

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

INTUITIVE SURGICAL, INC.,

Opposer,

v.

DAVINCI RADIOLOGY ASSOCIATES,
P.L.,

Applicant.

Opposition No. 91175319

Serial No. 78/728,786

Published: December 19, 2006

APPLICANT DAVINCI RADIOLOGY ASSOCIATES, P.L.'S FIRST NOTICE OF RELIANCE

Applicant DaVinci Radiology Associates (“Applicant”) hereby files this First Notice of Reliance. This Notice of Reliance sets forth documents upon which Applicant intends to rely and to make of record in the above-captioned Opposition Proceeding as follows:

1. The following U.S. Trademark Registrations, containing the name DAVINCI, for which a plain copy of each registration is collectively attached hereto as Exhibit 1:

TRADEMARK NAME	REGISTRATION NO.
DAVINCI EXPERIENCE	3,410,967
DAVINCI GOURMET	3,398,556
THE DAVINCI EXPERIENCE	3,260,987
THE DAVINCI EXPERIENCE	3,268,230
DAVINCI STONE	3,269,975
DAVINCI-OSITY	3,277,281
DINNER WITH DAVINCI	3,071,009



03-24-2009

DAVINCI	3,276,496
DAVINCI INSTITUTE	2,938,225
DAVINCI EDUCATIONAL ENTERTAINMENT	3,081,814
DON DAVINCI	3,551,284
DAVINCI VIRTUAL OFFICE SOLUTIONS	3,546,421
DAVINCI ROOFSCAPES	3,394,259
DAVINCI ITALIAN ORGANICS IMPORTED FROM ITALY	2,653,761
LI'L DAVINCI	2,624,432
DAVINCI INVESTMENT ADVISORS	3,017,072
DAVINCIJOBS.COM	2,776,673
DINNER WITH DAVINCI	2,602,721
DAVINCI AWARDS	2,743,507
DA VINCI SMILE ART CERAMICS	2,948,485
DAVINCI TECHNOLOGIES INC.	2,593,734
DAVINCI TECHNOLOGIES INC	2,678,705
DAVINCI	2,365,226
L'IL DAVINCI	2,534,407
DAVINCI GOURMET	2,042,588
DAVINCI GOURMET	2,042,566
COCOA DAVINCI	1,799,545
DAVINCI	1,830,795
DAVINCI POTEN-C	1,200,808

The registrations are relevant to the number and nature of similar marks in use on similar goods and

services, and the weak and narrowly construed rights associated with a mark in a crowded field of similar marks.

2. The following U.S. Trademark Registrations, containing the name DA VINCI, for which a plain copy of each registration is collectively attached hereto as Exhibit 2:

TRADEMARK NAME	REGISTRATION NO.
SCUOLA LEONARDO DA VINCI	3,230,028
DA VINCI	3,577,959
DA VINCI WOOD	3,574,095
DA VINCI ENGINEERED AESTHETICS	3,473,818
DA VINCI	3,175,493
DA VINCI VENEERS	3,014,180
SMILES BY DA VINCI	3,012,293
DA VINCI DA V VINCI	3,271,750
DA VINCI	3,349,697
DA VINCI	3,106,667
SPIRIT OF DA VINCI	3,326,114
DA VINCI AWARDS	3,071,008
THE DA VINCI CODE	3,581,630
DA VINCI WRITER	2,997,404
DA VINCI	3,130,873
DA VINCI	3,028,304
DA VINCI DIAMONDS	3,330,664
DA VINCI	3,091,339

DA VINCI DISCOVERY CENTER OF SCIENCE AND TECHNOLOGY	3,011,086
DA VINCI DISCOVERY CENTER OF SCIENCE AND TECHNOLOGY	3,015,317
DA VINCI	2,967,121
DA VINCI PORCELAIN VENEERS	3,211,783
DA VINCI SMILES	3,146,284
DA VINCI VENEERS	3,096,437
DA VINCI CODE	3,234,180
DA VINCI REALTY	3,543,413
DA VINCI	2,870,790
DA VINCI S	3,561,484
DA VINCI	2,920,390
DA VINCI	2,941,295
THE DA VINCI EFFECT	3,066,403
DA VINCI'S FLYING MEATBALL	2,982,571
DA VINCI'S FLYING MEABALL	2,926,146
DA VINCI SMILE ART CERAMICS	2,948,485
LEONARDO DA VINCI	2,694,481
ALEXANDRA DA VINCI	3,574,341
DA VINCI	2,628,871
DA VINCI	2,547,768
ALEXANDRA DA VINCI	2,950,745
DA VINCI FUSION	2,366,978

DA VINCI CIGARS	2,277,699
DA VINCI MONALISA	2,277,692
DA VINCI LEONARDO	2,277,684
DA VINCI RENAISSANCE	2,277,701
DA VINCI MADONNA	2,277,700
DA VINCI GINEVRA DE BENCI	2,277,693
DA VINCI	2,260,584
KARNDEAN DA VINCI	2,763,041
DA VINCI DESIGN	2,172,284
THE DA VINCI PROJECT OF CENTRAL NEW YORK	2,240,675
CONTESSA DA VINCI	2,745,435
LEONARDO DA VINCI'S HORSE	2,369,047
DA VINCI	2,220,876
DA VINCI	2,113,847
DA VINCI DENTAL STUDIOS	2,061,195
DVP DA VINCI PAINTS	2,038,680
DA VINCI CRYSTAL	1,781,479
DA VINCI	1,994,273
LEONARDO DA VINCI	1,852,360
DA VINCI	1,770,018
DA VINCI	1,338,226
DA VINCI	1,516,175
DA VINCI SYSTEMS	1,496,647

DA VINCI	770,469
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The registrations are relevant to the number and nature of similar marks in use on similar goods and services, and the weak and narrowly construed rights associated with a mark in a crowded field of similar marks.

3. The filed history of U.S. Trademark Application Serial No. 78/728,786 in the name of DaVinci Radiology Associates, P.L. for DAVINCI DIAGNOSTIC IMAGING. One copy of this application is attached hereto as Exhibit 3.

4. The Paper Correspondence Incoming, dated September 18, 2001, in U.S. Trademark Application Serial No. 75/982,120 in the name of Intuitive Surgical, Inc. for DA VINCI. One copy of said Paper Correspondence Incoming is attached hereto as Exhibit 4. Said Paper Correspondence Incoming is relevant to show that Opposer's marks are for goods only, not services.

5. The file history of U.S. Trademark Application Serial No. 77/614/883 in the name of Ahmed Plastic Surgery for DAVINCI FACELIFT. One copy of the file history of this application is attached hereto as Exhibit 5. The file history of this application is relevant to the lack of any representations by the United States Patent and Trademark Office regarding confusing similarity of DAVINCI FACELIFT and Opposer's marks, and of DAVINCI FACELIFT and Applicant's mark.

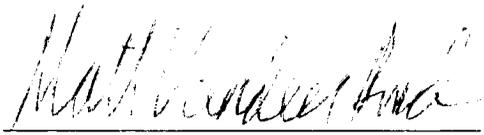
6. Applicant's First Set of Interrogatories to Opposer and Opposer's Responses to Applicant's First Set of Interrogatories to Opposer. One copy of Applicant's First Set of Interrogatories to Opposer and Opposer's Responses to Applicant's First Set of Interrogatories to Opposer are collectively attached hereto as Exhibit 6.

7. Title 21, Food and Drugs Administration Department of Health and Human Services, Subchapter H—Medical Devices, Part 862, section 21 C.F.R. §862.2160, Discrete

photometric chemistry analyzer for clinical use. A copy of this regulation, defining a discrete photometric analyzer is attached hereto as Exhibit 7. This regulation is relevant to the understanding of the registration of the trademark DA VINCI in U.S. Trademark Registration No. 2,870,790 which is attached as part of Exhibit 2.

This Notice of Reliance is timely filed and served during Applicant's Testimony Period.

Respectfully submitted,



Dated: March 24, 2009

Matthew T. Vanden Bosch, Esq.
Attorney for Applicant
301 Clematis Avenue
Suite 3000
West Palm Beach, FL 33401
(561) 736-4696

CERTIFICATE OF SERVICE

Intuitive Surgical, Inc. v. DaVinci Radiology Associates, P.L.
Opposition No. 91175319

On March 24, 2009, I hereby certify that I served a copy of the following:

1. Applicant DaVinci Radiology Associates, P.L.'s First Notice of Reliance by U.S. Mail to:

Michelle J. Hirth, Esq.
Embarcadero Four, 17th Floor
San Francisco, California 94111

Executed on March 24, 2009, at Boynton Beach, Florida.

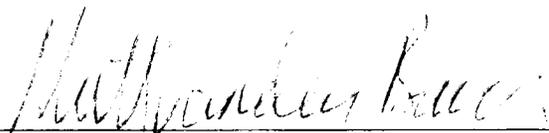

Matthew T. Vanden Bosch

EXHIBIT 1

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

Reg. No. 3,410,967

United States Patent and Trademark Office

Registered Apr. 8, 2008

**TRADEMARK
PRINCIPAL REGISTER**

DAVINCI EXPERIENCE

DAVINCI EXPERIENCE (MAINE CORPORATION)
150 BROOK ROAD
FALMOUTH, ME 04105

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: TOY SCIENCE KITS FOR EDUCATIONAL PURPOSES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

SN 78-963,456, FILED 8-30-2006.

FIRST USE 7-9-2007; IN COMMERCE 7-9-2007.

ALLISON HOLTZ, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,398,556

Registered Mar. 18, 2008

TRADEMARK
PRINCIPAL REGISTER

The logo features the word "DaVinci" in a large, elegant, cursive script font. Below it, the word "GOURMET" is written in a smaller, bold, uppercase, sans-serif font.

KERRY GROUP SERVICES INTERNATIONAL,
LTD. (IRELAND CORPORATION)
ATTN: BRIAN DURRAN
PRINCE'S STREET
TRALEE, COUNTY KERRY, IRELAND

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "GOURMET", APART FROM THE
MARK AS SHOWN.

FOR: FLAVORING SYRUPS, SAUCES AND CON-
FECTIONS, NAMELY, CANDY, IN CLASS 30 (U.S.
CL. 46).

SER. NO. 78-910,492, FILED 6-16-2006.

FIRST USE 2-1-2006; IN COMMERCE 2-1-2006.

HEATHER BIDDULPH, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,260,987

Registered July 10, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

THE DAVINCI EXPERIENCE

DAVINCI EXPERIENCE (MAINE CORPORATION)
150 BROOK ROAD
FALMOUTH, ME 04105

FOR: SUMMER DAY CAMP SERVICES AND EDUCATIONAL OUTREACH SERVICES THROUGH CLASSES TAUGHT AT THE CAMP AND TO CHILDREN THROUGHOUT LOCAL COMMUNITIES THROUGH HANDS-ON ACTIVITIES AND EXPERIMENTS FOCUSING IN ARTS AND SCIENCES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 5-1-1999; IN COMMERCE 5-1-1999.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-963,459, FILED 8-30-2006.

ALLISON HOLTZ, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

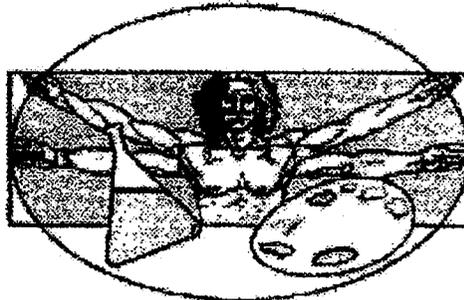
United States Patent and Trademark Office

Reg. No. 3,268,230

Registered July 24, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

**THE DAVINCI
EXPERIENCE**



DAVINCI EXPERIENCE (MAINE CORPORATION)
150 BROOK ROAD
FALMOUTH, ME 04105

FOR: SUMMER DAY CAMP SERVICES AND
EDUCATIONAL OUTREACH SERVICES
THROUGH CLASSES TAUGHT AT THE CAMP
AND TO CHILDREN THROUGHOUT LOCAL COMMUNITIES THROUGH HAND-ON ACTIVITIES

AND EXPERIMENTS FOCUSING IN THE ARTS
AND SCIENCES, IN CLASS 41 (U.S. CLS. 100, 101
AND 107).

FIRST USE 5-1-1999; IN COMMERCE 5-1-1999.

SER. NO. 78-963,455, FILED 8-30-2006.

ALLISON HOLTZ, EXAMINING ATTORNEY

Int. Cl.: 19

Prior U.S. Cls.: 1, 12, 33, and 50

United States Patent and Trademark Office

Reg. No. 3,269,975

Registered July 24, 2007

**TRADEMARK
PRINCIPAL REGISTER**

DAVINCI STONE

BINDER, CRAIG, S (UNITED STATES INDIVIDUAL)

1918 W. GRANT ST.

PHOENIX, AZ 85009

FOR: STONES, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 9-2-2006; IN COMMERCE 1-2-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STONE", APART FROM THE MARK AS SHOWN.

SN 78-727,505, FILED 10-5-2005.

JUDITH HELFMAN, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,277,281

Registered Aug. 7, 2007

TRADEMARK
PRINCIPAL REGISTER

DAVINCI-OSITY

PRICE, TINA (UNITED STATES INDIVIDUAL)
17200 INDEX STREET
GRANADA HILLS, CA 91394

FOR: AUDIO DIGITAL TAPES FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; AUDIO RECORDINGS FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; AUDIO TAPES FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; CHILDREN'S EDUCATIONAL SOFTWARE; CHILDREN'S VIDEO TAPES; DOWNLOADABLE VIDEO RECORDINGS FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; DVDS FEATURING EDUCATION, MATHEMATICS, ART, OBSERVATION AND CURIOSITY; EDUCATIONAL SOFTWARE FEATURING INSTRUCTION IN MATHEMATICS, ART, OBSERVATION AND CURIOSITY; PRE-RECORDED CD'S, VIDEO TAPES, LASER DISKS AND DVD'S FEATURING EDUCATION, MATHEMATICS, ART, OBSERVATION AND CURIOSITY; PRERECORDED AUDIO TAPES FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY;

PRERECORDED DIGITAL AUDIO TAPE FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; PRERECORDED VIDEO CASSETTES FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; PRERECORDED VIDEO TAPES FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; SOUND RECORDINGS FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY; VIDEO RECORDINGS FEATURING MATHEMATICS, ART, OBSERVATION AND CURIOSITY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-23-2005; IN COMMERCE 4-2-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-705,171, FILED 9-1-2005.

BRIAN PINO, EXAMINING ATTORNEY

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,071,009

Registered Mar. 21, 2006

**SERVICE MARK
PRINCIPAL REGISTER**



NATIONAL MULTIPLE SCLEROSIS SOCIETY,
MICHIGAN CHAPTER (MICHIGAN NON-
PROFIT CORPORATION)
21311 CIVIC CENTER DRIVE
SOUTHFIELD, MA 48076

OWNER OF U.S. REG. NOS. 2,602,721 AND
2,743,507.

THE STIPLING IS FOR SHADING PURPOSES.

FOR: CHARITABLE FUNDRAISING SERVICES,
IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

SER. NO. 78-598,412, FILED 3-30-2005.

FIRST USE 9-1-2001; IN COMMERCE 9-1-2001.

SCOTT BALDWIN, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,276,496

Registered Aug. 7, 2007

**TRADEMARK
PRINCIPAL REGISTER**

daVinci

RAULAND-BORG CORPORATION (ILLINOIS
CORPORATION)
3450 WEST OAKTON ST.
SKOKIE, IL 60007

FOR: GRAPHICAL USER INTERFACE SOFTWARE, NAMELY, SOFTWARE FOR CREATING GRAPHIC CONTROLS FOR USERS OF NETWORKED COMMERCIAL AND PROFESSIONAL DIGITAL AUDIO SIGNAL PROCESSING SYSTEMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-13-2005; IN COMMERCE 6-13-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-543,822, FILED 1-7-2005.

ALLISON SCHRODY, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 2,938,225

Registered Apr. 5, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

DaVinci Institute

DAVINCI INSTITUTE, INC. (COLORADO CORPORATION)
PO BOX 270315
LOUISVILLE, CO 80027

FOR: ARRANGING AND CONDUCTING EDUCATIONAL CONFERENCES; CONDUCTING WORKSHOPS AND SEMINARS IN MONETARY SYSTEMS, INNOVATION, ENTREPRENEURSHIP, AND FUTURISM; DEVELOPMENT AND DISSEMINATION OF EDUCATIONAL MATERIALS OF OTHERS IN THE FIELD OF MONETARY SYSTEMS, INNOVATION, ENTREPRENEURSHIP, AND FUTURISM; CONDUCTING ENTERTAINMENT EXHIBITIONS IN THE NATURE OF MONETARY SYSTEMS, INNOVATION, ENTREPRENEURSHIP, AND FUTURISM; AWARDS PROGRAM FOR PERSONS WHO CONTRIBUTE TO MONETARY SYSTEMS, INNOVATION, ENTREPRENEURSHIP, AND FUTURISM; CHARITABLE SERVICES, NAMELY,

PROVIDING TRAINING IN THE FIELD OF MONETARY SYSTEMS, INNOVATION, ENTREPRENEURSHIP, AND FUTURISM; AND CAREER COUNSELING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-0-1997; IN COMMERCE 9-0-1997.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "INSTITUTE", APART FROM THE MARK AS SHOWN.

SER. NO. 78-393,647, FILED 3-31-2004.

CAROLINE WOOD, EXAMINING ATTORNEY

Int. Cl.: 44

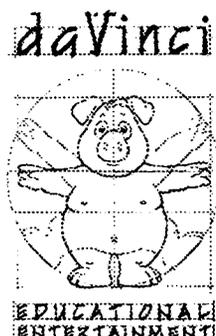
Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,081,814

Registered Apr. 18, 2006

**SERVICE MARK
PRINCIPAL REGISTER**



DAVINCI EDUCATIONAL ENTERTAINMENT,
INC. (INDIANA CORPORATION)

2105 NORTH KNIGHTSBIRDGE AVENUE

MUNCIE, IN 47304

FOR: PROVIDING MEDICAL INFORMATION TO
ADULTS AND CHILDREN IN ORDER TO AID IN
LEARNING ABOUT AND EXPLORING THE HU-
MAN BODY THROUGH THE USE OF AUDIO-
VISUAL MEDIA, NAMELY, THE INTERNET, IN
CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 6-28-2004; IN COMMERCE 8-2-2004.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "EDUCATIONAL ENTERTAIN-
MENT", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE WORD DAVINCI
ABOVE A DIVIDED CIRCLE/SQUARE ENCLOSING
A PIG WITH FOUR ARMS AND FOUR LEGS, WITH
THE WORDS EDUCATIONAL AND ENTERTAIN-
MENT BELOW THE DIVIDED CIRLE/SQUARE.

SER. NO. 78-477,851, FILED 9-2-2004.

JEFFERY COWARD, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,551,284

Registered Dec. 23, 2008

TRADEMARK
PRINCIPAL REGISTER

Don Davinci

CJK TRADING, INC. (TEXAS CORPORATION)
11398 HARRY HINES BLVD., #101
DALLAS, TX 75229

FOR: BELTS; BERMUDA SHORTS; BUTTON-FRONT ALOHA SHIRTS; CAMP SHIRTS; CAPRI PANTS; CAPS; CARGO PANTS; CREWNECK SWEATERS; DENIM JACKETS; DENIMS; DRESS SHIRTS; GOLF SHIRTS; HEAVY JACKETS; HOODS; JACKETS; JEANS; JERSEYS; JOGGING PANTS; KNIT SHIRTS; LEATHER BELTS; LEATHER JACKETS; LEATHER PANTS; LONG JACKETS; LONG-SLEEVED SHIRTS; LOUNGE PANTS; MEN AND WOMEN JACKETS, COATS, TROUSERS, VESTS; MOCK TURTLE-NECK SWEATERS; NIGHT SHIRTS; OPEN-NECKED SHIRTS; PANTS; POLO SHIRTS; RAIN JACKETS; RAINPROOF JACKETS; REVERSIBLE JACKETS; SHIRTS; SHORT SETS; SHORT TROUSERS; SHORT-SLEEVED OR LONG-SLEEVED T-SHIRTS; SHORT-SLEEVED SHIRTS; SHORTS; SLEEP SHIRTS; SPORT SHIRTS; SPORTS JACKETS; SPORTS SHIRTS; SPORTS SHIRTS WITH

SHORT SLEEVES; STRETCH PANTS; STUFF JACKETS; SUEDE JACKETS; SWEAT PANTS; SWEAT SHIRTS; SWEAT SHORTS; SWEATERS; T-SHIRTS; TIES; TURTLENECK SWEATERS; V-NECK SWEATERS; WALKING SHORTS; WATERPROOF JACKETS AND PANTS; WIND PANTS; WIND RESISTANT JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-1-2008; IN COMMERCE 1-1-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

SN 77-290,363, FILED 9-27-2007.

CHERYL CLAYTON, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,546,421

Registered Dec. 16, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

**DAVINCI VIRTUAL OFFICE
SOLUTIONS**

DAVINCI VIRTUAL LLC (UTAH LIMITED LIABILITY COMPANY)

2150 SOUTH 1300 EAST, SUITE 350

SALT LAKE CITY, UT 84106

FOR: SECRETARIAL AND CLERICAL SERVICES,
IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-30-2006; IN COMMERCE 4-30-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VIRTUAL OFFICE SOLUTIONS", APART FROM THE MARK AS SHOWN.

SER. NO. 77-455,182, FILED 4-22-2008.

