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ESSEN[®] NUTRITION

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August 7, 2014

Commissioner for Trademarks
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Serial No.: 86170550 / ESTTA Tracking No: ESTTA613334

To whom it may concern:

We received a letter of opposition from the law firm of Cowan, Liebowitz & Latman, P.C. regarding our application for Trademark approval of our product, Isocure.

We are enclosing the attorney's correspondence along with our response to them.

Thank you.

Best regards,

M. Anirudhan Ph.D., C.F.S.
President



08-12-2014



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By email to DKS@cfl.com

Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036

Attention: Ms. Deborah K. Squiers

Re: ISOCURE, U.S. Serial No. 86/170550

Dear Ms. Squiers:

Our product Isocure is the work of our research scientists for the last thirty years. The primary function of this product is to cure and provide relief to those with bone related ailments. To present the correct message to the consumers we selected the name "Isocure" for our product. By using the word "cure" we are implying in our consumers mind the meaning of this word as remedy, a course of treatment, a successful treatment or restoring one's health. In no way are we suggesting the term "pure" to anyone. Pure means "free from the presence of any other substance" or "free from foreign elements."

The objection you raised against the trade name of our product "Isocure" on the grounds that there exists a food product with the name "Isopure" is untenable.

The objection indicates a lack of basic understanding of the meanings of the words 'cure' and 'pure'. A common customer or consumer might clearly differentiate the meanings of these two words from day to day use. There are thousands of similar words known as "minimal pair" (linguistically) with the difference of a single sound (phoneme) – here /k/ and /p/, and a single letter 'c' and 'p' – two words entirely different in meaning – can make a minimal pair.

Your objections are unfounded and do not correspond to reality. Considering these clarifications we request that your objections be withdrawn.

Thank you very much.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Anirudhan', written in a cursive style.

M. Anirudhan Ph.D., C.F.S.
President

Cc: Commissioner for Trademarks – Trademark Trial and Appeal Board