

ESTTA Tracking number: **ESTTA247263**

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 | Answer |
| 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 | hcbrief.pdf (4 pages)(105130 bytes) |

specifically “medical information, namely, providing information on a variety of medical topics using pre-recorded video programs accessible by computer on the Internet”.

On August 28, 2008 Owner forwarded via e-mail website links to Petitioner which show use of the mark “MDVIDEO” in connection with medical videos. The website urls are: www.cmechannel.com and www.capsource.org/index.shtml. The videos on the latter site are instructional videos on continence-sparing prostatectomy, TCAP, laparoscopic radical prostatectomy and hormone suppression therapy. The sites have been live since 2005 and 2003 respectively. The attached Exhibits 1 and 2 are screen shots from both of these sites.

On the basis of the evidence provided to both Petitioner and the TTAB with this Answer and Brief there are no grounds to proceed with this Petition, and Owner requests that the petition for cancellation be dismissed.

Respectfully submitted,

Healthcommunities.com, Inc.

Dated: November 6, 2008

By: 
Deborah A. Basile
Doherty, Wallace, Pillsbury
& Murphy, P.C.
One Monarch Place
1414 Main Street
Springfield, MA 01144
Telephone: (413) 733-3111
Telecopier: (413) 734-3910
Attorney for Owner

CME SOLUTIONS®

Healthcommunities.com professional services

production

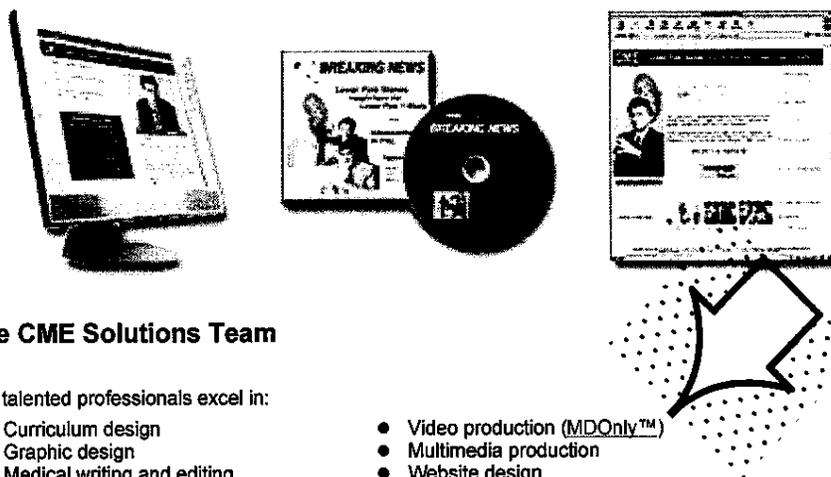
↳ *why us?*

↳ *services*

- *production*
- *accreditation*
- *needs survey*
- *online hosting*
- *promotion*
- *tracking*
- *partnership*

↳ *company overview*

↳ *contact us*



The CME Solutions Team

Our talented professionals excel in:

- Curriculum design
- Graphic design
- Medical writing and editing
- Video production (MDOnly™)
- Multimedia production
- Website design

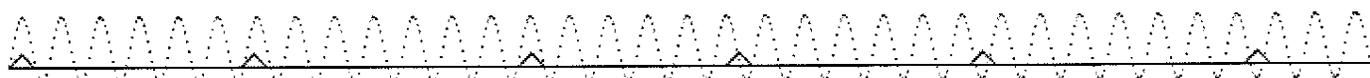
They partner with physicians and CME providers to transform information assets - e.g., conference presentations, grand round presentations, slide kits, research reports, journal articles, etc. - into a variety of formats and media, including:

Formats

- Multimedia presentations with synchronized text, graphics, audio, and video
- Text, graphics, audio, and video in any combination
- Simple text-and-graphics

Media

Online, CD-ROM, and print



"Teaching should be such that what is offered is perceived as a valuable gift and not as a hard duty." — Albert Einstein

[→ about us](#) [→ contact us](#) [→ partners](#) [→ press](#)



Your source for prostate cancer information.



- ≥ [home](#)
- ≥ [forum](#)
- ≥ [cme](#)
- ≥ [news](#)
- ≥ [journals](#)
- ≥ [MDOnly™](#)
- ≥ [MDVideo™](#)
- ≥ [contact us](#)

Prostate Cancer Treatment

Non-Invasive. No Surgery. No Radiation.
Outpatient Procedure.



Ads by Google

[Advertising disclaimer](#)

Welcome to CaPSource

CaPSource is a physician-to-physician discussion environment for questions and topics related to prostate cancer. Designed to enhance communication among physicians and increase understanding of prostate cancer and its treatments, CaPSource provides an evolving, interactive venue for the questions and topics that shape prostate cancer research and treatment.

- **forum:** ongoing discussion about clinical experience with CaP
- **CME:** category 1 courses on CaP
- **news:** new drug approvals, study results, and more
- **journals:** prostate cancer research articles
- **MDVideo™:** instructional videos on continence-sparing prostatectomy, TCAP, laparoscopic radical prostatectomy, hormone suppression therapy



- ⇓ Adding your comments and responses simply requires typing skills. Once you enter your comments and/or responses they appear live in the md forum in less than a second.
- ⇓ The forum is monitored by an encrypted gateway system that delivers the utmost privacy and security.
- ⇓ For a list of registered physicians for the CaPSource forum, click [here](#).

ONLINE CME
Managing Bone Complications
in Patients with Prostate Cancer
An Interactive Case-Based Learning Experience



Supported in part by an unrestricted educational grant from Novartis Oncology.

This page last modified: Wednesday, 20-Aug-2008 15:31:31 EDT



© 2003-2008
 by Healthcommunities.com, Inc. All rights reserved.
 Contact the [webmaster](#) with any technical issues.

[General Website Disclaimer](#) | [Legal Notice](#) | [Privacy Statement](#) | [Advertising Disclaimer](#)