SHANNON TWOHIG, EXAMINING ATTORNEY

Int. Cl.: 19

Prior U.S. Cls.: 1, 12, 33 and 50

United States Patent and Trademark Office

Reg. No. 3,394,259

Registered Mar. 11, 2008

**TRADEMARK
PRINCIPAL REGISTER**

DAVINCI ROOFSCAPES

DAVINCI ROOFSCAPES, L.L.C. (KANSAS LTD
LIAB CO)
1413 OSAGE AVENUE
KANSAS CITY, KS 66105

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: SYNTHETIC NON-METAL ROOFING
TILES, SHINGLES AND PANELS, IN CLASS 19
(U.S. CLS. 1, 12, 33 AND 50).

SER. NO. 77-144,718, FILED 3-30-2007.

FIRST USE 8-13-2002; IN COMMERCE 8-13-2002.

ROBERT LAVACHE, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,653,761

Registered Nov. 26, 2002

TRADEMARK
PRINCIPAL REGISTER



WORLD FINER FOODS, INC. (DELAWARE CORPORATION)
300 BROAD ACRES DRIVE
BLOOMFIELD, NJ 07003

FOR: PASTA, IN CLASS 30 (U.S. CL. 46).

FIRST USE 9-6-2000; IN COMMERCE 9-6-2000.

OWNER OF U.S. REG. NOS. 770,469, 1,338,226,
AND 2,113,847.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "IMPORTED FROM ITALY" AND

"ITALIAN ORGANICS", APART FROM THE MARK
AS SHOWN.

THE MARK IS LINED FOR THE COLORS BLUE,
RED, GREEN AND GOLD AND THE LINING
AROUND THE LETTERS AND NEAR THE BAN-
NER IS MEANT TO INDICATE SHADING.

SER. NO. 76-278,421, FILED 6-29-2001.

DANIELLE MATTESSICH, EXAMINING ATTOR-
NEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,624,432

Registered Sep. 24, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

LPL DAVINCI

TINKER'S DEN (CALIFORNIA CORPORATION)
1724 GRAMERCY
TORRANCE, CA 90501

FIRST USE 11-7-2000; IN COMMERCE 11-7-2000.

FOR: RETAIL STORE SERVICES FEATURING
ART SUPPLIES, CRAYONS, MARKERS, DRAWING
PENCILS, AND PAPER, IN CLASS 35 (U.S. CLS. 100,
101 AND 102).

SER. NO. 76-291,049, FILED 7-27-2001.

TRICIA THOMPkins, EXAMINING ATTORNEY

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,017,072

Registered Nov. 22, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

DAVINCI INVESTMENT ADVISORS

DAVINCI INVESTMENT ADVISORS, INC. (DE-
LAWARE CORPORATION)

99 DANBURY RD.

RIDGEFIELD, CT 06877

FOR: FINANCIAL SERVICES, NAMELY HEDGE
FUND MANAGEMENT, FUNDS INVESTMENT
SERVICES AND INVESTMENT MANAGEMENT,
IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-0-2003; IN COMMERCE 8-0-2003.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "INVESTMENT ADVISORS",
APART FROM THE MARK AS SHOWN.

SER. NO. 76-612,318, FILED 9-16-2004.

JOHN SCHUYLER YARD, EXAMINING ATTOR-
NEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 2,776,673

Registered Oct. 21, 2003

**SERVICE MARK
PRINCIPAL REGISTER**

DAVINCIJOBS.COM

THE DA VINCI PROJECT OF CENTRAL NEW
YORK (NEW YORK UNINCORPORATED AS-
SOCIATION)
5793 WIDEWATERS PARKWAY
DEWITT, NY 13214

OWNER OF U.S. REG. NOS. 2,240,675 AND
2,446,502.

FOR: EMPLOYMENT RECRUITMENT, IN CLASS
35 (U.S. CLS. 100, 101 AND 102).

SN 76-408,528, FILED 5-15-2002.

FIRST USE 2-1-2003; IN COMMERCE 2-1-2003.

ASMAT KHAN, EXAMINING ATTORNEY

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 2,602,721

Registered July 30, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

DINNER WITH DAVINCI

**NATIONAL MULTIPLE SCLEROSIS SOCIETY,
MICHIGAN CHAPTER (MICHIGAN NOT-
FOR-PROFIT CORPORATION)
21311 CIVIC CENTER DRIVE
SOUTHFIELD, MI 48076**

FIRST USE 9-0-2001; IN COMMERCE 9-0-2001.

SN 76-239,660, FILED 4-12-2001.

**FOR: CHARITABLE FUND RAISING SERVICES,
IN CLASS 36 (U.S. CLS. 100, 101 AND 102).**

ESTHER BELENKER, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,743,507

Registered July 29, 2003

**SERVICE MARK
PRINCIPAL REGISTER**

DAVINCI AWARDS

NATIONAL MULTIPLE SCLEROSIS SOCIETY,
MICHIGAN CHAPTER (MICHIGAN NOT-
FOR-PROFIT CORPORATION)
21311 CIVIC CENTER DRIVE
SOUTHFIELD, MI 48076

FOR: PROVIDING RECOGNITION OF THE
CREATIVE AND INNOVATIVE ACHIEVEMENTS
OF ENGINEERS, ARCHITECTS AND OTHER PRO-
FESSIONALS ON BEHALF OF INDIVIDUALS WITH
DISABILITIES BY WAY OF ISSUING AWARDS, IN
CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-28-2001; IN COMMERCE 9-28-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "AWARD", APART FROM THE
MARK AS SHOWN.

SN 76-239,659, FILED 4-12-2001.

DAWN FELDMAN, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 2,948,485

United States Patent and Trademark Office

Registered May 10, 2005

TRADEMARK
PRINCIPAL REGISTER

daVinci
SMILE
Art
Ceramics

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)
22135 ROSCOE BOULEVARD
WEST HILLS, CA 91304

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CERAMICS" AND "SMILE", APART FROM THE MARK AS SHOWN.

FOR: CERAMICS FOR USE IN COSMETIC DENTISTRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

SN 76-202,882, FILED 1-30-2001.

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

OWNER OF U.S. REG. NO. 2,061,195.

ALEXANDER L. POWERS, EXAMINING ATTORNEY

Int. Cls.: 36 and 42

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,593,734

Registered July 16, 2002

**SERVICE MARK
PRINCIPAL REGISTER**



DAVINCI TECHNOLOGIES INC. (CANADA CORPORATION)
360 ADELAIDE STREET, WEST
TORONTO, ONTARIO M5V 1R7

FOR: INTERACTIVE PRESENTATION AND DISTRIBUTION OF BILLS, STATEMENTS AND CUSTOMER SERVICES ELECTRONICALLY OVER THE GLOBAL COMPUTER NETWORK, ANY INTERNET ENABLED DEVICE OR WIRELESS MEDIA, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-1-1997; IN COMMERCE 6-1-1997.

FOR: COMPUTER SERVICES, NAMELY CUSTOM DESIGN, SYSTEMS INTEGRATION AND TECHNOLOGY DEVELOPMENT OF COMPUTER

SOFTWARE FOR COMMUNICATIONS PROVIDERS THAT ALLOWS COMMUNICATION PROVIDERS TO PERFORM ELECTRONIC BUSINESS TRANSACTIONS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-1-1997; IN COMMERCE 6-1-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TECHNOLOGIES INC." , APART FROM THE MARK AS SHOWN.

SER. NO. 76-082,985, FILED 7-6-2000.

SHARI SHEFFIELD, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,678,705

Registered Jan. 21, 2003

TRADEMARK
PRINCIPAL REGISTER



DAVINCI TECHNOLOGIES INC. (CANADA CORPORATION)
360 ADELAIDE STREET, WEST
TORONTO
ONTARIO, CANADA M5V 1R7

FOR: COMPUTER SOFTWARE FOR USE TO CUSTOM DESIGN COMPUTER SYSTEMS INTEGRATION AND TECHNOLOGY FOR THE MANAGEMENT OF GLOBAL COMPUTER NETWORKS, INTRANET AND WIRELESS APPLICATIONS IN THE FIELDS OF ELECTRONIC BILL TRANSACTION, TRACKING AND MANAGEMENT OF THE CALLING LOCATIONS OF CUSTOMERS USING A WIRELESS DEVICE, THE PROCESSING OF ELECTRONIC TRANSACTIONS ON A WEBSITE OR VIA A WIRELESS DEVICE, INTERACTIVE WEB AND WIRELESS CUSTOMER SERVICE, WEBSITE OR WIRELESS DEVICES IN THE FINANCIAL,

HEALTHCARE, TELECOMMUNICATIONS AND NETWORK OPERATIONS INDUSTRIES, AND INTERACTIVE BROADCASTING AND TRANSMISSION OF AUDIO-VISUAL PROGRAMS OR APPLICATIONS BY THE GLOBAL COMPUTER NETWORK OR WIRELESS MEDIA, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-1-1997; IN COMMERCE 6-1-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TECHNOLOGIES INC.", APART FROM THE MARK AS SHOWN.

SN 76-082,981, FILED 7-6-2000.

SHARI SHEFFIELD, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,365,226

Registered July 4, 2000

**TRADEMARK
PRINCIPAL REGISTER**

DAVINCI

**OLIVETTI OFFICE U.S.A., INC. (DELAWARE CORPORATION)
765 U.S. HIGHWAY 202 SOUTH
BRIDGEWATER, NJ 088076945**

**FOR: ELECTRONIC PERSONAL INFORMATION
MANAGER ORGANIZERS; KEYBOARDS, STYLI
AND DOCKING CRADLES FOR ELECTRONIC PERSONAL
INFORMATION MANAGER ORGANIZERS;
COMPUTER SOFTWARE FOR TRANSFERRING**

**DATA BETWEEN A PERSONAL COMPUTER AND
AN ELECTRONIC PERSONAL INFORMATION MAN-
AGER ORGANIZER, IN CLASS 9 (U.S. CLS. 21, 23,
26, 36 AND 38).**

FIRST USE 11-2-1998; IN COMMERCE 11-2-1998.

SN 75-540,188, FILED 8-20-1998.

HEATHER THOMPSON, EXAMINING ATTORNEY

Int. Cl.: 20

Prior U.S. Cls.: 2, 13, 22, 25, 32, and 50

Reg. No. 2,534,407

United States Patent and Trademark Office

Registered Jan. 29, 2002

**TRADEMARK
PRINCIPAL REGISTER**

L'IL DAVINCI

**TINKER'S DEN (CALIFORNIA CORPORATION)
1724 GRAMERCY
TORRANCE, CA 90501**

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

SN 75-403,623, FILED 12-11-1997.

**FOR: PICTURE FRAMES FOR STORAGE AND
DISPLAY OF SEVERAL PHOTOGRAPHS, IN CLASS
20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).**

ANGELA M. MICHELI, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,042,588

Registered Mar. 11, 1997

**TRADEMARK
PRINCIPAL REGISTER**



DA VINCI FINE CHOCOLATES, LTD. (WASH-
INGTON CORPORATION)
823 YALE AVENUE NORTH, SUITE E
SEATTLE, WA 98109

FOR: FLAVORING SYRUPS AND CANDY,
IN CLASS 30 (U.S. CL. 46).
FIRST USE 3-6-1991; IN COMMERCE
7-29-1991.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "GOURMET" , APART FROM
THE MARK AS SHOWN.

THE STIPPLING SHOWN IN THE DRAWING
IS A FEATURE OF THE MARK AND NOT IN-
TENDED TO INDICATE COLOR. THE LINING
SHOWN IN THE DRAWING IS A FEATURE OF
THE MARK AND NOT INTENDED TO INDI-
CATE COLOR.

SER. NO. 74-496,459, FILED 3-3-1994.

DONNA MIRMAN, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 45

Reg. No. 2,042,566

United States Patent and Trademark Office

Registered Mar. 11, 1997

**TRADEMARK
PRINCIPAL REGISTER**

DAVINCI GOURMET

DA VINCI FINE CHOCOLATES, LTD. (WASH-
INGTON CORPORATION)
823 YALE AVENUE N., SUITE E.
SEATTLE, WA 98109

FOR: FLAVORING SYRUPS, IN CLASS 30
(U.S. CL. 45).
FIRST USE 3-6-1991; IN COMMERCE
8-29-1991.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "GOURMET" , APART FROM
THE MARK AS SHOWN.

SER. NO. 74-363,150, FILED 2-22-1993.

DONNA MIRMAN, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 45

United States Patent and Trademark Office

New Cert.

Reg. No. 1,799,545

Registered Oct. 19, 1993

OG Date May 13, 1997

**TRADEMARK
PRINCIPAL REGISTER
REGISTRATION ASSIGNED**

COCOA DAVINCI

DA VINCI GOURMET, LTD. (WASH-
INGTON CORPORATION)

SUITE E

823 YALE AVENUE NORTH

SEATTLE, WA 98109, BY ASSIGNMENT

AND CHANGE OF NAME FROM

COFFEE BEANERY, LTD., THE

(MICHIGAN CORPORATION) FLUSH-

ING, MI

NO CLAIM IS MADE TO THE EXCLU-
SIVE RIGHT TO USE "COCOA", APART
FROM THE MARK AS SHOWN.

FOR: HOT CHOCOLATE WITH FLA-
VORED SYRUP, IN CLASS 30 (U.S. CL.
45).

FIRST USE 10-1-1992; IN COMMERCE
10-1-1992.

SER. NO. 74-334,891, FILED 11-27-1992.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on May 13, 1997.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 30

Prior U.S. Cl.: 45

United States Patent and Trademark Office

Reg. No. 1,799,545

Registered Oct. 19, 1993

**TRADEMARK
PRINCIPAL REGISTER**

COCOA DAVINCI

**COFFEE BEANERY, LTD., THE (MICHIGAN
CORPORATION)
G-3429 PIERSON PLACE
FLUSHING, MI 48433**

**FOR: HOT CHOCOLATE WITH FLAVORED
SYRUP, IN CLASS 30 (U.S. CL. 45).
FIRST USE 10-1-1992; IN COMMERCE
10-1-1992.**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "COCOA", APART FROM THE
MARK AS SHOWN.**

SER. NO. 74-334,891, FILED 11-27-1992.

DONNA MIRMAN, EXAMINING ATTORNEY

Int. Cl.: 11

Prior U.S. Cls.: 2 and 21

United States Patent and Trademark Office

Reg. No. 1,830,795

Registered Apr. 12, 1994

**TRADEMARK
PRINCIPAL REGISTER**

DAVINCI

DAVINCI INDUSTRIAL INC. (TAIWAN COR-
PORATION)
6F, NO. 412, SECTION 4
JEN AI ROAD
TAIPEI, TAIWAN

FOR: LIGHT BULBS, LAMPS, PARTS FOR
LAMPS; NAMELY, BURNERS, CHIMNEYS,

STANDS, AND HOLDERS, IN CLASS 11 (U.S.
CLS. 2 AND 21).
FIRST USE 5-1-1993; IN COMMERCE
5-1-1993.

SN 74-331,405, FILED 11-16-1992.

SUSAN LESLIE, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,200,808

Registered Jul. 13, 1982

TRADEMARK
Principal Register

DAVINCI POTEN-C

**Foodscience Corporation (Vermont corporation),
a.k.a. DaVinci Laboratories
One Executive Dr.
South Burlington, Vt. 05401**

**For: PROLONGED RELEASED ASCOR-
BATES, in CLASS 5 (U.S. Cl. 18).
First use Feb. 2, 1979; in commerce Feb. 6, 1979.
Owner of U.S. Reg. No. 1,144,672.**

Ser. No. 252,455, filed Mar. 3, 1980.

ROY H. NEILSON, Primary Examiner

EXHIBIT 2

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,230,028

Registered Apr. 17, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

SCUOLA LEONARDO DA VINCI

SCUOLA LEONARDO DA VINCI S.R.L. (ITALY
LTD LIAB CO)

VIA BUFALINI, 3

FIRENZE, ITALY I50122

FOR: EDUCATION, INSTRUCTION AND RE-
CREATION SERVICES FOR INDIVIDUALS IN THE
FORM OF LESSONS AND COURSES IN ITALIAN
LANGUAGE AND CULTURE, IN PARTICULAR
FOR FOREIGNERS, IN CLASS 41 (U.S. CLS. 100,
101 AND 107).

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF INTERNATIONAL REGISTRATION
0867614 DATED 10-11-2005, EXPIRES 10-11-2015.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "SCUOLA", APART FROM THE
MARK AS SHOWN.

THE ENGLISH TRANSLATION OF THE WORD
SCUOLA LEONARDO DA VINCI IN THE MARK IS
LEONARDO DA VINCI SCHOOL.

SER. NO. 79-017,459, FILED 10-11-2005.

DEBRA LEE, EXAMINING ATTORNEY

Int. Cl.: 20

Prior U.S. Cls.: 2, 13, 22, 25, 32, and 50

United States Patent and Trademark Office

Reg. No. 3,577,959

Registered Feb. 17, 2009

TRADEMARK
PRINCIPAL REGISTER

DA VINCI

KRUEGER INTERNATIONAL, INC. (WISCONSIN CORPORATION)
1330 BELLEVUE STREET
GREEN BAY, WI 54302

FOR: OFFICE AND INSTITUTIONAL FURNITURE, NAMELY, DESKS, TABLES, MODESTY PANELS, WORK SURFACES, TRANSACTION SURFACES, CREDENZAS, HUTCHES, SHELVING AND STORAGE UNITS, BOOKCASES, WARDROBES, PEDESTALS, AND LATERAL FILES, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 5-15-2006; IN COMMERCE 5-15-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-790,528, FILED 1-12-2006.

MICHAEL ENGEL, EXAMINING ATTORNEY

Int. Cls.: 19 and 20

Prior U.S. Cls.: 1, 2, 12, 13, 22, 25, 32, 33, and 50

United States Patent and Trademark Office

Reg. No. 3,574,095

Registered Feb. 10, 2009

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI WOOD

DIRECT BUILDING & DECORATING SOURCE
(CALIFORNIA LIMITED LIABILITY COMPANY)

9895 VILLAGE CENTER DRIVE
GRANITE BAY, CA 95746

FOR: WOOD BUILDING PRODUCTS, NAMELY,
MOLDINGS, CORBELS, BASEBOARDS, COLUMNS,
CAPITALS FOR COLUMNS, MEDALLIONS FOR
COLUMN BASES, CROWN MOLDING AND
DOORS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 4-19-2006; IN COMMERCE 4-19-2006.

FOR: DRAWER PULLS OF WOOD AND DOOR
HANDLES OF WOOD; CABINETS; SCREENS AND
DECORATIVE ACCENT PIECES, NAMELY, WOOD
CARVINGS FOR AFFIXING TO CABINETS; WOOD
BUILDING PRODUCTS, NAMELY, CARVED

WOOD APPLIQUES IN THE NATURE OF WOOD
CARVINGS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32
AND 50).

FIRST USE 4-19-2006; IN COMMERCE 4-19-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "WOOD", APART FROM THE
MARK AS SHOWN.

SN 78-901,671, FILED 6-6-2006.

COLLEEN DOMBROW, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,473,818

Registered July 22, 2008

**TRADEMARK
PRINCIPAL REGISTER**

**DA VINCI ENGINEERED
AESTHETICS**

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)
22135 ROSCOE BOULEVARD
WEST HILLS, CA 91304

OWNER OF U.S. REG. NO. 2,061,195.

FOR: DENTAL CERAMICS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENGINEERED AESTHETICS", APART FROM THE MARK AS SHOWN.

FIRST USE 12-26-2007; IN COMMERCE 12-26-2007.

SN 78-775,021, FILED 12-16-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

ANDREW RHIM, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

United States Patent and Trademark Office

Reg. No. 3,175,493

Registered Nov. 21, 2006

TRADEMARK
PRINCIPAL REGISTER

DA VINCI

EZ GARD INDUSTRIES, INC. (MINNESOTA CORPORATION), DBA SHOCK DOCTOR, INC.,
3650 ANNAPOLIS LANE
SUITE 115
PLYMOUTH, MN 55447

FOR: PROTECTIVE EQUIPMENT FOR ATHLETIC USE, NAMELY ATHLETIC PROTECTIVE PADS FOR USE IN PROTECTING JOINTS AND OTHER BODY PARTS FROM TRAUMA, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 11-0-2005; IN COMMERCE 11-0-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-661,765, FILED 6-30-2005.

ALAIN LAPTER, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 3,014,180

United States Patent and Trademark Office

Registered Nov. 8, 2005

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI VENEERS

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)

22135 ROSCOE BOULEVARD

WEST HILLS, CA 91304

FOR: CERAMICS FOR USE IN COSMETIC DENTISTRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE VENEERS, APART FROM THE MARK AS SHOWN.

SN 78-976,332, FILED 1-26-2004.

STEVEN R. FINE, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,012,293

Registered Nov. 1, 2005

**TRADEMARK
PRINCIPAL REGISTER**

SMILES BY DA VINCI

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)
22135 ROSCOUE BOULEVARD
WEST HILLS, CA 91304

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: CERAMICS FOR USE IN COSMETIC DENTISTRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

SN 78-976,109, FILED 2-18-2004.

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

ALICIA COLLINS, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,271,750

Registered July 31, 2007

SERVICE MARK
PRINCIPAL REGISTER

DAVINCI

TAN, ASMINA (UNITED STATES INDIVIDUAL)
3 PINE MEADOW CT
EAST BRUNSWICK, NJ 08816

FOR: RETAIL JEWELRY AND FURNITURE STORE SERVICES, JEWELRY AND FURNITURE MAIL ORDER SERVICES ALL FEATURING INDOOR FURNITURE, BEDROOM FURNITURE, KITCHEN FURNITURE, DINING ROOM FURNITURE AND ACCESSORIES FOR HOME, NAMELY, CHESTS, ROOM DIVIDERS, AND PLANT STANDS, AREA RUGS, WINDOW TREATMENTS, NAMELY SWAG, CURTAINS, AND DRAPERIES, AND SOFAS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-1-2005; IN COMMERCE 11-1-2005.

