

ESTTA Tracking number: **ESTTA671788**

Filing date: **05/12/2015**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

| | |
|---------------------------------------|---|
| Name | Mylan Inc. |
| Granted to Date of previous extension | 05/16/2015 |
| Address | 1000 Mylan Blvd.4 South Canonsburg, PA 15317 UNITED STATES |
| Attorney information | Lara A. Holzman Alston & Bird LLP 90 Park Avenue New York, NY 10016 UNITED STATES ipnyc@alston.com, mylan_docketing@cardinal-ip.com Phone:212-210-9553 |

Applicant Information

| | | | |
|--------------------------------|---|---------------------------------|------------|
| Application No | 85836518 | Publication date | 03/17/2015 |
| Opposition Filing Date | 05/12/2015 | Opposition Period Ends | 05/16/2015 |
| International Registration No. | NONE | International Registration Date | NONE |
| Applicant | Jose Manuel Sanchez Ibanez C/ Garraf 49, Sant Quirze Del Valles Barcelona, 08192 SPAIN | | |

Goods/Services Affected by Opposition

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| Class 010. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Medical apparatus and instruments for medical and physiotherapy use, namely, medical systems for performing intratissuepercutaneous electrolysis, medical systems for the treatment of soft tissues using a galvanic current, medical systems for treatment of tendon, muscle, ligament and scar injuries via non-thermal electrolytic ablation |
| Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Training services in medical matters and in the field of physiotherapy |

Grounds for Opposition

| | |
|--------------------------------------|-----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d) |
| Dilution | Trademark Act section 43(c) |

Marks Cited by Opposer as Basis for Opposition

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 1124454 | Application Date | 08/30/1978 |
| Registration Date | 08/28/1979 | Foreign Priority Date | NONE |
| Word Mark | EPIPEN | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 010. First use: First Use: 1978/08/17 First Use In Commerce: 1978/08/17 HYPODERMIC INJECTORS | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 1479294 | Application Date | 06/18/1987 |
| Registration Date | 03/08/1988 | Foreign Priority Date | NONE |
| Word Mark | EPIPEN | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 1978/08/17 First Use In Commerce: 1978/08/17 INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS TO INSECT STINGS | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 4618280 | Application Date | 05/09/2013 |
| Registration Date | 10/07/2014 | Foreign Priority Date | NONE |
| Word Mark | EPIPEN | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |

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| Goods/Services | Class 009. First use: First Use: 2014/01/00 First Use In Commerce: 2014/01/00 Downloadable software in the nature of a mobile application for viewing, managing and sharing information regarding allergy symptoms and user guides for allergy treatment pharmaceuticals and apparatus |
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|----------------------|----------|-----------------------|------------|
| U.S. Application No. | 85934753 | Application Date | 05/17/2013 |
| Registration Date | NONE | Foreign Priority Date | NONE |

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|-----------|--------|
| Word Mark | EPIPEN |
|-----------|--------|

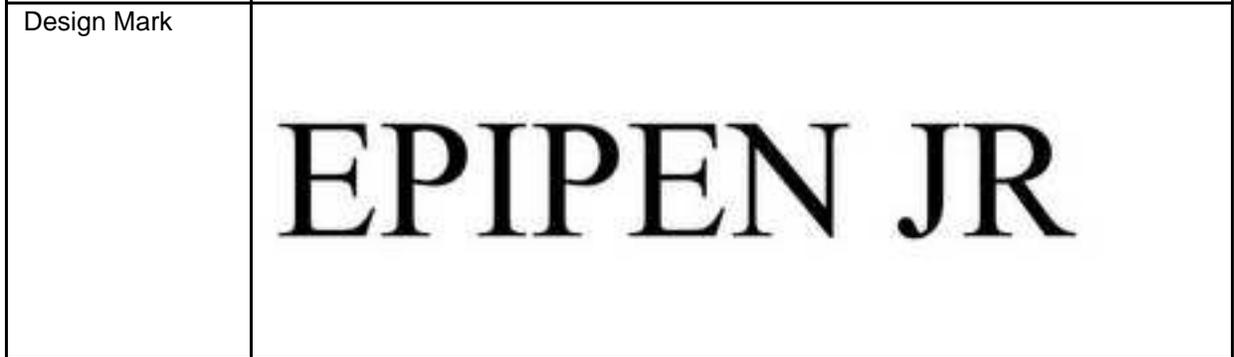


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|---------------------|--|
| Description of Mark | The mark consists of the stylized word "EPIPEN", with all letters in green except for the letter "P", which is yellow. |
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|----------------|---|
| Goods/Services | Class 005. First use: First Use: 0 First Use In Commerce: 0 Injectable pharmaceuticals for treatment of anaphylactic reactions Class 010. First use: First Use: 0 First Use In Commerce: 0 Medical fluid injectors |
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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 3969162 | Application Date | 05/13/2010 |
| Registration Date | 05/31/2011 | Foreign Priority Date | NONE |

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| Word Mark | EPIPEN JR |
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|---------------------|------|
| Description of Mark | NONE |
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| Goods/Services | Class 005. First use: First Use: 2001/04/02 First Use In Commerce: 2001/04/02 Injectable pharmaceuticals for treatment of anaphylactic reactions Class 010. First use: First Use: 2001/04/02 First Use In Commerce: 2001/04/02 Medical fluid injectors |
|----------------|---|

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2576014 | Application Date | 07/17/2001 |
| Registration Date | 06/04/2002 | Foreign Priority Date | NONE |
| Word Mark | EPIPEN 2-PAK | | |
| Design Mark | EPIPEN 2-PAK | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 2001/04/02 First Use In Commerce: 2001/04/02 INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS TO INSECT STINGS Class 010. First use: First Use: 2001/04/02 First Use In Commerce: 2001/04/02 HYPODERMIC INJECTORS | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2576013 | Application Date | 07/17/2001 |
| Registration Date | 06/04/2002 | Foreign Priority Date | NONE |
| Word Mark | EPIPEN JR. 2-PAK | | |
| Design Mark | EPIPEN JR. 2-PAK | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 2001/04/02 First Use In Commerce: 2001/04/02 INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS TO INSECT STINGS Class 010. First use: First Use: 2001/04/02 First Use In Commerce: 2001/04/02 HYPODERMIC INJECTORS | | |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 3693323 | Application Date | 12/10/2007 |
| Registration Date | 10/06/2009 | Foreign Priority Date | NONE |
| Word Mark | EPI-READY | | |

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|---------------------|---|
| Design Mark |  |
| Description of Mark | The mark consists of the word "EPI -READY" with the middle of the mark arched higher than the letters on the right and left sides. |
| Goods/Services | Class 010. First use: First Use: 2008/05/31 First Use In Commerce: 2008/05/31 Wall-mounted storage cases specificallydesigned to hold medicine auto-injectors, sold empty |

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|----------------------|----------|-----------------------|------------|
| U.S. Application No. | 86045463 | Application Date | 08/22/2013 |
| Registration Date | NONE | Foreign Priority Date | NONE |

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|---------------------|--|--|--|
| Word Mark | EPI-PREPARED | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 0 First Use In Commerce: 0 Auto-injectors pre-filled with epinephrine for treatment of anaphylactic reactions | | |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4569544 | Application Date | 05/09/2013 |
| Registration Date | 07/15/2014 | Foreign Priority Date | NONE |
| Word Mark | MY EPIPLAN | | |

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|---------------------|---|
| Design Mark | MY EPIPLAN |
| Description of Mark | NONE |
| Goods/Services | Class 009. First use: First Use: 2014/01/00 First Use In Commerce: 2014/01/00 Downloadable software in the nature of a mobile application for viewing, managing and sharing information regarding allergy symptoms and user guides for allergy treatment pharmaceuticals and apparatus |

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|----------------------|--|-----------------------|------------|
| U.S. Application No. | 77927738 | Application Date | 02/04/2010 |
| Registration Date | NONE | Foreign Priority Date | NONE |
| Word Mark | EPICARD | | |
| Design Mark | EPICARD | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 016. First use: First Use: 2010/00/00 First Use In Commerce: 2010/00/00 printed multilingual instructional material regarding the purpose and use of epinephrine auto injectors | | |

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|----------------------|----------|-----------------------|------------|
| U.S. Application No. | 86229977 | Application Date | 03/24/2014 |
| Registration Date | NONE | Foreign Priority Date | NONE |
| Word Mark | EPI-SET | | |

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|---------------------|---|--|--|
| Design Mark | <h1>EPI-SET</h1> | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 0 First Use In Commerce: 0 Auto-injectors pre-filled with epinephrine Class 010. First use: First Use: 0 First Use In Commerce: 0 Medical fluid injectors | | |

