

[for use in follicle-aspirations sets, embryo transfer tubes systems for use in embryo transfer tubes system, hollow needles, trocars](#)

FINAL DESCRIPTION

Tubes for medical and tubes for veterinary purposes, namely, drainage tubes for the transport of fluids for medical purposes, drainage tubes for the transport of liquids for medical purposes, drainage tubes for the transport of air for medical purposes, transportation tubes for the transport of fluids, transportation tubes for the transport of liquids, transportation tubes for the transport of air, tubes for use in medical control systems, breathing hoses, tubes for use in gas-sample-lines, transportation tubing for use in transport of contrast agent, application tubing for use in application of contrast agent, urethral catheters, cannulas, tubing for use with cannulas, tubes for use in infusion pump segments, storage tubes for use in storage systems, blood infusion bags, plasma infusion bags, medicine infusion bags, nutrition bags for use in artificial nutrition, pressure tubes to pass through under pressure fluids for medical purposes, pressure tubes to pass through under pressure liquids for medical purposes, pressure tubes to pass through under pressure air for medical purposes, pressure tubes for use in angiographic interventions, pressure tubes for the use as patient line, vascular tubes for use in vascular surgery, cardiac tubes for use in cardiac surgery, visceral tubes for use in visceral surgery, laparoscopic tubes for use in laparoscopic surgery, high frequency tubes for use in high frequency surgery, tubes for use in medical devices for vascular applications, tubes for use in medical devices for cardiac applications, tubes for use in medical devices for visceral applications, tubes for use in medical devices for high frequency applications, tubing for use with multilumen catheter for acute dialysis, tubing for use as multilumen tube as central venous catheter, blood filling tubing sets for blood infusion, plasma filling tubing sets for plasma infusion, blood filling tubing sets for blood bag systems, plasma filling tubing sets for plasma bag systems, filling tubes based on a single-layer design made of PVC for use in blood bags, filling tubes based on a multilayer-design made of thermoplastic elastomers and thermoplastics for use in infusion bags, filling tubes based on a multilayer design made of thermoplastic elastomers and thermoplastics for use in nutrition bags, endoscopic equipment in the nature of working channels tubing, protective equipment in the nature of tubes for use in endoscopy surgery, protective equipment in the nature of tubes for use in parental nutrition, protective equipment for use as needle cap made of thermoplastic elastomers or thermoplastics, protective equipment for guide wires based on tubes made of polyolefins, thermoplastic elastomers or thermoplastics, covering tubes for use in protection of hollow needles, covering tubes for use in protection of canula, covering tubes for use in protection of trocars, laparoscopy tubes, coloscopy tubes, working channel tubes for use in coloscopic interventions, hydraulic tubes for use in coloscopic interventions, intravenous feeding tubes, stomach feeding tubes for use in parental nutrition, hemodialysis apparatus in the nature of measuring lines for controlling an ongoing therapy, pump tubes for use in pump segments, pump tubes for use in pump infusion lines, gravity tubes for use in infusion lines, patient line for dialysis applications, blood filling tubes for blood infusion bags, plasma filling tubes for plasma infusion bags, medicine filling tubes for medicine infusion bags, tubes for transfusion of medicine, angioplasty tubes, balloon dilatation tubes for use in balloon dilatation, drug delivery tubes for use in drug delivery, tubes for respiratory masks for use with respiration systems, tubes for hearing aids and ear molds, tubes for a gentle removal of follicles used in connection with follicleaspiration sets, embryo transfer tubes, tubes for the storage of follicles, cannulae, drainage tubes for medical purposes, urethral tubes for use as stents in urology, urethral tubes for use as catheters in urology pusher tubes for use in urology, deconnector tubes for use in nephrology; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, anesthesiology tubes, angiography tubes, biotechnology tubes, surgery tubes, dialysis tubes, drainage tubes, endoscopy tubes, stomage feeding tubes for use in total parenteral nutrition, intravenous