THE MARK CONSISTS OF THE WORDING DA VINCI; THE WORDS ARE IN YELLOW COLOR WITH SHADOWING AROUND THEM AND WHITE BACKGROUND. IN BETWEEN THE WORDS, THERE IS A RECTANGULAR DESIGN WITH MOTIFS AND THE WORDS DA ON TOP AND VINCI AT THE BOTTOM WITH LETTER V CROSSING THE RECTANGLE DIAGONALLY.

SER. NO. 78-771,219, FILED 12-12-2005.

GIANCARLO CASTRO, EXAMINING ATTORNEY

Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31, and 34

United States Patent and Trademark Office

Reg. No. 3,349,697

Registered Dec. 4, 2007

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

REMINGTON, INC. (CALIFORNIA CORPORATION)
24844 ANZA DRIVE
VALENCIA, CA 91355

FOR: ELECTRIC COFFEE MAKERS; ELECTRIC
COFFEE PERCOLATORS; ELECTRIC COFFEE
POTS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 4-1-2007; IN COMMERCE 4-1-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-710,993, FILED 9-12-2005.

KAELIE KUNG, EXAMINING ATTORNEY

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 3,106,667

Registered June 20, 2006

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

CANTINE LEONARDO DA VINCI SOC. COOP.
A.R.L. (ITALY CORPORATION)
VIA PROV. LE DI MERCATALE, 291
VINCI, FIRENZE, ITALY 50059

FOR: WINES AND SPARKLING WINES, IN
CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 11-24-2003; IN COMMERCE 1-1-2004.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,694,481.

SER. NO. 78-663,811, FILED 7-5-2005.

ALINA MORRIS, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 3,326,114

Registered Oct. 30, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

SPIRIT OF DA VINCI

NORTH, VAUGHN W. (UNITED STATES INDIVIDUAL)
7431 LOST CANYON CIRCLE
SALT LAKE CITY, UT 84121

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING SEMINARS IN THE FIELDS OF SCIENCE AND THE ARTS, AND PROVIDING RECOGNITION AND INCENTIVES TO INVENTORS TO DEMONSTRATE EXCELLENCE IN THE FIELD OF CREATIVITY AND INVENTION THROUGH THE ISSUANCE OF AWARDS IN CONNECTION THEREWITH; ENTERTAINMENT SERVICES, NAMELY, RETREATS AND PRESENTATIONS IN THE FIELDS OF SCIENCE AND THE ARTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 4-28-2007; IN COMMERCE 4-28-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

SN 78-616,347, FILED 4-25-2005.

RENEE MCCRAY, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,071,008

Registered Mar. 21, 2006

SERVICE MARK
PRINCIPAL REGISTER



NATIONAL MULTIPLE SCLEROSIS SOCIETY,
MICHIGAN CHAPTER (MICHIGAN NON-
PROFIT CORPORATION)
21311 CIVIC CENTER DRIVE
SOUTHFIELD, MI 48076

FOR: PROVIDING RECOGNITION OF THE
CREATIVE AND INNOVATIVE ACHIEVEMENTS
OF ENGINEERS, ARCHITECTS AND OTHER PRO-
FESSIONALS ON BEHALF OF INDIVIDUALS WITH
DISABILITIES BY WAY OF ISSUING AWARDS, IN
CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-1-2001; IN COMMERCE 9-1-2001.

OWNER OF U.S. REG. NOS. 2,602,721 AND
2,743,507.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "AWARDS", APART FROM THE
MARK AS SHOWN.

THE STIPPLING IS FOR SHADING PURPOSES.

SER. NO. 78-598,391, FILED 3-30-2005.

SCOTT BALDWIN, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,581,630

Registered Feb. 24, 2009

**TRADEMARK
PRINCIPAL REGISTER**

THE DA VINCI CODE

BROWN, DAN (UNITED STATES INDIVIDUAL)
C/O SANFORD GREENBURGER ASSOCIATES
55 FIFTH AVENUE
NEW YORK, NY 10003

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: CLOTHING, NAMELY, T-SHIRTS, IN
CLASS 25 (U.S. CLS. 22 AND 39).

SN 78-411,381, FILED 4-30-2004.

FIRST USE 5-19-2006; IN COMMERCE 5-19-2006.

BARNEY CHARLON, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

Reg. No. 2,997,404

United States Patent and Trademark Office

Registered Sep. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI WRITER

NEW PRODUCT DESIGNS, LLC (ILLINOIS CORPORATION)
9326 N. TRIPP AVENUE
SKOKIE, IL 600761457

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: STATIONERY, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

SER. NO. 78-394,663, FILED 4-1-2004.

FIRST USE 1-27-2004; IN COMMERCE 1-27-2004.

BRIAN NEVILLE, EXAMINING ATTORNEY

Int. Cl.: 21

Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40, and 50

United States Patent and Trademark Office

Reg. No. 3,130,873

Registered Aug. 15, 2006

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

SCOTT PAPER LIMITED (CANADA CORPORATION)
1900 MINNESOTA COURT, SUITE 200
MISSISSAUGA, ONTARIO, CANADA L5N 5R5

FOR: COMMERCIAL DISPENSERS FOR HAND
SOAP, SANITIZERS, PAPER TOWELS, BATHROOM
TISSUE, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40
AND 50).

FIRST USE 12-0-2000; IN COMMERCE 0-0-2001.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-479,654, FILED 9-7-2004.

KIMBERLY FRYE, EXAMINING ATTORNEY

Int. Cl.: 22

Prior U.S. Cls.: 1, 2, 7, 19, 22, 42 and 50

Reg. No. 3,028,304

United States Patent and Trademark Office

Registered Dec. 13, 2005

**TRADEMARK
PRINCIPAL REGISTER**

da Vinci

ALLIANCE TRADING, INC. (DELAWARE CORPORATION)
109 NORTH PARK BLVD.
COVINGTON, LA 70433

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: STANDARD AND CUSTOM FIT VINYL LINERS FOR IN-GROUND POOLS, IN CLASS 22 (U.S. CLS. 1, 2, 7, 19, 22, 42 AND 50).

SER. NO. 78-499,891, FILED 10-14-2004.

FIRST USE 3-31-1998; IN COMMERCE 3-31-1998.

LINDA POWELL, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,330,664

United States Patent and Trademark Office

Registered Nov. 6, 2007

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI DIAMONDS

IGT (NEVADA CORPORATION)
9295 PROTOTYPE DRIVE
RENO, NV 895218986

FOR: GAMING MACHINES, NAMELY, DEVICES
ON WHICH A WAGER IS PLACED AND COMPO-
NENTS THEREFOR, IN CLASS 9 (U.S. CLS. 21, 23, 26,
36 AND 38).

FIRST USE 10-23-2006; IN COMMERCE 1-15-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,029,173, 2,085,175,
AND OTHERS.

SN 78-468,309, FILED 8-16-2004.

RICHARD A. STRASER, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,091,339

Registered May 9, 2006

TRADEMARK
PRINCIPAL REGISTER



NING CHIU & COMPANY, INC. (NEW JERSEY CORPORATION)
68 WALNUT STREET
BRIDGEWATER, NJ 08807

FOR: RETAIL MERCHANDISE SYSTEM SOFTWARE FOR PLANNING AND TRACKING MERCHANDISE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-17-2005; IN COMMERCE 1-16-2006.

THE COLOR(S) GREEN AND BLACK (WITH GRAY OVERTONES) IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF DESIGN OF A PROTRACTOR FORMING "V" IN "DA VINCI" AND CIRCULAR LINES. THE COLOR GREEN APPEARS IN THE DESIGN OF A PROTRACTOR AND IN THE CIRCULAR DESIGN UNDER THE WORD PORTION OF THE MARK. THE COLOR BLACK (WITH GRAY OVERTONES) APPEARS IN THE WORDS "DA VINCI".

SN 78-460,236, FILED 8-2-2004.

LINDA MICKLEBURGH, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,011,086

Registered Nov. 1, 2005

**SERVICE MARK
PRINCIPAL REGISTER**



THE SMART DISCOVERY CENTER, INC. (PENN-
SYLVANIA CORPORATION)
511 EAST THIRD STREET
BETHLEHEM, PA 18015

FOR: EDUCATIONAL SERVICES, NAMELY PRO-
VIDING COURSES OF INSTRUCTION AT THE
PRIMARY AND SECONDARY LEVEL AND PRO-
VIDING EDUCATIONAL PROGRAMS FOR
YOUTH, TEACHERS, FAMILIES, AND THE GEN-
ERAL PUBLIC IN THE FIELD OF SCIENCE, IN
CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 12-0-2003; IN COMMERCE 5-0-2004.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE DISCOVERY CENTER OF SCIENCE
AND TECHNOLOGY, APART FROM THE MARK
AS SHOWN.

SER. NO. 78-457,786, FILED 7-28-2004.

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,015,317

Registered Nov. 15, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

**Da Vinci Discovery
Center of Science
and Technology**

THE SMART DISCOVERY CENTER, INC. (PENNSYLVANIA CORPORATION)
511 EAST THIRD STREET
BETHLEHEM, PA 18015

FOR: EDUCATIONAL SERVICES, NAMELY PROVIDING COURSES OF INSTRUCTION AT THE PRIMARY AND SECONDARY LEVEL AND PROVIDING EDUCATIONAL PROGRAMS FOR YOUTH, TEACHERS, FAMILIES, AND THE GENERAL PUBLIC IN THE FIELD OF SCIENCE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 12-0-2003; IN COMMERCE 5-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DISCOVERY CENTER OF SCIENCE AND TECHNOLOGY", APART FROM THE MARK AS SHOWN.

SER. NO. 78-457,784, FILED 7-28-2004.

ALICE BENMAMAN, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,967,121

Registered July 12, 2005

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

INTERNATIONAL SPORTS CNS, INC. (CALI-
FORNIA CORPORATION)
29641 CABOT ROAD, #103
LAGUNA HILLS, CA 92653

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: GOLF CLUBS, IN CLASS 28 (U.S. CLS. 22, 23,
38 AND 50).

SER. NO. 78-431,334, FILED 6-7-2004.

FIRST USE 3-24-2004; IN COMMERCE 3-24-2004.

JASON LOTT, EXAMINING ATTORNEY

Int. Cls.: 5 and 40

Prior U.S. Cls.: 6, 18, 44, 46, 51, 52, 100, 103, and 106

United States Patent and Trademark Office

Reg. No. 3,211,783

Registered Feb. 20, 2007

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

**DA VINCI PORCELAIN
VENEERS**

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)
22135 ROSCOE BOULEVARD
WEST HILLS, CA 91304

FOR: CERAMICS FOR USE IN COSMETIC DENTISTRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

FOR: MANUFACTURING OF CUSTOM PORCELAIN VENEERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 5-2-2006; IN COMMERCE 5-2-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PORCELAIN VENEERS", APART FROM THE MARK AS SHOWN.

SN 78-370,221, FILED 2-18-2004.

KELLY CHOE, EXAMINING ATTORNEY

Int. Cls.: 5 and 40

Prior U.S. Cls.: 6, 18, 44, 46, 51, 52, 100, 103, and 106

United States Patent and Trademark Office

Reg. No. 3,146,284

Registered Sep. 19, 2006

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

DA VINCI SMILES

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)
22135 ROSCOE BOULEVARD
WEST HILLS, CA 91304

FOR: CERAMICS FOR USE IN COSMETIC DENTISTRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

FOR: MANUFACTURING OF CUSTOM PORCELAIN VENEERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 6-21-2006; IN COMMERCE 6-21-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,061,195.

SN 78-370,219, FILED 2-18-2004.

JEAN IM, EXAMINING ATTORNEY

Int. Cl.: 40

Prior U.S. Cls.: 100, 103, and 106

United States Patent and Trademark Office

Reg. No. 3,096,437

Registered May 23, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

DA VINCI VENEERS

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)

22135 ROSCOE BOULEVARD

WEST HILLS, CA 91304

FOR: CUSTOM MANUFACTURE OF DENTAL VENEERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 1-13-2006; IN COMMERCE 1-13-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE VENEERS, APART FROM THE MARK AS SHOWN.

SN 78-357,733, FILED 1-26-2004.

STEVEN R. FINE, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

United States Patent and Trademark Office

Reg. No. 3,234,180

Registered Apr. 24, 2007

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI CODE

BROWN, DAN (UNITED STATES INDIVIDUAL)
55 FIFTH AVENUE
C/O SANFORD GREENBURGER ASSOCIATES
NEW YORK, NY 10003

FOR: BOARD GAMES, CARD GAMES AND
PUZZLES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 3-16-2006; IN COMMERCE 3-16-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-326,560, FILED 11-12-2003.

ALICE SUE CARRUTHERS, EXAMINING ATTOR-
NEY

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,543,413

Registered Dec. 9, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

da Vinci Realty

VINCI, CHRIS M (COLORADO CORPORATION),
DBA DA VINCI REALTY

4600 PLETTNER LN. #1A

EVERGREEN, CO 80439

FOR: REAL ESTATE BROKERAGE, IN CLASS 36
(U.S. CLS. 100, 101 AND 102).

FIRST USE 5-4-2007; IN COMMERCE 5-4-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "REALTY", APART FROM THE
MARK AS SHOWN.

SER. NO. 77-458,915, FILED 4-26-2008.

BRIDGETT SMITH, EXAMINING ATTORNEY

Int. Cl.: 10

Prior U.S. Cls.: 26, 39 and 44

United States Patent and Trademark Office

Reg. No. 2,870,790

Registered Aug. 10, 2004

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

BIOMERIEUX B.V. (NETHERLANDS CORPORATION)
BOSEIND 15
RM BOXTEL, NETHERLANDS

FOR: DISCRETE PHOTOMETRIC ANALYZER
FOR CLINICAL USE, IN CLASS 10 (U.S. CLS. 26, 39
AND 44).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
BENELUX APPLICATION NO. 976885, FILED 10-31-
2000, REG. NO. 0676811, DATED 10-31-2000, EXPIRES
10-31-2010.

SER. NO. 76-248,902, FILED 4-30-2001.

JOHN DALIER, EXAMINING ATTORNEY

Int. Cl.: 10

Prior U.S. Cls.: 26, 39, and 44

United States Patent and Trademark Office

Reg. No. 3,561,484

Registered Jan. 13, 2009

TRADEMARK
PRINCIPAL REGISTER

DA VINCI S

INTUITIVE SURGICAL, INC. (DELAWARE CORPORATION)
1266 KIFER ROAD
SUNNYVALE, CA 94086

FOR: COMPUTERIZED SURGICAL MANIPULATION SYSTEM COMPRISED OF SURGEON'S CONSOLE, MASTER CONTROL, IMMERSIVE VIDEO DISPLAY, CAMERA IMAGE PROCESSING EQUIPMENT, SURGICAL MANIPULATION SYSTEM SOFTWARE AND INSTRUCTIONAL MANUALS PROVIDED AS A UNIT; MEDICAL APPARATUS, NAMELY, PATIENT-SIDE CART WITH SET-UP ARMS AND MANIPULATOR SLAVE ARMS FOR USE IN COMPUTERIZED SURGICAL MANIPULATION SYSTEMS; MEDICAL APPARATUS, NAMELY, STERILE ADAPTORS TO CONNECT ARMS TO INSTRUMENTS FOR USE IN COMPUTERIZED SURGICAL MANIPULATION SYSTEMS; A FULL LINE OF RESPONSABLE LIMITED RE-USE TOOLS AND INSTRUMENTS FOR MEDICAL USE, NAMELY, LAPAROSCOPES, ENDOSCOPES, TROCARS, CANNULAS, CUTTERS, CLAMPS, ELEVATORS, GOUGES, KNIVES, SCOPE PREHEATERS, LIGHT SOURCES, CABLES AND COMPONENT PARTS, ELECTROSURGICAL INSTRUMENTS, ELECTROCAUTERY INSTRUMENTS, LASER INSTRUMENTS, ULTRASOUND INSTRUMENTS, LENS CLEANING, SCRUB AND BIOPSY BRUSHES, CLIP APPLIERS AND CLIPS, TACK APPLIERS AND TACKS, APPLICATORS, LIGATURE CARRIERS,

NEEDLE HOLDERS, CLAMPS, HEMOSTATS, GRASPERS, CURETTES, INSTRUMENT GUIDES, LIGATURE PASSING AND KNOTTING INSTRUMENTS, NEEDLES, RETRACTORS, SNARES, STYLETTS, FORCEPS, DISSECTORS, CALIPERS, SCISSORS, SUCTION AND IRRIGATION PROBES, STERILE DRAPES, HEMOSTATS, AMPUTATION HOOKS, OSTEOTOMES, SAWS, RETAINERS, SUTURING APPARATUS, MEASURING TAPES, CHISELS AND CONTRACTORS, FILES, SKIN GRAFT EXPANDERS, LANCETS, MALLETS, PLIERS, HAMMERS, RASPS, SPATULAS, AND STRIPPERS; SURGICAL INSTRUMENTS, NAMELY, SCALPELS, SCALPEL BLADES AND HANDLES, STAPLERS, TACKERS, CLIP APPLIERS, ELECTROCAUTERY TOOLS, FORCEPS, NEEDLE HOLDERS, GUIDES AND DRIVERS, GRASPERS, AND KITENERS, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 1-11-2006; IN COMMERCE 1-25-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,628,871.

SN 76-672,142, FILED 2-2-2007.

STEVEN PEREZ, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,920,390

United States Patent and Trademark Office

Registered Jan. 25, 2005

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

APPLIED CONCEPTS, INC. (OHIO CORPORATION)
34950 CHARDON ROAD, SUITE 212
WILLOUGHBY HILLS, OH 44094

FOR: ELECTRONIC ACCOUNTING AND MANAGEMENT SYSTEM COMPRISED OF A NETWORK OF USER DISPLAY TERMINALS CONNECTED TO A HOST CENTRAL PROCESSING UNIT USED BY

BINGO HALLS AND CASINOS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-0-2000; IN COMMERCE 10-0-2000.

SER. NO. 76-517,650, FILED 5-5-2003.

CIMMERIAN COLEMAN, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 2,941,295

Registered Apr. 19, 2005

TRADEMARK
PRINCIPAL REGISTER

DA VINCI

SEZ AG (AUSTRIA CORPORATION)
DRAUBODENWEG 29
A-9500 VILLACH, AUSTRIA

FOR: APPARATUS, NAMELY, MACHINES FOR PRODUCING SEMICONDUCTORS AND MICRO-ELECTRONIC SEMICONDUCTOR PRODUCTS; APPARATUS, NAMELY, MACHINES FOR WORKING SEMIFINISHED ARTICLES FOR SEMICONDUCTORS AND SILICON WAFERS; APPARATUS, NAMELY, MACHINES FOR ETCHING, CLEANING, POLISHING, ROUGHENING AND DRYING OF SEMIFINISHED ARTICLES FOR SEMICONDUCTORS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY CLAIMED UNDER SEC. 44(D) ON AUSTRIA APPLICATION NO. AM3526/2003, FILED 5-26-2003, REG. NO. 211849, DATED 9-1-2003, EXPIRES 9-30-2013.

SER. NO. 76-561,549, FILED 11-20-2003.

SUE LAWRENCE, EXAMINING ATTORNEY

Int. Cls.: 35, 36, and 41

Prior U.S. Cls.: 100, 101, 102, and 107

United States Patent and Trademark Office

Reg. No. 3,066,403

Registered Mar. 7, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

THE DA VINCI EFFECT

CARNEGIE MELLON UNIVERSITY (PENNSYLVANIA NOT-FOR-PROFIT CORPORATION)
5000 FORBES AVENUE
PITTSBURGH, PA 15213

FOR: PROMOTING THE INTERESTS OF THE UNIVERSITY, ITS PROGRAMS, AND ITS STUDENTS AND ALUMNI, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: FUNDRAISING SERVICES, NAMELY, SOLICITING AND MANAGING DONATIONS TO PROMOTE THE INTERESTS OF THE UNIVERSITY, ITS PROGRAMS, AND ITS STUDENTS AND ALUMNI, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: EDUCATIONAL SERVICES, NAMELY PROVIDING INSTRUCTIONAL, MOTIVATIONAL, OUT-

REACH AND MENTORING PROGRAMS TO HIGH SCHOOL, UNDERGRADUATE, GRADUATE, POSTGRADUATE, AND PROFESSIONAL STUDENTS IN THE FIELDS OF LIBERAL ARTS, ENGINEERING, SCIENCE, COMPUTER SCIENCE, FINE ARTS, HUMANITIES AND SOCIAL SCIENCES, INDUSTRIAL ADMINISTRATION, AND PUBLIC POLICY AND MANAGEMENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 76-575,004, FILED 2-9-2004.

MATTHEW PAPPAS, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,982,571

Registered Aug. 9, 2005

SERVICE MARK
PRINCIPAL REGISTER



TALCO, L.P. (TEXAS PARTNERSHIP)
7500 N. MESA
EL PASO, TX 79912

FOR: RESTAURANT SERVICES, TAKE-OUT RESTAURANT SERVICES AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-6-2002; IN COMMERCE 8-6-2002.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MEATBALL", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A STYLIZED MEATBALL AND TWO CHICKEN WINGS.

SER. NO. 76-456,498, FILED 10-7-2002.

GLENN CLARK, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,926,146

Registered Feb. 15, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

DA VINCI'S FLYING MEATBALL

TALCO, L.P. (PARTNERSHIP)
7500 N MESA
EL PASO, TX 79912

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "MEATBALL", APART FROM THE
MARK AS SHOWN.

FOR: RESTAURANT SERVICES, TAKE-OUT RES-
TAURANT SERVICES AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

SER. NO. 76-456,497, FILED 10-7-2002.

FIRST USE 8-6-2002; IN COMMERCE 8-6-2002.