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|----------------------|----------|-----------------------|------------|
| U.S. Application No. | 86193762 | Application Date | 02/14/2014 |
| Registration Date | NONE | Foreign Priority Date | NONE |

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|---------------------|--|--|--|
| Word Mark | EPILOCKER | | |
| Design Mark | <h1>EPILOCKER</h1> | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 010. First use: First Use: 0 First Use In Commerce: 0 Containers for storing and dispensing medical equipment, namely, epinephrine auto-injectors Class 020. First use: First Use: 0 First Use In Commerce: 0 Storage cabinets for epinephrine auto-injectors | | |

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|-----------------------|----------------------------|-----------------------|------------|
| U.S. Registration No. | 4625037 | Application Date | 04/18/2014 |
| Registration Date | 10/21/2014 | Foreign Priority Date | NONE |
| Word Mark | EPI EVERYWHERE! EVERY DAY! | | |

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| Design Mark |  |
| Description of Mark | The mark consists of the word "EPI" appearing within a circular band containing the phrase "EVERYWHERE! EVERY DAY!". |
| Goods/Services | Class 016. First use: First Use: 2012/08/30 First Use In Commerce: 2012/08/30 Decals |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4625036 | Application Date | 04/18/2014 |
| Registration Date | 10/21/2014 | Foreign Priority Date | NONE |

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|-----------|----------------------------|
| Word Mark | EPI EVERYWHERE! EVERY DAY! |
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| Design Mark |  |
| Description of Mark | The mark consists of a rectangle with rounded corners has a bar across it diagonally. The word "EPI" appears above the bar, and the phrase "EVERYWHERE! EVERY DAY!" appears within the bar. |
| Goods/Services | Class 006. First use: First Use: 2012/08/30 First Use In Commerce: 2012/08/30 Identification tags of metal |

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|-----------------------|---------|------------------|------------|
| U.S. Registration No. | 4625035 | Application Date | 04/18/2014 |
|-----------------------|---------|------------------|------------|

| | | | |
|---------------------|--|-----------------------|------|
| Registration Date | 10/21/2014 | Foreign Priority Date | NONE |
| Word Mark | EPI EVERYWHERE! EVERY DAY! | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 006. First use: First Use: 2012/08/30 First Use In Commerce: 2012/08/30 Identification tags of metal Class 016. First use: First Use: 2012/08/30 First Use In Commerce: 2012/08/30 Decals | | |

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 4306584 | Application Date | 03/02/2012 |
| Registration Date | 03/19/2013 | Foreign Priority Date | NONE |
| Word Mark | PREPPY EPI | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 010. First use: First Use: 2012/05/02 First Use In Commerce: 2012/05/02 Protective cases for medical Epinephrine autoinjector pen | | |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 3967956 | Application Date | 08/06/2010 |
| Registration Date | 05/24/2011 | Foreign Priority Date | NONE |
| Word Mark | MY EPIPEN | | |

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| Design Mark |  |
| Description of Mark | The mark consists of the word "MY" appears in yellow above the word "EPIPEN" in gold, on a green square with rounded corners, bordered by a yellow band, bordered by a green band. |
| Goods/Services | Class 009. First use: First Use: 2011/01/07 First Use In Commerce: 2011/01/07 Downloadable software in the nature of a mobile application for viewing, managing and sharing information regarding allergy symptoms and user guides for allergy treatment pharmaceuticals and apparatus |

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| Attachments | 73183957#TMSN.png(bytes) 85927541#TMSN.png(bytes) 85934753#TMSN.png(bytes) 85037357#TMSN.png(bytes) 76286513#TMSN.png(bytes) 76286512#TMSN.png(bytes) 77347716#TMSN.png(bytes) 86045463#TMSN.png(bytes) 85927539#TMSN.png(bytes) 77927738#TMSN.png(bytes) 86229977#TMSN.png(bytes) 86193762#TMSN.png(bytes) 86255853#TMSN.png(bytes) 86255852#TMSN.png(bytes) 86255851#TMSN.png(bytes) 85558589#TMSN.png(bytes) 85101800#TMSN.png(bytes) Notice of Opposition.pdf(2087249 bytes) |
|-------------|--|

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

| | |
|-----------|-------------------|
| Signature | /Lara A. Holzman/ |
| Name | Lara A. Holzman |
| Date | 05/12/2015 |

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of U.S. Application Serial No. 85/836,518
Mark: EPI AVANCED MEDICINE
Filing Date: January 30, 2013
Publication Date: March 17, 2015

| | |
|---|----------------------|
| MYLAN INC. <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">vs.</p> Jose Manuel Sanchez Ibanez <p style="text-align: center;">Applicant</p> | Opposition No. _____ |
|---|----------------------|

NOTICE OF OPPOSITION

Mylan Inc. (“Mylan”), a Pennsylvania corporation having its principal place of business at 1000 Mylan Boulevard, 4 South, Canonsburg, PA 15317, believes it will be damaged by the registration of Application Serial No. 85/836,518 (the “Application”) and hereby opposes such registration. The grounds for opposition are as follows:

1. Mylan is the owner of, among others, the following U.S. federal trademark applications and registrations for EPIPEN and other marks beginning with the term “EPI” (collectively, the “EPIPEN Trademarks”):

| Mark | Reg. No. or App'l. No. | Goods | First Use |
|--------|------------------------|--|-----------------|
| EPIPEN | 1,124,454 | Hypodermic injectors (Int. Cl. 10) | August 17, 1978 |
| EPIPEN | 1,479,294 | Injectable pharmaceuticals for treatment of anaphylactic reactions to insect stings (Int. Cl. 5) | August 17, 1978 |

| Mark | Reg. No. or App'l. No. | Goods | First Use |
|-------------------|-------------------------------|---|--------------------------|
| EPIPEN | 4,618,280 | Downloadable software in the nature of a mobile application for viewing, managing and sharing information regarding allergy symptoms and user guides for allergy treatment pharmaceuticals and apparatus (Int. Cl. 9) | January 1, 2014 |
| EPIPEN (stylized) | 85/934,753 | Injectable pharmaceuticals for treatment of anaphylactic reactions (Int. Cl. 5) Medical fluid injectors (Int. Cl. 10) | Filed May 13, 2013 |
| EPIPEN JR | 3,969,162 | Injectable pharmaceuticals for treatment of anaphylactic reactions (Int. Cl. 5) Medical fluid injectors (Int. Cl. 10) | April 2, 2001 |
| EPIPEN 2-PAK | 2,576,014 | Injectable pharmaceuticals for treatment of anaphylactic reactions to insect stings (Int. Cl. 5) | March 2, 2001 |
| EPIPEN JR. 2-PAK | 2,576,013 | Injectable pharmaceuticals for treatment of anaphylactic reactions to insect stings (Int. Cl. 5) | March 2, 2001 |
| EPI-READY | 3,693,323 | Wall-mounted storage cases specifically designed to hold medicine auto-injectors, sold empty (Int. Cl. 10) | May 31, 2008 |
| EPI-PREPARED | 86/045,463 | Auto-injectors pre-filled with epinephrine for treatment of anaphylactic reactions (Int. Cl. 5) | Filed August 22, 2013 |
| MY EPIPLAN | 4,569,544 | Downloadable software in the nature of a mobile application for viewing, managing and sharing information regarding allergy symptoms and user guides for allergy treatment pharmaceuticals and apparatus (Int. Cl. 9) | May 9, 2013 |

| Mark | Reg. No. or App'l. No. | Goods | First Use |
|-------------------------------|---------------------------------------|---|-------------------------|
| EPICARD | 77/927,738 | Printed multilingual instructional material regarding the purpose and use of epinephrine auto injectors (Int. Cl. 16) | Filed February 4, 2010 |
| EPI-SET | 86/229,977 | Auto-injectors pre-filled with epinephrine (Int. Cl. 5); Medical fluid injectors (Int. Cl. 10) | Filed March 24, 2014 |
| EPILOCKER | 86/193,762 | Containers for storing and dispensing medical equipment, namely, epinephrine auto-injectors (Int. Cl. 10); Storage cabinets for epinephrine auto-injectors (Int. Cl. 20) | Filed February 14, 2014 |
| EPI EVERYWHERE! EVERY DAY! | 4,625,037; 4,625,036; 4,625,035 | Decals (Int. Cl. 16); Identification tags of metal (Int. Cl. 6) | August 30, 2012 |
| PREPPY EPI | 4,306,584 | Protective cases for medical Epinephrine autoinjector pen (Int. Cl. 10) | May 2, 2012 |
| MY EPIPEN | 3,967,956 | Downloadable software in the nature of a mobile application for viewing, managing and sharing information regarding allergy symptoms and user guides for allergy treatment pharmaceuticals and apparatus (Int. Cl. 9) | January 7, 2011 |

(See Exhibit A.)