feeding tubes for use in total parenteral nutrition, hemodialysis tubes, infusion tubes for use in infusion of blood, infusion tubes for use in infusion of plasma, infusion tubes for use in infusion of medicine, cardiology tubes, laboratory tubes for use in laboratory systems, analysis tubes for use in analysis systems, oncology tubes, ophthalmology tubes, pediatrics tubes, pharmacy tubes, pneumology tubes, prosthesis tubes, radiology tubes, reproduction tubes for use in reproduction medicine, isolation tubes for use in thermal isolation, urological tubes; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, storage tubes, transportation tubes for transport of fluids, transportation tubes for transport of liquids, transportation tubes for transport of gas, transportation tubes for transport of solid material, blood infusion tubes for use in blood infusion systems, plasma infusion tubes for use in plasma infusion systems, medicine infusion tubes for use in medicine infusion systems, tubes for use in plasma bag systems, drainage tubes for use in liquor drainage systems, hemodialysis tubes for use in hemodialysis pump segments, angioplasty tubes for use in angioplasty systems, balloon dilatation tubes for use in balloon dilatation systems, transportation tubes for use in drug delivery systems, breathing hoses for use in respirations systems, aspiration tubes for use in follicle-aspirations sets, embryo transfer tubes systems for use in embryo transfer tubes system, hollow needles, trocars

FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FOREIGN APPLICATION NUMBER	302012032512
FOREIGN APPLICATION COUNTRY	Germany
FOREIGN FILING DATE	05/30/2012
FILING BASIS	Section 44(e)
FOREIGN REGISTRATION NUMBER	302012032512
FOREIGN REGISTRATION COUNTRY	Germany
FOREIGN REGISTRATION DATE	07/17/2012
FOREIGN EXPIRATION DATE	05/31/2022
GOODS AND/OR SERVICES SECTION (017)(current)	
INTERNATIONAL CLASS	017
DESCRIPTION	
flexible pipes, not of metal, including heated; junctions, connections, and couplings, not of metal, for flexible pipes; rubber tubes and pipes; junctions, connections, and couplings, not of metal, for tubes; plastics in extruded form for use in manufacture; packing and insulating materials; stopping material of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics); reinforcing materials, not of metal, for pipes	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)

FILING BASIS	Section 44(e)
GOODS AND/OR SERVICES SECTION (017)(proposed)	
INTERNATIONAL CLASS	017
TRACKED TEXT DESCRIPTION	
flexible pipes, not of metal, including heated; junctions, connections, and couplings, not of metal, for flexible pipes; rubber tubes and pipes; junctions, connections, and couplings, not of metal, for tubes; plastics in extruded form for use in manufacture; packing and insulating materials; stopping material of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics) ; <u>stopping material of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics, namely mouldings and coatings of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics for use in buildings, construction, transportation and general industrial applications</u> ; reinforcing materials, not of metal, for pipes	
FINAL DESCRIPTION	
flexible pipes, not of metal, including heated; junctions, connections, and couplings, not of metal, for flexible pipes; rubber tubes and pipes; junctions, connections, and couplings, not of metal, for tubes; plastics in extruded form for use in manufacture; packing and insulating materials; stopping material of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics, namely mouldings and coatings of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics for use in buildings, construction, transportation and general industrial applications; reinforcing materials, not of metal, for pipes	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FILING BASIS	Section 44(e)
GOODS AND/OR SERVICES SECTION (019)(current)	
INTERNATIONAL CLASS	019
DESCRIPTION	
non-metallic building materials of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics), namely, for use in storage and transportation of heat, cold, gas, liquids and solid; non-metallic building materials, namely, air dispersion ducts (heating, ventilating, air condition), parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; non-metallic rigid pipes for building	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FILING BASIS	Section 44(e)
GOODS AND/OR SERVICES SECTION (019)(proposed)	
INTERNATIONAL CLASS	019
TRACKED TEXT DESCRIPTION	

~~non-metallic building materials of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics), namely, for use in storage and transportation of heat, cold, gas, liquids and solid; non-metallic building materials of rubber, non-metallic building materials of synthetic rubber, non-metallic building materials of plastics and non-metallic building materials of composite substance mainly composed of rubber, synthetic rubber and plastics, namely, mouldings and coatings for use as construction elements for storage or transportation of heat, cold, gas, liquids or solid; non-metallic building materials, namely, air dispersion ducts (heating, ventilating, air condition), parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; non-metallic building materials, namely, air dispersion ducts for heating, air dispersion ducts for ventilating, and air dispersion ducts for air condition, parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; non-metallic rigid pipes for building; non-metallic rigid pipes for buildings~~

FINAL DESCRIPTION

non-metallic building materials of rubber, non-metallic building materials of synthetic rubber, non-metallic building materials of plastics and non-metallic building materials of composite substance mainly composed of rubber, synthetic rubber and plastics, namely, mouldings and coatings for use as construction elements for storage or transportation of heat, cold, gas, liquids or solid; non-metallic building materials, namely, air dispersion ducts for heating, air dispersion ducts for ventilating, and air dispersion ducts for air condition, parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; non-metallic rigid pipes for buildings

FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FILING BASIS	Section 44(e)

ADDITIONAL STATEMENTS SECTION

MISCELLANEOUS STATEMENT	Applicant has specified the use for the goods and added further clarification and it is respectfully submitted the amended goods are sufficiently definite for purposes of registration. However, to preserve Applicant's rights, the Examining Attorney is advised Applicant is concurrently filing a Notice of Appeal. Please telephone the undersigned if anything additional is required.
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SIGNATURE SECTION

RESPONSE SIGNATURE	/jf/
SIGNATORY'S NAME	Jennifer Fraser
SIGNATORY'S POSITION	Attorney of record, District of Columbia bar member
SIGNATORY'S PHONE NUMBER	202-331-7111
DATE SIGNED	04/28/2014
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION

SUBMIT DATE	Mon Apr 28 17:19:41 EDT 2014
TEAS STAMP	USPTO/RFR-98.141.140.178- 20140428171941793649-8578 7307-50080c129c31c68914e8 49ab97b7559a928ab482673e5 45a6aac6125d2b946865-N/A- N/A-20140428165828132277

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. **85787307** 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 010 for tubes for medical and/or veterinary purposes, namely, tubes for the transport of fluids/liquids/air and control systems, ventilation hoses, gas-sample-lines, tubes for the transport and/or application of contrast agent (radiopaque material) application, pressure tubes, tubes for vascular-, cardiac-, visceral-, laparoscopic, high frequency surgery, multilumen catheter for acute dialysis, filling tubes for infusion or plasma bag systems, working channels (endoscopy), protective tube (endoscopy, parental nutrition), tubes for laparoscopy, tubes for coloscopy, feeding tubes (parental nutrition), measuring lines (hemodialysis), pump segments, pump- and gravity infusion lines, filling tubes for infusion bag, tubes for transfusion medicine, tubes for blood transfusion, tubes for angioplasty, balloon dilatation, tubes for drug delivery, tubes for respiration systems, tubes for hearing aids and ear molds, tubes for radiopacity by embedded x-ray contrast strips, tubes for follicle-aspirationsets, tubes for embryo transfer, protective tubes for hollow needles, canula and trocars, urethral stents, urethral catheters, pushers (urology), deconnectors (nephrology), cannulae; drainage tubes for medical purposes; surgical, medical, dental and veterinary apparatus and instruments, namely in the field of anesthesiology, angiography, biotechnology, surgery, dialysis, drainage, endoscopy, (total parenteral) nutrition, hemodialysis, infusion, cardiology, laboratory and analysis systems, oncology, ophthalmology, pediatrics, pharmacy, pneumology, prosthesis, radiology, reproduction medicine, thermal isolation, urology, surgical, medical, dental and veterinary apparatus and instruments, namely, apparatus and instruments for storage and/or transportation of fluids/liquids and/or gas and/or solid, infusion systems, plasma bag systems, liquor drainage systems, hemodialysis pump segments, angioplasty systems, balloon dilatation systems, drug delivery systems, respirations systems, follicle-aspirationsets, embryo transfer systems, hollow needles, trocars

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had 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)).

Filing Basis: Section 44(d), Priority based on foreign filing: Applicant has had a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on [Germany application number 302012032512 filed 05/30/2012]. 15 U.S.C. Section 1126(d), as amended.

Filing Basis: Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and submits a copy of [Germany registration number 302012032512 registered 07/17/2012 with a renewal date of _____ and an expiration date of 05/31/2022], and translation thereof, if appropriate. 15 U.S.C. Section 1126(e), as amended.