GLENN CLARK, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,948,485

Registered May 10, 2005

TRADEMARK
PRINCIPAL REGISTER

The logo features the word "daVinci" in a serif font, "SMILE" in a bold, blocky sans-serif font, and "Art" in a large, flowing script font. Below "Art" is the word "Ceramics" in a smaller serif font. A decorative flourish underlines the "SMILE" and "Art" text.

DAVINCI DENTAL STUDIOS, INC. (CALIFORNIA CORPORATION)
22135 ROSCOE BOULEVARD
WEST HILLS, CA 91304

FOR: CERAMICS FOR USE IN COSMETIC DENTISTRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

OWNER OF U.S. REG. NO. 2,061,195.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CERAMICS" AND "SMILE", APART FROM THE MARK AS SHOWN.

SN 76-202,882, FILED 1-30-2001.

ALEXANDER L. POWERS, EXAMINING ATTORNEY

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 2,694,481

Registered Mar. 11, 2003

**TRADEMARK
PRINCIPAL REGISTER**

LEONARDO DA VINCI

CANTINE LEONARDO DA VINCI SOC. COOP.
A.R.L. (ITALY CORPORATION)
LOCALITA BIVIO DI STREDA
50059 VINCI, FIRENZE, ITALY

FIRST USE 12-22-1977; IN COMMERCE 0-0-1988.

SER. NO. 76-069,938, FILED 6-14-2000.

FOR: WINES, IN CLASS 33 (U.S. CLS. 47 AND 49).

MITCHELL FRONT, EXAMINING ATTORNEY

Int. Cls.: 3, 9, 14, 16, 20 and 25

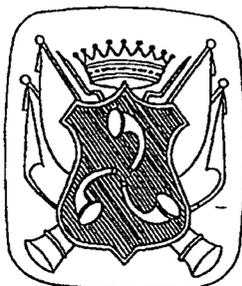
Prior U.S. Cls.: 1, 2, 4, 5, 6, 13, 21, 22, 23, 25, 26, 27,
28, 29, 32, 36, 37, 38, 39, 50, 51 and 52

Reg. No. 3,574,341

United States Patent and Trademark Office

Registered Feb. 17, 2009

TRADEMARK
PRINCIPAL REGISTER



Abundantia Vinca

CONTESSA DA VINCI S.R.L. (ITALY LIMITED
LIABILITY COMPANY)
VIA CASAGRANDE 50
00153 ROME, ITALY

FOR: AFTER SHAVE LOTIONS, ANTIPERSPIRANTS, BATH SALTS, NOT FOR MEDICAL USE, BEAUTY MASKS, CAKES OF TOILET SOAPS, CLEANSING MILK FOR TOILET PURPOSES, COSMETIC CREAMS, DEODORANT SOAP, DEODORANTS FOR PERSONAL USE, ESSENTIAL OILS FOR PERSONAL USE, EYEBROW PENCILS, HAIR SPRAY, HAIR LOTIONS, HAIR COLORANTS, SACHETS FOR PERFUMING LINEN, LIPSTICKS, LOTIONS FOR COSMETIC PURPOSES, MAKE-UP, MAKE-UP POWDER, MASCARA, PERFUMES, OILS FOR COSMETIC PURPOSES, OILS FOR TOILET PURPOSES, ROUGE, SCENTED WATER, SHAMPOOS, SHAVING SOAPS, TOILET SOAP, SUN TANNING PREPARATIONS, TALCUM POWDER, TISSUES IMPREGNATED WITH COSMETIC LOTIONS, NAIL VARNISH, NAIL POLISH, VARNISH REMOVING PREPARATIONS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: EYEGLOSS CASES, EYEGLOSS CHAINS, EYEGLOSS CORDS, EYEGLOSS FRAMES, EYEGASSES, SUNGLASSES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: AMULETS, BADGES OF PRECIOUS METALS, BOXES OF PRECIOUS METALS, BRACELETS, BROOCHES, BUCKLES OF PRECIOUS METAL, CANDLESTICKS OF PRECIOUS METAL, CIGAR AND CIGARETTE CASES OF PRECIOUS

METAL, JEWELRY CHAINS, CHARMS, TIE CLIPS, CUFF LINKS, EARRINGS, JUGS OF PRECIOUS METAL, KEY RINGS OF PRECIOUS METAL, MEDALLIONS, NAPKIN HOLDERS OF PRECIOUS METAL, NECKLACES, ORNAMENTAL PINS, POWDER COMPACTS OF PRECIOUS METAL, SILVER ORNAMENTS, TRINKETS, NAMELY, JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: STAMP ALBUMS, PHOTOGRAPH ALBUMS, COIN ALBUMS, ADDRESS BOOK, TELEPHONE BOOKS, ANNOUNCEMENT CARDS, BAGS OF PAPER OR PLASTICS, FOR PACKAGING, BOOKENDS, BOOKBINDING CLOTH, BOOKLETS, BOOKS, BOXES FOR PENS, CARDBOARD BOXES, CALENDARS, DIARY, POCKET DIARY, FOUNTAIN PENS, GARBAGE BAGS OF PAPER OR PLASTICS, GREETING CARDS, NOTE BOOKS, PACKING PAPER, WRITING PADS, PAPERWEIGHTS, PASSPORT HOLDERS, PEN CASES, PENS, PENCILS, PHOTOGRAPH STANDS, PLACE MATS OF PAPER, POSTCARDS, POSTERS, PRINTED PUBLICATIONS, NAMELY, BOOKLETS, BOOKS, MAGAZINES, ALL IN THE FIELD OF FASHION; TABLE CLOTH OF PAPER, WRITING PAPER, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: WORKS OF ART OF WOOD, WAX, PLASTER OR PLASTICS, BASKETS, NOT OF METAL, BOTTLE CAPS, NOT OF METAL, BOXES OF WOOD OR PLASTICS, CLOTHES HOOKS, NOT OF METAL, COAT HANGERS, PICTURE FRAMES, MIRRORS, JEWELRY CASES, NOT OF PRECIOUS METALS, MAGAZINE RACKS, PILLOWS, TEA TROLLEYS,

NON-METAL SERVING TRAYS, UMBRELLAS STANDS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FOR: BATH SLIPPERS, BATH ROBES, BATHING SUITS, BELTS, COATS, DRESSING GOWNS, DRESSES, GLOVES, HATS, BOOTS, HALF-BOOTS, JACKETS, JERSEYS, NECKTIES, OVERALLS, PARKAS, PULLOVERS, PAJAMAS, SANDALS, SCARVES, SHIRTS, SHOES, SKIRTS, SLIPPERS, SOCKS, STOCKINGS, SUITS, SWEATERS, T-SHIRTS, TROUSERS, UNDERWEAR, VESTS, WAISTCOATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

PRIORITY CLAIMED UNDER SEC. 44(D) ON ITALY APPLICATION NO. RM99C003721, FILED 7-26-1999, REG. NO. 00891820, DATED 5-19-2003, EXPIRES 7-26-2009.

PRIORITY CLAIMED UNDER SEC. 44(D) ON ITALY APPLICATION NO. RM99C003187, FILED 6-25-1999, REG. NO. 00871258, DATED 7-2-2002, EXPIRES 6-25-2009.

THE LINING SHOWN IN THE DRAWING IS A FEATURE OF THE MARK, AND IS NOT INTENDED TO INDICATE COLOR.

ALEXANDRA DA VINCI IDENTITIES A LIVING PERSON WHOSE CONSENT IS OF RECORD.

THE MARK CONSISTS OF THE WORDS "ALEXANDRA DA VINCI" AND A COAT OF ARMS CONSISTING OF A SHIELD, POWDER HORNS, BANNERS AND A CROWN.

SER. NO. 75-796,383, FILED 9-10-1999.

ESTHER BELENKER, EXAMINING ATTORNEY

Int. Cl.: 10

Prior U.S. Cls.: 26, 39, and 44

Reg. No. 2,628,871

United States Patent and Trademark Office

Registered Oct. 1, 2002

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

INTUITIVE SURGICAL, INC. (DELAWARE CORPORATION)
1340 WEST MIDDLEFIELD ROAD
MOUNTAIN VIEW, CA 94043

FOR: COMPUTERIZED SURGICAL MANIPULATION SYSTEM COMPRISED OF SURGEON'S CONSOLE, MASTER CONTROL, IMMERSIVE VIDEO DISPLAY, CAMERA IMAGE PROCESSING EQUIPMENT, SURGICAL MANIPULATION SYSTEM SOFTWARE AND INSTRUCTIONAL MANUALS PROVIDED AS A UNIT, PATIENT-SIDE CART WITH SET-UP ARMS AND MANIPULATOR SLAVE ARMS, STERILE ADAPTORS TO CONNECT ARMS TO INSTRUMENTS, AND A FULL LINE OF RESPONSABLE, IN OTHER WORDS, LIMITED RE-USE TOOLS, NAMELY, LAPAROSCOPES, ENDOSCOPES, TROCARS, CANNULAS, CUTTERS, CLAMPS, ELEVATORS, GOUGES, KNIVES, SCOPE PREHEATERS, LIGHT SOURCES, CABLES AND COMPONENT PARTS, ELECTROSURGICAL INSTRUMENTS, ELECTROCAUTERY INSTRUMENTS, LASER INSTRUMENTS, ULTRASOUND INSTRUMENTS, LENS CLEANING, SCRUB AND BIOPSY BRUSHES, CLIP APPLIERS AND CLIPS, TACK APPLIERS AND TACKS, APPLICATORS, LIGATURE CARRIERS, NEEDLE HOLDERS,

CLAMPS, HEMOSTATS, GRASPERS, CURETTES, INSTRUMENT GUIDES, LIGATURE PASSING AND KNOTTING INSTRUMENTS, NEEDLE, RETRACTORS, SNARES, STYLETS, FORCEPS, DISSECTORS, CALIPERS, SCISSORS, SUCTION AND IRRIGATION PROBES, STERILE DRAPES, HEMOSTATS, AMPUTATION HOOKS, OSTETOMES, SAWS, RETAINERS, SUTURING APPARATUS, MEASURING TAPES, CHISELS AND CONTRACTORS, FILES, SKIN GRAFT EXPANDERS, LANCETS, MALLETS, PLIERS, HAMMERS, RASPS, SPATULAS, AND STRIPPERS; A FULL LINE OF FDA CLASSES I AND II EXEMPT SURGICAL INSTRUMENTS, NAMELY, SCALPELS, SCALPEL BLADES AND HANDLES, STAPLERS, TACKERS, CLIP APPLIERS, ELECTROCAUTERY TOOLS FORCEPS, NEEDLE HOLDERS, GUIDES AND DRIVERS, GRASPERS, AND KITENERS, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 7-7-2000; IN COMMERCE 7-7-2000.

SN 75-982,190, FILED 3-19-1999.

VERNA BETH RIRIE, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,547,768

United States Patent and Trademark Office

Registered Mar. 12, 2002

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

HONEYWELL INTERNATIONAL INC. (DELAWARE CORPORATION)
101 COLUMBIA ROAD
MORRISTOWN, NJ 07962

FOR: OPERATOR STATION CONSISTING OF APPLICATION SOFTWARE WHICH ACCESSES INFORMATION REGARDING WEB OR SHEET CHARACTERISTICS, AND CONTROL FUNCTIONS IMPLEMENTED IN SOFTWARE FOR MODIFYING PAPER MACHINE CONTROL; MACHINE-DIRECTION CONTROLS CONSIST OF SOFTWARE WHICH MAKES CORRECTIONS TO WEB, SHEET CHARACTERISTICS; CROSS-DIRECTION CONTROLS CONSIST OF SOFTWARE WHICH MAKES CORRECTIONS TO WEB, SHEET CHARACTERISTICS; NON-SCANNING CONTROLS CONSIST OF SOFTWARE WHICH MAKES CORRECTIONS TO PULP OR LIQUOR COMPOSITION; DISTRIBUTED CONTROL CONSISTS OF SOFTWARE WHICH TRANSFERS DATA AND CONTROL SIGNALS TO AND FROM CONTROL SOFTWARE; SOFTWARE WHICH ANALYZES A MOVING WEB OR SHEET FOR DEFECTS OR BREAKS; SOFTWARE FOR MONITORING, DIAGNOSING AND CORRECTING DISTURBANCES CAUSED BY PROCESS DEVICES, NAMELY FAN PUMPS, SCREENS IN THE STOCK APPROACH AREA, ROLL NIPS IN THE PRESS SECTION, HEADBOX PULP FLOW CHARACTERISTICS, TEMPERATURE OR LOADING VARIATIONS; SOFTWARE WHICH MONITORS PROCESS DEVICES TO DETERMINE THE NEED FOR REPAIR, SERVICING OR REPLACEMENT; SCANNERS AND SENSORS FOR MEASURING PAPER PROCESS VARIABLES, NAMELY, BASIS WEIGHT, COAT WEIGHT, MOISTURE, INFRARED MOISTURE, CALIPER, DIGITAL CALIPER, SHEET TEMPERATURE, FORMATION, STRENGTH, DIGITAL STRENGTH, ALKALI, COLOR, FLUORESCENCE,

BRIGHTNESS, THICKNESS, DIGITAL GLOSS, OPACITY, NIP GAP, EXTENSIONAL STIFFNESS, SURFACE, DENSITY, SMOOTHNESS, OPACITY; ASH CONTENT, MINERAL CONTENT AND LIQUOR COMPOSITION SCANNER AND SENSOR OPTICAL AND INFRARED SENSORS AND SENSORS WHICH DETECT BETA ABSORPTION, E-RAY ABSORPTION, MAGNETIC RELUCTANCE, PIEZOELECTRIC OR TURBIDITY; COMPRISING OPTICAL, INFRARED, BETA ABSORPTION, X-RAY ABSORPTION, MAGNETIC RELUCTANCE, PIEZOELECTRIC OR TURBIDITY; SOFTWARE WHICH SORTS, CATALOGS, AND ANALYZES PAPER PLANT CHARACTERISTICS, AND PROVIDES STORED DATA UPON REQUEST TO CONTROL SOFTWARE, OPERATOR STATIONS OR OTHER DATA STORING OR DATA CONSUMING SOFTWARE SERVOMECHANISMS WHICH PROVIDE CROSS-DIRECTION AND MACHINE-DIRECTION DIRECT MODIFICATION OF PROCESS CHARACTERISTICS; SERVOMECHANISMS WHICH PROVIDE DIRECT MODIFICATION OF PULP AND LIQUOR COMPOSITION AT A SINGLE POINT; I-BEAM AND 0-FRAME TO SUPPORT UNIT HOLDING SCANNER, COMPUTERS, MONITORS, KEYBOARDS, CABLES, TRANSMITTERS, RECEIVERS; CABINETS HOUSING ELECTRONICS; DIGITAL CCD LINE-SCAN CAMERAS; DIGITAL VIDEO CAMERAS ALL THE AFOREMENTIONED GOODS FOR USE IN THE SHEETING INDUSTRY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-5-1999; IN COMMERCE 4-30-1999.

SN 75-627,993, FILED 1-27-1999.

ESTHER A. BORSUK, EXAMINING ATTORNEY

Int. Cl.: 18

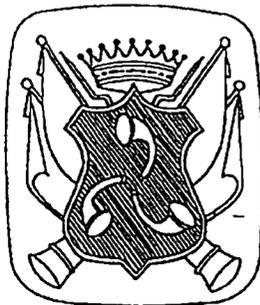
Prior U.S. Cls.: 1, 2, 3, 22 and 41

United States Patent and Trademark Office

Reg. No. 2,950,745

Registered May 17, 2005

TRADEMARK
PRINCIPAL REGISTER



Alexandra da Vinci

CONTESSA DA VINCI S.R.L. (ITALY LTD LIAB
CO)
VIA CASAGRANDE 50, 00153
ROME, ITALY

PRIORITY CLAIMED UNDER SEC. 44(D) ON
ITALY APPLICATION NO. RM99C/003167, FILED 6-
25-1999, REG. NO. 871258, DATED 7-2-2002, EXPIRES
6-25-2009.

FOR: GOODS MADE OF LEATHER AND IMITA-
TIONS OF LEATHER, NAMELY, ATTACHÉ CASES,
BAGS FOR TRAVEL, BAGS FOR SHOPPING, BAN-
DOLIERI, BEACH BAGS, BRIEFCASES, HAND-
BAGS, KEY CASES, BUSINESS CARD CASES,
CALLING CARD CASES, CREDIT CARD CASES,
OVERNIGHT CASES, COSMETIC CASES SOLD
EMPTY, POCKET WALLETS, PURSES, RUCK-
SACKS, SCHOOL SATCHELS, SCHOOL BAGS, SUT-
CASES, TRAVELING TRUNKS, TRUNKS,
UMBRELLAS, VALISES, NONFITTED VANITY
CASES SOLD EMPTY, IN CLASS 18 (U.S. CLS. 1, 2,
3, 22 AND 41).

THE LINING SHOWN IN THE DRAWING IS A
FEATURE OF THE MARK.

"ALEXANDRA DA VINCI" IDENTIFIES A LIV-
ING INDIVIDUAL WHOSE CONSENT IS OF RE-
CORD.

SER. NO. 75-749,181, FILED 7-13-1999.

ESTHER BELENKER, EXAMINING ATTORNEY

Int. Cls.: 37, 41, and 42

Prior U.S. Cls.: 100, 101, 103, 106, and 107

Reg. No. 2,366,978

United States Patent and Trademark Office

Registered July 11, 2000

**SERVICE MARK
PRINCIPAL REGISTER**

DA VINCI FUSION

ROSENZWEIG, SOLOMON (UNITED STATES CITIZEN)
1077 HOWARD STREET
SAN FRANCISCO, CA 94103

FOR: CONSTRUCTION AND INSTALLATION OF SCENERY, PROPS, STAGING, TEMPORARY STRUCTURES, AND LIGHTING, SOUND, AND POWER SUPPLY AND DISTRIBUTION EQUIPMENT FOR THEATRICAL PRODUCTIONS, CONFERENCES, AND PRESENTATIONS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 1-1-1999; IN COMMERCE 1-1-1999.

FOR: RENTAL OF SCENERY, PROPS, STAGING, TEMPORARY STRUCTURES, AND LIGHTING, SOUND, AND POWER SUPPLY AND DISTRIBUTION EQUIPMENT FOR THEATRICAL PRODUCTIONS,

CONFERENCES, AND PRESENTATIONS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 1-1-1999; IN COMMERCE 1-1-1999.

FOR: DESIGN OF SCENERY, PROPS, STAGING, TEMPORARY STRUCTURES AND LIGHTING, SOUND AND POWER SUPPLY AND DISTRIBUTION EQUIPMENT, DESIGN FOR THEATRICAL PRODUCTIONS, CONFERENCES AND PRESENTATIONS, TOGETHER WITH CONSULTING SERVICES IN CONNECTION THEREWITH, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-1999; IN COMMERCE 1-1-1999.

SN 75-519,770, FILED 7-16-1998.

IRENE D. WILLIAMS, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 2,277,699

Registered Sep. 14, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI CIGARS

TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS RD., SUITE 112
DALLAS, TX 75287

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).
FIRST USE 10-15-1995; IN COMMERCE
8-21-1996.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "CIGARS" , APART FROM
THE MARK AS SHOWN.

SER. NO. 75-492,872, FILED 5-26-1998.

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,277,692

United States Patent and Trademark Office

Registered Sep. 14, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI MONALISA

**TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS RD., SUITE 112
DALLAS, TX 75287**

**FIRST USE 10-15-1995; IN COMMERCE
8-21-1996.**

SER. NO. 75-492,472, FILED 5-26-1998.

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,277,684

United States Patent and Trademark Office

Registered Sep. 14, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI LEONARDO

**TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS RD., SUITE 112
DALLAS, TX 75287**

**FIRST USE 10-15-1995; IN COMMERCE
8-21-1996.**

SER. NO. 75-490,746, FILED 5-26-1998.

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 2,277,701

Registered Sep. 14, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI RENAISSANCE

**TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS RD., SUITE 112
DALLAS, TX 75287**

**FIRST USE 10-15-1995; IN COMMERCE
8-21-1996.**

SER. NO. 75-492,874, FILED 5-26-1998.

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 2,277,700

Registered Sep. 14, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI MADONNA

**TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS RD., SUITE 112
DALLAS, TX 75287**

**FIRST USE 10-15-1995; IN COMMERCE
8-21-1996.**

SER. NO. 75-492,873, FILED 5-26-1998.

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 2,277,693

Registered Sep. 14, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI GINEVRA DE BENCI

**TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS RD., SUITE 112
DALLAS, TX 75287**

**FIRST USE 10-15-1995; IN COMMERCE
8-21-1996.**

SER. NO. 75-492,473, FILED 5-26-1998.

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,260,584

United States Patent and Trademark Office

Registered July 13, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

**TOBACCO CLUB, INC. (TEXAS CORPORATION)
4043 TRINITY MILLS ROAD, SUITE 112
DALLAS, TX 75287**

**FOR: CIGARS AND ACCESSORIES FOR
CIGARS, NAMELY, CIGARS, CARRYING
CASES NOT OF PRECIOUS METAL, LIGHT-
ERS NOT OF PRECIOUS METAL, HUMIDORS,
ASHTRAYS NOT OF PRECIOUS METAL, CUT-**

**TERS, AND CIGAR HOLDERS NOT OF PRE-
CIOUS METAL, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

**FIRST USE 12-4-1995; IN COMMERCE
12-18-1995.**

SER. NO. 75-406,203, FILED 12-16-1997.

