

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

|                                  |   |                         |
|----------------------------------|---|-------------------------|
| CLEARCHOICE HOLDINGS, LLC        | ) |                         |
|                                  | ) | Opposition No. 91191371 |
| Opposer                          | ) |                         |
|                                  | ) | Mark: RIGHTCHOICE       |
| v.                               | ) |                         |
|                                  | ) | Serial No.: 77/685,491  |
| DALE D. GOLDSCHLAG, D.D.S., P.C. | ) |                         |
|                                  | ) |                         |
| Applicant                        | ) |                         |

**OPPOSER'S FIRST NOTICE OF RELIANCE**

Opposer, ClearChoice Holdings, LLC, in accordance with Rules 2.122(d) and (e) of the Trademark Rules of Practice, submits its notice of reliance on the following certified copy of the file history of the opposed application, and certified copies of registrations owned by Opposer, which are attached hereto as Exhibits A - F:

- Exhibit A: File history of U.S. Application No. 77/685,491 of the mark RIGHTCHOICE.
- Exhibit B: U.S. Registration No. 3,225,921 of the mark CLEARCHOICE DENTAL IMPLANTS.
- Exhibit C: U.S. Registration No. 3,553,219 of the mark CLEARCHOICE DENTAL IMPLANT CENTER.
- Exhibit D: U.S. Registration No. 3,685,880 of the mark CLEARCHOICE & Design.<sup>1</sup>
- Exhibit E: U.S. Registration No. 4,250,368 of the mark THE CLEARCHOICE EXPERIENCE.
- Exhibit F: U.S. Registration No. 4,152,444 of the mark CLEARCHOICE IS THE PERFECT CHOICE.

<sup>1</sup> At the time the opposition was filed, Opposer pled U.S. Application No. 77/686,189, which has since matured to Registration No. 3,685,880.

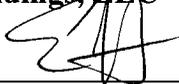


Exhibit G: File history of U.S. Application No. 77/652,784 of the mark REAL CHOICE.

Opposer intends to rely on the file history of the opposed application and Opposer's registrations to prove there is a likelihood of confusion between the mark RIGHTCHOICE in the opposed application and Opposer's CLEARCHOICE marks.

Respectfully submitted,

**ClearChoice Holdings, LLC**

By:  \_\_\_\_\_

Date: September 17, 2013

Eric T. Fingerhut  
Dykema Gossett PLLC  
Suite 300 West  
1300 I Street, N.W.  
Washington, D.C. 20005  
(202) 906-8618  
Attorney for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17<sup>th</sup> day of September 2013, a true copy of the foregoing Opposer's First Notice of Reliance was served on the following counsel of record for Applicant via first class mail, postage prepaid:

ADAM B KAUFMAN ASSOCIATES PLLC  
585 STEWART AVENUE, SUITE 302  
GARDEN CITY, NY 11530 4701



---

Eric T. Fingerhut  
Attorney for Opposer

7434443



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

August 27, 2013

**THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE  
RECORDS OF THIS OFFICE OF THE TRADEMARK FILE WRAPPER AND  
CONTENTS OF:**

**TRADEMARK APPLICATION: 77/685,491**

**FILING DATE: March 06, 2009**

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**GLORIA A MURRAY**  
Certifying Officer

PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2008)

## Trademark/Service Mark Application, Principal Register

**Serial Number: 77685491**

**Filing Date: 03/06/2009**

**The table below presents the data as entered.**

| Input Field   | Entered  |
|---|--|
| <b>SERIAL NUMBER</b>  | 77685491   |
| <b>MARK INFORMATION</b>   |  |
| <b>*MARK</b>  | <u>RightChoice</u>   |
| <b>STANDARD CHARACTERS</b>                                      | YES  |
| <b>USPTO-GENERATED IMAGE</b>                                    | YES  |
| <b>LITERAL ELEMENT</b>  | RightChoice  |
| <b>MARK STATEMENT</b>   | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| <b>REGISTER</b>   | Principal  |
| <b>APPLICANT INFORMATION</b>                                    |  |
| <b>*OWNER OF MARK</b>   | Dale D. Goldschlag, D.D.S., P.C.   |
| <b>*STREET</b>  | 240 Riverside Boulevard, Apt. 17B  |
| <b>*CITY</b>  | New York   |
| <b>*STATE<br/>(Required for U.S. applicants)</b>                | New York   |
| <b>*COUNTRY</b>   | United States  |
| <b>*ZIP/POSTAL CODE<br/>(Required for U.S. applicants only)</b> | 10069  |
| <b>LEGAL ENTITY INFORMATION</b>                                 |  |
| <b>TYPE</b>   | corporation  |
| <b>STATE/COUNTRY OF INCORPORATION</b>                           | New York   |
| <b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>              |  |
|   |  |