Proposed:

Tracked Text Description: ~~tubes for medical and/or veterinary purposes, namely, tubes for the transport of fluids/liquids/air and control systems, ventilation hoses, gas-sample-lines, tubes for the transport and/or application of contrast agent (radiopaque material) application, pressure tubes, tubes for vascular-, cardiac-, visceral-, laparoscopic, high frequency surgery, multilumen catheter for acute dialysis, filling tubes for infusion or plasma bag systems, working channels (endoscopy), protective tube (endoscopy, parental nutrition), tubes for laparoscopy, tubes for coloscopy, feeding tubes (parental nutrition), measuring lines (hemodialysis), pump segments, pump- and gravity infusion lines, filling tubes for infusion bag, tubes for transfusion medicine, tubes for blood transfusion, tubes for angioplasty, balloon dilatation, tubes for drug delivery, tubes for respiration systems, tubes for hearing aids and ear molds, tubes for radiopacity by embedded x-ray contrast strips, tubes for follicle-aspiration sets, tubes for embryo transfer, protective tubes for hollow needles, canula and trocars, urethral stents, urethral catheters, pushers (urology), disconnectors (nephrology), cannulae;~~ Tubes for medical and tubes for veterinary purposes, namely, drainage tubes for the transport of fluids for medical purposes, drainage tubes for the transport of liquids for medical purposes, drainage tubes for the transport of air for medical purposes, transportation tubes for the transport of fluids, transportation tubes for the transport of liquids, transportation tubes for the transport of air, tubes for use in medical control systems, breathing hoses, tubes for use in gas-sample-lines, transportation tubing for use in transport of contrast agent, application tubing for use in application of contrast agent, urethral catheters, cannulas, tubing for use with cannulas, tubes for use in infusion pump segments, storage tubes for use in storage systems, blood infusion bags, plasma infusion bags, medicine infusion bags, nutrition bags for use in artificial nutrition, pressure tubes to pass through under pressure fluids for medical purposes, pressure tubes to pass through under pressure liquids for medical purposes, pressure tubes to pass through under pressure air for medical purposes, pressure tubes for use in angiographic interventions, pressure tubes for the use as patient line, vascular tubes for use in vascular surgery, cardiac tubes for use in cardiac surgery, visceral tubes for use in visceral surgery, laparoscopic tubes for use in laparoscopic surgery, high frequency tubes for use in high frequency surgery, tubes for use in medical devices for vascular applications, tubes for use in medical devices for cardiac applications, tubes for use in medical devices for visceral applications, tubes for use in medical devices for high frequency applications, tubing for use with multilumen catheter for acute dialysis, tubing for use as multilumen tube as central venous catheter, blood filling tubing sets for blood infusion, plasma filling tubing sets for plasma infusion, blood filling tubing sets for blood bag systems, plasma filling tubing sets for plasma bag systems, filling tubes based on a single-layer design made of PVC for use in blood bags, filling tubes based on a multilayer-design made of thermoplastic elastomers and thermoplastics for use in infusion bags, filling tubes based on a multilayer design made of thermoplastic elastomers and thermoplastics for use in nutrition bags, endoscopic equipment in the nature of working channels tubing, protective equipment in the nature of tubes for use in endoscopy surgery, protective equipment in the nature of tubes for use in parental nutrition, protective equipment for use as needle cap made of

