

TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Lykos

Mailed: June 16, 2004

Concurrent Use No. 94001212

Sisters of St. Francis Health
Services, Inc., substituted as
party plaintiff by assignment
from St. Margaret Mercy Health
Care Centers, Inc.

v.

Prime Advantage, Inc.



Angela Lykos, Interlocutory Attorney

07-02-2004

U.S. Patent & TMOtc/TM Mail RcptDt. #66

On March 30, 2004, the Board allowed applicant time in which to either abandon application Serial No. 75460711 or file a motion to seek a geographically unrestricted registration therefor.

In response thereto, on April 27, 2004, applicant filed a motion to abandon application Serial No. 75460711 and to terminate the instant concurrent use proceeding.

In view thereof, applicant's motion to abandon application Serial No. 75460711 is granted.

Concurrent Use No. 94001212

Applicant's motion (filed March 26, 2003) to amend its application Serial No. 75803859 to seek a geographically unrestricted registration in accordance with the settlement agreements reached between applicant and excepted user is granted.

In view thereof, concurrent use Proceeding No. 94001212 is dismissed as moot.

***By the Trademark Trial
and Appeal Board***

Concurrent Use No. 94001212

New Developments at the Trademark Trial and Appeal Board

- Files of TTAB proceedings can now be examined using TTAB Vue, accessible at <http://ttabvue.uspto.gov>. After entering the 8-digit proceeding number, click on any entry in the prosecution history to view that paper in PDF format. Papers filed prior to January 2003 may not have been scanned. Unscanned papers remain available for public access at the TTAB. For further information on file access, call the TTAB at (703) 308-9330.
- Parties should also be aware of recent changes in the rules affecting trademark matters, including the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003) (www.uspto.gov/web/offices/com/sol/notices/68fr55748.pdf); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003) (www.uspto.gov/web/offices/com/sol/notices/68fr48286.pdf).
- The second edition (June 2003) of the Trademark Trial and Appeal Board Manual of Procedure (TBMP) has been posted on the USPTO web site at www.uspto.gov/web/offices/dcom/ttab/tbmp/.

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