|  |   |
|--|---|
| <b>*INTERNATIONAL CLASS</b>                | 044   |
| <b>*IDENTIFICATION</b>                     | Dental implant services.  |
| <b>FILING BASIS</b>                        | SECTION 1(a)  |
| <b>FIRST USE ANYWHERE DATE</b>             | At least as early as 03/06/2009   |
| <b>FIRST USE IN COMMERCE DATE</b>          | At least as early as 03/06/2009   |
| <b>SPECIMEN FILE NAME(S)</b>               |   |
| <b>ORIGINAL PDF FILE</b>                   | <a href="http://tgate/PDF/BAS/2009/03/06/20090306154716530086-77685491-001_001/spec-6816591169-153524560_._RightChoice_ Advertisement.pdf">http://tgate/PDF/BAS/2009/03/06/20090306154716530086-77685491-001_001/spec-6816591169-153524560_._RightChoice_ Advertisement.pdf</a> |
| <b>CONVERTED PDF FILE(S) (1 page)</b>      | \\TICRS\EXPORT6\IMAGEOUT6\776\854\77685491\xml1\APP0003.JPG   |
| <b>SPECIMEN DESCRIPTION</b>                | Newspaper advertisement.  |
| <b>ATTORNEY INFORMATION</b>                |   |
| <b>NAME</b>                                | Adam B. Kaufman   |
| <b>STREET</b>                              | 585 Stewart Avenue, Suite 302   |
| <b>CITY</b>                                | Garden City   |
| <b>STATE</b>                               | New York  |
| <b>COUNTRY</b>                             | United States   |
| <b>ZIP/POSTAL CODE</b>                     | 11530   |
| <b>EMAIL ADDRESS</b>                       | abk@abkattorneys.com  |
| <b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b> | Yes   |
| <b>CORRESPONDENCE INFORMATION</b>          |   |
| <b>NAME</b>                                | Adam B. Kaufman   |
| <b>STREET</b>                              | 585 Stewart Avenue, Suite 302   |
| <b>CITY</b>                                | Garden City   |
| <b>STATE</b>                               | New York  |
| <b>COUNTRY</b>                             | United States   |
| <b>ZIP/POSTAL CODE</b>                     | 11530   |
| <b>EMAIL ADDRESS</b>                       | abk@abkattorneys.com  |
| <b>AUTHORIZED TO</b>                       |   |

|                              |   |
|------------------------------|---|
| <b>COMMUNICATE VIA EMAIL</b> | Yes                                     |
| <b>FEE INFORMATION</b>       |   |
| <b>NUMBER OF CLASSES</b>     | 1                                       |
| <b>FEE PER CLASS</b>         | 325                                     |
| <b>*TOTAL FEE DUE</b>        | 325                                     |
| <b>*TOTAL FEE PAID</b>       | 325                                     |
| <b>SIGNATURE INFORMATION</b> |   |
| <b>SIGNATURE</b>             | /Adam B. Kaufman/                       |
| <b>SIGNATORY'S NAME</b>      | Adam B. Kaufman                         |
| <b>SIGNATORY'S POSITION</b>  | Attorney of record, New York bar member |
| <b>DATE SIGNED</b>           | 03/06/2009                              |

PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2008)

## Trademark/Service Mark Application, Principal Register

**Serial Number: 77685491**

**Filing Date: 03/06/2009**

### To the Commissioner for Trademarks:

**MARK:** RightChoice (Standard Characters, see mark)

The literal element of the mark consists of RightChoice.

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

The applicant, Dale D. Goldschlag, D.D.S., P.C., a corporation of New York, having an address of  
240 Riverside Boulevard, Apt. 17B  
New York, New York 10069  
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.

International Class 044: Dental implant services.

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 03/06/2009, and first used in commerce at least as early as 03/06/2009, 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) Newspaper advertisement..