2. Since at least as early as 1978, Mylan and its predecessors and related affiliates have continuously used the EPIPEN mark, and variations thereof, in commerce in connection with injectors, injectable pharmaceuticals and pharmaceuticals for treatment of anaphylaxis.

3. Mylan and its predecessors have diligently and continuously developed and expanded its goodwill in its EPIPEN Trademarks and in the term EPI. The EPIPEN Trademarks

have become very valuable and famous trademarks worldwide, and are, thus, entitled to a very broad range of protection.

4. Mylan's EPIPEN Trademarks, listed above, are valid and subsisting in law and in full force and effect were duly and legally issued, constitute *prima facie* evidence of the validity of the marks registered, and constitute constructive notice of Mylan's ownership of the marks in accordance with Sections 7(b) and 22 of the Trademark Act of 1946, 15 U.S.C. §§ 1057(b) and 1072.

5. Most of the EPIPEN Trademarks, listed above, are incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. §§ 1065, and, pursuant to Section 33(b) of the Act, 15 U.S.C. § 1115(b), constitute conclusive evidence of Mylan's exclusive right to use the EPIPEN Trademarks in commerce in the United States.

6. Mylan and its predecessors have invested a substantial amount of time, effort, and money in advertising and promoting products offered in connection with the EPIPEN Trademarks and have continuously and extensively used the EPIPEN Trademarks in the United States and all over the world in connection with injectors, injectable pharmaceuticals and pharmaceuticals for treatment of anaphylaxis.

7. Because of Mylan's long and extensive and exclusive use of the EPIPEN Trademarks in connection with injectors, injectable pharmaceuticals and pharmaceuticals for the treatment of anaphylaxis, the public has come to associate any such goods or related goods, bearing the term "EPI," with Mylan.

8. Because of Mylan's long and extensive use of the term EPI in connection with its EPIPEN injectors and in connection with products and accessories use in connection with Mylan's injectors, injectable pharmaceuticals and pharmaceuticals for the treatment of

anaphylaxis, the public has come to associate any such goods or related goods, bearing the term “EPI,” with Mylan.

9. By virtue of Mylan’s marketing, promotion and advertising of its products in connection with the EPIPEN Trademarks, and other marks which incorporate the EPIPEN mark and/or the term EPI, Mylan has developed a family of EPI marks which are recognized by consumers as coming from a single source, namely Mylan.

10. On January 30, 2013, Jose Manuel Sanchez Ibanez (“Applicant”) filed an application under Section 44(e) of the Lanham Act to register the mark EPI AVANCED MEDICINE in International Classes 10 and 41 for the following goods and services:

Medical apparatus and instruments for medical and physiotherapy use, namely, medical systems for performing intratissue percutaneous electrolysis, medical systems for the treatment of soft tissues using a galvanic current, medical systems for treatment of tendon, muscle, ligament and scar injuries via non-thermal electrolytic ablation in Class 10; and

Training services in medical matters and in the field of physiotherapy in Class 41.

11. Mylan’s date of first use of its EPIPEN mark pre-dates any date on which Applicant can rely for its first use and pre-dates the January 30, 2013 filing of his application.

12. Applicant’s mark EPI AVANCED MEDICINE contains the term EPI and covers a broad range of medical apparatus and training services similar to those covered by Mylan’s EPIPEN Trademarks.

13. Upon information and belief, Applicant’s products and services are capable of being marketed and distributed through the same channels of commerce as Mylan’s products sold in connection with the EPIPEN Trademarks.

14. Upon information and belief, Applicant's products and services are capable of being sold to, and used by, the same class of purchasers as Mylan's products sold under the EPIPEN Trademarks.

15. Upon information and belief, the use and registration by Applicant of the mark EPI AVANCED MEDICINE will enable Applicant to utilize and trade on the goodwill established by Mylan in its EPIPEN Trademarks.

16. Based on the similarity of the marks and the substantially similar nature of the goods and services for which they are used, the use and registration by Applicant of the proposed mark EPI AVANCED MEDICINE is likely to cause confusion or mistake or to deceive the trade and the purchasing public into believing that Applicant's goods and services are the goods and services of Mylan, or that Applicant's goods and services are sponsored, approved or endorsed by Mylan, or that Applicant is authorized, licensed or controlled by Mylan, or that Applicant is a division or subsidiary of, or in some way related to or associated with Mylan.

17. Registration of Applicant's mark, when used in connection with the goods and services identified in the Application will further damage Mylan because the EPI AVANCED MEDICINE mark dilutes the distinctive quality of the famous EPIPEN mark within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c). Mylan's EPIPEN mark was famous prior to the filing of Applicant's application or any date of first use upon which Applicant can rely.

18. Upon information and belief, Applicant adopted the proposed mark EPI AVANCED MEDICINE with the intent of trading off of the goodwill established by Mylan in its EPIPEN Trademarks.

EXHIBIT A

Int. Cl.: 10

Prior U.S. Cl.: 44

United States Patent and Trademark Office

Reg. No. 1,124,454

Registered Aug. 28, 1979

TRADEMARK

Principal Register

EPIPEN

Survival Technology, Inc. (Delaware corporation)
7801 Woodmont Ave.
Bethesda, Md. 20014

For: HYPODERMIC INJECTORS, in CLASS 10
(U.S. CL. 44).
First use Aug. 17, 1978; in commerce Aug. 17, 1978.

Ser. No. 183,957, filed Aug. 30, 1978.

R. PEVERADA, Examiner



United States Patent and Trademark Office

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EPIPEN

| | |
|------------------------------|---|
| Word Mark | EPIPEN |
| Goods and Services | IC 010. US 044. G & S: HYPODERMIC INJECTORS. FIRST USE: 19780817. FIRST USE IN COMMERCE: 19780817 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73183957 |
| Filing Date | August 30, 1978 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Registration Number | 1124454 |
| Registration Date | August 28, 1979 |
| Owner | (REGISTRANT) SURVIVAL TECHNOLOGY, INC. CORPORATION DELAWARE 7801 WOODMONT AVE. BETHESDA MARYLAND 20014 |
| | (LAST LISTED OWNER) Mylan Inc. CORPORATION PENNSYLVANIA 1000 Mylan Blvd., 4 South Global IP Trademarks Canonsburg PENNSYLVANIA 15317 |

Assignment Recorded ASSIGNMENT RECORDED
Type of Mark Register TRADEMARK
PRINCIPAL
Affidavit Text Renewal SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20081201.
2ND RENEWAL 20081201
Live/Dead Indicator LIVE

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Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,479,294

Registered Mar. 8, 1988

**TRADEMARK
PRINCIPAL REGISTER**

EPIPEN

**EM INDUSTRIES, INC. (NEW YORK CORPORATION)
5 SKYLINE DRIVE
HAWTHORNE, NY 10532**

**FOR: INJECTABLE PHARMACEUTICALS
FOR TREATMENT OF ANAPHYLACTIC RE-
ACTIONS TO INSECT STINGS, IN CLASS 5
(U.S. CL. 18).**

**FIRST USE 8-17-1978; IN COMMERCE
8-17-1978.**

**OWNER OF U.S. REG. NO. 1,124,454 AND
OTHERS.**

SER. NO. 666,943, FILED 6-18-1987.

**RICHARD A. STRASER, EXAMINING ATTOR-
NEY**



United States Patent and Trademark Office

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Typed Drawing

| | |
|---------------------------------|--|
| Word Mark | EPIPEN |
| Goods and Services | IC 005. US 018. G & S: INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS TO INSECT STINGS. FIRST USE: 19780817. FIRST USE IN COMMERCE: 19780817 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73666943 |
| Filing Date | June 18, 1987 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | December 15, 1987 |
| Registration Number | 1479294 |
| Registration Date | March 8, 1988 |
| Owner | (REGISTRANT) EM INDUSTRIES, INC. CORPORATION NEW YORK 5 SKYLINE DRIVE HAWTHORNE NEW YORK 10532 (LAST LISTED OWNER) MYLAN INC. CORPORATION PENNSYLVANIA 1000 Mylan Blvd., 4 South Global IP Trademarks Canonsburg PENNSYLVANIA 15317 |
| Assignment Recorded | ASSIGNMENT RECORDED |

Prior Registrations 1124454;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080730.
Renewal 1ST RENEWAL 20080730
Live/Dead Indicator LIVE

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United States of America
United States Patent and Trademark Office

EPIPEN

Reg. No. 4,618,280

Registered Oct. 7, 2014

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
1000 MYLAN BLVD., 4 SOUTH
GLOBAL IP TRADEMARKS
CANONSBURG, PA 15317

FOR: DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION FOR VIEWING, MANAGING AND SHARING INFORMATION REGARDING ALLERGY SYMPTOMS AND USER GUIDES FOR ALLERGY TREATMENT PHARMACEUTICALS AND APPARATUS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-0-2014; IN COMMERCE 1-0-2014.