FARAH BHATTI, EXAMINING ATTORNEY

Int. Cl.: 19

Prior U.S. Cls.: 1, 12, 33 and 50

United States Patent and Trademark Office

Reg. No. 2,763,041

Registered Sep. 16, 2003

**TRADEMARK
PRINCIPAL REGISTER**

KARNDEAN DA VINCI

KARNDEAN INTERNATIONAL LIMITED (UNI-
TED KINGDOM CORPORATION)
FERRY LANE
OFFENHAM, EVESHAM
WORCESTERSHIRE, ENGLAND WR11 5RT

FOR: NON-METALLIC FLOOR TILES; VINYL
FLOOR TILES PATTERNED TO REPLICATE WOOD
FLOORING AND GRANITE FLOOR TILES, IN
CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 9-0-1997; IN COMMERCE 9-0-1997.

PRIORITY CLAIMED UNDER SEC. 44(D) ON
UNITED KINGDOM APPLICATION NO. 2135390,
FILED 6-10-1997, REG. NO. 2135390, DATED 4-24-
1998, EXPIRES 6-10-2007.

"KARNDEAN DA VINCI" DOES NOT IDENTIFY
A LIVING INDIVIDUAL.

SER. NO. 75-388,363, FILED 11-12-1997.

MATTHEW PAPPAS, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,172,284

United States Patent and Trademark Office

Registered July 14, 1998

**SERVICE MARK
PRINCIPAL REGISTER**

DA VINCI DESIGN

**MOETTELI, JOHN BRENT (UNITED STATES
CITIZEN)
813 PALM DESERT DRIVE
GARLAND, TX 75044**

**FOR: PROVIDING INFORMATION TO
OTHERS ABOUT PATENTS, THE PATENT
PROCESS, INVENTING, AND INNOVATIVE
DESIGN AND ENGINEERING, IN CLASS 42
(U.S. CLS. 100 AND 101).**

**FIRST USE 12-31-1992; IN COMMERCE
2-1-1993.**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "DESIGN", APART FROM THE
MARK AS SHOWN.**

SER. NO. 75-155,213, FILED 8-23-1996.

**CHRIS A. F. PEDERSEN, EXAMINING ATTOR-
NEY**

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,240,675

United States Patent and Trademark Office

Registered Apr. 20, 1999

**SERVICE MARK
PRINCIPAL REGISTER**

THE DA VINCI PROJECT OF CENTRAL NEW YORK

DA VINCI PROJECT OF CENTRAL NEW
YORK, THE (NEW YORK UNINC. ASSOCIA-
TION)
572 S. SALINA ST.
SYRACUSE, NY 132023320

FOR: EMPLOYMENT RECRUITMENT, IN
CLASS 35 (U.S. CLS. 100, 101 AND 102).
FIRST USE 10-24-1997; IN COMMERCE
10-24-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "PROJECT OF CENTRAL NEW
YORK", APART FROM THE MARK AS
SHOWN.

SER. NO. 75-448,341, FILED 3-11-1998.

RADHIKA RAJU, EXAMINING ATTORNEY

Int. Cls.: 9, 14, 18 and 25

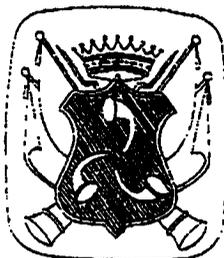
Prior U.S. Cls.: 1, 2, 3, 21, 22, 23, 26, 27, 28, 36, 38, 39,
41 and 50

United States Patent and Trademark Office

Reg. No. 2,745,435

Registered Aug. 5, 2003

TRADEMARK
PRINCIPAL REGISTER



CONTESSA DA VINCI

CONTESSA DA VINCI S.R.L. (ITALY LIMITED
LIABILITY COMPANY)
VIA G.B. MARTINI 13
00198 ROME, ITALY

FOR: EYEGLASSES, SUNGLASSES AND THEIR
CASES, CHAINS, CORDS AND FRAMES, IN CLASS
9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: JEWELRY AND IMITATION THEREOF,
NAMELY BRACELETS, BROOCHES, CHAINS, TIE
CLIPS, CUFF LINKS, EARRINGS, JEWELRY CASES
OF PRECIOUS METAL, CIGARETTE CASES MADE
OF PRECIOUS METAL, KEY RINGS OF PRECIOUS
METAL, MEDALS, NECKLACES, PINS, POWDER
COMPACTS OF PRECIOUS METAL, RINGS, IN
CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: GOODS MADE OF LEATHER AND IMITA-
TIONS OF LEATHER, NAMELY, ATTACHE CASES,
BAGS FOR TRAVEL, BAGS FOR SHOPPING, BAN-
DOLIERS, BEACH BAGS, BRIEFCASES, HAND-
BAGS, KEY CASES, BUSINESS CARD CASES,
CALLING CARD CASES, CREDIT CARD CASES,
OVERNIGHT CASES, COSMETIC CASES SOLD
EMPTY, POCKET WALLETS, PURSES, RUCK-
SACKS, SCHOOL SATCHELS, SCHOOL BAGS, SUIT-
CASES, TRAVELLING TRUNKS, TRUNKS,
UMBRELLAS, VALISES, NONFITTED VANITY
CASES SOLD EMPTY, PURSES, IN CLASS 18 (U.S.
CLS. 1, 2, 3, 22 AND 41).

FOR: BANDANAS, NAMELY, NECKERCHIEFS;
BATH ROBES, BATH SANDALS, BATH SLIPPERS,

BATHING SUITS, BEACHWEAR, BATHING SUITS,
BEACH SHOES, BELTS, BERETS, BOOTS, CAPS,
GYM SHORTS, GYM SUITS, LEOTARDS, SWEAT-
BANDS, WARM-UP SUITS; CLOTHING OF IMITA-
TION LEATHER AND OF LEATHER, NAMELY,
JACKETS, COATS, VESTS, SKIRTS, TROUSERS,
DRESSES; COATS, DRESSING GOWNS, FUR
COATS, FUR JACKETS, FUR STOLES, GLOVES,
GYMNASTIC SHOES, HALF-BOOTS, HATS, HOSI-
ERY, JACKETS, JERSEYS, JUMPERS, NECKTIES,
OVERALLS, PARKAS, PULLOVERS, PAJAMAS,
SANDALS, SASHES, SCARVES, SHAWLS, SHIRTS,
BLOUSES, SHOES, SKIRTS, SLIPPERS, SOCKS,
SPORTS JERSEYS, STOCKINGS, SUITS, SWEATERS,
T-SHIRTS, TROUSERS, TROUSER STRAPS, UN-
DERWEAR, VESTS, WAISTCOATS, AND KNIT-
WEAR, NAMELY SWEATERS, SCARVES,
DRESSES, IN CLASS 25 (U.S. CLS. 22 AND 39).

OWNER OF ITALY REG. NO. 494083, DATED 3-30-
1998, EXPIRES 3-30-2008.

THE LINING SHOWN IN THE DRAWING OF
THE MARK IS A FEATURE OF THE MARK AND
NOT INTENDED TO INDICATE COLOR.

THE NAME IN THE MARK "CONTESSA DA
VINCI", WHOSE CONSENT IS OF RECORD, IDEN-
TIFIES A PARTICULAR LIVING INDIVIDUAL.

SER. NO. 75-356,594, FILED 9-15-1997.

ESTHER BELENKER, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28, and 50

Reg. No. 2,369,047

United States Patent and Trademark Office

Registered July 18, 2000

**TRADEMARK
PRINCIPAL REGISTER**

LEONARDO DA VINCI'S HORSE

LEONARDO DA VINCI'S HORSE, INC. (PENNSYLVANIA CORPORATION)
P.O. BOX 396
FOGELSVILLE, PA 180510396

FIRST USE 6-25-1999; IN COMMERCE 6-25-1999.

SN 75-328,219, FILED 7-21-1997.

EDWARD NELSON, EXAMINING ATTORNEY

FOR: PRECIOUS METAL SCULPTURES, JEWELRY AND MEDALLIONS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

Reg. No. 2,220,876

United States Patent and Trademark Office

Registered Jan. 26, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

L.A.C. CORPORATION (JAPAN CORPORATION)
800-5, OYAMA-MACHI, MACHIDA-SHI
TOKYO 194-02, JAPAN

FOR: COATING AND PAINTING MACHINES, FOR COMMERCIAL, INDUSTRIAL AND OR DOMESTIC USE; AIR BRUSHES FOR APPLYING PAINT; SPRAY GUNS FOR PAINT,

IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 3-12-1997; IN COMMERCE 4-23-1998.

SN 75-256,146, FILED 3-12-1997.

ALLISON BERMAN, EXAMINING ATTORNEY

Int. Cls.: 29 and 30

Prior U.S. Cl.: 46

Reg. No. 2,113,847

United States Patent and Trademark Office

Registered Nov. 18, 1997

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

**WORLD FINER FOODS, INC. (DELAWARE
CORPORATION)
300 BROADACRES DRIVE
BLOOMFIELD, NJ 07003**

**FOR: PROCESSED TUSCANY PEPPERS,
MARINATED MUSHROOMS, PROCESSED PIG-
NOLI NUTS, LENTIL SOUP, MINISTRONE
SOUP, ESCAROLE IN CHICKEN BROTH,
PROCESSED CHICK PEAS, PROCESSED
KIDNEY BEANS, MACARONI AND BEAN
SOUP, AND SPREAD MADE PRIMARILY OF
PROCESSE GARLIC, IN CLASS 29 (U.S. CL. 46).**

**FIRST USE 0-0-1989; IN COMMERCE
0-0-1989.**

**FOR: BALSAMIC VINEGAR, BREADSTICKS,
GNOCCHI, AND BREAD CRUMBS, IN CLASS
30 (U.S. CL. 46).**

**FIRST USE 0-0-1981; IN COMMERCE
0-0-1981.**

**OWNER OF U.S. REG. NOS. 770,469 AND
1,338,226.**

SER. NO. 75-166,045, FILED 9-11-1996.

MICHAEL MASON, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,061,195

United States Patent and Trademark Office

Registered May 13, 1997

**SERVICE MARK
PRINCIPAL REGISTER**

DA VINCI DENTAL STUDIOS

MATERDOMINI, DANIEL (UNITED STATES
CITIZEN)
2700 SANTA MARIA ROAD
TOPANGA, CA 90290

FOR: DENTAL LABORATORY SERVICES,
IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-0-1970; IN COMMERCE
9-0-1970.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "DENTAL STUDIOS", APART
FROM THE MARK AS SHOWN.

SER. NO. 75-107,384, FILED 5-21-1996.

DAN VAVONESE, EXAMINING ATTORNEY

Int. Cl.: 2

Prior U.S. Cls.: 6, 11 and 16

Reg. No. 2,038,680

United States Patent and Trademark Office

Registered Feb. 18, 1997

**TRADEMARK
PRINCIPAL REGISTER**



DA VINCI PAINT CO. INC. (CALIFORNIA
CORPORATION)
11 GOOD YEAR STREET
IRVINE, CA 92718

FOR: OIL PAINTS FOR ARTISTS, COLOR
PIGMENTS, VARNISH, PAINT MEDIUMS FOR
ARTISTS AND PAINT SOLVENTS FOR ART-
ISTS, IN CLASS 2 (U.S. CLS. 6, 11 AND 16).

FIRST USE 1-1-1977; IN COMMERCE
1-1-1977.

OWNER OF U.S. REG. NO. 1,357,486.
NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "PAINTS", APART FROM THE
MARK AS SHOWN.

SER. NO. 75-059,572, FILED 2-20-1996.

JEAN MARC BRUN, EXAMINING ATTORNEY

Int. Cl.: 21

Prior U.S. Cls.: 2 and 33

United States Patent and Trademark Office

Reg. No. 1,781,479
Registered July 13, 1993

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI CRYSTAL

CALP S.P.A. (ITALY CORPORATION)
CRISTALLERIA ARTISTICA LA PIANA53034
COLLE VAL D'ELSA
VIA PROVENCIALE SENESE
SIENA, ITALY

FOR: CRYSTAL BEVERAGE GLASSWARE,
IN CLASS 21 (U.S. CLS. 2 AND 33).

FIRST USE 7-0-1992; IN COMMERCE
7-0-1992.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "CRYSTAL" , APART FROM
THE MARK AS SHOWN.

SER. NO. 74-324,681, FILED 10-21-1992.

F. D. CARMINE, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cl.: 27

United States Patent and Trademark Office

Reg. No. 1,994,273

Registered Aug. 20, 1996

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

IWC INTERNATIONAL WATCH CO. AG
(SWITZERLAND CORPORATION)
BAUMGARTENSTRASSE 15
SCHAFFHAUSEN, SWITZERLAND

FIRST USE 0-0-1986; IN COMMERCE
0-0-1986.

SER. NO. 74-314,228, FILED 9-16-1992.

FOR: WATCHES AND PARTS THEREFOR,
IN CLASS 14 (U.S. CL. 27).

SUSAN LESLIE, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cl.: 29

United States Patent and Trademark Office

Reg. No. 1,852,360

Registered Sep. 6, 1994

**TRADEMARK
PRINCIPAL REGISTER**

LEONARDO DA VINCI

DEFET KG KUNSTLERPINSELFABRIK (FED
REP GERMANY LIMITED PARTNERSHIP)
GUSTAV-ADOLF STRASSE 33
8500 NUREMBERG 70, FED REP GERMANY

FOR: ARTISTS' BRUSHES, IN CLASS 16 (U.S.
CL. 29).

FIRST USE 0-0-1987; IN COMMERCE
0-0-1987.

OWNER OF U.S. REG. NO. 1,770,018.

SER. NO. 74-314,224, FILED 9-16-1992.

STEVEN R. FOSTER, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cl.: 29

United States Patent and Trademark Office **Reg. No. 1,770,018**
Registered May 11, 1993

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

DEFET KG KUNSTLERPINSELFABRIK (FED
REP GERMANY LIMITED PARTNERSHIP)
GUSTAV-ADOLF STRASSE 33
8500 NUREMBERG 70
RUF 0911/612924, FED REP GERMANY

FIRST USE 0-0-1987; IN COMMERCE
0-0-1987.

SER. NO. 74-291,348, FILED 7-6-1992.

FOR: ARTISTS BRUSHES, IN CLASS 16 (U.S.
CL. 29).

BRIAN WEBER, EXAMINING ATTORNEY

Int. Cls.: 29 and 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office **Reg. No. 1,338,226**
Registered May 28, 1985

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

REESE FINER FOODS, INC. (DELAWARE
CORPORATION)
P.O. BOX D
51 GRAFTON AVE.
DAYTON, OH 45406

FOR: OLIVE OIL, IN CLASS 29 (U.S. CL. 46).
FIRST USE 1-1-1982; IN COMMERCE
1-1-1982.

FOR: PASTA AND SEASONINGS, IN CLASS
30 (U.S. CL. 46).

FIRST USE 10-0-1952; IN COMMERCE
10-0-1952.

OWNER OF U.S. REG. NO. 770,469.

SER. NO. 487,037, FILED 6-26-1984.

RICHARD A. STRASER, EXAMINING ATTOR-
NEY

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office **Reg. No. 1,516,175**
Registered Dec. 13, 1988

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI

**FOOD SCIENCE CORPORATION (VERMONT
CORPORATION)
20 NEW ENGLAND DRIVE
ESSEX JUNCTION, VT 05452**

**FIRST USE 2-13-1976; IN COMMERCE
2-13-1976.
OWNER OF U.S. REG. NO. 1,200,808.**

SER. NO. 653,608, FILED 4-6-1987.

**FOR: DIETARY SUPPLEMENT, IN CLASS 5
(U.S. CL. 18).**

**HELEN ROBERTS WENDEL, EXAMINING AT-
TORNEY**

Int. Cl.: 9

Prior U.S. Cl.: 38

United States Patent and Trademark Office **Reg. No. 1,496,647**
Registered July 19, 1988

**TRADEMARK
PRINCIPAL REGISTER**

DA VINCI SYSTEMS

DA VINCI SYSTEMS CORPORATION (NORTH
CAROLINA CORPORATION)
P.O. BOX 5427
RALEIGH, NC 27709

FIRST USE 6-27-1985; IN COMMERCE
11-10-1986.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "SYSTEMS" , APART FROM
THE MARK AS SHOWN.

FOR: COMPUTER PROGRAMS FOR USE IN
THE FIELD OF ELECTRONIC MAIL AND
COMMUNICATIONS, IN CLASS 9 (U.S. CL. 38).

SER. NO. 697,211, FILED 11-23-1987.

RUSS HERMAN, EXAMINING ATTORNEY

PRINCIPAL REGISTER Trademark

Ser. No. 177,342, filed Sept. 19, 1963

DA VINCI

Dina Food Corp. (Illinois corporation)
1750 W. Wrightwood Ave.
Chicago 14, Ill.

For: PEPPERONCINIS, SLICED EGG PLANT IN VINEGAR, STUFFED EGGPLANT, ANTIPASTO PEPPERS, PEPPER SALAD, LUPINI BEANS, OLIVE APPETIZER, STUFFED CHERRY PEPPERS, ITALIAN GIARDINIERA, MUSHROOM SALAD, CIPOLLINI,

SLICED CHERRY PEPPERS IN OIL, HOT PIZZA SAUCE, MILD PIZZA SAUCE, GARLIC WINE VINEGAR, RED WINE VINEGAR, HOT CHERRY PEPPERS, MEAT SAUCE, MUSHROOM SAUCE, MEATLESS SAUCE, AND MARINARA SAUCE AND RED CLAM SAUCE TO BE USED OVER PASTA PRODUCTS, in CLASS 46.

First use on or about Sept. 9, 1963; in commerce on or about Sept. 9, 1963.

EXHIBIT 3

Side - 1

NOTICE OF PUBLICATION UNDER §12(a)

MAILING DATE: Nov 29, 2006

PUBLICATION DATE: Dec 19, 2006

The mark identified below will be published in the Official Gazette on Dec 19, 2006. Any party who believes they will be damaged by registration of the mark may oppose its registration by filing an opposition to registration or a request to extend the time to oppose within thirty (30) days from the publication date on this notice. If no opposition is filed within the time specified by law, the USPTO may issue a Certificate of Registration. To view the Official Gazette online or to order a paper copy, visit the USPTO website at <http://www.uspto.gov/web/trademarks/tmog/> any time within the five-week period after the date of publication. You may also order a printed version from the U.S. Government Printing Office (GPO) at <http://bookstore.gpo.gov> or 202-512-1800. To check the status of your application, go to <http://tarr.uspto.gov/>.

SERIAL NUMBER: 78728786

MARK: DAVINCI DIAGNOSTIC IMAGING

OWNER: DaVinci Radiology Associates, P.L.

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
MAIL
U.S. POSTAGE
PAID

KIRK FRIEDLAND
KIRK FRIEDLAND LAW OFFICE
505 S FLAGLER DR STE 1330
WEST PALM BEACH, FL 33401-5951

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	78728786	FILING DATE	10/07/2005
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	CLAYTON, CHERYL A	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	10/18/2006		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	10/17/2006		
LITERAL MARK ELEMENT	DAVINCI DIAGNOSTIC IMAGING		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
-------------------------	----

LITERAL MARK ELEMENT	DAVINCI DIAGNOSTIC IMAGING
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	YES

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	DaVinci Radiology Associates, P.L.
ADDRESS	Suite 1330 505 South Flagler Drive West Palm Beach, FL 33401
ENTITY	99-LIMITED LIABILITY COMPANY
CITIZENSHIP	Florida

GOODS AND SERVICES

INTERNATIONAL CLASS	044
DESCRIPTION TEXT	medical diagnostic imaging services

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	FIRST USE DATE	FIRST USE IN COMMERCE DATE	CLASS STATUS
044	08/01/2005	08/01/2005	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	"The color(s) white, brown and yellow is/are claimed as a feature of the mark."
DISCLAIMER W/PREDETER TXT	"DIAGNOSTIC"
DESCRIPTION OF MARK	"The mark consists of a white Vatruvian man silhouette image inside of a circle shaded brown in the lower portion blending to yellow in the upper portion, the right half of the circle is superimosed within the brown letter "D" in the brown text "DAVINCI", the text DIAGNOSTIC is yellow and the text "IMAGING" is brown, the dot over the letter "i" is yellow."

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/17/2006	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	008

10/12/2006	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	007
10/11/2006	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	006
10/11/2006	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	005
04/12/2006	GNRT	F	NON-FINAL ACTION E-MAILED	004
04/12/2006	CNRT	R	NON-FINAL ACTION WRITTEN	003
04/12/2006	DOCK	D	ASSIGNED TO EXAMINER	002
10/12/2005	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Kirk Friedland
CORRESPONDENCE ADDRESS	KIRK FRIEDLAND KIRK FRIEDLAND LAW OFFICE 505 S FLAGLER DR STE 1330 WEST PALM BEACH, FL 33401-5951
DOMESTIC REPRESENTATIVE	NONE

DAVINCI
MAGING

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78728786
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	044
DESCRIPTION	medical diagnostic imaging services
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/01/2005
FIRST USE IN COMMERCE DATE	At least as early as 08/01/2005
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	044
DESCRIPTION	medical diagnostic imaging services
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/01/2005
FIRST USE IN COMMERCE DATE	At least as early as 08/01/2005
STATEMENT TYPE	"The substitute specimen(s) was in use in commerce as of the filing date of the application."
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 787\287\78728786\xml1\RO A0002.JPG
SPECIMEN DESCRIPTION	Business card
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	"No claim is made to the exclusive right to use "DIAGNOSTIC" apart from the mark as shown." "The mark consists of a white Vatruvian man silhouette image inside of a circle shaded brown in the lower portion

DESCRIPTION OF THE MARK (and Color Location, if applicable)	blending to yellow in the upper portion, the right half of the circle is superimosed within the brown letter "D" in the brown text "DAVINCI", the text DIAGNOSTIC is yellow and the text "iMAGING" is brown, the dot over the letter "i" is yellow."
COLOR(S) CLAIMED (If applicable)	"The color(s) white, brown and yellow is/are claimed as a feature of the mark."
SIGNATURE SECTION	
DECLARATION SIGNATURE	/kirk friedland/
SIGNATORY'S NAME	Kirk Friedland
SIGNATORY'S POSITION	Attorney
DATE SIGNED	10/11/2006
RESPONSE SIGNATURE	/kirk friedland/
SIGNATORY'S NAME	Kirk Friedland
SIGNATORY'S POSITION	Attorney
DATE SIGNED	10/11/2006
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Oct 11 17:43:58 EDT 2006
TEAS STAMP	USPTO/ROA-72.144.209.207- 20061011174358071693-7872 8786-34063d19e4298f8a091a 371b62e0d19023-N/A-N/A-20 061011171619414844

NO FURTHER ACTION
NECESSARY AT THIS TIME

**Response to Office Action
To the Commissioner for Trademarks:**

Application serial no. **78728786** has been amended as follows:
Classification and Listing of Goods/Services

Applicant hereby amends the following class of goods/services in the application as follows:

Current: Class 044 for medical diagnostic imaging services

Original Filing Basis: 1(a).

