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

Proceeding	94002459
Party	User Lighthouse Senior Living, LLC
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Submission	Other Motions/Papers
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Date	08/24/2010
Attachments	Lighthouse Hospice Amendment Under 37 C.F.R. 2.73.pdf (2 pages)(60797 bytes)

IN THE UNITED STATES TRADEMARK OFFICE
TRADEMARK OFFICE

Applicant: Lighthouse Hospice Partners, L.L.C.

Serial No. No. 78/939,060

Law Office: 104

Mark: LIGHTHOUSE HOSPICE

Examiner: Barney L. Charlon

Filed: July 27, 2006

Date: August 24, 2010

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Amendment Under 37 C.F.R. § 2.73

Sir:

Kindly amend the above-identified application as follows:

1. In the first paragraph, after "Act of July 5, 1946," insert—for the area comprising the entire United States except the states of Connecticut, District of Columbia, Delaware, Florida, Georgia, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia —.
2. Add the following statement to the application: The applicant's recitation of services is as follows: provision of hospice services.
3. Add the following statement to the application:—The following are exceptions to Applicant's right to exclusive use of the mark:

By Lighthouse Senior Living, L.L.C., registrant of Reg. No. 2,883,252, who is using the service mark LIGHTHOUSE SENIOR LIVING for services: providing assisted living facilities and health care services, namely, providing assistance to

Alzheimer's and dementia care patients and other chronic care assistance services, and has been using said mark since (earliest known date of use) in a trading area consisting of the State of Rhode Island and in New London County, Connecticut.—.

REMARKS

Applicant has become aware of a conflicting use and is hereby amending this application to a concurrent use application in compliance with 37 C.F.R. § 2.72. The proposed amendment does not materially alter the mark. A copy of the Co-existence Agreement signed by the applicant and Lighthouse Senior Living, L.L.C. is enclosed herewith.

Favorable consideration of the amendment is respectfully requested.

Respectfully submitted,



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