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

OWNER OF U.S. REG. NOS. 1,124,454, 3,967,956, AND OTHERS.

SN 85-927,541, FILED 5-9-2013.

JERI J. FICKES, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2014-09-15 14:48:17 EDT

Mark: EPIPEN



US Serial Number: 85934753 Application Filing Date: May 17, 2013
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A first request for extension of time to file a Statement of Use has been granted.
Status Date: May 21, 2014
Publication Date: Oct. 01, 2013 Notice of Allowance Date: Nov. 26, 2013

Mark Information

Mark Literal Elements: EPIPEN
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Description of Mark: The mark consists of the stylized word "EPIPEN", with all letters in green except for the letter "P", which is yellow.
Color Drawing: Yes
Color(s) Claimed: The color(s) green and yellow is/are claimed as a feature of the mark.

Related Properties Information

International Registration Number: 1165057
International Application(s) /Registration(s) Based on this Property: A0036236/1165057
Claimed Ownership of US Registrations: 1124454, 1479294, 3969162 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Injectable pharmaceuticals for treatment of anaphylactic reactions

International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(b)

For: Medical fluid injectors

International Class(es): 010 - Primary Class U.S Class(es): 026, 039, 044
Class Status: ACTIVE
Basis: 1(b)

Basis Information (Case Level)

| | | |
|--------------------|------------------------|-----------------|
| Filed Use: No | Currently Use: No | Amended Use: No |
| Filed ITU: Yes | Currently ITU: Yes | Amended ITU: No |
| Filed 44D: No | Currently 44D: No | Amended 44D: No |
| Filed 44E: No | Currently 44E: No | Amended 44E: No |
| Filed 66A: No | Currently 66A: No | |
| Filed No Basis: No | Currently No Basis: No | |

Current Owner(s) Information

Owner Name: Mylan Inc.

Owner Address: 1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: Mylan Inc.
1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Phone: (724) 514-2354

Fax: (724) 485-6353

Correspondent e-mail: mylan_docketing@cardinal-ip.com
mylan.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| May 23, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| May 21, 2014 | EXTENSION 1 GRANTED | 98765 |
| May 21, 2014 | EXTENSION 1 FILED | 98765 |
| May 21, 2014 | TEAS EXTENSION RECEIVED | |
| May 21, 2014 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| May 12, 2014 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| May 12, 2014 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| May 12, 2014 | ATTORNEY REVOKED AND/OR APPOINTED | |
| May 12, 2014 | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | |
| Nov. 26, 2013 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Oct. 01, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Oct. 01, 2013 | PUBLISHED FOR OPPOSITION | |
| Sep. 11, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Aug. 23, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 23, 2013 | ASSIGNED TO EXAMINER | 66593 |
| May 29, 2013 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| May 21, 2013 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: FICKES, JERI J

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Nov. 26, 2013

United States of America

United States Patent and Trademark Office

EPIPEN JR

Reg. No. 3,969,162

Registered May 31, 2011

Int. Cls.: 5 and 10

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
SUITE 400
1500 CORPORATE DRIVE
CANONSBURG, PA 15317

FOR: INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-2-2001; IN COMMERCE 4-2-2001.

FOR: MEDICAL FLUID INJECTORS, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 4-2-2001; IN COMMERCE 4-2-2001.

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

OWNER OF U.S. REG. NOS. 1,124,454, 2,576,013 AND OTHERS.

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

SER. NO. 85-037,357, FILED 5-13-2010.

RENEE SERVANCE, EXAMINING ATTORNEY



David J. Kyjars

Director of the United States Patent and Trademark Office

Int. Cls.: 5 and 10

Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,576,014

Registered June 4, 2002

**TRADEMARK
PRINCIPAL REGISTER**

EPIPEN 2-PAK

**EM INDUSTRIES, INCORPORATED (NEW
YORK CORPORATION)
7 SKYLINE DRIVE
HAWTHORNE, NY 10532**

**FOR: INJECTABLE PHARMACEUTICALS FOR
TREATMENT OF ANAPHYLACTIC REACTIONS
TO INSECT STINGS, IN CLASS 5 (U.S. CLS. 6, 18,
44, 46, 51 AND 52).**

FIRST USE 4-2-2001; IN COMMERCE 4-2-2001.

**FOR: HYPODERMIC INJECTORS, IN CLASS 10
(U.S. CLS. 26, 39 AND 44).**

FIRST USE 4-2-2001; IN COMMERCE 4-2-2001.

**OWNER OF U.S. REG. NOS. 1,124,454 AND
1,479,294.**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "2 PACK", APART FROM THE
MARK AS SHOWN.**

SER. NO. 76-286,513, FILED 7-17-2001.

MARLENE BELL, EXAMINING ATTORNEY

**United States Patent and Trademark Office**

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EPIPEN 2-PAK

| | |
|---------------------------------|--|
| Word Mark | EPIPEN 2-PAK |
| Goods and Services | IC 005. US 006 018 044 046 051 052. G & S: INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS TO INSECT STINGS. FIRST USE: 20010402. FIRST USE IN COMMERCE: 20010402 |
| | IC 010. US 026 039 044. G & S: HYPODERMIC INJECTORS. FIRST USE: 20010402. FIRST USE IN COMMERCE: 20010402 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 76286513 |
| Filing Date | July 17, 2001 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | March 12, 2002 |
| Registration Number | 2576014 |
| International | |

Registration Number 1159716
Registration Date June 4, 2002
Owner (REGISTRANT) EM Industries, Incorporated CORPORATION NEW YORK 7 Skyline Drive Hawthorne NEW YORK 10532

(LAST LISTED OWNER) MYLAN INC. CORPORATION PENNSYLVANIA 1000 Mylan Blvd., 4 South Global IP Trademarks Canonsburg PENNSYLVANIA 15317
Assignment Recorded ASSIGNMENT RECORDED
Prior Registrations 1124454;1479294
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "2 PACK" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20110906.
Renewal 1ST RENEWAL 20110906
Live/Dead Indicator LIVE

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Int. Cls.: 5 and 10

Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51 and 52

Reg. No. 2,576,013

United States Patent and Trademark Office

Registered June 4, 2002

**TRADEMARK
PRINCIPAL REGISTER**

EPIPEN JR. 2-PAK

**BM INDUSTRIES, INCORPORATED (NEW
YORK CORPORATION)
7 SKYLINE DRIVE
HAWTHORNE, NY 10532**

FIRST USE 4-2-2001; IN COMMERCE 4-2-2001.

**OWNER OF U.S. REG. NOS. 1,124,454 AND
1,479,294.**

**FOR: INJECTABLE PHARMACEUTICALS FOR
TREATMENT OF ANAPHYLACTIC REACTIONS
TO INSECT STINGS, IN CLASS 5 (U.S. CLS. 6, 18,
44, 46, 51 AND 52).**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "JR. 2 PACK", APART FROM THE
MARK AS SHOWN.**

FIRST USE 4-2-2001; IN COMMERCE 4-2-2001.

SER. NO. 76-286,512, FILED 7-17-2001.

**FOR: HYPODERMIC INJECTORS, IN CLASS 10
(U.S. CLS. 26, 39 AND 44).**

MARLENE BELL, EXAMINING ATTORNEY



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EPIPEN JR. 2-PAK

| | |
|---------------------------------|--|
| Word Mark | EPIPEN JR. 2-PAK |
| Goods and Services | IC 005. US 006 018 044 046 051 052. G & S: INJECTABLE PHARMACEUTICALS FOR TREATMENT OF ANAPHYLACTIC REACTIONS TO INSECT STINGS. FIRST USE: 20010402. FIRST USE IN COMMERCE: 20010402 |
| | IC 010. US 026 039 044. G & S: HYPODERMIC INJECTORS. FIRST USE: 20010402. FIRST USE IN COMMERCE: 20010402 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 76286512 |
| Filing Date | July 17, 2001 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | March 12, 2002 |
| Registration Number | 2576013 |
| International | |

Registration Number 1159715
Registration Date June 4, 2002
Owner (REGISTRANT) EM Industries, Incorporated CORPORATION NEW YORK 7 Skyline Drive Hawthorne NEW YORK 10532

(LAST LISTED OWNER) MYLAN INC. CORPORATION PENNSYLVANIA 1000 Mylan Blvd., 4 South Global IP Trademarks Canonsburg PENNSYLVANIA 15317
Assignment Recorded ASSIGNMENT RECORDED
Prior Registrations 1124454;1479294
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JR. 2 PACK" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20110913.
Renewal 1ST RENEWAL 20110913
Live/Dead Indicator LIVE

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United States of America
United States Patent and Trademark Office

Epi-Ready

Reg. No. 3,693,323 MFP INDUSTRIES, LLC (MASSACHUSETTS LIMITED LIABILITY COMPANY)
Registered Oct. 6, 2009 68 SCHOOL STREET
ARLINGTON, MA 02476

Int. Cl.: 10 FOR: WALL-MOUNTED STORAGE CASES SPECIFICALLY DESIGNED TO HOLD MEDICINE
AUTO-INJECTORS, SOLD EMPTY, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

TRADEMARK FIRST USE 5-31-2008; IN COMMERCE 5-31-2008.
PRINCIPAL REGISTER

THE MARK CONSISTS OF THE WORD "EPI-READY" WITH THE MIDDLE OF THE MARK
ARCHED HIGHER THAN THE LETTERS ON THE RIGHT AND LEFT SIDES.