**Original PDF file:**

[http://tgate/PDF/BAS/2009/03/06/20090306154716530086-77685491-001\\_001/spec-6816591169-153524560\\_.\\_RightChoice\\_Advertisement.pdf](http://tgate/PDF/BAS/2009/03/06/20090306154716530086-77685491-001_001/spec-6816591169-153524560_._RightChoice_Advertisement.pdf)

**Converted PDF file(s)** (1 page)

Specimen File1

The applicant hereby appoints Adam B. Kaufman  
585 Stewart Avenue, Suite 302  
Garden City, New York 11530  
United States

to submit this application on behalf of the applicant.

Correspondence Information: Adam B. Kaufman

585 Stewart Avenue, Suite 302

Garden City, New York 11530  
abk@abkattorneys.com (authorized)

A fee payment in the amount of \$325 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: /Adam B. Kaufman/ Date Signed: 03/06/2009  
Signatory's Name: Adam B. Kaufman  
Signatory's Position: Attorney of record, New York bar member

RAM Sale Number: 1177  
RAM Accounting Date: 03/09/2009

Serial Number: 77685491  
Internet Transmission Date: Fri Mar 06 15:47:16 EST 2009  
TEAS Stamp: USPTO/BAS-68.165.91.169-2009030615471653  
0086-77685491-440e8e2cf9185170dd8b0b2841  
742bdb0-CC-1177-20090306153524560081

RightChoice

# RightChoice

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**IMPLANT**

**\$395<sup>+</sup>**

**POST**

**CROWN**

**\$545<sup>+</sup>**

**\$695**

**TOTAL**

**\$1,635**

Exp. 3/30



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**We perform more implants in one month than most offices do in a year!**

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**Wall Street Location**

**50 Broadway, Suite 2001 • NY, NY 10004**

---

**From:** TMDesignCodeComments  
**Sent:** Wednesday, March 11, 2009 00:14 AM  
**To:** abk@abkattorneys.com  
**Subject:** Notice of Pseudo Mark for Serial Number: 77685491

---

**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](mailto: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:**

RIGHT CHOICE

\*\*\* User:ewrich \*\*\*

| #  | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search                                |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|---------------------------------------|
| 01 | 1              | 0             | 1                      | 1                        | 0:01                          | 77685491[SN]                          |
| 02 | 2              | 0             | 2                      | 2                        | 0:01                          | dale and goldschlag[on]               |
| 03 | 24744          | N/A           | 0                      | 0                        | 0:03                          | (*r{"iy"}ght* or *r{"iy"}te* )[bi,ti] |
| 04 | 11563          | N/A           | 0                      | 0                        | 0:02                          | *choice*[bi,ti]                       |
| 05 | 189            | N/A           | 0                      | 0                        | 0:01                          | 3 and 4                               |
| 06 | 71             | 0             | 71                     | 52                       | 0:03                          | 5 not dead[ld]                        |
| 07 | 1288509        | N/A           | 0                      | 0                        | 0:02                          | 010[cc]                               |
| 08 | 3460           | N/A           | 0                      | 0                        | 0:01                          | 4 and 7                               |
| 09 | 1377           | N/A           | 0                      | 0                        | 0:03                          | 8 not dead[ld]                        |
| 10 | 53017          | N/A           | 0                      | 0                        | 0:02                          | 044[ic]                               |
| 11 | 1349           | 0             | 1349                   | 892                      | 0:01                          | 9 not 5                               |

Session started 5/29/2009 10:20:41 AM

Session finished 5/29/2009 10:51:14 AM

Total search duration 0 minutes 20 seconds

Session duration 30 minutes 33 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77685491

## NOTE TO THE FILE

SERIAL NUMBER: 77685491

DATE: 05/29/2009

NAME: eawrich

NOTE: "dental implant services" accepted in Class 44 in 3,225,921; 3,098,251; 3,093,062; 3,351,145; 3,252,575; pub'd 77-656044; 77-652784

- Checked LEXIS/NEXIS
- Searched internet using [insert search engine or web site]
- Checked with Law Library re surname.
- Checked geographic significance.
- Checked with translations branch.
- Checked ID with ID/Class
- Checked ID with Senior Attorney/Managing Attorney
- Telephoned attorney/applicant leaving message re: \_\_\_\_\_
- Telephoned attorney/applicant, application was signed on \_\_\_\_\_
- Personal interview conducted with attorney/applicant re \_\_\_\_\_
- Attorney/applicant called to discuss \_\_\_\_\_
- Bulky specimens with examiner.
- Acronym website searched.
- Changed Tradeups to add. \_\_\_\_\_
- Changed Tradeups to delete. \_\_\_\_\_
- Changed Tradeups to add Examiner's Amendment.
- Letter of Protest Granted
- OTHER (insert reason for Note)

Side - 1

|                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <b>NOTICE OF PUBLICATION UNDER §12(a)</b><br><b>MAILING DATE: Jun 17, 2009</b><br><b>PUBLICATION DATE: Jul 7, 2009</b> |
|-------------------------------------|--|

The mark identified below will be published in the Official Gazette on Jul 7, 2009. 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/>.

