

ESTTA Tracking number: **ESTTA247316**

Filing date: **11/06/2008**

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

Proceeding	92049710
Party	Defendant healthcommunities.com, Inc.
Correspondence Address	Deborah A. Basile Doherty, Wallace, Pillsbury & Murphy, P.C. One Monarch Place, 1414 Main Street Suite 1900 Springfield, MA 01144-1900 UNITED STATES dbasile@dwpm.com, mpfeiffer@dwpm.com
Submission	Other Motions/Papers
Filer's Name	Deborah A. Basile
Filer's e-mail	dbasile@dwpm.com, mpfeiffer@dwpm.com
Signature	/Deborah A. Basile/
Date	11/06/2008
Attachments	hcpetition.pdf (4 pages)(50158 bytes)

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

In re.: Healthcommunities.com, Inc.
Registration No: 2,599,776
Registered: July 23, 2002
For: MDVIDEO

MDVIDEO, INC.)
)
) Petitioner,) **PETITION TO THE**
) **TTAB**
)
) V.)
)
) HEALTHCOMMUNITIES.COM, INC.)
)
) Owner.)
)

PETITION TO THE TTAB TO ACCEPT LATE ANSWER AND
PETITION TO ACCEPT PROOF OF SERVICE OF ANSWER AND
BRIEF TO PETITIONER

Healthcommunities.com, Inc. (owner) respectfully requested that the Trademark Trial and Appeal Board accept the Answer and Brief filed on November 6, 2008 through ESTTA in connection with Petition No. 92049710 (Tracking No. ESTTA247263).

Owner miscalculated the deadline for filing a response based on the original date of September 6, 2008. Two separate thirty day extensions for filing an answer have been requested following the September 6, 2008 deadline. Owner incorrectly docketed the second extension for filing an answer as November 6, 2008 rather than the correct deadline of November 5, 2008.

In addition it has come to Owner's attention that a Certificate of Service did not accompany the Answer and Brief filed on November 6, 2008. A copy of the Certificate of Service is attached herewith. (attachment 1).

Respectfully submitted,

Healthcommunities.com, Inc.

Dated: November 6, 2008

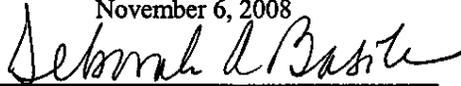
By: 

Deborah A. Basile
Doherty, Wallace, Pillsbury
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1414 Main Street
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Telephone: (413) 733-3111
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Attorney for Owner

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being electronically filed with the Electronic System for Trademark Trials and Appeals

November 6, 2008



Deborah A. Basile, Esq.

Date of Signature: November 6, 2008

CERTIFICATE OF SERVICE

I, Deborah A. Basile, hereby certify that I have sent a copy of the foregoing Petition to the TTAB by first class mail, postage prepaid, to the following:

Paul Kobak, Esq.
Kluger Peretz Kaplan & Berliln
201 S. Biscayne Blvd., Suite 1700
Miami, FL 33131

Attorney for Petitioner

Dated: November 6, 2008

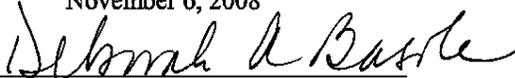


Deborah A. Basile

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I hereby certify that this correspondence is being electronically filed with the Electronic System for Trademark Trials and Appeals

November 6, 2008



Deborah A. Basile, Esq.

Date of Signature: November 6, 2008

CERTIFICATE OF SERVICE

I, Deborah A. Basile, hereby certify that I have sent a copy of the foregoing Answer and Brief by first class mail, postage prepaid, to the following:

Paul Kobak, Esq.
Kluger Peretz Kaplan & Berlihn
201 S. Biscayne Blvd., Suite 1700
Miami, FL 33131

Attorney for Petitioner

Dated: November 6, 2008



Deborah A. Basile