SN 77-347,716, FILED 12-10-2007.

ELISSA GARBER KON, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Details

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Pages: 6

Recorded: 09/02/2014

Conveyance: ASSIGNS THE ENTIRE INTEREST

Total properties: 1

1 **Serial #:** [77347716](#) **Filing Dt:** 12/10/2007 **Reg #:** [3693323](#) **Reg. Dt:** 10/06/2009
 Mark: EPI-READY

Assignor

1 [MFP INDUSTRIES, LLC DBA EPI-READY](#)

Exec Dt: 08/29/2014

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: MASSACHUSETTS

Assignee

1 [MYLAN INC](#)
1000 MYLAN BOULEVARD
CANONSBURG, PENNSYLVANIA 15317

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Correspondence name and address

JENNIFER HUGHES
781 CHESTNUT RIDGE ROAD
LEGAL IP-GBR
MORGANTOWN, WV 26505

Search Results as of: 09/16/2014 12:29 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.4

Web interface last modified: Mar 15, 2014 v.2.4

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Mark: EPI-PREPARED

EPI-PREPARED

US Serial Number: 86045463

Application Filing Date: Aug. 22, 2013

Register: Principal

Mark Type: Trademark

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Mar. 11, 2014

Publication Date: Jan. 14, 2014

Notice of Allowance Date: Mar. 11, 2014

Mark Information

Mark Literal Elements: EPI-PREPARED

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1124454, 1479294, 2576013 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Auto-injectors pre-filled with epinephrine for treatment of anaphylactic reactions

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

| | | |
|--------------------|------------------------|-----------------|
| Filed Use: No | Currently Use: No | Amended Use: No |
| Filed ITU: Yes | Currently ITU: Yes | Amended ITU: No |
| Filed 44D: No | Currently 44D: No | Amended 44D: No |
| Filed 44E: No | Currently 44E: No | Amended 44E: No |
| Filed 66A: No | Currently 66A: No | |
| Filed No Basis: No | Currently No Basis: No | |

Current Owner(s) Information

Owner Name: Mylan Inc.

Owner Address: 1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Mylan Inc.
1000 Mylan Blvd., 4 South
Global IP Trademarks

Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Phone: (724) 514-2354

Fax: (724) 485-6353

Correspondent e-mail: mylan_docketing@cardinal-ip.com trademarks@mylan.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| May 12, 2014 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| May 12, 2014 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| May 12, 2014 | ATTORNEY REVOKED AND/OR APPOINTED | |
| May 12, 2014 | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | |
| Mar. 11, 2014 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Jan. 14, 2014 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Jan. 14, 2014 | PUBLISHED FOR OPPOSITION | |
| Dec. 25, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Dec. 09, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Dec. 07, 2013 | ASSIGNED TO EXAMINER | 74305 |
| Aug. 30, 2013 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Aug. 26, 2013 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Attorney: SHIH, SALLY

TM Staff Information

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Mar. 11, 2014

United States of America
United States Patent and Trademark Office

MY EPIPLAN

Reg. No. 4,569,544

Registered July 15, 2014

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
GLOBAL IP TRADEMARKS
1000 MYLAN BLVD., 4 SOUTH
CANONSBURG, PA 15317

FOR: DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION FOR VIEWING, MANAGING AND SHARING INFORMATION REGARDING ALLERGY SYMPTOMS AND USER GUIDES FOR ALLERGY TREATMENT PHARMACEUTICALS AND APPARATUS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-0-2014; IN COMMERCE 1-0-2014.

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

OWNER OF U.S. REG. NOS. 1,124,454, 3,967,956, AND OTHERS.

SN 85-927,539, FILED 5-9-2013.

JERI J. FICKES, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2014-09-16 12:41:52 EDT

Mark: EPICARD

EPICARD

US Serial Number: 77927738

Application Filing Date: Feb. 04, 2010

Register: Principal

Mark Type: Trademark

Status: A Statement of Use has been forwarded to the examining attorney for examination.

Status Date: Jun. 13, 2014

Publication Date: Sep. 06, 2011

Notice of Allowance Date: Nov. 01, 2011

Mark Information

Mark Literal Elements: EPICARD

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1124454, 1479294, 2576013 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: printed multilingual instructional material regarding the purpose and use of epinephrine auto injectors

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(b)

First Use: 2010

Use in Commerce: 2010

Basis Information (Case Level)

| | | |
|--------------------|------------------------|-----------------|
| Filed Use: No | Currently Use: No | Amended Use: No |
| Filed ITU: Yes | Currently ITU: Yes | Amended ITU: No |
| Filed 44D: No | Currently 44D: No | Amended 44D: No |
| Filed 44E: No | Currently 44E: No | Amended 44E: No |
| Filed 66A: No | Currently 66A: No | |
| Filed No Basis: No | Currently No Basis: No | |

Current Owner(s) Information

Owner Name: Mylan Inc.

Owner Address: 1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

Attorney of Record

Docket Number: C00000439.US

Correspondent

Correspondent MYLAN INC.
Name/Address: 1000 MYLAN BLVD., 4 SOUTH
GLOBAL IP TRADEMARKS
CANONSBURG, PENNSYLVANIA 15317
UNITED STATES

Phone: (724) 514-2354

Fax: (724) 485-6353

Correspondent e-mail: mylan_docketing@cardinal-ip.com trademarks@mylan.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|--------------------------|
| Jun. 13, 2014 | STATEMENT OF USE PROCESSING COMPLETE | 61813 |
| Jun. 04, 2014 | USE AMENDMENT FILED | 61813 |
| Jun. 04, 2014 | TEAS STATEMENT OF USE RECEIVED | |
| Jun. 04, 2014 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| May 12, 2014 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| May 12, 2014 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| May 12, 2014 | ATTORNEY REVOKED AND/OR APPOINTED | |
| May 12, 2014 | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | |
| May 09, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| May 08, 2014 | EXTENSION 5 GRANTED | 61813 |
| May 01, 2014 | EXTENSION 5 FILED | 61813 |
| May 01, 2014 | TEAS EXTENSION RECEIVED | |
| Nov. 07, 2013 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Nov. 06, 2013 | EXTENSION 4 GRANTED | 61813 |
| Oct. 22, 2013 | EXTENSION 4 FILED | 61813 |
| Oct. 22, 2013 | TEAS EXTENSION RECEIVED | |
| Apr. 25, 2013 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Apr. 24, 2013 | EXTENSION 3 GRANTED | 61813 |
| Apr. 16, 2013 | EXTENSION 3 FILED | 61813 |
| Apr. 16, 2013 | TEAS EXTENSION RECEIVED | |
| Dec. 19, 2012 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Nov. 03, 2012 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Nov. 02, 2012 | EXTENSION 2 GRANTED | 61813 |
| Oct. 31, 2012 | EXTENSION 2 FILED | 61813 |
| Nov. 02, 2012 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 61813 |
| Oct. 31, 2012 | TEAS EXTENSION RECEIVED | |
| May 02, 2012 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Apr. 30, 2012 | EXTENSION 1 GRANTED | 98765 |
| Apr. 30, 2012 | EXTENSION 1 FILED | 98765 |
| Apr. 30, 2012 | TEAS EXTENSION RECEIVED | |
| Feb. 01, 2012 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Jan. 04, 2012 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Jan. 04, 2012 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Dec. 07, 2011 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Nov. 01, 2011 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Sep. 06, 2011 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Sep. 06, 2011 | PUBLISHED FOR OPPOSITION | |
| Aug. 03, 2011 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 66213 |
| Jul. 28, 2011 | APPROVED FOR PUB - PRINCIPAL REGISTER | |

| | | |
|---------------|--|-------|
| Jul. 01, 2011 | AMENDMENT FROM APPLICANT ENTERED | 66213 |
| Jul. 01, 2011 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 66213 |
| Jun. 29, 2011 | PAPER RECEIVED | |
| Dec. 26, 2010 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Dec. 26, 2010 | FINAL REFUSAL E-MAILED | |
| Dec. 26, 2010 | FINAL REFUSAL WRITTEN | 59851 |
| Nov. 16, 2010 | AMENDMENT FROM APPLICANT ENTERED | 66213 |
| Nov. 16, 2010 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 66213 |
| Nov. 16, 2010 | ASSIGNED TO LIE | 66213 |
| Oct. 27, 2010 | PAPER RECEIVED | |
| Apr. 26, 2010 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Apr. 26, 2010 | NON-FINAL ACTION E-MAILED | 6325 |
| Apr. 26, 2010 | NON-FINAL ACTION WRITTEN | 59851 |
| Apr. 22, 2010 | ASSIGNED TO EXAMINER | 59851 |
| Feb. 13, 2010 | NOTICE OF PSEUDO MARK MAILED | |
| Feb. 12, 2010 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Feb. 08, 2010 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: FISHER, HANNAH M

Law Office Assigned: LAW OFFICE 111

File Location

Current Location: TMO LAW OFFICE 111

Date In Location: Jun. 13, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Applicant: Mylan Inc.