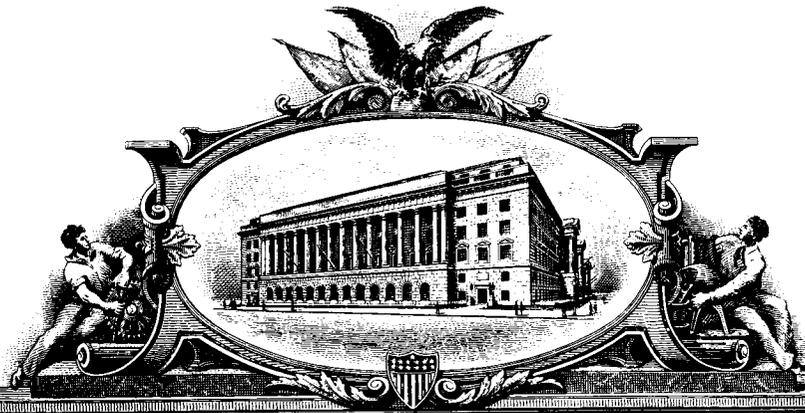
**SERIAL NUMBER: 77685491**  
**MARK: RIGHTCHOICE**  
**OWNER: Dale D. Goldschlag, D.D.S., P.C.**

Side - 2

|  |   |
|--|---|
| UNITED STATES PATENT AND TRADEMARK OFFICE<br>COMMISSIONER FOR TRADEMARKS<br>P.O. BOX 1451<br>ALEXANDRIA, VA 22313-1451 | FIRST-CLASS<br>MAIL<br>U.S. POSTAGE<br>PAID |
| ADAM B. KAUFMAN<br>585 STEWART AVE STE 302<br>GARDEN CITY, NY 11530-4701   |   |

## **EXHIBIT B**

7434443



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

August 29, 2013

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,225,921 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF *10* YEARS FROM *April 03, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *CLEARCHOICE HOLDINGS*  
*LLC*  
*A LIMITED LIABILITY COMPANY OF COLORADO*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
T. WALLACE  
Certifying Officer



**Int. Cl.: 44**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,225,921**

**Registered Apr. 3, 2007**

**SERVICE MARK  
PRINCIPAL REGISTER**

**CLEARCHOICE DENTAL IMPLANTS**

**CLEARCHOICE DENTAL IMPLANT SERVICES,  
LLC (COLORADO LTD LIAB CO)**

**SUITE 400**

**9725 EAST HAMPDEN AVENUE**

**DENVER, CO 80231**

**FOR: DENTAL SERVICES, NAMELY DENTAL  
IMPLANT SERVICES, IN CLASS 44 (U.S. CLS. 100  
AND 101).**

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

**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 "DENTAL IMPLANTS", APART  
FROM THE MARK AS SHOWN.**

**SN 78-694,876, FILED 8-17-2005.**

**PAMELA HIRSCHMAN, EXAMINING ATTORNEY**

# **EXHIBIT C**

7434443



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

August 29, 2013

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,553,219 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 30, 2008*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER  
Certifying Officer



**Int. Cl.: 44**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,553,219**

**Registered Dec. 30, 2008**

**SERVICE MARK  
PRINCIPAL REGISTER**

**CLEARCHOICE DENTAL IMPLANT  
CENTER**

**CLEARCHOICE HOLDINGS LLC (COLORADO  
LIMITED LIABILITY COMPANY)  
SUITE 400  
9725 EAST HAMPDEN AVENUE  
DENVER, CO 80231**

**FOR: DENTAL SERVICES, NAMELY, DENTAL  
IMPLANT SERVICES, IN CLASS 44 (U.S. CLS. 100  
AND 101).**

**FIRST USE 12-17-2006; IN COMMERCE 12-1-2007.**

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

**OWNER OF U.S. REG. NOS. 3,181,966 AND  
3,225,921.**

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

**SER. NO. 77-423,988, FILED 3-17-2008.**

**TINA L. SNAPP, EXAMINING ATTORNEY**

## **EXHIBIT D**

7434443



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

August 29, 2013

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,685,880 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *September 22, 2009*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
M. TARVER  
Certifying Officer



