

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85823314
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION (no change)	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_767915242-174105533_.Request_for_Reconsideration_-_iEDR.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\858\233\85823314\xml9\RFR0002.JPG
DESCRIPTION OF EVIDENCE FILE	The evidence is a written Request for Reconsideration.
ADDITIONAL STATEMENTS SECTION	
SUPPLEMENTAL REGISTER	The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register'). NOTE: The applicant has separately filed an Allegation of Use, to change the basis of this application from Section 1(b), intent-to-use, to Section 1(a), use in commerce.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Mary Ann Novak/
SIGNATORY'S NAME	Mary Ann Novak
SIGNATORY'S POSITION	Attorney of Record
SIGNATORY'S PHONE NUMBER	402-474-6900
DATE SIGNED	05/19/2014
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO

FILING INFORMATION SECTION

SUBMIT DATE	Mon May 19 17:44:30 EDT 2014
TEAS STAMP	USPTO/RFR-76.79.15.242-20 140519174430364477-858233 14-5009dc89398523211e77c3 2b63e8dff8f88a4e4063bfc27 afb96262726406e4ab8-N/A-N /A-20140519174105533471

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. **85823314** has been amended as follows:

EVIDENCE

Evidence in the nature of The evidence is a written Request for Reconsideration. has been attached.

Original PDF file:

[evi_767915242-174105533_ . Request for Reconsideration - iEDR.pdf](#)

Converted PDF file(s) (1 page)

[Evidence-1](#)

ADDITIONAL STATEMENTS

Supplemental Register

The applicant seeks registration of the mark on the Supplemental Register (i.e., a change of the words 'Principal Register' to 'Supplemental Register'). NOTE: The applicant has separately filed an Allegation of Use, to change the basis of this application from Section 1(b), intent-to-use, to Section 1(a), use in commerce.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Mary Ann Novak/ Date: 05/19/2014

Signatory's Name: Mary Ann Novak

Signatory's Position: Attorney of Record

Signatory's Phone Number: 402-474-6900

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85823314

Internet Transmission Date: Mon May 19 17:44:30 EDT 2014

TEAS Stamp: USPTO/RFR-76.79.15.242-20140519174430364

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N/A-N/A-20140519174105533471

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: MacPractice, Inc.)
Serial No.: 85/823314) Trademark Law Office: 106
Filed: January 15, 2013) Attorney: Tejbir Singh
Mark: IEDR)

REQUEST FOR RECONSIDERATION

The Examining Attorney has refused registration of Applicant's IEDR mark on the basis that the mark merely describes a feature of Applicant's goods. For reasons previously set forth in Applicant's response to the earlier office action, and incorporated herein by reference, Applicant submits that its mark is not merely descriptive. Nonetheless, concurrently herewith, Applicant is submitting an Amendment to Allege Use, as well as a request to convert its application from one seeking registration on the Principal Register to one seeking registration on the Supplemental Register.

Additionally, Applicant MacPractice, Inc. provides the following background information regarding the company and its IEDR software:

MacPractice, Inc. supplies practice management and clinical software for Macs for physicians, dentists, chiropractors, and optometrists. Given the specialized nature of MacPractice, Inc.'s software, one cannot walk into a store to purchase it. Instead, medical and dental practitioners interested in licensing MacPractice, Inc.'s software would contact either an authorized independent agent or a representative at MacPractice, Inc., who would consult with them regarding their particular needs, aid them in understanding the hardware required, and assist them in selecting the appropriate suite of software to meet the needs of their medical or dental office. The customer would then enter into a contractual arrangement with MacPractice, Inc. and the software would be delivered to the customer by MacPractice, Inc.

MacPractice, Inc. uses the trademark IEDR for computer software for accessing, viewing, maintaining, and storing electronic dental records. It is intended to be used in conjunction with MacPractice, Inc.'s MacPractice DDS software. As the specimen indicates, users of the MacPractice DDS software who wish to add the functionality provided by the IEDR software must contact MacPractice, Inc. to turn on this capability in the customer's MacPractice DDS software and to adjust the customer's contractual arrangement to reflect this enhancement.

In light of the above, Applicant respectfully requests that the Examining Attorney accept the mark for registration on the Supplemental Register and approve it for publication.

Respectfully submitted,

/Mary Ann Novak/

Mary Ann Novak
Attorney of Record