thermoplastic elastomers or thermoplastics, protective equipment for guide wires based on tubes made of polyolefins, thermoplastic elastomers or thermoplastics, covering tubes for use in protection of hollow needles, covering tubes for use in protection of canula, covering tubes for use in protection of trocars, laparoscopy tubes, coloscopy tubes, working channel tubes for use in coloscopic interventions, hydraulic tubes for use in coloscopic interventions, intravenous feeding tubes, stomach feeding tubes for use in parental nutrition, hemodialysis apparatus in the nature of measuring lines for controlling an ongoing therapy, pump tubes for use in pump segments, pump tubes for use in pump infusion lines, gravity tubes for use in infusion lines, patient line for dialysis applications, blood filling tubes for blood infusion bags, plasma filling tubes for plasma infusion bags, medicine filling tubes for medicine infusion bags, tubes for transfusion of medicine, angioplasty tubes, balloon dilatation tubes for use in balloon dilatation, drug delivery tubes for use in drug delivery, tubes for respiratory masks for use with respiration systems, tubes for hearing aids and ear molds, tubes for a gentle removal of follicles used in connection with follicle-aspiration sets, embryo transfer tubes, tubes for the storage of follicles, cannulae, drainage tubes for medical purposes, urethral tubes for use as stents in urology, urethral tubes for use as catheters in urology pusher tubes for use in urology, deconnector tubes for use in nephrology; ~~drainage tubes for medical purposes; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, anesthesiology tubes, angiography tubes, biotechnology tubes, surgery tubes, dialysis tubes, drainage tubes, endoscopy tubes, stomage feeding tubes for use in total parenteral nutrition, intravenous feeding tubes for use in total parenteral nutrition, hemodialysis tubes, infusion tubes for use in infusion of blood, infusion tubes for use in infusion of plasma, infusion tubes for use in infusion of medicine, cardiology tubes, laboratory tubes for use in laboratory systems, analysis tubes for use in analysis systems, oncology tubes, ophthalmology tubes, pediatrics tubes, pharmacy tubes, pneumology tubes, prosthesis tubes, radiology tubes, reproduction tubes for use in reproduction medicine, isolation tubes for use in thermal isolation, urological tubes; surgical, medical, dental and veterinary apparatus and instruments, namely in the field of anesthesiology, angiography, biotechnology, surgery, dialysis, drainage, endosecopy, (total parenteral) nutrition, hemodialysis, infusion, cardiology, laboratory and analysis systems, oncology, ophthalmology, pediatries, pharmacy, pneumology, prosthesis, radiology, reproduction medicine, thermal isolation, urology, surgical, medical, dental and veterinary apparatus and instruments, namely, apparatus and instruments for storage and/or transportation of fluids/liquids and/or gas and/or solid, infusion systems, plasma bag systems, liquor drainage systems, hemodialysis pump segments, angioplasty systems, balloon dilatation systems, drug delivery systems, respirations systems, follicle-aspirationssets, embryo transfer systems, hollow needles, troears; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, storage tubes, transportation tubes for transport of fluids, transportation tubes for transport of liquids, transportation tubes for transport of gas, transportation tubes for transport of solid material, blood infusion tubes for use in blood infusion systems, plasma infusion tubes for use in plasma infusion systems, medicine infusion tubes for use in medicine infusion systems, tubes for use in plasma bag systems, drainage tubes for use in liquor drainage systems, hemodialysis tubes for use in hemodialysis pump segments, angioplasty tubes for use in angioplasty systems, balloon dilatation tubes for use in balloon dilatation systems, transportation tubes for use in drug delivery systems, breathing hoses for use in respirations systems, aspiration tubes for use in follicle-aspirations sets, embryo transfer tubes systems for use in embryo transfer tubes system, hollow needles, trocars~~

Class 010 for Tubes for medical and tubes for veterinary purposes, namely, drainage tubes for the

transport of fluids for medical purposes, drainage tubes for the transport of liquids for medical purposes, drainage tubes for the transport of air for medical purposes, transportation tubes for the transport of fluids, transportation tubes for the transport of liquids, transportation tubes for the transport of air, tubes for use in medical control systems, breathing hoses, tubes for use in gas-sample-lines, transportation tubing for use in transport of contrast agent, application tubing for use in application of contrast agent, urethral catheters, cannulas, tubing for use with cannulas, tubes for use in infusion pump segments, storage tubes for use in storage systems, blood infusion bags, plasma infusion bags, medicine infusion bags, nutrition bags for use in artificial nutrition, pressure tubes to pass through under pressure fluids for medical purposes, pressure tubes to pass through under pressure liquids for medical purposes, pressure tubes to pass through under pressure air for medical purposes, pressure tubes for use in angiographic interventions, pressure tubes for the use as patient line, vascular tubes for use in vascular surgery, cardiac tubes for use in cardiac surgery, visceral tubes for use in visceral surgery, laparoscopic tubes for use in laparoscopic surgery, high frequency tubes for use in high frequency surgery, tubes for use in medical devices for vascular applications, tubes for use in medical devices for cardiac applications, tubes for use in medical devices for visceral applications, tubes for use in medical devices for high frequency applications, tubing for use with multilumen catheter for acute dialysis, tubing for use as multilumen tube as central venous catheter, blood filling tubing sets for blood infusion, plasma filling tubing sets for plasma infusion, blood filling tubing sets for blood bag systems, plasma filling tubing sets for plasma bag systems, filling tubes based on a single-layer design made of PVC for use in blood bags, filling tubes based on a multilayer-design made of thermoplastic elastomers and thermoplastics for use in infusion bags, filling tubes based on a multilayer design made of thermoplastic elastomers and thermoplastics for use in nutrition bags, endoscopic equipment in the nature of working channels tubing, protective equipment in the nature of tubes for use in endoscopy surgery, protective equipment in the nature of tubes for use in parental nutrition, protective equipment for use as needle cap made of thermoplastic elastomers or thermoplastics, protective equipment for guide wires based on tubes made of polyolefins, thermoplastic elastomers or thermoplastics, covering tubes for use in protection of hollow needles, covering tubes for use in protection of canula, covering tubes for use in protection of trocars, laparoscopy tubes, coloscopy tubes, working channel tubes for use in coloscopic interventions, hydraulic tubes for use in coloscopic interventions, intravenous feeding tubes, stomach feeding tubes for use in parental nutrition, hemodialysis apparatus in the nature of measuring lines for controlling an ongoing therapy, pump tubes for use in pump segments, pump tubes for use in pump infusion lines, gravity tubes for use in infusion lines, patient line for dialysis applications, blood filling tubes for blood infusion bags, plasma filling tubes for plasma infusion bags, medicine filling tubes for medicine infusion bags, tubes for transfusion of medicine, angioplasty tubes, balloon dilatation tubes for use in balloon dilatation, drug delivery tubes for use in drug delivery, tubes for respiratory masks for use with respiration systems, tubes for hearing aids and ear molds, tubes for a gentle removal of follicles used in connection with follicleaspiration sets, embryo transfer tubes, tubes for the storage of follicles, cannulae, drainage tubes for medical purposes, urethral tubes for use as stents in urology, urethral tubes for use as catheters in urology pusher tubes for use in urology, deconnector tubes for use in nephrology; Surgical tubes for surgical apparatus, surgical tubes for surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, anesthesiology tubes, angiography tubes, biotechnology tubes, surgery tubes, dialysis tubes, drainage tubes, endoscopy tubes, stomage feeding tubes for use in total parenteral nutrition, intravenous feeding tubes for use in total parenteral nutrition, hemodialysis tubes, infusion tubes for use in infusion of blood, infusion tubes for use in infusion of plasma, infusion tubes for use in infusion of medicine, cardiology tubes, laboratory tubes for use in laboratory systems, analysis tubes for use in analysis systems, oncology tubes, ophthalmology tubes, pediatrics tubes, pharmacy tubes, pneumology tubes, prosthesis tubes, radiology tubes, reproduction tubes for use in reproduction medicine, isolation tubes for use in thermal isolation, urological tubes; Surgical tubes for surgical apparatus, surgical tubes for