# United States of America

United States Patent and Trademark Office

ClearChoice

**Reg. No. 3,685,880** CLEARCHOICE HOLDINGS LLC (COLORADO LIMITED LIABILITY COMPANY)  
Registered Sep. 22, 2009 SUITE 100

8350 EAST CRESCENT PARKWAY  
GREENWOOD VILLAGE, CO 80111

**Int. Cl.: 44**

FOR: DENTAL SERVICES, NAMELY, DENTAL IMPLANT SERVICES, IN CLASS 44 (U.S. CLS. 100 AND 101).

**SERVICE MARK  
PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 3,181,966, 3,225,921, AND 3,553,219.

THE MARK CONSISTS OF THE TERM "CLEARCHOICE" AND A DEPICTION OF A SHOOTING STAR DESIGN.

SER. NO. 77-686,189, FILED 3-9-2009.

KAREN BRACEY, EXAMINING ATTORNEY



*David J. Kyfas*

Director of the United States Patent and Trademark Office

# **EXHIBIT E**

7434443



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

August 29, 2013

THE ATTACHED U.S. TRADEMARK REGISTRATION 4,250,368 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *November 27, 2012*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*M. Tarver*  
M. TARVER  
Certifying Officer



# United States of America

United States Patent and Trademark Office

## THE CLEARCHOICE EXPERIENCE

**Reg. No. 4,250,368**

**Registered Nov. 27, 2012**

**Int. Cl.: 44**

**SERVICE MARK**

**PRINCIPAL REGISTER**

CLEARCHOICE HOLDINGS LLC (COLORADO LIMITED LIABILITY COMPANY)  
SUITE 100  
8350 EAST CRESCENT PARKWAY  
GREENWOOD VILLAGE, CO 80111

FOR: DENTAL SERVICES, NAMELY, DENTAL IMPLANT SERVICES, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 5-1-2008; IN COMMERCE 5-1-2008.

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

OWNER OF U.S. REG. NOS. 3,181,966, 3,225,921, AND 3,553,219.

SN 77-691,413, FILED 3-16-2009.

KAREN BRACEY, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE:** Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

# **EXHIBIT F**

7434443



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

August 29, 2013

THE ATTACHED U.S. TRADEMARK REGISTRATION 4,152,444 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *June 05, 2012*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER  
Certifying Officer



# United States of America

United States Patent and Trademark Office

## ClearChoice is the Perfect Choice

**Reg. No. 4,152,444**

**Registered June 5, 2012**

**Int. Cl.: 44**

**SERVICE MARK**

**PRINCIPAL REGISTER**

CLEARCHOICE HOLDINGS, LLC (COLORADO LIMITED LIABILITY COMPANY)  
8350 E. CRESCENT PKWY, STE 100  
GREENWOOD VILLAGE, CO 80111

FOR: DENTIST SERVICES, NAMELY, DENTAL IMPLANT SERVICES, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 4-29-2010; IN COMMERCE 4-29-2010.

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

SER. NO. 85-027,270, FILED 4-30-2010.

KATHRYN COWARD, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE:** Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

# **EXHIBIT G**



UNITED STATES PATENT AND TRADEMARK OFFICE

---

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

Apr 15, 2009

**NOTICE OF PUBLICATION UNDER 12(a)**

1. Serial No.:  
77/652,784
2. Mark:  
REAL CHOICE  
Standard Character Mark
3. International Class(es):  
44
4. Publication Date:  
May 5, 2009
5. Applicant:  
Implant Direct Int'l

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

---

Correspondence Address:

PATRICK F. BRIGHT  
WAGNER, ANDERSON & BRIGHT LLP  
3541 OCEAN VIEW BLVD  
GLENDALE, CA 91208-1211

TMP&I

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
 (Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 77652784           | FILING DATE   | 01/20/2009   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | AXILBUND, MELVIN T | L.O. ASSIGNED | 113          |