Proposed: Class 044 for medical diagnostic imaging services

Filing Basis: 1(a).

Section 1(a), Use in Commerce: The mark was first used at least as early as 08/01/2005 and first used in commerce at least as early as 08/01/2005, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 044.

The specimen(s) submitted consists of Business card.

For an application based on 1(a), Use in Commerce, "The substitute specimen(s) was in use in commerce as of the filing date of the application."

Specimen File1

Additional Statements

"No claim is made to the exclusive right to use "DIAGNOSTIC" apart from the mark as shown."

"The mark consists of a white Vatruvian man silhouette image inside of a circle shaded brown in the lower portion blending to yellow in the upper portion, the right half of the circle is superimosed within the brown letter "D" in the brown text "DAVINCI", the text DIAGNOSTIC is yellow and the text "iMAGING" is brown, the dot over the letter "i" is yellow."

"The color(s) white, brown and yellow is/are claimed as a feature of the mark."

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant 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. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii). If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods or services listed in the application as of the application filing date. 37 C.F.R. Secs. 2.34(a)(1)(i). The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /kirk friedland/ Date: 10/11/2006

Signatory's Name: Kirk Friedland

Signatory's Position: Attorney

Response Signature

Signature: /kirk friedland/ Date: 10/11/2006

Signatory's Name: Kirk Friedland

Signatory's Position: Attorney

Serial Number: 78728786

Internet Transmission Date: Wed Oct 11 17:43:58 EDT 2006

TEAS Stamp: USPTO/ROA-72.144.209.207-200610111743580

71693-78728786-34063d19e4298f8a091a371b6

2e0d19023-N/A-N/A-20061011171619414844

DAVINCI IMAGING

101 JFK Drive
Atlantis, FL 33462
Adjacent to JFK Medical Ctr
(561) 968-3310
www.davinci-imaging.com

Thomas P. Boyle M.D.
American Board of Radiology Certified
Body MRI and CT Imaging, Breast Imaging

DAVINCI IMAGING

101 JFK Drive
Atlantis, FL 33462
Adjacent to JFK Medical Ctr
(561) 968-3310
www.davinci-imaging.com

Thomas P. Boyle M.D.
American Board of Radiology Certified
Body MRI and CT Imaging, Breast Imaging

To: DaVinci Radiology Associates, P.L. (kirklaw@gate.net)
Subject: TRADEMARK APPLICATION NO. 78728786 - DAVINCI DIAGNOSTIC IMAGING - N/A
Sent: 4/12/2006 12:55:01 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/728786

APPLICANT: DaVinci Radiology Associates, P.L.

78728786

CORRESPONDENT ADDRESS:

KIRK FRIEDLAND
KIRK FRIEDLAND LAW OFFICE
505 S FLAGLER DR STE 1330
WEST PALM BEACH, FL 33401-5951

RETURN ADDRESS:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: DAVINCI DIAGNOSTIC IMAGING

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

kirklaw@gate.net

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

RESPONSE TIME LIMIT: TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

MAILING/E-MAILING DATE INFORMATION: If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the mailing date of the most recently issued Office communication.

Serial Number 78/728786

The assigned examining attorney has reviewed the referenced application and determined the following.

SEARCH OF OFFICE RECORDS

The examining attorney has searched the Office records and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

DISCLAIMER

The Office can require an applicant to disclaim exclusive rights to an unregistrable part of a mark, rather than refuse registration of the entire mark. Trademark Act Section 6(a), 15 U.S.C. §1056(a). Under Trademark Act Section 2(e), 15 U.S.C. §1052(e), the Office can refuse registration of the entire mark where it is determined that the entire mark is merely descriptive, deceptively misdescriptive, or primarily geographically descriptive of the goods. Thus, the Office may require the disclaimer of a portion of a mark which, when used in connection with the goods or services, is merely descriptive, deceptively misdescriptive, primarily geographically descriptive, or otherwise unregistrable (e.g., generic). TMEP §1213.03(a). If an applicant does not comply with a disclaimer requirement, the Office may refuse registration of the entire mark. TMEP §1213.01(b).

A "disclaimer" is thus a written statement that an applicant adds to the application record that states that applicant does not have exclusive rights, separate and apart from the entire mark, to particular wording and/or to a design aspect. The appearance of the applied-for mark does not change.

The following cases explain the disclaimer requirement more fully: *Dena Corp. v. Belvedere Int'l Inc.*, 950 F.2d 1555, 21 USPQ2d 1047 (Fed. Cir. 1991); *In re Kraft, Inc.*, 218 USPQ 571 (TTAB 1983); *In re EBS Data Processing, Inc.*, 212 USPQ 964 (TTAB 1981); *In re National Presto Industries, Inc.*, 197 USPQ 188 (TTAB 1977).

Applicant must insert a disclaimer of DIAGNOSTIC in the application because it merely identifies a characteristic of the services. Trademark Act Section 6, 15 U.S.C. §1056; TMEP §1213.

The computerized printing format for the Office's *Trademark Official Gazette* requires a standardized format for a disclaimer. TMEP §1213.08(a)(i). The following is the standard format used by the Office:

No claim is made to the exclusive right to use "DIAGNOSTIC" apart from the mark as shown.

See *In re Owatonna Tool Co.*, 231 USPQ 493 (Comm'r Pats. 1983).

COLOR DRAWING

The drawing of the mark contains color. Color drawings must be accompanied by the following: (1) a color claim naming the colors that are a feature of the mark; and (2) a separate statement describing where the color(s) appear on the mark. A color drawing will not publish without both of these

statements.

A properly worded color claim would read as follows:

The color(s) *<name the color(s)>* are claimed as a distinctive feature of the mark.

A properly worded description would read as follows:

The color(s) *<name the color(s)>* appear in *<specify portion of mark on which color(s) appear>*.

SPECIMEN OF USE

The applicant has submitted a specimen that appears to be temporary in nature, e.g. a temporary reproduction of the mark, rather than showing the mark identifying the services in the sale or advertising of such services. The applicant must submit a specimen of a more permanent nature. 37 C.F.R. §2.61(b); TMEP §904.04(a).

The applicant must submit a specimen, and must submit the following statement:

The specimen was in use in commerce at least as early as the filing date of the application.

This statement must be verified with an affidavit or a declaration under 37 C.F.R. Section 2.20. 37 C.F.R. Section 2.71(d)(1).

The following is a properly worded declaration under 37 C.F.R. Section 2.20. At the end of the response, the applicant should insert the declaration signed by someone authorized to sign under 37 C.F.R. Section 2.33(a).

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

(Signature)

(Print or Type Name and Position)

(Date)

/Cheryl Clayton/
Attorney
Law Office 102
571-272-9102

HOW TO RESPOND TO THIS OFFICE ACTION:

- **ONLINE RESPONSE:** You may respond using the Office's Trademark Electronic Application System (TEAS) Response to Office action form available on our website at <http://www.uspto.gov/teas/index.html>. If the Office action issued via e-mail, you must wait 72 hours after receipt of the Office action to respond via TEAS. **NOTE: Do not respond by e-mail. THE USPTO WILL NOT ACCEPT AN E-MAILED RESPONSE.**
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above, and include the serial number, law office number, and examining attorney's name. **NOTE: The filing date of the response will be the *date of receipt in the Office*, not the postmarked date.** To ensure your response is timely, use a certificate of mailing. 37 C.F.R. §2.197.

STATUS OF APPLICATION: To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

VIEW APPLICATION DOCUMENTS ONLINE: Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

GENERAL TRADEMARK INFORMATION: For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.

*** User:CClayton ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	78728786[SN]
02	25909	N/A	0	0	0:01	020133[dc]
03	5896	N/A	0	0	0:01	260111[dc]
04	140	74	2	66	0:01	2 and 3
05	23123	N/A	0	0	0:01	0209[DC]
06	108	64	2	44	0:01	5 and 3
07	99	N/A	0	0	0:02	*d{v}{v{"iey"}n{"ckq"}{"iey"}*[bi,ti]
08	851	N/A	0	0	0:02	*d{"iey"}{v}gn{v}{"sz"}t{"iey"}{"ckqx"}*[bi,ti]
09	20066	N/A	0	0	0:03	*m{v}{"gj"}{"iey"}*[bi,ti]
10	1	0	1	1	0:01	7 and 8 and 9
11	1	0	1	1	0:01	7 and (8 9)
12	47	15	32	23	0:01	8 and 9

Session started 4/12/2006 12:37:41 PM

Session finished 4/12/2006 12:45:22 PM

Total search duration 0 minutes 16 seconds

Session duration 7 minutes 41 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78728786

Trademark/Service Mark Application, Principal Register

Serial Number: 78728786

Filing Date: 10/07/2005

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
MARK FILE NAME	\\TICRS\EXPORT8\IMAGEOUT8 787\287\78728786\xml\1\AP P0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	DaVinci Diagnostic Imaging
COLOR MARK	NO
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of A stylized letter "i" with a silhouette of the Vitruvian man.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	1108 x 654
OWNER SECTION	
NAME	DaVinci Radiology Associates, P.L.
INTERNAL ADDRESS	Suite 1330
STREET	505 South Flagler Drive
CITY	West Palm Beach
STATE	Florida
ZIP/POSTAL CODE	33401
COUNTRY	United States
PHONE	561 655-8200
FAX	561 655-1389
EMAIL	kirklaw@gate.net

AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	LIMITED LIABILITY COMPANY
STATE/COUNTRY UNDER WHICH ORGANIZED	Florida
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	044
DESCRIPTION	medical diagnostic imaging services
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/01/2005
FIRST USE IN COMMERCE DATE	At least as early as 08/01/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT8\IMAGEOUT8 \787\287\78728786\xml1\AP P0003.JPG
SPECIMEN DESCRIPTION	identification sign
SIGNATURE SECTION	
SIGNATURE	/kirk friedland/
SIGNATORY NAME	Kirk Friedland
SIGNATORY DATE	10/07/2005
SIGNATORY POSITION	Attorney
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
ATTORNEY	
NAME	Kirk Friedland
FIRM NAME	Kirk Friedland Law Office
INTERNAL ADDRESS	Suite 1330
STREET	505 South Flagler Drive
CITY	West Palm Beach

STATE	Florida
ZIP/POSTAL CODE	33401
COUNTRY	United States
PHONE	561 655-8200
FAX	561 655-1389
EMAIL	kirklaw@gate.net
AUTHORIZED EMAIL COMMUNICATION	Yes

CORRESPONDENCE SECTION

NAME	Kirk Friedland
FIRM NAME	Kirk Friedland Law Office
INTERNAL ADDRESS	Suite 1330
STREET	505 South Flagler Drive
CITY	West Palm Beach
STATE	Florida
ZIP/POSTAL CODE	33401
COUNTRY	United States
PHONE	561 655-8200
FAX	561 655-1389
EMAIL	kirklaw@gate.net
AUTHORIZED EMAIL COMMUNICATION	Yes

FILING INFORMATION

SUBMIT DATE	Fri Oct 07 12:55:20 EDT 2005
TEAS STAMP	USPTO/BAS-661496051-20051 007125520019186-78728786- 200747e64ccdf9b4f2be68291 66776eabe4-CC-1332-200510 07125021267926

Trademark/Service Mark Application, Principal Register

Serial Number: 78728786

Filing Date: 10/07/2005

To the Commissioner for Trademarks:

MARK: DaVinci Diagnostic Imaging (stylized and/or with design, see mark)

The literal element of the mark consists of DaVinci Diagnostic Imaging.

The mark consists of A stylized letter "i" with a silhouette of the Vitruvian man.

The applicant, DaVinci Radiology Associates, P.L., a LIMITED LIABILITY COMPANY organized under the laws of Florida, residing at Suite 1330, 505 South Flagler Drive, West Palm Beach, Florida, United States, 33401, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 044: medical diagnostic imaging services

In International Class 044, the mark was first used at least as early as 08/01/2005, and first used in commerce at least as early as 08/01/2005, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) identification sign.

Specimen - 1

The applicant hereby appoints Kirk Friedland of Kirk Friedland Law Office, Suite 1330, 505 South Flagler Drive, West Palm Beach, Florida, United States, 33401 to submit this application on behalf of the applicant.

The USPTO is authorized to communicate with the applicant or its representative at the following email address: kirklaw@gate.net.

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /kirk friedland/ Date: 10/07/2005

Signatory's Name: Kirk Friedland

Signatory's Position: Attorney

Mailing Address:

Kirk Friedland

Suite 1330

505 South Flagler Drive

West Palm Beach, Florida 33401

RAM Sale Number: 1332

RAM Accounting Date: 10/07/2005

Serial Number: 78728786

Internet Transmission Date: Fri Oct 07 12:55:20 EDT 2005

TEAS Stamp: USPTO/BAS-661496051-20051007125520019186

-78728786-200747e64ccdf9b4f2be6829166776

eabe4-CC-1332-20051007125021267926

DAVINCI MAGING

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DAVINCI
MAGING

EXHIBIT 4

105

09-16-2001

U.S. Patent & TMOs/TM Mail Report #01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Intuitive Surgical, Inc.)
Serial No.: 751661869 75982190)
Filed: March 19, 1999)
For: DA VINCI)

REQUEST TO DIVIDE APPLICATION

Hon. Asst. Comm. For Trademarks
 United States Patent and Trademark Office
 Box: ITU/Divisional Unit
 2900 Crystal Drive
 Arlington, VA 22202-3513

Repts. Ref: 03/29/2002 ZIMMITH 0015573200
 MA#: 501395 Name/Number: 75664269
 FC: 704 \$225.00 CR

Adjustment date: 03/29/2002 ZIMMITH
 10/09/2001 ISMITH 00000215 501395 75664269
 02 FC:361 100.00 CR -225.00 IP

10/09/2001 ISMITH 00000215 501395 75664269
 01 FC:379 Sir. 100.00 IP
 02 FC:361 100.00 CR 225.00 IP

I. REQUEST TO DIVIDE INTO TWO SEPARATE APPLICATIONS

Pursuant to 37 C.F.R. §2.87 and T.M.E.P. 1105.06, Applicant requests that the subject Application be divided into two separate applications; one covering the goods set forth in the original Application and one covering the services set forth in that Application.

Applicant requests that the first separate application cover the following goods, which were set forth in the original Application:

"Medical devices, namely, a computerized surgical manipulation system comprised of surgeon's console, master control, immersive

video display, surgical manipulation system software and instructional manuals provided as a unit; patient-side cart with set-up arms and manipulator slave arms, sterile adaptors to connect arms to instruments; medical devices, namely, a full line of resposable (limited re-use) tools, namely, laparoscopes, endoscopes, trocars, cannulas, cutters, clamps, elevators, gouges, knives, scope preheaters, light sources, cables and component parts, electrosurgical instruments, electrocautery instruments, laser instruments, ultrasound instruments, lens cleaning, scrub, and biopsy brushes, clip applicators and clips, tack applicators and tacks, applicators, ligature carriers/needle holders, clamps/hemostats/graspers, curettes, instrument guides, ligature passing and knotting instruments, needles, retractors, snares, stylets, forceps, dissectors, calipers, scissors, suction/irrigation probes, sterile drapes, hemostats, amputation hooks, osteotomes, saws, retainer, suturing apparatus, measuring tapes, chisels and contractors, files, skin graft expanders, lancet, mallets, pliers, hammers, rasps, spatulas, and strippers; full line of FDA Classes I and II exempt surgical instruments, namely, scalpels, scalpel blades and handles, staplers, tacker, clip applicators, electrocautery tools, forceps, needle holders, guides and drivers, graspers, and kiteners" in International Class 10.

Applicant further requests that the second separate application cover the following services, which were set forth the original Application:

"Educational services, namely, conducting seminars, conferences, workshops, reference site training, and classes for physicians in the field of minimally invasive surgical procedures and in the use of minimally invasive surgical devices and distributing training manuals, white papers and journals in connection therewith" in International Class 41; and

"Medical services, namely, conducting minimally invasive surgery" in International Class 42.

Applicant submits herewith a check in the amount of \$325.00 to cover the single new application created as a result of this Request to Divide Application. Applicant submits simultaneously herewith a Request for Extension of Time, by which it seeks to extend its time to file a Statement of Use for the second divided application covering its services. If anything further is required to support this request, please contact the undersigned attorney to indicate

what is required. Applicant respectfully requests that the subject Application be divided into two separate applications.

II. CORRESPONDENCE

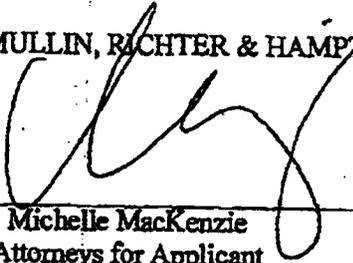
Applicant requests that all further correspondence relating to the prosecution of the subject Application or to this Request to Divide Application be directed to the undersigned attorney, who is associated with the San Francisco Office of Sheppard Mullin Richter & Hampton, rather than to the previously identified individual at Townsend and Townsend and Crew. A Revocation and New Power of Attorney form appointing the undersigned has been filed with the Patent and Trademark Office, and a copy of that form is enclosed herewith.

If any additional information or documentation is required to support this request, or if there are any questions, kindly contact the undersigned attorney.

Dated: September 18, 2001

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By



Michelle MacKenzie
Attorneys for Applicant
INTUITIVE SURGICAL, INC.

Four Embarcadero Center
17th Floor
San Francisco, CA 94111
TEL: (415) 434-9100
FAX: (415) 434-3947

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10

"Express Mail" Mailing Label Number: _____

EK234595370US

Date of Deposit: September 18, 2001.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner of Patents and Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.



Maria Mares

REVOCATION OF POWER OF ATTORNEY AND
APPOINTMENT OF NEW ATTORNEY

In the United States Patent and Trademark Office

In re Application of:

Intuitive Surgical, Inc.

Appln. Ser. No.:

75982190

Trademark:

DA VINCI

Filing Date:

March 19, 1999

Hon. Commissioner Of Trademarks
United States Patent and Trademark Office
2900 Crystal Drive
Arlington, VA 22202-3513

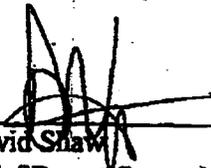
APPOINTMENT OF NEW ATTORNEY

Applicant hereby revokes all previous Powers of Attorney and appoints: SHEPPARD, MULLIN, RICHTER & HAMPTON LLP, a firm including Michelle D. Kahn and Michelle MacKenzie, members of the State Bar of California, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments thereto, to receive the Certificate of Registration and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all communications to:

Michelle D. Kahn
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
Four Embarcadero Center
17th Floor
San Francisco, CA 94111
(415) 434-9100

Dated: 07/24/00

By: 

David Shaw
Chief Patent Counsel



09-18-2001

U.S. Patent & Trademark Office Report Dt. FD1

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

SEVENTEENTH FLOOR

FOUR EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4106

TELEPHONE (415) 434-9100

FACSIMILE (415) 434-3947

WRITER'S DIRECT LINE
(415) 774-2910

OUR FILE NUMBER
38T-75221

174

September 18, 2001

Hon. Asst. Comm. For Trademarks
United States Patent and Trademark Office
Box: ITU/Divisional Unit
2900 Crystal Drive
Arlington, VA 22202

Re: Request to Divide Application
Trademark: DA VINCI
Intuitive Surgical, Inc. **75982190**
Serial Number: **[REDACTED]**
Our Reference No.: 38T-75221

Dear Sir:

Enclosed for filing please find a Request to Divide Application for the trademark DA VINCI in the name of Intuitive Surgical Inc.

Our check in the amount of \$325.00 is enclosed in payment of the filing fee. Please charge any additional fees or make any credits to Deposit Account No. 501395.

Very truly yours,

M. MacKenzie
Michelle MacKenzie

for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

Enclosures
cc: Michelle Kahn
WORD-SPFMM61282942.1

RECEIVED
2001 OCT 11 A 9 01
MAR 23 P 1: 25

ITU UNIT
T.M.S.D.

LAW OFFICE 105
T.M.E.O.

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10

"Express Mail" Mailing Label Number:

EK234595370US

Date of Deposit: September 18, 2001.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner of Patents and Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.