Assignment 1 of 2

Conveyance: SECURITY AGREEMENT

Reel/Frame: [4704/0376](#)

Pages: 26

Date Recorded: Nov. 21, 2011

Supporting Documents: [assignment-tm-4704-0376.pdf](#)

Assignor

Name: [DEY PHARMA, L.P.](#)

Execution Date: Nov. 14, 2011

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Name: [MYLAN INSTITUTIONAL INC., \(F/K/A UDL LABORATORIES, INC.\)](#)

Execution Date: Nov. 14, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: ILLINOIS

Name: [MYLAN PHARMACEUTICALS, INC.](#)

Execution Date: Nov. 14, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: WEST VIRGINIA

Name: [MYLAN BERTEK PHARMACEUTICALS INC. \(F/K/A BERTEK PHARMACEUTICALS, INC.\)](#)

Execution Date: Nov. 14, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: TEXAS

Name: [MYLAN INC. \(F/K/A MYLAN LABORATORIES INC.\)](#)

Execution Date: Nov. 14, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Name: [SOMERSET PHARMACEUTICALS, INC.](#)

Execution Date: Nov. 14, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: MYLAN TECHNOLOGIES, INC.
Legal Entity Type: CORPORATION

Execution Date: Nov. 14, 2011
State or Country Where Organized: WEST VIRGINIA

Assignee

Name: BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT
Legal Entity Type: ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 101 N TRYON STREET, NC1-001-05-45
ONE INDEPENDENCE CENTER
CHARLOTTE, NORTH CAROLINA USA 28255-0001

Correspondent

Correspondent Name: MICHAEL VIOLET
Correspondent Address: CT LIEN SOLUTIONS
4400 EASTON COMMONS WAY, SUITE 125
COLUMBUS, OH 43219

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: TRADEMARK RELEASE

Reel/Frame: 4915/0803

Pages: 19

Date Recorded: Dec. 10, 2012

Supporting Documents: assignment-tm-4915-0803.pdf

Assignor

Name: BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT
Legal Entity Type: ASSOCIATION

Execution Date: Dec. 05, 2012

State or Country Where Organized: UNITED STATES

Assignee

Name: DEY PHARMA L.P. (F/K/A DEY, L.P.)
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 110 ALLEN ROAD
BASKING RIDGE, NEW JERSEY 07920

Name: MYLAN BERTEK PHARMACEUTICALS INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: TEXAS

Address: 12720 DAIRY ASHFORD
SUGARLAND, TEXAS 77478

Name: MYLAN INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Address: 1500 CORPORATE DRIVE
CANONSBURG, PENNSYLVANIA 15317

Name: MYLAN PHARMACEUTICALS, INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: WEST VIRGINIA

Address: 781 CHESTNUT RIDGE ROAD
MORGANTOWN, WEST VIRGINIA 26505

Name: MYLAN INSTITUTIONAL INC. (F/K/A UDL LABORATORIES, INC.)
Legal Entity Type: CORPORATION

State or Country Where Organized: ILLINOIS

Address: 1718 NORTHROCK CT.
ROCKFORD, ILLINOIS 61103

Name: SOMERSET PHARMACEUTICALS, INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 110 ALLEN ROAD
BASKING RIDGE, NEW JERSEY 07920

Name: MYLAN TECHNOLOGIES, INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: WEST VIRGINIA

Address: 110 LAKE STREET

ST. ALBANS, VERMONT 05478

Correspondent

Correspondent Name: JAMES P. MURPHY, LEGAL ASSISTANT
Correspondent Address: 80 PINE STREET
CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91202440](#)

Filing Date: Nov 07, 2011

Status: Terminated

Status Date: Feb 22, 2012

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Imasogie, Osagie O.

Correspondent Address: CARL J SPAGNUOLO
MCHALE SLAVIN PA
2855 PGA BLVD
PALM BEACH GARDENS FL , 33410 2910
UNITED STATES

Correspondent e-mail: ustrademarks@mchaleslavin.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|---------|---|--------------------------|---------------------|
| EPIDRYL | Abandoned - After Inter-Partes Decision Plaintiff(s) | 85343563 | |

Name: Mylan Inc.

Correspondent Address: REBECCA FINKENBINDER
MCNEES WALLACE NURICK
100 PINE STREET
HARRISBURG PA , 17108
UNITED STATES

Correspondent e-mail: trademarks@mwn.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------|---------------------------------------|--------------------------|-------------------------|
| EPIPEN | Renewed | 73183957 | 1124454 |
| EPIPEN | Renewed | 73666943 | 1479294 |
| EPIPEN JR. 2-PAK | Renewed | 76286512 | 2576013 |
| EPIPEN 2-PAK | Renewed | 76286513 | 2576014 |
| EPIPEN PREPARED | Abandoned - No Statement Of Use Filed | 77919257 | |
| EPI-SET | Abandoned - No Statement Of Use Filed | 77919271 | |
| EPICARD | Statment of Use - To Examiner | 77927738 | |
| EPIPEN-READY | Abandoned - No Statement Of Use Filed | 77919265 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Nov 07, 2011 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Nov 07, 2011 | Dec 17, 2011 |
| 3 | PENDING, INSTITUTED | Nov 07, 2011 | |
| 4 | NOTICE OF DEFAULT | Jan 04, 2012 | |
| 5 | BOARD'S DECISION: SUSTAINED | Feb 22, 2012 | |
| 6 | TERMINATED | Feb 22, 2012 | |

Type of Proceeding: Opposition

Proceeding Number: [91202308](#)

Filing Date: Oct 27, 2011

Status: Terminated

Status Date: Dec 22, 2011

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Pernix Therapeutics, LLC

Correspondent Address: ANDREW G VICKNAIR
SHIELDS MOTT LUND LLP
650 POYDRAS ST , STE 2600
NEW ORLEANS LA , 70130 6169
UNITED STATES

Correspondent e-mail: agvicknair@shieldsmottlund.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|---------------------|
| EPI-TWIN | Abandoned - After Inter-Partes Decision Plaintiff(s) | 85277378 | |

Name: Mylan Inc.

Correspondent Address: REBECCA FINKENBINDER
MCNEES WALLACE NURICK
100 PINE STREET
HARRISBURG PA , 17108
UNITED STATES

Correspondent e-mail: trademarks@mwn.com , RFinkenb@mwn.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-----------------|---------------------------------------|--------------------------|-------------------------|
| EIPEN | Renewed | 73183957 | 1124454 |
| EIPEN | Renewed | 73666943 | 1479294 |
| EIPEN JR. 2-PAK | Renewed | 76286512 | 2576013 |
| EIPEN 2-PAK | Renewed | 76286513 | 2576014 |
| EIPEN PREPARED | Abandoned - No Statement Of Use Filed | 77919257 | |
| EPI-SET | Abandoned - No Statement Of Use Filed | 77919271 | |
| EPICARD | Statment of Use - To Examiner | 77927738 | |
| EIPEN-READY | Abandoned - No Statement Of Use Filed | 77919265 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Oct 27, 2011 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 28, 2011 | Dec 07, 2011 |
| 3 | PENDING, INSTITUTED | Oct 28, 2011 | |
| 4 | ABAND OF APP AND DISM OF OPPOSITION | Dec 13, 2011 | |
| 5 | BD'S DECISION: DISMISSED W/O PREJUDICE | Dec 22, 2011 | |
| 6 | TERMINATED | Dec 22, 2011 | |

Type of Proceeding: Opposition

Proceeding Number: [91195868](#)

Filing Date: Jul 30, 2010

Status: Terminated

Status Date: Sep 04, 2013

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Beaufort County Allergy

Correspondent Address: ANTHONY M VERNA III
KRAVITZ VERNA LLC
PO BOX 3620293, PACC
NEW YORK NY , 10129
UNITED STATES

Correspondent e-mail: averna@kravitzverna.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|---------|---|--------------------------|---------------------|
| EPI-KEY | Abandoned - After Inter-Partes Decision Plaintiff(s) | 77936427 | |

Name: Mylan Inc.

