

Voluntary Amendment

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86151084
LAW OFFICE ASSIGNED	LAW OFFICE 109
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/86151084/large
LITERAL ELEMENT	GMC MEDICAL
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the words "GMC MEDICAL" within a rectangle centered below a cross enclosed within a square having its corners pointing vertically and horizontally.
GOODS AND/OR SERVICES SECTION (003)(class deleted)	
GOODS AND/OR SERVICES SECTION (005)(current)	
INTERNATIONAL CLASS	005
DESCRIPTION	
Medicated skin care preparations; acne treatment preparations; pharmaceutical preparations for skin care, skin treatment, skin protection and skin health restoration; medicated skin preparations	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (005)(proposed)	
INTERNATIONAL CLASS	005
TRACKED TEXT DESCRIPTION	
Medicated skin care preparations; Medicated skin care preparations for topical application to the skin, sold through medical and esthetic clinics; acne treatment preparations; acne treatment preparations for topical application to the skin, sold through medical and esthetic clinics; pharmaceutical preparations for skin care, skin treatment, skin protection and skin health restoration; and sun screen preparations for topical application to the skin, sold through medical and esthetic clinics; medicated skin preparations	
FINAL DESCRIPTION	
Medicated skin care preparations for topical application to the skin, sold through medical and esthetic clinics; acne treatment preparations for topical application to the skin, sold through medical and esthetic clinics; and sun screen preparations for topical application to the skin, sold through medical and esthetic clinics	
FILING BASIS	Section 1(b)
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	Pursuant to a settlement between Opposer General Nutrition Investment Company and Applicant 8724709 Canada Inc. concerning the present application in Opposition number 91221061, Applicant has agreed to amend the present application to delete all the goods in Class 3 and amend the description of Class 5 as set forth above.

Accordingly, in view of the settlement, entry of the above amendment to Class 5 and deletion of Class 3 in its entirety is respectfully requested in the above-identified application.

SIGNATURE SECTION

RESPONSE SIGNATURE	/dsg/
SIGNATORY'S NAME	Donald S. Gardner
SIGNATORY'S POSITION	Attorney of Record
SIGNATORY'S PHONE NUMBER	616-975-5502
DATE SIGNED	01/14/2016
AUTHORIZED SIGNATORY	YES

FILING INFORMATION SECTION

SUBMIT DATE	Thu Jan 14 15:31:57 EST 2016
TEAS STAMP	USPTO/PRA-XX.XXX.XX.XXX-2 0160114153157966389-86151 084-5509520cd0d753a5bdd42 791298956bc2ed87695b87a82 c563a378836611fb-N/A-N/A- 20160114144012085425

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PTO Form 1966 (Rev 10/2011)
OMB No. 0651-0050 (Exp 07/31/2017)

Voluntary Amendment

To the Commissioner for Trademarks:

Application serial no. **86151084** GMC MEDICAL (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86151084/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant hereby deletes the following class of goods/services from the application.

Class 003 for Sun screen preparations

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

Current: Class 005 for Medicated skin care preparations; acne treatment preparations; pharmaceutical preparations for skin care, skin treatment, skin protection and skin health restoration; medicated skin preparations

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: ~~Medicated skin care preparations;~~ [Medicated skin care preparations for topical application to the skin, sold through medical and esthetic clinics;](#) ~~acne treatment preparations;~~ [acne treatment preparations for topical application to the skin, sold through medical and esthetic clinics;](#) ~~pharmaceutical preparations for skin care, skin treatment, skin protection and skin health restoration;~~ [and sun screen](#)

[preparations for topical application to the skin, sold through medical and esthetic clinics;](#) ~~medicated-skin-preparations~~

Class 005 for Medicated skin care preparations for topical application to the skin, sold through medical and esthetic clinics; acne treatment preparations for topical application to the skin, sold through medical and esthetic clinics; and sun screen preparations for topical application to the skin, sold through medical and esthetic clinics

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

ADDITIONAL STATEMENTS

Miscellaneous Statement

Pursuant to a settlement between Opposer General Nutrition Investment Company and Applicant 8724709 Canada Inc. concerning the present application in Opposition number 91221061, Applicant has agreed to amend the present application to delete all the goods in Class 3 and amend the description of Class 5 as set forth above. Accordingly, in view of the settlement, entry of the above amendment to Class 5 and deletion of Class 3 in its entirety is respectfully requested in the above-identified application.

SIGNATURE(S)

Voluntary Amendment Signature

Signature: /dsg/ Date: 01/14/2016

Signatory's Name: Donald S. Gardner

Signatory's Position: Attorney of Record

Signatory's Phone Number: 616-975-5502

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86151084

Internet Transmission Date: Thu Jan 14 15:31:57 EST 2016

TEAS Stamp: USPTO/PRA-XX.XXX.XX.XXX-2016011415315796

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