Maria Mares

EXHIBIT 5

To: Ahmed Plastic Surgery (newlook@plasticsurgeryoptions.com)
Subject: TRADEMARK APPLICATION NO. 77614883 - DAVINCI FACELIFT - N/A
Sent: 2/19/2009 5:35:11 PM
Sent As: ECOM113@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/614883

MARK: DAVINCI FACELIFT

77614883

CORRESPONDENT ADDRESS:

AHMED PLASTIC SURGERY
AHMED PLASTIC SURGERY
2 MEMORIAL DR STE 104
ALTON, IL 62002-6723

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Ahmed Plastic Surgery

CORRESPONDENT'S

REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

newlook@plasticsurgeryoptions.com

NOTICE OF SUSPENSION

ISSUE/MAILING DATE: 2/19/2009

SUSPENSION PROCEDURE: This suspension notice serves to suspend action on the application for the reason(s) specified below. No response is needed. However, if you wish to respond to this notice, you should use the "Response to Letter of Suspension" form found at <http://teasroa.uspto.gov/rsi/rsi>.

The Office will conduct periodic status checks to determine if suspension remains appropriate.

Action on this application is suspended pending the disposition of:

- Application Serial No(s). **78961072 and 78464324**

Since applicant's effective filing date is subsequent to the effective filing date of the above-identified application(s), the latter, if and when it registers, may be cited against this application in a refusal to register under Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d). See 37 C.F.R. §2.83; TMEP §§1208 et seq. A copy of information relevant to this pending application(s) **is attached**.

Applicant may submit a request to remove the application from suspension to present arguments related to the potential conflict between the relevant application(s) or other arguments related to the ground for suspension. TMEP §716.03. Applicant's election not to present arguments during suspension will not affect the applicant's right to present arguments later should a refusal in fact issue. If a refusal does issue, applicant will be afforded 6 months from the mailing or e-mailing date of the Office action to submit a response. 15 U.S.C. §1062(b); 37 C.F.R. §2.62.

RETENTION OF TRADEMARK COUNSEL

Applicant may wish to hire an attorney to assist in prosecuting this application because of the legal technicalities involved. The Office, however, cannot aid in the selection of an attorney. 37 C.F.R. §2.11. Applicant may wish to consult a local telephone directory for a listing of attorneys specializing in trademark or intellectual property law, or seek guidance from a local bar association attorney-referral service.

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned trademark examining attorney.

/Ameen Imam/
Trademark Examining Attorney
Law Office 113
Phone (571) 272-1942
Fax No. (571) 273-1942

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

DESIGN MARK

Serial Number

78464324

Status

REPORT COMPLETED SUSPENSION CHECK - CASE STILL SUSPENDED

Word Mark

DA VINCI

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

{4} STANDARD CHARACTER MARK

Owner

Da Vinci Dental Studios, Inc. CORPORATION CALIFORNIA 22135 Roscoe
Boulevard West Hills CALIFORNIA 91304

Goods/Services

Class Status -- ACTIVE. IC 003. US 001 004 006 050 051 052. G & S:
PERSONAL CARE PRODUCTS, NAMELY, BODY GEL AND CLEANSERS, SKIN
EXFOLIATORS, SKIN MOISTURIZERS, SUN PROTECTION PRODUCTS AND AFTER SUN
CARE PRODUCTS, NAMELY, SUNSCREEN CREAMS, TANNING CREAMS, BODY SPRAY,
TONING LOTIONS FOR THE FACE, BODY AND HANDS; MASSAGE OILS FOR THE SKIN
AND BODY; FIRING TREATMENTS IN THE FORM OF MOISTURIZERS AND SERUMS,
TONICS, AND BODY WRINKLE REMOVERS; FACIAL CARE PRODUCTS, NAMELY
CLEANSERS, TONERS, SCRUBS, MASKS, EXFOLIANTS, MOISTURIZERS, HYDRATING
TREATMENTS, WRINKLE REMOVERS, AND LIP PLUMPERS; HAIR CARE PRODUCTS AND
TREATMENTS, NAMELY, SHAMPOOS, CONDITIONERS, MASKS AND OILS.

Filing Date

2004/08/09

Examining Attorney

COLLINS, ALICIA

Attorney of Record

Theresa W. Middlebrook

DA VINCI

DESIGN MARK

Serial Number

78961072

Status

REPORT COMPLETED SUSPENSION CHECK - CASE STILL SUSPENDED

Word Mark

DA VINCI

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

JB Marketing, Inc. CORPORATION CALIFORNIA Suite 459 4924 Balboa Blvd.
Encino CALIFORNIA 91316

Goods/Services

Class Status -- ACTIVE. IC 003. US 001 004 006 050 051 052. G & S:
cosmetics, namely mineral foundation, mineral blush, mineral bronzer,
lip balm, lip gloss, nail polish, nail care preparation, day cream,
night cream, anti-wrinkle lotion.

Filing Date

2006/08/25

Examining Attorney

HAMMEL, LAURA

Attorney of Record

Robert J. Lauson, Esq.

Da Vinci

To: Ahmed Plastic Surgery (newlook@plasticsurgeryoptions.com)
Subject: TRADEMARK APPLICATION NO. 77614883 - DAVINCI FACELIFT - N/A
Sent: 2/19/2009 5:35:14 PM
Sent As: ECOM113@USPTO.GOV
Attachments:

IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 2/19/2009 FOR
APPLICATION SERIAL NO. 77614883

Please follow the instructions below to continue the prosecution of your application:

VIEW OFFICE ACTION: Click on this link <http://tportal.uspto.gov/external/portal/tow?DDA=Y&serial number=77614883&doc type=SUL&> (or copy and paste this URL into the address field of your browser), or visit <http://tportal.uspto.gov/external/portal/tow> and enter the application serial number to access the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable response time period. Your response deadline will be calculated from 2/19/2009.

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in**

the ABANDONMENT of your application.

*** User:aimam ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:02	"AHMED PLASTIC SURGERY" [on]
02	120	0	120	93	0:04	*d{v:2}\${"vw"}{v:2}n{"ckqxszc"}* [bi,ti] not dead [ld]
03	185181	N/A	0	0	0:04	*d{"ae"}* [bi,ti] not dead [ld]
04	6646	N/A	0	0	0:33	*{"vw"}{v:2}n{"ckqxszc"}* [bi,ti] not dead [ld]
05	761	N/A	0	0	0:01	3 and 4
06	6001	N/A	0	0	0:34	*{"fh"}{v:2}n{"szc"}* [bi,ti] not dead [ld]
07	3017	N/A	0	0	0:04	*l{v:2}{"fph"}t* [bi,ti] not dead [ld]
08	36	0	36	28	0:01	4 and (6 7)
09	664	0	664	516	0:01	5 not 2

Session started 2/12/2009 5:39:59 PM

Session finished 2/12/2009 6:18:37 PM

Total search duration 1 minutes 24 seconds

Session duration 38 minutes 38 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77614883

From: TMDesignCodeComments
Sent: Wednesday, November 19, 2008 00:14 AM
To: newlook@plasticsurgeryoptions.com
Subject: Notice of Pseudo Mark for Serial Number: 77614883

**ATTORNEY REFERENCE
NUMBER:**

The USPTO may assign pseudo marks, as appropriate, to new applications to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate. A PSEUDO MARK may be assigned to marks that include words, numbers, compound words, symbols, or acronyms that can have alternative spellings or meanings. For example, if the mark comprises the words 'YOU ARE' surrounded by a design of a box, the pseudo mark field in the USPTO database would display the mark as 'YOU ARE SQUARE'. A mark filed as 'URGR8' would receive a pseudo mark of 'YOU ARE GREAT'. Response to this notice is not required; however, to suggest additions or changes to the pseudo mark assigned to your mark, please e-mail TMDesignCodeComments@USPTO.GOV. You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative. The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered. **Pseudo marks assigned to the referenced serial number are listed below.**

PSEUDO MARK:

DA VINCI FACE-LIFT

da Vinci Facelift

daVinci Facelift™

Mastery & Innovation

Ahmed Plastic Surgery

www.plasticsurgeryoptions.com

▼ BACK Red indicates trim line. Green indicates safe area

Why Ahmed Plastic Surgery?

Because experience counts.

- Certified, American Board of Plastic Surgery
- Member, American Society of Plastic Surgeons
- 30 years experience
- Only daVinci Facelift™ provider
- Graduate St. Louis University
- Complimentary consultation
- Financing options
- MO and IL locations
- Modern, safe and private surgery center

Body Procedures

- Breast augmentation
- Breast reduction/uplift
- Tummy Tuck
- Liposuction (ultrasound)

Facial Procedures

- NEW daVinci Facelift
- Eyelid lift
- Nose reshaping
- Chin Implants

The daVinci Facelift is a new procedure exclusively combining fundamental plastic surgery principles with modern nonsurgical innovations. It addresses the internal sagging muscles called the SMAS and encourages maximum contraction of collagen proteins. Stimulation of the layers of the repositioned skin encourages further tightening and rejuvenation...like a gentle shrink wrap...optimizing the look of your facial shape as well as the skin quality.

**Schedule your
Complimentary
Consultation
by 1/31/09
and receive a
FREE Obagi gift.
(\$75 value)**

Call or check our website
for monthly specials.

Missouri

314 837 8400

Illinois

618 465 6401



Ahmed Plastic Surgery

www.plasticsurgeryoptions.com

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77614883

Filing Date: 11/14/2008

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>daVinci Facelift</u>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	daVinci Facelift
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Ahmed Plastic Surgery
*STREET	#2 Memorial Dr
INTERNAL ADDRESS	Suite 104
*CITY	Alton
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE	62002

(Required for U.S. applicants only)

PHONE 618 465 6401
FAX 618 465 0411
EMAIL ADDRESS newlook@plasticsurgeryoptions.com
AUTHORIZED TO COMMUNICATE VIA EMAIL Yes

LEGAL ENTITY INFORMATION

TYPE CORPORATION
STATE/COUNTRY OF INCORPORATION Illinois

GOODS AND/OR SERVICES AND BASIS INFORMATION

INTERNATIONAL CLASS 044
FIRST USE ANYWHERE DATE At least as early as 11/10/2008
FIRST USE IN COMMERCE DATE At least as early as 11/10/2008
IDENTIFICATION Cosmetic and plastic surgery
FILING BASIS SECTION 1(a)
FIRST USE ANYWHERE DATE At least as early as 11/10/2008
FIRST USE IN COMMERCE DATE At least as early as 11/10/2008
SPECIMEN FILE NAME(S) \\TICRS\EXPORT4\IMAGEOUT4
\\776\148\77614883\xml1\FT K0003.JPG
SPECIMEN DESCRIPTION Picture of advertising material

ADDITIONAL STATEMENTS SECTION

TRANSLATION
(if applicable)

TRANSLITERATION
(if applicable)

CLAIMED PRIOR REGISTRATION
(if applicable)

CONSENT (NAME/LIKENESS)
(if applicable)

CONCURRENT USE CLAIM
(if applicable)

DISCLAIMER No claim is made to the exclusive right to use
Facelift apart from the mark as shown.

CORRESPONDENCE INFORMATION

NAME	Ahmed Plastic Surgery
FIRM NAME	Ahmed Plastic Surgery
STREET	#2 Memorial Dr
INTERNAL ADDRESS	Suite 104
CITY	Alton
STATE (Required for U.S. applicants)	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	62002
PHONE	618 465 6401
FAX	618 465 0411
EMAIL ADDRESS	newlook@plasticsurgeryoptions.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

FEE INFORMATION

NUMBER OF CLASSES	1
FEE PER CLASS	275
TOTAL FEE PAID	275

SIGNATURE INFORMATION

SIGNATURE	/Noor Ahmed, M.D./
SIGNATORY'S NAME	Noor Ahmed, M.D.
SIGNATORY'S POSITION	President
DATE SIGNED	11/12/2008

TEAS Plus Application

Serial Number: 77614883

Filing Date: 11/14/2008

To the Commissioner for Trademarks:

MARK: daVinci Facelift (Standard Characters, see [mark](#))

The literal element of the mark consists of daVinci Facelift.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Ahmed Plastic Surgery, a corporation of Illinois, having an address of
Suite 104,
#2 Memorial Dr
Alton, Illinois 62002
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 044: Cosmetic and plastic surgery

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 044, the mark was first used at least as early as 11/10/2008, and first used in commerce at least as early as 11/10/2008, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Picture of advertising material.

[Specimen File 1](#)

No claim is made to the exclusive right to use Facelift apart from the mark as shown.

Correspondence Information: Ahmed Plastic Surgery

Suite 104

#2 Memorial Dr

Alton, Illinois 62002

618 465 6401(phone)

618 465 0411(fax)

newlook@plasticsurgeryoptions.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1

class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Noor Ahmed, M.D./ Date Signed: 11/12/2008

Signatory's Name: Noor Ahmed, M.D.

Signatory's Position: President

RAM Sale Number: 2034

RAM Accounting Date: 11/17/2008

Serial Number: 77614883

Internet Transmission Date: Fri Nov 14 16:35:58 EST 2008

TEAS Stamp: USPTO/FTK-72.24.84.253-20081114163558621

706-77614883-4006320c24e9da07865b6ba59b6

9475b151-CC-2034-20081112125151288942

da Vinci Facelift

daVinci Facelift™

Mastery & Innovation

Ahmed Plastic Surgery

www.plasticsurgeryoptions.com

▼ BACK Red indicates trim line. Green indicates safe area

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- Member, American Society of Plastic Surgeons
- 30 years experience
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- Complimentary consultation
- Financing options
- MO and IL locations
- Modern, safe and private surgery center

Body Procedures

- Breast augmentation
- Breast reduction/uplift
- Tummy Tuck
- Liposuction (ultrasound)

Facial Procedures

- NEW daVinci Facelift
- Eyelid lift
- Nose reshaping
- Chin Implants

The daVinci Facelift is a new procedure exclusively combining fundamental plastic surgery principles with modern nonsurgical innovations. It addresses the internal sagging muscles called the SMAS and encourages maximum contraction of collagen proteins. Stimulation of the layers of the repositioned skin encourages further tightening and rejuvenation... like a gentle shrink wrap... optimizing the look of your facial shape as well as the skin quality.

Schedule your
**Complimentary
Consultation**
by 1/31/09
and receive a
FREE Obagi gift.
(\$75 value)

Call or check our website
for monthly specials.

Missouri

314 837 8400

Illinois

618 465 6401



Ahmed Plastic Surgery

www.plasticsurgeryoptions.com

EXHIBIT 6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

INTUITIVE SURGICAL, INC.,

Opposer,

v.

DAVINCI RADIOLOGY ASSOCIATES,
P.L.,

Applicant.

Opposition No. 91175319

Serial No. 78/728,786

Published: December 19, 2006

APPLICANT'S FIRST SET OF INTERROGATORIES TO OPPOSER

Pursuant to Federal Rule of Civil Procedure 33 and Trademark Rule of Practice 2.120, Applicant DaVinci Radiology Associates, P.L. ("Applicant") hereby requests that Opposer Intuitive Surgical, Inc. ("Opposer") serve upon Applicant its sworn answers to the interrogatories set forth below within thirty (30) days of service hereof. These interrogatories are intended to be continuing in nature and any information which may be discovered subsequent to the service and filing of the answers to the interrogatories should be brought to the attention of Applicant as may be required by the Federal Rules of Civil Procedure, through supplemental answers, within a reasonable time following such discovery.

DEFINITIONS

The following definitions are to be used by Opposer in answering the interrogatories set forth below:

- A. "Opposer" means Intuitive Surgical, Inc.
- B. "Opposer's Marks" mean the trademarks: (1) DA VINCI, covered by U.S.

Trademark Registration No. 2,628,871; and (2) DA VINCI S HD SURGICAL SYSTEM (Stylized), covered by U.S. Trademark Application Serial No. 76/665,748.

C. "You," your," "yourself" and "Opposer" mean Opposer Intuitive Surgical, Inc. , any parent company, predecessors, subsidiaries or divisions, its agents and all other persons acting or purporting to act on its behalf, including all past or present officers, attorneys, servants, representatives, employees or other persons or entities exercising their discretion, making policy or decisions or participating in any of the foregoing functions.

D. "Applicant's Mark" means the trademark DAVINCI DIAGNOSTIC IMAGING & Design, covered by U.S. Trademark Application Serial No. 78/728,786, which is the subject of this Opposition Proceeding.

E. "Person" or "persons" mean both natural persons and corporate or other business entities, whether or not in the employ of Opposer. The acts and knowledge of a person are defined to include the acts and knowledge of that person's employees, representatives, agents and attorneys.

F. "Consumer," "consumers" and the "consuming public" mean: (i) end-user beneficiaries of the goods and/or services offered under Opposer's Mark, including but not limited to patients and those upon whom diagnostic tests are performed; and (ii) physicians and health care providers, including but not limited to treating physicians and health care providers, referring physicians and health care providers, physicians and health care providers who order diagnostic tests, and physicians and health care providers who receive the results of diagnostic tests.

G. The "trade" and "members of the trade" mean: (i) members of the medical, diagnostic and/or surgical professions; and (ii) physicians and health care providers who conduct, oversee and/or interpret diagnostic tests and test results.

H. "Document" or "documents" mean every writing or record of any type or

description or other tangible evidence that is or has been in your possession, custody or control, including without limitation: communications, correspondence, memoranda, electronic mail, telegrams, notes (whether handwritten, typed, stenographic, electronically recorded or otherwise), summaries, records of telephone conversations, tapes, files, publications, diaries, reports, minutes, customer lists, books, manuals, publications, notebooks, charts, plans, sketches, drawings, diagrams, pamphlets, brochures, manuals, blueprints, photographs, customer surveys, contracts, licenses, agreements, instruction manuals, user manuals, computer software, operation manuals, catalogs and catalog sheets, advertisements, including storyboards and scripts, circulars, trade letters, press releases, product releases, product descriptions, and shall include every copy where such copy is not identical to the original or where such copy contains any commentary or notation whatsoever that does not appear in the original. As used herein, "documents" also includes any document, whether or not in Opposer's possession, custody or control, and any document which may be considered privileged by Opposer, which document shall be identified to assist Applicant and the Trademark Trial and Appeal Board in determining whether a claim of privilege may properly be made as to such document.

- I. "Identify" or "identity" when used in reference to:
 - i. An individual, means to state his/her full name, present or last known home address (designating which), and present or last known position or business affiliation (designating which);
 - ii. A firm, company, corporation, partnership or other corporate entity, means to state its full name, state of incorporation (if any), and present or last known address (designating which);
 - iii. A document, means to state the date, author(s), sender, recipients of the original and all copies, the type of document (e.g., letter, memorandum, etc.), or some other means of identifying it and its present location or

custodian, the title or subject matter of said document, and, in the case of a document in your possession, custody or control, whether you will make it available for inspection and/or copying; and

- iv. In the case of oral or other communications, the date, the communicator(s), the recipient(s) of the communication, and the nature of the communication.

The terms "and" and "or" as used herein should be construed either conjunctively or disjunctively, whichever makes the request more inclusive.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify the person or persons most familiar with the conception and adoption of Opposer's Mark.

INTERROGATORY NO. 2:

Describe the circumstances underlying the conception and adoption of Opposer's Mark by identifying the timing of the conception and adoption, the persons involved in the conception and adoption, the alternatives considered, and the factors considered in conceiving and adopting Opposer's Mark.

INTERROGATORY NO. 3:

Identify and describe all goods and services on which you use, have used or intend to use Opposer's Mark.

INTERROGATORY NO. 4:

State the intended or potential uses for Opposer's goods and/or services offered under or in connection with Opposer's Mark.

INTERROGATORY NO. 5:

For the goods and services identified in your response to Interrogatory No. 3 of these Interrogatories, describe the manner in which said goods and/or services are marketed or will be marketed.

INTERROGATORY NO. 6:

State the date(s) upon which you began to use Opposer's Mark on or in connection with the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

INTERROGATORY NO. 7:

Other than the instant proceeding, identify all administrative and judicial proceedings in which you are or have been involved concerning Opposer's Mark by setting forth the identity of the parties, the title, docket number, tribunal name, and current status of the proceeding.

INTERROGATORY NO. 8:

Describe each study, search and investigation that is being or has been conducted or obtained by you or on your behalf regarding the trademark availability of Opposer's Mark by setting forth the date(s) on which the study, search or investigation was conducted, the identity of the person(s) who conducted the study, search or investigation, the method by which the study, search or investigation was conducted, and the results of the study, search or investigation.

INTERROGATORY NO. 9:

Describe each study, search and investigation that is being or has been conducted or obtained by you or on your behalf regarding consumer reaction to Opposer's Mark by setting forth the date(s) on which the study, search or investigation was conducted, the identity of the person(s) who conducted the study, search or investigation, the method by which the study,

search or investigation was conducted, and the results of the study, search or investigation.

INTERROGATORY NO. 10:

Describe each study, search and investigation that is being or has been conducted or obtained by you or on your behalf regarding the protectability and/or enforceability of Opposer's Mark by setting forth the date(s) on which the study, search or investigation was conducted, the identity of the person(s) who conducted the study, search or investigation, the method by which the study, search or investigation was conducted, and the results of the study, search or investigation.

INTERROGATORY NO. 11:

Describe the promotion of the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

INTERROGATORY NO. 12:

Identify the person or persons most familiar with the promotion of the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

INTERROGATORY NO. 13:

Describe the channels of trade through which the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories move or will move to reach the end-users of said goods and/or services.

INTERROGATORY NO. 14:

Identify the person or persons most knowledgeable about the channels of trade through which the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories move or will move to reach the end-users of said goods and/or services.

INTERROGATORY NO. 15:

Describe the circumstances under which Opposer first became aware of Applicant's Marks, including but not limited to stating the date(s) upon which Opposer first became aware of Applicant's Marks, identifying the person or persons at Opposer who first became aware of Applicant's Marks, and stating the manner in which Opposer first became aware of Applicant's Marks.

INTERROGATORY NO. 16:

Describe the consumers of the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

INTERROGATORY NO. 17:

If you have ever received any communication(s) that expressed confusion as to a possible relationship between you and Applicant, describe each communication by setting forth the date on which you received such communication, the type of communication (e.g., oral or written), the substance of the communication, the identity of the person(s) from whom you received the communication, the class of the person(s) from whom you received the communication (e.g., member of the consuming public, member of the trade), and your response to the communication.