surgical instruments, medical tubes for medical apparatus, medical tubes for medical instruments, dental tubes for dental apparatus, dental tubes for dental instruments, veterinary tubes for veterinary apparatus, veterinary tubes for veterinary instruments, namely, storage tubes, transportation tubes for transport of fluids, transportation tubes for transport of liquids, transportation tubes for transport of gas, transportation tubes for transport of solid material, blood infusion tubes for use in blood infusion systems, plasma infusion tubes for use in plasma infusion systems, medicine infusion tubes for use in medicine infusion systems, tubes for use in plasma bag systems, drainage tubes for use in liquor drainage systems, hemodialysis tubes for use in hemodialysis pump segments, angioplasty tubes for use in angioplasty systems, balloon dilatation tubes for use in balloon dilatation systems, transportation tubes for use in drug delivery systems, breathing hoses for use in respirations systems, aspiration tubes for use in follicle-aspirations sets, embryo transfer tubes systems for use in embryo transfer tubes system, hollow needles, trocars

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)).

Filing Basis: Section 44(d), Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on [Germany application number 302012032512 filed 05/30/2012]. 15 U.S.C. Section 1126(d), as amended.

Filing Basis: Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and will submit a copy of [Germany registration number 302012032512 registered 07/17/2012 with a renewal date of _____ and an expiration date of 05/31/2022], and translation thereof, if appropriate, before the application may proceed to registration. 15 U.S.C. Section 1126(e), as amended.

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

Current: Class 017 for flexible pipes, not of metal, including heated; junctions, connections, and couplings, not of metal, for flexible pipes; rubber tubes and pipes; junctions, connections, and couplings, not of metal, for tubes; plastics in extruded form for use in manufacture; packing and insulating materials; stopping material of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics); reinforcing materials, not of metal, for pipes

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had 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)).

Based on Foreign Application: Applicant has had a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and will submit a copy of a foreign registration, and translation thereof, if appropriate. 15 U. S.C. Section 1126(d), as amended.

Filing Basis: Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and submits a copy of [_____ registration number _____ registered _____ with a renewal date of _____ and an expiration date of _____], and translation thereof, if appropriate. 15 U.S.C. Section 1126(e), as amended.