Correspondent Address: HARVEY FREEDENBERG
MCNEES WALLACE NURICK LLC
100 PINE STREET, PO BOX 1166
HARRISBURG PA , 17108-1166
UNITED STATES

Correspondent e-mail: trademarks@mwn.com , hfreedenberg@mwn.com , rfinkenb@mwn.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------|---------------------------------------|--------------------------|----------------------------|
| EPIPEN | Renewed | 73183957 | 1124454 |
| EPIPEN | Renewed | 73666943 | 1479294 |
| EPIPEN JR. 2-PAK | Renewed | 76286512 | 2576013 |
| EPIPEN 2-PAK | Renewed | 76286513 | 2576014 |
| EPIPEN-READY | Abandoned - No Statement Of Use Filed | 77919265 | |
| EPIPEN PREPARED | Abandoned - No Statement Of Use Filed | 77919257 | |
| EPI-PREPARED | Abandoned - No Statement Of Use Filed | 77919269 | |
| EPI-SET | Abandoned - No Statement Of Use Filed | 77919271 | |
| EPICARD | Statement of Use - To Examiner | 77927738 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|---------------------|--|--------------|-----------------|
| 1 | FILED AND FEE | Jul 30, 2010 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jul 30, 2010 | Sep 08, 2010 |
| 3 | PENDING, INSTITUTED | Jul 30, 2010 | |
| 4 | D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY | Aug 27, 2010 | |
| 5 | ANSWER | Aug 27, 2010 | |
| 6 | D REQUEST FOR DISCOVERY CONFERENCE-PHONE | Sep 30, 2010 | |
| 7 | D REQUEST FOR DISCOVERY CONFERENCE-PHONE | Sep 30, 2010 | |
| 8 | DISCOVERY CONFERENCE | Oct 04, 2010 | |
| 9 | P MOT FOR EXT W/ CONSENT | Jan 31, 2011 | |
| 10 | EXTENSION OF TIME GRANTED | Jan 31, 2011 | |
| 11 | P MOT FOR EXT W/ CONSENT | May 06, 2011 | |
| 12 | EXTENSION OF TIME GRANTED | May 06, 2011 | |
| 13 | P MOT FOR EXT W/ CONSENT | Jul 07, 2011 | |
| 14 | EXTENSION OF TIME GRANTED | Jul 07, 2011 | |
| 15 | P MOT FOR EXT W/ CONSENT | Oct 18, 2011 | |
| 16 | EXTENSION OF TIME GRANTED | Oct 18, 2011 | |
| 17 | P'S MOTION TO AMEND PLEADING/AMENDED PLEADING | Oct 24, 2011 | |
| 18 | P'S MOTION TO COMPEL DISCOVERY | Nov 18, 2011 | |
| 19 | SUSPENDED PENDING DISP OF OUTSTNDNG MOT | Nov 23, 2011 | |
| 20 | D'S RESPONSE TO MOTION COMPEL | Dec 09, 2011 | |
| 21 | ANSWER DUE 30 DAYS | Dec 13, 2011 | |
| 22 | NOTICE OF DEFAULT | Jan 30, 2012 | |
| 23 | D ANS TO AMENDED NOTICE OF OPPOSITION | Mar 01, 2012 | |
| 24 | TRIAL DATES RESET | Mar 28, 2012 | |
| 25 | P MOT FOR EXT W/ CONSENT | Jul 26, 2012 | |
| 26 | EXTENSION OF TIME GRANTED | Jul 30, 2012 | |
| 27 | STIP TO SUBMIT EXPERT REPORT | Sep 21, 2012 | |
| 28 | BOARD'S ORDER TRIAL DATES REMAIN AS SET IN THE JULY 30, 2012 ORDER | Sep 24, 2012 | |
| 29 | P'S NOTICE OF RELIANCE | Sep 21, 2012 | |
| 30 | TESTIMONY FOR PLAINTIFF | Oct 12, 2012 | |

| | | |
|----|---|--------------|
| 31 | Confid Testimony For Plaintiff | Oct 12, 2012 |
| 32 | D'S MOTION TO REOPEN | Feb 24, 2013 |
| 33 | P'S OPPOSITION/RESPONSE TO MOTION | Feb 26, 2013 |
| 34 | D OPP/RESP TO MOTION | Feb 27, 2013 |
| 35 | P FINAL BRIEF: TM RULE 2.128 | Mar 05, 2013 |
| 36 | Confidential Brief on Merits for Plaintiff | Mar 05, 2013 |
| 37 | TRIAL DATES REMAIN AS SET | Mar 13, 2013 |
| 38 | D FINAL BRIEF: TM RULE 2.128 | Apr 15, 2013 |
| 39 | P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128 | Apr 26, 2013 |
| 40 | P REQ FOR ORAL HEARING | Apr 30, 2013 |
| 41 | REQUEST FOR ORAL HEARING NOTED | May 07, 2013 |
| 42 | ORAL HEARING SCHEDULED | May 16, 2013 |
| 43 | ORAL HEARING APPEARANCE RECORD | Jun 12, 2013 |
| 44 | BD DECISION: SUSTAINED | Jun 19, 2013 |
| 45 | TERMINATED | Sep 04, 2013 |

Generated on: This page was generated by TSDR on 2015-05-11 16:24:43 EDT

Mark: EPI-SET

EPI-SET

US Serial Number: 86229977

Application Filing Date: Mar. 24, 2014

Register: Principal

Mark Type: Trademark

Status: Application revived and is awaiting further action.

Status Date: May 04, 2015

Publication Date: Aug. 05, 2014

Notice of Allowance Date: Sep. 30, 2014

Mark Information

Mark Literal Elements: EPI-SET

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1124454, 1479294, 2576013 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *,* identify additional (new) wording in the goods/services.

For: Auto-injectors pre-filled with epinephrine

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

For: Medical fluid injectors

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mylan Inc.

Owner Address: 1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

**Attorney of Record - None
Correspondent**

Correspondent Name/Address: Mylan Inc.
1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Phone: (724) 514-2354

Fax: (724) 485-6353

Correspondent e-mail: mylan_docketing@cardinal-ip.com trademarks@mylan.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| May 04, 2015 | NOTICE OF REVIVAL - E-MAILED | |
| May 04, 2015 | EXTENSION RECEIVED WITH TEAS PETITION | |
| May 04, 2015 | PETITION TO REVIVE-GRANTED | 88889 |
| May 04, 2015 | TEAS PETITION TO REVIVE RECEIVED | |
| May 04, 2015 | ABANDONMENT - NO USE STATEMENT FILED | 99999 |
| Sep. 30, 2014 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Aug. 05, 2014 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Aug. 05, 2014 | PUBLISHED FOR OPPOSITION | |
| Jul. 16, 2014 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Jun. 28, 2014 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jun. 25, 2014 | ASSIGNED TO EXAMINER | 76463 |
| May 12, 2014 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| May 12, 2014 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| May 12, 2014 | ATTORNEY REVOKED AND/OR APPOINTED | |
| May 12, 2014 | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | |
| Apr. 08, 2014 | NOTICE OF PSEUDO MARK E-MAILED | |
| Apr. 05, 2014 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Mar. 27, 2014 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: FAIRBANKS, RONALD L

Law Office Assigned: LAW OFFICE 119

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Sep. 30, 2014

Generated on: This page was generated by TSDR on 2015-05-11 16:25:35 EDT

Mark: EPILOCKER

EPILOCKER

US Serial Number: 86193762

Application Filing Date: Feb. 14, 2014

Register: Principal

Mark Type: Trademark

Status: A first request for extension of time to file a Statement of Use has been granted.

Status Date: Mar. 23, 2015

Publication Date: May 06, 2014

Notice of Allowance Date: Jul. 01, 2014

Mark Information

Mark Literal Elements: EPILOCKER

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1124454, 1479294, 2576013 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Containers for storing and dispensing medical equipment, namely, epinephrine auto-injectors

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(b)

For: Storage cabinets for epinephrine auto-injectors

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mylan Inc.