INTERROGATORY NO. 18:

If you have ever received any communication(s) that expressed confusion as to a possible relationship between Applicant's Marks and the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories, describe each communication by setting forth the date on which you received such communication, the type of communication (e.g., oral or written), the substance of the communication, the identity of the person(s) from whom you

received the communication, the class of the person(s) from whom you received the communication (e.g., member of the consuming public, member of the trade), and your response to the communication.

INTERROGATORY NO. 19:

Describe the testimony that you expect to elicit from each expert witness that you intend to call to testify in this proceeding by identifying the expert witness, the subject matter on which he or she is expected to testify, the substance of the facts and opinions about which he or she is expected to testify *and* the grounds for each such opinion.

INTERROGATORY NO. 20:

Describe the testimony that you expect to elicit from each lay witness that you intend to call to testify in this proceeding by setting forth the identity of the lay witness, the subject matter in which he or she is expected to testify, and a brief summary of the testimony expected.

INTERROGATORY NO. 21:

Describe all exhibits that you intend to rely upon in this proceeding by setting forth a brief statement of the contents and significance of all such exhibits.

INTERROGATORY NO. 22:

If you have sought or received opinions, legal or otherwise, regarding your right to use Opposer's Mark, describe each such opinion by setting forth the identity of the person(s) from whom you requested each such opinion, the identity of the person(s) who rendered each such opinion, a brief summary of each such opinion rendered, and a description of each document relied upon in the course of rendering each such opinion.

INTERROGATORY NO. 23:

Identify those person(s) who had more than a clerical role in answering the foregoing interrogatories.

INTERROGATORY NO. 24:

Identify those person(s) who had more than a clerical role in searching for documents responsive to Applicant's First Set of Requests for Production of Documents and Things to Opposer.

Respectfully submitted,



Matthew T. Vanden Bosch, Esq.
Attorney for Applicant
301 Clematis Avenue
Suite 3000
West Palm Beach, FL 33401
(561) 736-4696

Dated: September 20, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **APPLICANT'S FIRST SET OF INTERROGATORIES TO APPLICANT** was served on Opposer Intuitive Surgical, Inc., by First Class U.S. Mail, postage prepaid, to:

Michelle J. Hirth
Sheppard, Mullin, Richter & Hampton, LLP
Four Embarcadero Center
17th Floor
San Francisco, CA 94111

Attorneys for Opposer

This 20th day of July, 2007.



Matthew T. Vanden Bosch

2. Each and every individual Interrogatory is subject to the general objections set forth herein and these general objections form a part of the responses to each and every Interrogatory. These general objections may be specifically interposed for the purpose of clarity in response to a particular Interrogatory but the failure to specifically incorporate any general objection should not be construed as a waiver of the objection.

3. Opposer objects to Applicant's Definitions to the extent that it attempts to impose on Opposer burdens or requirements in addition to those set forth in the Federal Rules of Civil Procedure and/or 37 Code of Federal Regulations ("C.F.R.") Part 2 or attempts to require Opposer to respond in any manner beyond that which is required by the Federal Rules of Civil Procedure and/or 37 C.F.R. Part 2.

4. Opposer objects to each Interrogatory to the extent that it seeks information protected from disclosure by the attorney-client privilege, work product doctrine or other statutory or common law privilege.

5. Opposer objects to Definitions Paragraph C on the grounds that it is overly broad and unduly burdensome and to the extent that it results in Interrogatories that seek information protected from disclosure by the attorney-client privilege, work product doctrine or other statutory or common law privilege.

6. Opposer objects to Definitions Paragraph E to the extent that it results in Interrogatories that seek information protected from disclosure by the attorney-client privilege, the work product doctrine and other statutory or common law privileges.

7. Opposer objects to Definitions Paragraph F to the extent that it results in Interrogatories that are overly broad and unduly burdensome and neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible

evidence in that consumers of Opposer's goods offered under Opposer's Marks do not include "patients and those upon whom diagnostic test are performed."

8. Opposer objects to Definitions Paragraph I on the grounds that it is overly broad and unduly burdensome and to the extent it results in Interrogatories that seek information protected from disclosure as confidential personnel information or by the attorney-client privilege, work product doctrine or other statutory or common law privilege.

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1:

Identify the person or persons most familiar with the conception and adoption of Opposer's Mark (sic).

RESPONSE TO INTERROGATORY NO. 1:

Opposer objects to this Interrogatory on the grounds that it is neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence, and is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Steve Ammon, Senior Director of Marketing at Intuitive Surgical, Inc.

INTERROGATORY NO. 2:

Describe the circumstances underlying the conception and adoption of Opposer's Mark (sic) by identifying the timing of the conception and adoption, the persons involved in the

conception and adoption, the alternatives considered, and the factors considered in conceiving and adopting Opposer's Mark (sic).

RESPONSE TO INTERROGATORY NO. 2:

Opposer objects to this Interrogatory on the grounds that it is neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence, and is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the ground that it is compound.

INTERROGATORY NO. 3:

Identify and describe all goods and services on which you use, have used or intend to use Opposer's Mark (sic).

RESPONSE TO INTERROGATORY NO. 3:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer's marks DA VINCI and DA VINCI S HD SURGICAL SYSTEM (Stylized) are used on or in association with surgical systems, instruments and associated devices used in robotic-assisted, minimally invasive surgery.

INTERROGATORY NO. 4:

State the intended or potential uses for Opposer's goods and/or services offered under or in connection with Opposer's Mark (sic).

RESPONSE TO INTERROGATORY NO. 4:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Goods offered under Opposer's marks DA VINCI and DA VINCI S HD SURGICAL SYSTEMS (Stylized) are used in minimally invasive, robotic-assisted surgery in a wide variety of surgical applications including but not limited to cardiac, urology, general surgery, thoracic, gynecologic and pediatric surgical procedures. See Opposer's Internet websites www.intuitivesurgical.com, www.davincisurgery.com and www.davinciprostectomy.com.

INTERROGATORY NO. 5:

For the goods and services identified in your response to Interrogatory No. 3 of these Interrogatories, describe the manner in which said goods and/or services are marketed or will be marketed.

RESPONSE TO INTERROGATORY NO. 5:

Opposer objects to this Interrogatory on the grounds that it is compound as it refers to Opposer's response to Interrogatory No. 3, which is itself compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Goods offered under Opposer's marks DA VINCI and DA VINCI S HD SURGICAL SYSTEM

(Stylized) are offered to hospitals, surgical centers and physicians primarily through a direct sales force in the United States. Goods are promoted under these marks via trade shows, press releases, workshops for and training and other education of practitioners offered and presented by Opposer, attendance and presentations at meetings of medical associations and societies, including but not limited to the American Urological Association, the World Congress of Endourology, the American Heart Association, the American Association of Gynecological Laparoscopists, the International Gynecologic Oncology Robotics Symposia, the Minimally Invasive Robotics Association, and the Society of Thoracic Surgeons, and via Internet-based advertising including Opposer's Internet websites, www.intuitivesurgical.com, www.davincisurgery.com and www.davinciprostatectomy.com.

INTERROGATORY NO. 6:

State the date(s) upon which you began to use Opposer's Mark (sic) on or in connection with the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

RESPONSE TO INTERROGATORY NO. 6:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the grounds that it is compound and seeks information neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer's mark DA VINCI was first used on or in connection with Opposer's goods at least as early as July

7, 2000. Opposer's mark DA VINCI S HD SURGICAL SYSTEM (Stylized) was first used on or in connection with Opposer's goods at least as early as January 2006.

INTERROGATORY NO. 7:

Other than the instant proceeding, identify all administrative and judicial proceedings in which you are or have been involved concerning Opposer's Mark (sic) by setting forth the identity of the parties, the title, docket number, tribunal name, and current status of the proceeding.

RESPONSE TO INTERROGATORY NO. 7:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the grounds that it is compound and seeks information neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: (a) *Intuitive Surgical, Inc. v. BioMerieux, B.V.*, Opposition Proceeding No. 91158726 before the U.S. Patent & Trademark Office, Trademark Trial and Appeal Board, Proceeding terminated upon filing of withdrawal of opposition by Intuitive Surgical, Inc.; (b) *Intuitive Surgical, Inc. v. Ziemer Ophthalmic Systems AG, et al.*, U.S. District Court for the Northern District of California Case No. C07-01734 JSW, case dismissed upon filing of Request for Dismissal by Intuitive Surgical, Inc.

INTERROGATORY NO. 8:

Describe each study, search and investigation that is being or has been conducted or obtained by you or on your behalf regarding the trademark availability of Opposer's Mark (sic) by setting forth the date(s) on which the study, search or investigation was conducted, the identity of the person(s) who conducted the study, search or investigation, the method by which the study, search or investigation was conducted, and the results of the study, search or investigation.

RESPONSE TO INTERROGATORY NO. 8:

Opposer objects to this Interrogatory on the grounds that it is neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence, and is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the grounds that it is compound and to the extent that it seeks information protected from disclosure by the attorney-client privilege, work product doctrine or other statutory or common law privilege. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: *See* February 2, 1999 Thomson & Thomson Research Report for DA VINCI produced in response to Applicant's First Set of Requests for Production of Documents and Things to Opposer.

INTERROGATORY NO. 9:

Describe each study, search and investigation that is being or has been conducted or obtained by you or on your behalf regarding consumer reaction to Opposer's Mark (sic) by setting forth the date(s) on which the study, search or investigation was conducted, the identity of

the person(s) who conducted the study, search or investigation, the method by which the study, search or investigation was conducted, and the results of the study, search or investigation.

RESPONSE TO INTERROGATORY NO. 9:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the grounds that it is compound and to the extent that it seeks information protected from disclosure by the attorney-client privilege, work product doctrine or other statutory or common law privilege. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: No such studies, searches or investigations exist.

INTERROGATORY NO. 10:

Describe each study, search and investigation that is being or has been conducted or obtained by you or on your behalf regarding the protectability and/or enforceability of Opposer's Mark (sic) by setting forth the date(s) on which the study, search or investigation was conducted, the identity of the person(s) who conducted the study, search or investigation, the method by which the study, search or investigation was conducted, and the results of the study, search or investigation.

RESPONSE TO INTERROGATORY NO. 10:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets "Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the grounds that it is compound

and is neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: See February 2, 1999 Thomson & Thomson Research Report for DA VINCI produced in response to Applicant's First Set of Requests for Production of Documents and Things to Opposer.

INTERROGATORY NO. 11:

Describe the promotion of the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

RESPONSE TO INTERROGATORY NO. 11:

Opposer objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: See Opposer's response to Interrogatory No. 5 of these Responses to Applicant's First Set of Interrogatories to Opposer.

INTERROGATORY NO. 12:

Identify the person or persons most familiar with the promotion of the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

RESPONSE TO INTERROGATORY NO. 12:

Opposer objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Steve Annon, Senior Director of Marketing at Intuitive Surgical, Inc.

INTERROGATORY NO. 13:

Describe the channels of trade through which the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories move or will move to reach the end-users of said goods and/or services.

RESPONSE TO INTERROGATORY NO. 13:

Opposer objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer's goods offered under the marks DA VINCI and DA VINCI S HD SURGICAL SYSTEM (Stylized) are offered in the United States primarily via a direct sales force to hospitals, surgical centers and physicians. *See also* Response to Interrogatory No. 5 of these Responses to Applicant's First Set of Interrogatories to Opposer.

INTERROGATORY NO. 14:

Identify the person or persons most knowledgeable about the channels of trade through which the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories move or will move to reach the end-users of said goods and/or services.

RESPONSE TO INTERROGATORY NO. 14:

Opposer objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Jim Alecxih, Vice President of U.S. Sales at Intuitive Surgical, Inc.

INTERROGATORY NO. 15:

Describe the circumstances under which Opposer first became aware of Applicant's Marks (sic), including but not limited to stating the date(s) upon which Opposer first became

aware of Applicant's Marks (sic), identifying the person or persons at Applicant who first became aware of Applicant's Marks (sic), and stating the manner in which Opposer first became aware of Applicant's Marks (sic).

RESPONSE TO INTERROGATORY NO. 15:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Applicant's Marks[.]" For purposes of this Interrogatory, Opposer interprets "Applicant's Marks" to mean "Applicant's Mark" as defined in Definitions Paragraph D of these Interrogatories. Opposer objects to this Interrogatory on the ground that it is neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Opposer further objects to this Interrogatory to the extent that it seeks information protected from disclosure by the attorney-client privilege, work product doctrine or other statutory or common law privilege. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer first became aware of Applicant's Mark through a Watch Notice that Opposer has in place for its DA VINCI mark and then again became aware of Applicant's Mark when it was published for opposition in the Official Gazette on December 19, 2006.

INTERROGATORY NO. 16:

Describe the consumers of the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories.

RESPONSE TO INTERROGATORY NO. 16:

Opposer objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Consumers of goods offered under Opposer's marks DA VINCI and DA VINCI S HD

SURGICAL SYSTEM (Stylized) are medical and health care professionals, including surgeons, doctors, hospital administrators and administrators of outpatient and surgical centers.

INTERROGATORY NO. 17:

If you have ever received any communication(s) that expressed confusion as to a possible relationship between you and Applicant, describe each communication by setting forth the date on which you received such communication, the type of communication (*e.g.*, oral or written), the substance of the communication, the identity of the person(s) from whom you received the communication, the class of the person(s) from whom you received the communication (*e.g.*, member of the consuming public, member of the trade), and your response to the communication.

RESPONSE TO INTERROGATORY NO. 17:

Subject to and without waiving the General Objections set forth above, Opposer responds: Not applicable.

INTERROGATORY NO. 18:

If you have ever received any communication(s) that expressed confusion as to a possible relationship between Applicant's Marks (*sic*) and the goods and/or services identified in your response to Interrogatory No. 3 of these Interrogatories, describe each communication by setting forth the date on which you received such communication, the type of communication (*e.g.*, oral or written), the substance of the communication, the identity of the person(s) from whom you received the communication, the class of the person(s) from whom you received the communication (*e.g.*, member of the consuming public, member of the trade), and your response to the communication.

RESPONSE TO INTERROGATORY NO. 18:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Applicant's Marks[.]" For purposes of this Interrogatory, Opposer interprets "Applicant's Marks" to mean "Applicant's Mark" as defined in Definitions Paragraph D of these Interrogatories. Opposer further objects to this Interrogatory on the ground that it is compound. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Not applicable.

INTERROGATORY NO. 19:

Describe the testimony that you expect to elicit from each expert witness that you intend to call to testify in this proceeding by identifying the expert witness, the subject matter on which he or she is expected to testify, the substance of the facts and opinions about which he or she is expected to testify and the grounds for each such opinion.

RESPONSE TO INTERROGATORY NO. 19:

Opposer objects to this Interrogatory on the grounds that it is compound and premature. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer will produce the names of expert witnesses Opposer intends to call to testify in this Proceeding in due course.

INTERROGATORY NO. 20:

Describe the testimony that you expect to elicit from each lay witness that you intend to call to testify in this proceeding by setting forth the identity of the lay witness, the subject matter in which he or she is expected to testify, and a brief summary of the testimony expected.

RESPONSE TO INTERROGATORY NO. 20:

Opposer objects to this Interrogatory on the grounds that it is compound and premature. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer will produce the names of lay witnesses Opposer intends to call to testify in this Proceeding in due course.

INTERROGATORY NO. 21:

Describe all exhibits that you intend to rely upon in this proceeding by setting forth a brief statement of the contents and significance of all such exhibits.

RESPONSE TO INTERROGATORY NO. 21:

Opposer objects to this Interrogatory on the grounds that it is compound and premature. Subject to and without waiving the foregoing objections and the General Objections set forth above, Opposer responds: Opposer will provide exhibits it intends to rely upon in this Proceeding in due course.

INTERROGATORY NO. 22:

If you have sought or received opinions, legal or otherwise, regarding your right to use Opposer's Mark (sic), describe each such opinion by setting forth the identity of the person(s) from whom you requested each such opinion, the identity of the person(s) who rendered each such opinion, a brief summary of each such opinion rendered, and a description of each document relied upon in the course of rendering each such opinion.

RESPONSE TO INTERROGATORY NO. 22:

Opposer objects to this Interrogatory on the grounds that it is vague and ambiguous as to the undefined term "Opposer's Mark[.]" For purposes of this Interrogatory, Opposer interprets

"Opposer's Mark" to mean "Opposer's Marks" as defined in Definitions Paragraph B of these Interrogatories. Opposer further objects to this Interrogatory on the grounds that it is compound, is neither relevant to the subject matter of this Proceeding nor reasonably calculated to lead to the discovery of admissible evidence, and to the extent that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine or any other statutory or common law privilege.

INTERROGATORY NO. 23:

Identify those person(s) who had more than a clerical role in answering the foregoing interrogatories.

RESPONSE TO INTERROGATORY NO. 23:

Subject to and without waiving the General Objections set forth above, Opposer responds: Opposer identifies Frank Nguyen, Vice President, Intellectual Property and Licensing at Intuitive Surgical, Inc., and Michelle D. Kahn and Michelle J. Hirth of Sheppard, Mullin, Richter & Hampton, LLP, counsel to Intuitive Surgical, Inc.

INTERROGATORY NO. 24:

Identify those person(s) who had more than a clerical role in searching for documents responsive to Applicant's First Set of Requests for Production of Documents and Things to Opposer.

RESPONSE TO INTERROGATORY NO. 24:

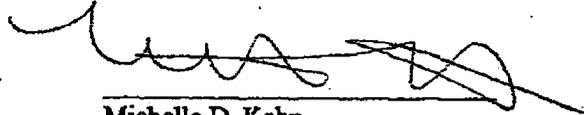
Subject to and without waiving the General Objections set forth above, Opposer responds: Opposer identifies Frank Nguyen, Vice President, Intellectual Property and Licensing

at Intuitive Surgical, Inc., and Michelle D. Kahn and Michelle J. Hirth of Sheppard, Mullin,
Richter & Hampton, LLP, counsel to Intuitive Surgical, Inc.

Dated: November 26, 2007

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By



Michelle D. Kahn
Michelle J. Hirth
Attorneys for Opposer
INTUITIVE SURGICAL, INC.

Four Embarcadero Center
17th Floor
San Francisco, CA 94111
TEL: (415) 434-9100
FAX: (415) 434-3947

VERIFICATION

I, John F. Runkel, declare as follows:

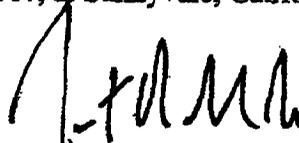
I am in the Senior Vice President and General Counsel of Intuitive Surgical, Inc., Opposer in this Opposition Proceeding, and am authorized to make this verification on behalf of Intuitive Surgical, Inc.

I have read Intuitive Surgical, Inc.'s Responses to Applicant's First Set of Interrogatories to Opposer, and know the contents thereof. The responses were prepared from information gathered by Intuitive Surgical, Inc. and its agents and from a review of various files and records. Subject to the above limitations, I am informed and believe and on that basis allege that the responses given are true and correct.

Having been warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the document resulting therefrom, I declare that all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

I declare under penalty of perjury that the above is true and correct and to the best of my knowledge and belief.

Executed this 26th day of November, 2007, at Sunnyvale, California.



John F. Runkel

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **RESPONSES TO APPLICANT'S FIRST SET OF INTERROGATORIES TO OPPOSER** was served on Applicant DaVinci Radiology

Associates, P.L., by First Class U.S. Mail, postage prepaid, to:

Matthew T. Vanden Bosch, Esq.
301 Clematis Avenue, Suite 3000
West Palm Beach, Florida 33401

Attorneys for Applicant

This 26th day of November, 2007.



Miranda Lewis

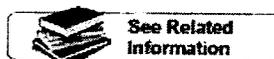
EXHIBIT 7



U.S. Food and Drug Administration



CENTER FOR DEVICES AND RADIOLOGICAL HEALTH

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[Title 21, Volume 8]
[Revised as of April 1, 2008]
[CITE: 21CFR862.2160]TITLE 21--FOOD AND DRUGS
CHAPTER I--FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBCHAPTER H--MEDICAL DEVICESPART 862 -- CLINICAL CHEMISTRY AND CLINICAL TOXICOLOGY DEVICES

Subpart C--Clinical Laboratory Instruments

Sec. 862.2160 Discrete photometric chemistry analyzer for clinical use.

(a) *Identification.* A discrete photometric chemistry analyzer for clinical use is a device intended to duplicate manual analytical procedures by performing automatically various steps such as pipetting, preparing filtrates, heating, and measuring color intensity. This device is intended for use in conjunction with certain materials to measure a variety of analytes. Different models of the device incorporate various instrumentation such as micro analysis apparatus, double beam, single, or dual channel photometers, and bichromatic 2-wavelength photometers. Some models of the device may include reagent-containing components that may also serve as reaction units.

(b) *Classification.* Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to 862.9.

[52 FR 16122, May 1, 1987, as amended at 65 FR 2309, Jan. 14, 2000]

Database Updated April 1, 2008

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Center for Devices and Radiological Health / CDRH

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR §2.197

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail" postage prepaid in an envelope addressed to: Commissioner of Trademarks, U.S. Patent and Trademark Office, P.O. Box 1451, Alexandria, Virginia 22313-1451 on March 24, 2009.

Matthew T. Vanden Bosch
Signature

Matthew T. Vanden Bosch
Name

March 24, 2009
Date

EH 719 333429 US
"Express Mail" Mailing Label Number

Applicant DaVinci Radiology Associates, PL's
First Notice of Reliance (7 pgs); and
Exhibits 1-7