**PUB INFORMATION**

|                      |                                       |                    |     |
|----------------------|---------------------------------------|--------------------|-----|
| RUN DATE             | 03/31/2009                            |                    |     |
| PUB DATE             | 05/05/2009                            |                    |     |
| STATUS               | 681-PUBLICATION/ISSUE REVIEW COMPLETE |                    |     |
| STATUS DATE          | 03/30/2009                            |                    |     |
| LITERAL MARK ELEMENT | REAL CHOICE                           |                    |     |
| 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)       | NO  | 1 (a)         | NO  | 1 (a)         | NO |
| 1 (b)       | YES | 1 (b)         | YES | 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 | YES         |
| LITERAL MARK ELEMENT    | REAL CHOICE |

|                    |                           |
|--------------------|---------------------------|
| MARK DRAWING CODE  | 4-STANDARD CHARACTER MARK |
| COLOR DRAWING FLAG | NO                        |

### CURRENT OWNER INFORMATION

|             |  |
|-------------|--|
| PARTY TYPE  | 10-ORIGINAL APPLICANT  |
| NAME        | Implant Direct Int'l   |
| ADDRESS     | Suite 540<br>3993 Howard Hughes Parkway<br>Las Vegas, NV 89101 |
| ENTITY      | 03-CORPORATION   |
| CITIZENSHIP | Nevada   |

### GOODS AND SERVICES

|                     |                         |
|---------------------|-------------------------|
| INTERNATIONAL CLASS | 044                     |
| DESCRIPTION TEXT    | Dental Implant Services |

### GOODS AND SERVICES CLASSIFICATION

|                     |     |                |      |                            |      |              |          |
|---------------------|-----|----------------|------|----------------------------|------|--------------|----------|
| INTERNATIONAL CLASS | 044 | FIRST USE DATE | NONE | FIRST USE IN COMMERCE DATE | NONE | CLASS STATUS | 6-ACTIVE |
|---------------------|-----|----------------|------|----------------------------|------|--------------|----------|

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |    |
|------------------------|----|
| CHANGE IN REGISTRATION | NO |
|------------------------|----|

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                             | ENT NUM |
|------------|--------|----------|---|---------|
| 03/30/2009 | PREV   | O        | LAW OFFICE PUBLICATION REVIEW COMPLETED | 005     |
| 03/30/2009 | ALIE   | A        | ASSIGNED TO LIE                         | 004     |
| 03/30/2009 | CNSA   | P        | APPROVED FOR PUB - PRINCIPAL REGISTER   | 003     |
| 03/30/2009 | DOCK   | D        | ASSIGNED TO EXAMINER                    | 002     |
| 01/23/2009 | NWAP   | I        | NEW APPLICATION ENTERED IN TRAM         | 001     |

### CURRENT CORRESPONDENCE INFORMATION

|                        |   |
|------------------------|---|
| ATTORNEY               | Patrick F. Bright   |
| CORRESPONDENCE ADDRESS | PATRICK F. BRIGHT<br>WAGNER, ANDERSON & BRIGHT LLP<br>3541 OCEAN VIEW BLVD<br>GLENDALE, CA 91208-1211 |

DOMESTIC REPRESENTATIVE

NONE

# REAL CHOICE

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 77652784           | FILING DATE   | 01/20/2009   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | AXILBUND, MELVIN T | L.O. ASSIGNED | 113          |

**PUB INFORMATION**

|                      |                                       |                    |     |
|----------------------|---------------------------------------|--------------------|-----|
| RUN DATE             | 03/31/2009                            |                    |     |
| PUB DATE             | 05/05/2009                            |                    |     |
| STATUS               | 681-PUBLICATION/ISSUE REVIEW COMPLETE |                    |     |
| STATUS DATE          | 03/30/2009                            |                    |     |
| LITERAL MARK ELEMENT | REAL CHOICE                           |                    |     |
| 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                                    | RE PUB 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)       | NO  | 1 (a)         | NO  | 1 (a)         | NO |
| 1 (b)       | YES | 1 (b)         | YES | 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 | YES         |
| LITERAL MARK ELEMENT    | REAL CHOICE |

|                    |                           |
|--------------------|---------------------------|
| MARK DRAWING CODE  | 4-STANDARD CHARACTER MARK |
| COLOR DRAWING FLAG | NO                        |

### CURRENT OWNER INFORMATION

|             |  |
|-------------|--|
| PARTY TYPE  | 10-ORIGINAL APPLICANT  |
| NAME        | Implant Direct Int'l   |
| ADDRESS     | Suite 540<br>3993 Howard Hughes Parkway<br>Las Vegas, NV 89101 |
| ENTITY      | 03-CORPORATION   |
| CITIZENSHIP | Nevada   |