Owner Address: 1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Mylan Inc.
1000 Mylan Blvd., 4 South
Global IP Trademarks
Canonsburg, PENNSYLVANIA 15317
UNITED STATES

Phone: (724) 514-2354

Fax: (724) 485-6353

Correspondent e-mail: mylan_docketing@cardinal-ip.com trademarks@mylan.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Mar. 24, 2015 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Mar. 23, 2015 | EXTENSION 1 GRANTED | 70565 |
| Jan. 02, 2015 | EXTENSION 1 FILED | 70565 |
| Mar. 21, 2015 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 70565 |
| Feb. 09, 2015 | NOTICE OF REVIVAL - E-MAILED | |
| Feb. 09, 2015 | EXTENSION RECEIVED WITH TEAS PETITION | |
| Feb. 09, 2015 | PETITION TO REVIVE-GRANTED | 88889 |
| Feb. 09, 2015 | TEAS PETITION TO REVIVE RECEIVED | |
| Feb. 02, 2015 | ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED | |
| Feb. 02, 2015 | ABANDONMENT - NO USE STATEMENT FILED | 99999 |
| Jul. 01, 2014 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| May 12, 2014 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| May 12, 2014 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| May 12, 2014 | ATTORNEY REVOKED AND/OR APPOINTED | |
| May 12, 2014 | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | |
| May 06, 2014 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| May 06, 2014 | PUBLISHED FOR OPPOSITION | |
| Apr. 16, 2014 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Mar. 18, 2014 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Mar. 18, 2014 | ASSIGNED TO EXAMINER | 83257 |
| Feb. 28, 2014 | NOTICE OF PSEUDO MARK E-MAILED | |
| Feb. 27, 2014 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Feb. 18, 2014 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: HERRERA-MARCUS, ROSELL

Law Office Assigned: LAW OFFICE 102

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Mar. 21, 2015

United States of America

United States Patent and Trademark Office



Reg. No. 4,625,037

Registered Oct. 21, 2014

Int. Cl.: 16

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
1000 MYLAN BLVD., 4 SOUTH
GLOBAL IP TRADEMARKS
CANONSBURG, PA 15317

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

FIRST USE 8-30-2012; IN COMMERCE 8-30-2012.

OWNER OF U.S. REG. NOS. 1,124,454, 3,969,162 AND OTHERS.

THE MARK CONSISTS OF THE WORD "EPI" APPEARING WITHIN A CIRCULAR BAND CONTAINING THE PHRASE "EVERYWHERE! EVERY DAY!".

SER. NO. 86-255,853, FILED 4-18-2014.

RON FAIRBANKS, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,625,036

Registered Oct. 21, 2014

Int. Cl.: 6

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
1000 MYLAN BLVD., 4 SOUTH
GLOBAL IP TRADEMARKS
CANONSBURG, PA 15317

FOR: IDENTIFICATION TAGS OF METAL, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 8-30-2012; IN COMMERCE 8-30-2012.

OWNER OF U.S. REG. NOS. 1,124,454, 3,969,162 AND OTHERS.

THE MARK CONSISTS OF A RECTANGLE WITH ROUNDED CORNERS HAS A BAR ACROSS IT DIAGONALLY. THE WORD "EPI" APPEARS ABOVE THE BAR, AND THE PHRASE "EVERYWHERE! EVERY DAY!" APPEARS WITHIN THE BAR.

SER. NO. 86-255,852, FILED 4-18-2014.

RON FAIRBANKS, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

EPI EVERYWHERE! EVERY DAY!

Reg. No. 4,625,035

Registered Oct. 21, 2014

Int. Cls.: 6 and 16

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
1000 MYLAN BLVD., 4 SOUTH
GLOBAL IP TRADEMARKS
CANONSBURG, PA 15317

FOR: IDENTIFICATION TAGS OF METAL, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 8-30-2012; IN COMMERCE 8-30-2012.

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

FIRST USE 8-30-2012; IN COMMERCE 8-30-2012.

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

OWNER OF U.S. REG. NOS. 1,124,454, 3,969,162 AND OTHERS.

SER. NO. 86-255,851, FILED 4-18-2014.

RON FAIRBANKS, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

United States of America
United States Patent and Trademark Office

preppy epi

Reg. No. 4,306,584

Registered Mar. 19, 2013

Int. Cl.: 10

TRADEMARK

PRINCIPAL REGISTER

KOLE CREATIONS LLC (DELAWARE LIMITED LIABILITY COMPANY)
17 WASHINGTON AVENUE
RUMSON, NJ 07760

FOR: PROTECTIVE CASES FOR MEDICAL EPINEPHRINE AUTOINJECTOR PEN, IN CLASS
10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 5-2-2012; IN COMMERCE 5-2-2012.

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

SN 85-558,589, FILED 3-2-2012.

KRISTIN DAHLING, EXAMINING ATTORNEY



Lisa Street Liu
Acting Director of the United States Patent and Trademark Office

Generated on: This page was generated by TSDR on 2015-05-12 13:27:42 EDT

Mark: PREPPY EPI

preppy epi

US Serial Number: 85558589 Application Filing Date: Mar. 02, 2012
US Registration Number: 4306584 Registration Date: Mar. 19, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 19, 2013
Publication Date: Jul. 24, 2012 Notice of Allowance Date: Sep. 18, 2012

Mark Information

Mark Literal Elements: PREPPY EPI
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Protective cases for medical Epinephrine autoinjector pen

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: May 02, 2012

Use in Commerce: May 02, 2012

Basis Information (Case Level)

| | | |
|--------------------|------------------------|-----------------|
| Filed Use: No | Currently Use: Yes | Amended Use: No |
| Filed ITU: Yes | Currently ITU: No | Amended ITU: No |
| Filed 44D: No | Currently 44D: No | Amended 44D: No |
| Filed 44E: No | Currently 44E: No | Amended 44E: No |
| Filed 66A: No | Currently 66A: No | |
| Filed No Basis: No | Currently No Basis: No | |

Current Owner(s) Information

Owner Name: Kole Creations LLC
Owner Address: 17 Washington Avenue
Rumson, NEW JERSEY 07760
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: KOLE CREATIONS LLC
KOLE CREATIONS LLC
17 WASHINGTON AVE
RUMSON, NEW JERSEY 07760-2036
UNITED STATES
Phone: 732-778-0456

Correspondent e-mail: meredithkole@gmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Mar. 19, 2013 | REGISTERED-PRINCIPAL REGISTER | |
| Feb. 09, 2013 | NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED | |
| Feb. 08, 2013 | LAW OFFICE REGISTRATION REVIEW COMPLETED | 68552 |
| Feb. 07, 2013 | ASSIGNED TO LIE | 68552 |
| Jan. 28, 2013 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Jan. 25, 2013 | STATEMENT OF USE PROCESSING COMPLETE | 76538 |
| Dec. 27, 2012 | USE AMENDMENT FILED | 76538 |
| Jan. 23, 2013 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 76538 |
| Dec. 27, 2012 | TEAS STATEMENT OF USE RECEIVED | |
| Sep. 18, 2012 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Jul. 24, 2012 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Jul. 24, 2012 | PUBLISHED FOR OPPOSITION | |
| Jul. 04, 2012 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Jun. 13, 2012 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jun. 12, 2012 | ASSIGNED TO EXAMINER | 81131 |
| Mar. 09, 2012 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date In Location: Feb. 08, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Kole Creations LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5510/0124](#)

Pages: 3

Date Recorded: May 05, 2015

Supporting Documents: No Supporting Documents Available

Assignor

Name: [KOLE CREATIONS LLC](#)

Execution Date: Feb. 24, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [MYLAN INC.](#)

State or Country Where Organized: PENNSYLVANIA

Legal Entity Type: CORPORATION

Address: 1000 MYLAN BOULEVARD, 4 SOUTH
GLOBAL IP - TRADEMARKS
CANONSBURG, PENNSYLVANIA 15317

Correspondent

Correspondent Name: MYLAN INC.

Correspondent Address: 1000 MYLAN BOULEVARD, 4 SOUTH
GLOBAL IP - TRADEMARKS
CANONSBURG, PA 15317

Domestic Representative - Not Found

United States of America

United States Patent and Trademark Office



Reg. No. 3,967,956

Registered May 24, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

MYLAN INC. (PENNSYLVANIA CORPORATION)
SUITE 400
1500 CORPORATE DRIVE
CANONSBURG, PA 15317

FOR: DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION FOR VIEWING, MANAGING AND SHARING INFORMATION REGARDING ALLERGY SYMPTOMS AND USER GUIDES FOR ALLERGY TREATMENT PHARMACEUTICALS AND APPARATUS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-7-2011; IN COMMERCE 1-7-2011.

OWNER OF U.S. REG. NOS. 1,124,454, 2,576,013, AND OTHERS.

THE COLOR(S) GREEN, YELLOW AND GOLD IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "MY" APPEARS IN YELLOW ABOVE THE WORD "EPIPEN" IN GOLD, ON A GREEN SQUARE WITH ROUNDED CORNERS, BORDERED BY A YELLOW BAND, BORDERED BY A GREEN BAND.

SN 85-101,800, FILED 8-6-2010.

KEVON CHISOLM, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office