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**To:** Capital Blue Cross (ecbdocket@welshkatz.com)  
**Subject:** TRADEMARK APPLICATION NO. 78869843 - AVALON - 4190-97348  
**Sent:** 10/9/2008 6:45:02 PM  
**Sent As:** ECOM108@USPTO.GOV  
**Attachments:**

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**UNITED STATES PATENT AND TRADEMARK OFFICE****SERIAL NO:** 78/869843**MARK:** AVALON

**CORRESPONDENT ADDRESS:**  
ELLIOTT C. BANKENDORF  
WELSH & KATZ, LTD.  
120 SOUTH RIVERSIDE PLAZA  
CHICAGO, IL 60606-3913



**GENERAL TRADEMARK INFORMATION:**  
<http://www.uspto.gov/main/trademarks.htm>

**APPLICANT:** Capital Blue Cross**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

4190-97348

**CORRESPONDENT E-MAIL ADDRESS:**

ecbdocket@welshkatz.com

**REQUEST FOR RECONSIDERATION DENIED****ISSUE/MAILING DATE: 10/9/2008**

Applicant is requesting reconsideration of a final refusal issued/mailed May 06, 2008.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue.

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was issued/mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c). If applicant has already filed a timely notice of appeal, the application will be forwarded to the Trademark Trial and Appeal Board (TTAB).

/cglasser/

Caryn Glasser  
Trademark Examining Attorney  
Law Office 108  
Phone: (571) 270-1517  
Fax: (571) 270-2517

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

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**Subject:** TRADEMARK APPLICATION NO. 78869843 - AVALON - 4190-97348  
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**IMPORTANT NOTICE**  
**USPTO OFFICE ACTION HAS ISSUED ON 10/9/2008 FOR**  
**APPLICATION SERIAL NO. 78869843**

Please follow the instructions below to continue the prosecution of your application:

**VIEW OFFICE ACTION:** Click on this link [http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial\\_number=78869843&doc\\_type=REC&mail\\_date=20081009](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=78869843&doc_type=REC&mail_date=20081009) (or copy and paste this URL into the address field of your browser), or visit <http://tmportal.uspto.gov/external/portal/tow> and enter the application serial number to **access** the Office action.

**PLEASE NOTE:** The Office action may not be immediately available but will be viewable within 24 hours of this notification.

**RESPONSE MAY BE REQUIRED:** You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable **response time period**. Your response deadline will be calculated from **10/9/2008**.

**Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.**

**HELP:** For *technical* assistance in accessing the Office action, please e-mail [TDR@uspto.gov](mailto:TDR@uspto.gov). Please contact the assigned examining attorney with questions about the Office action.

**WARNING**

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**