### GOODS AND SERVICES

|                     |                         |
|---------------------|-------------------------|
| INTERNATIONAL CLASS | 044                     |
| DESCRIPTION TEXT    | Dental Implant Services |

### GOODS AND SERVICES CLASSIFICATION

|                     |     |                |      |                            |      |              |          |
|---------------------|-----|----------------|------|----------------------------|------|--------------|----------|
| INTERNATIONAL CLASS | 044 | FIRST USE DATE | NONE | FIRST USE IN COMMERCE DATE | NONE | CLASS STATUS | 6-ACTIVE |
|---------------------|-----|----------------|------|----------------------------|------|--------------|----------|

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |    |
|------------------------|----|
| CHANGE IN REGISTRATION | NO |
|------------------------|----|

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                             | ENT NUM |
|------------|--------|----------|---|---------|
| 03/30/2009 | PREV   | O        | LAW OFFICE PUBLICATION REVIEW COMPLETED | 005     |
| 03/30/2009 | ALIE   | A        | ASSIGNED TO LIE                         | 004     |
| 03/30/2009 | CNSA   | P        | APPROVED FOR PUB - PRINCIPAL REGISTER   | 003     |
| 03/30/2009 | DOCK   | D        | ASSIGNED TO EXAMINER                    | 002     |
| 01/23/2009 | NWAP   | I        | NEW APPLICATION ENTERED IN TRAM         | 001     |

### CURRENT CORRESPONDENCE INFORMATION

|                        |   |
|------------------------|---|
| ATTORNEY               | Patrick F. Bright   |
| CORRESPONDENCE ADDRESS | PATRICK F. BRIGHT<br>WAGNER, ANDERSON & BRIGHT LLP<br>3541 OCEAN VIEW BLVD<br>GLENDALE, CA 91208-1211 |

DOMESTIC REPRESENTATIVE

NONE

# REAL CHOICE

\*\*\* User:maxilbund \*\*\*

| #  | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search                     |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|----------------------------|
| 01 | 1              | 0             | 1                      | 1                        | 0:01                          | 77652784[SN]               |
| 02 | 12296          | N/A           | 0                      | 0                        | 0:01                          | *cho{"iyo"}{"scz"}*        |
| 03 | 12296          | N/A           | 0                      | 0                        | 0:01                          | *cho{"iyo"}{"scz"}*[bi,ti] |
| 04 | 148829         | N/A           | 0                      | 0                        | 0:07                          | *r{v:2}l*[bi,ti]           |
| 05 | 498            | N/A           | 0                      | 0                        | 0:01                          | 3 and 4                    |
| 06 | 1765659        | N/A           | 0                      | 0                        | 0:03                          | 044[cc]                    |
| 07 | 233            | 120           | 113                    | 99                       | 0:02                          | 5 and 6                    |
| 08 | 35531          | N/A           | 0                      | 0                        | T/0:02                        | dent\$[gs]                 |
| 09 | 39921          | N/A           | 0                      | 0                        | 0:02                          | dent\$[gs]                 |
| 10 | 198            | 112           | 86                     | 52                       | 0:01                          | 3 and 9                    |

Session started 3/30/09 1:23:45 PM

Session finished 3/30/09 1:59:56 PM

Total search duration 0 minutes 21 seconds

Session duration 36 minutes 11 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77652784

## Trademark/Service Mark Application, Principal Register

Serial Number: 77652784

Filing Date: 01/20/2009

The table below presents the data as entered.

| Input Field   | Entered  |
|---|--|
| SERIAL NUMBER   | 77652784   |
| <b>MARK INFORMATION</b>                                 |  |
| *MARK   | <u>REAL CHOICE</u>   |
| STANDARD CHARACTERS                                     | YES  |
| USPTO-GENERATED IMAGE                                   | YES  |
| LITERAL ELEMENT   | REAL CHOICE  |
| MARK STATEMENT  | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| REGISTER  | Principal  |
| <b>APPLICANT INFORMATION</b>                            |  |
| *OWNER OF MARK  | Implant Direct Int'l   |
| *STREET   | 3993 Howard Hughes Parkway   |
| INTERNAL ADDRESS  | Suite 540  |
| *CITY   | Las Vegas  |
| *STATE<br>(Required for U.S. applicants)                | Nevada   |
| *COUNTRY  | United States  |
| *ZIP/POSTAL CODE<br>(Required for U.S. applicants only) | 89101  |
| PHONE   | 213-700-6637   |
| FAX   | 818-249-9335   |
| EMAIL ADDRESS   | pbright@patentattorney.us  |
| <b>LEGAL ENTITY INFORMATION</b>                         |  |
| TYPE  | corporation  |

