

Express Mail Label No. EV405721133US  
Attorney Docket No.: 967353

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Labportal, Inc. )  
)  
**Mark:** LABPORTAL )  
)  
**Serial No.:** 75/881,819 )  
)  
**Class:** 9 )  
)  
**Filed:** December 29, 1999 )  
)  
**Examiner:** Zhaleh Sybil Delaney )  
(Law Office 116) )  
\_\_\_\_\_)

San Diego, California 92101

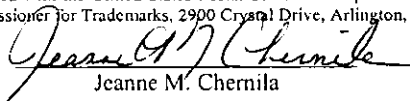
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

**RESPONSE TO OFFICE ACTION NO. 4 AND**  
**REQUEST FOR RECONSIDERATION**

Applicant hereby responds to Office Action No. 4 mailed on June 12, 2003, a response to which is due by December 12, 2003.

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV405721133US "Express Mail Post Office to Addressee", in an envelope addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on this 8th day of December, 2003.

  
Jeanne M. Chernila

**Refusal of Registration Under Section 2(e)(1)**

In response to the Examining Attorney's Office action, Applicant respectfully requests that the application be amended to seek registration on the Supplemental Register, without prejudice to apply on the Principal Register at another time. Accordingly, please amend the above-identified application as follows:

Amend the words "Principal Register" in the body of the application to "Supplemental Register."


**Conclusion**

Applicant believes that it has responded to all of the Examining Attorney's inquiries. Accordingly, Applicant respectfully requests that the Examining Attorney pass the application to publication for opposition.

Dated: December 8, 2003

Respectfully submitted,

BAKER & McKENZIE

By:   
Cheryl A. Withycombe  
Attorney for Applicant  
Baker & McKenzie  
101 West Broadway  
12th Floor  
San Diego, California 92101  
(619) 236-1441

# BAKER & M<sup>C</sup>KENZIE

ATTORNEYS AT LAW

101 WEST BROADWAY  
TWELFTH FLOOR  
SAN DIEGO, CALIFORNIA 92101-3890  
TELEPHONE (619) 236-1441  
FACSIMILE (619) 236-0429

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WASHINGTON, D.C.

Cheryl A. Withycombe  
(619) 235-7768  
cheryl.a.withycombe@bakernet.com

December 8, 2003

**VIA EXPRESS MAIL NO. EV405721133US**

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

Re: Response to Office action Number 4 and Request for Reconsideration  
Applicant : LabPortal, Inc.  
Mark : LABPORTAL  
Class : 9  
Application No. : 75/881,819  
Filing Date : December 29, 1999  
Our File : 67152876-1013 (967353)

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LAW OFFICE

Dear Sir or Madam:

Enclosed herewith please find a Response to Office action No. 4 and Request for Reconsideration in connection with the above-referenced trademark application.

All correspondence in this case should be sent to:

Cheryl A. Withycombe, Esq.  
BAKER & McKENZIE  
101 West Broadway, 12th Floor  
San Diego, California 92101  
(619) 236-1441



12-10-2003

**BAKER & MCKENZIE**

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Commissioner for Trademarks  
December 8, 2003

Please file-stamp and return the self-addressed postcard to this office for our records. Please charge any deficit or credit any excess to our Deposit Account No. 02-0410 (Baker & McKenzie). Thank you.

Very truly yours,

**BAKER & MCKENZIE**



Cheryl A. Withycombe\*

Enclosure

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