Proposed:

Tracked Text Description: flexible pipes, not of metal, including heated; junctions, connections, and

couplings, not of metal, for flexible pipes; rubber tubes and pipes; junctions, connections, and couplings, not of metal, for tubes; plastics in extruded form for use in manufacture; packing and insulating materials; ~~stopping material of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics);~~ stopping material of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics, namely mouldings and coatings of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics for use in buildings, construction, transportation and general industrial applications; reinforcing materials, not of metal, for pipes

Class 017 for flexible pipes, not of metal, including heated; junctions, connections, and couplings, not of metal, for flexible pipes; rubber tubes and pipes; junctions, connections, and couplings, not of metal, for tubes; plastics in extruded form for use in manufacture; packing and insulating materials; stopping material of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics, namely mouldings and coatings of rubber, synthetic rubber, plastics or composite substance mainly composed of rubber, synthetic rubber and plastics for use in buildings, construction, transportation and general industrial applications; reinforcing materials, not of metal, for pipes

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)).

Based on Foreign Application: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and will submit a copy of a foreign registration, and translation thereof, if appropriate. 15 U. S.C. Section 1126(d), as amended.

Filing Basis: Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and will submit a copy of [_____ registration number _____ registered _____ with a renewal date of _____ and an expiration date of _____], and translation thereof, if appropriate, before the application may proceed to registration. 15 U.S.C. Section 1126(e), as amended.

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

Current: Class 019 for non-metallic building materials of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics), namely, for use in storage and transportation of heat, cold, gas, liquids and solid; non-metallic building materials, namely, air dispersion ducts (heating, ventilating, air condition), parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; non-metallic rigid pipes for building

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had 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)).

Based on Foreign Application: Applicant has had a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and will submit a copy of a foreign registration, and translation thereof, if appropriate. 15 U. S.C. Section 1126(d), as amended.

Filing Basis: Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and submits a copy of [_____ registration number _____ registered _____ with a renewal date of _____ and an expiration date of _____], and translation thereof, if appropriate. 15 U.S.C.

Section 1126(e), as amended.

Proposed:

Tracked Text Description: ~~non-metallic building materials of rubber, synthetic rubber, plastics or composite substance (mainly composed of rubber, synthetic rubber or plastics), namely, for use in storage and transportation of heat, cold, gas, liquids and solid;~~ non-metallic building materials of rubber, non-metallic building materials of synthetic rubber, non-metallic building materials of plastics and non-metallic building materials of composite substance mainly composed of rubber, synthetic rubber and plastics, namely, mouldings and coatings for use as construction elements for storage or transportation of heat, cold, gas, liquids or solid; ~~non-metallic building materials, namely, air dispersion ducts (heating, ventilating, air condition), parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings;~~ non-metallic building materials, namely, air dispersion ducts for heating, air dispersion ducts for ventilating, and air dispersion ducts for air condition, parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; ~~non-metallic rigid pipes for building;~~ non-metallic rigid pipes for buildings

Class 019 for non-metallic building materials of rubber, non-metallic building materials of synthetic rubber, non-metallic building materials of plastics and non-metallic building materials of composite substance mainly composed of rubber, synthetic rubber and plastics, namely, mouldings and coatings for use as construction elements for storage or transportation of heat, cold, gas, liquids or solid; non-metallic building materials, namely, air dispersion ducts for heating, air dispersion ducts for ventilating, and air dispersion ducts for air condition, parts and accessories thereof, namely insulating sleeves, junctions, connections, and couplings; non-metallic rigid pipes for buildings

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)).

Based on Foreign Application: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and will submit a copy of a foreign registration, and translation thereof, if appropriate. 15 U. S.C. Section 1126(d), as amended.

Filing Basis: Section 44(e), Based on Foreign Registration: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and will submit a copy of [_____ registration number _____ registered _____ with a renewal date of _____ and an expiration date of _____], and translation thereof, if appropriate, before the application may proceed to registration. 15 U.S.C. Section 1126(e), as amended.

ADDITIONAL STATEMENTS

Miscellaneous Statement

Applicant has specified the use for the goods and added further clarification and it is respectfully submitted the amended goods are sufficiently definite for purposes of registration. However, to preserve Applicant's rights, the Examining Attorney is advised Applicant is concurrently filing a Notice of Appeal. Please telephone the undersigned if anything additional is required.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /jf/ Date: 04/28/2014

Signatory's Name: Jennifer Fraser

Signatory's Position: Attorney of record, District of Columbia bar member

Signatory's Phone Number: 202-331-7111

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.

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