|  |                               |
|--|-------------------------------|
| <b>STATE/COUNTRY OF INCORPORATION</b>              | Nevada                        |
| <b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b> |                               |
| <b>*INTERNATIONAL CLASS</b>                        |                               |
| <b>*IDENTIFICATION</b>                             | Dental Implant Services       |
| <b>FILING BASIS</b>                                | SECTION 1(b)                  |
| <b>ATTORNEY INFORMATION</b>                        |                               |
| <b>NAME</b>  | Patrick F. Bright             |
| <b>FIRM NAME</b>                                   | Wagner, Anderson & Bright LLP |
| <b>STREET</b>                                      | 3541 Ocean View Boulevard     |
| <b>CITY</b>  | Glendale                      |
| <b>STATE</b>                                       | California                    |
| <b>COUNTRY</b>                                     | United States                 |
| <b>ZIP/POSTAL CODE</b>                             | 91208                         |
| <b>PHONE</b>                                       | 213-700-6637                  |
| <b>FAX</b>   | 818-249-9335                  |
| <b>EMAIL ADDRESS</b>                               | pbright@patentattorney.us     |
| <b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>         | Yes                           |
| <b>CORRESPONDENCE INFORMATION</b>                  |                               |
| <b>NAME</b>  | Patrick F. Bright             |
| <b>FIRM NAME</b>                                   | Wagner, Anderson & Bright LLP |
| <b>STREET</b>                                      | 3541 Ocean View Boulevard     |
| <b>CITY</b>  | Glendale                      |
| <b>STATE</b>                                       | California                    |
| <b>COUNTRY</b>                                     | United States                 |
| <b>ZIP/POSTAL CODE</b>                             | 91208                         |
| <b>PHONE</b>                                       | 213-700-6637                  |
| <b>FAX</b>   | 818-249-9335                  |
| <b>EMAIL ADDRESS</b>                               | pbright@patentattorney.us     |
| <b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>         | Yes                           |
| <b>FEE INFORMATION</b>                             |                               |

|                              |                     |
|------------------------------|---------------------|
| <b>NUMBER OF CLASSES</b>     | 1                   |
| <b>FEE PER CLASS</b>         | 325                 |
| <b>*TOTAL FEE DUE</b>        | 325                 |
| <b>*TOTAL FEE PAID</b>       | 325                 |
| <b>SIGNATURE INFORMATION</b> |                     |
| <b>SIGNATURE</b>             | /Patrick F. Bright/ |
| <b>SIGNATORY'S NAME</b>      | Patrick F. Bright   |
| <b>SIGNATORY'S POSITION</b>  | Attorney of record  |
| <b>DATE SIGNED</b>           | 01/20/2009          |

---

## Trademark/Service Mark Application, Principal Register

**Serial Number: 77652784**

**Filing Date: 01/20/2009**

### To the Commissioner for Trademarks:

**MARK:** REAL CHOICE (Standard Characters, see mark)

The literal element of the mark consists of REAL CHOICE.

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

The applicant, Implant Direct Int'l, a corporation of Nevada, having an address of  
Suite 540,  
3993 Howard Hughes Parkway  
Las Vegas, Nevada 89101  
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.

International Class \_\_\_\_\_: Dental Implant Services

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Patrick F. Bright of Wagner, Anderson & Bright LLP  
3541 Ocean View Boulevard  
Glendale, California 91208  
United States

to submit this application on behalf of the applicant.

Correspondence Information: Patrick F. Bright

3541 Ocean View Boulevard  
Glendale, California 91208  
213-700-6637(phone)  
818-249-9335(fax)  
pbright@patentattorney.us (authorized)

A fee payment in the amount of \$325 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: /Patrick F. Bright/ Date Signed: 01/20/2009  
Signatory's Name: Patrick F. Bright  
Signatory's Position: Attorney of record

RAM Sale Number: 12793  
RAM Accounting Date: 01/21/2009

Serial Number: 77652784  
Internet Transmission Date: Tue Jan 20 15:49:29 EST 2009  
TEAS Stamp: USPTO/BAS-76.244.177.14-2009012015492916  
6979-77652784-44075c35a1d2aab44cbcb2c2f2  
25af6d61d-CC-12793-20090120153850459373

# REAL CHOICE

# REAL CHOICE