

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79220108
LAW OFFICE ASSIGNED	LAW OFFICE 124
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/79220108/large
LITERAL ELEMENT	YLO
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (003)(no change)	
GOODS AND/OR SERVICES SECTION (005)(current)	
INTERNATIONAL CLASS	005
DESCRIPTION	
Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use	
GOODS AND/OR SERVICES SECTION (005)(proposed)	
INTERNATIONAL CLASS	005
TRACKED TEXT DESCRIPTION	
Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use <u>Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use</u>	

FINAL DESCRIPTION	
Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use	
GOODS AND/OR SERVICES SECTION (009)(no change)	
GOODS AND/OR SERVICES SECTION (010)(current)	
INTERNATIONAL CLASS	010
DESCRIPTION	
Massage apparatus for human and veterinary use, apparatus for acupressure therapy for human and veterinary use, namely acupressure pens; Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being	
GOODS AND/OR SERVICES SECTION (010)(proposed)	
INTERNATIONAL CLASS	010
TRACKED TEXT DESCRIPTION	
Massage apparatus for human and veterinary use, apparatus for acupressure therapy for human and veterinary use, namely acupressure pens; Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments and to improve health and well-being through stimulation of and pressure on acupressure zones in conjunction with plant extracts	
FINAL DESCRIPTION	
Massage apparatus for human and veterinary use, apparatus for acupressure therapy for human and veterinary use, namely acupressure pens; Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments and to improve health and well-being through stimulation of and pressure on acupressure zones in conjunction with plant extracts	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/bjg/
SIGNATORY'S NAME	Barbara J Grahn
SIGNATORY'S POSITION	Attorney of record, Minnesota bar member
SIGNATORY'S PHONE NUMBER	6126077325
DATE SIGNED	12/11/2018
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Dec 11 15:19:54 EST 2018

TEAS STAMP

USPTO/RFR-XXX.XXX.XXX.XX-
20181211151954218063-7922
0108-610dc24eb739673d8e12
2109bd5d6cc997c10bc827506
1d53f27b318e1896cccb6-N/A
-N/A-20181211145751940626

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PTO Form 1960 (Rev 10/2011)
OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **79220108** YLO(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/79220108/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 005 for Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being;~~ Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; ~~Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being;~~ Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; ~~Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being;~~ Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use

Class 005 for Pharmaceutical preparations for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Medicines for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic, dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Dietetic products or substances for medical use, namely, dietetic foods adapted for medical use; Nutritional and foods supplements for medical use; Medical plasters; Biocides; Local therapeutic applications, namely, plant extracts for therapeutic purposes; Medicinal preparations and substances for the treatment and prevention of headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments in the nature of gynecological, metabolic,

dermatological, oto-rhino-laryngological, neurological, rheumatological, gastrointestinal, immune-system and addiction disorders, and to promote general physical and mental health and well-being; Plant preparations for medical use, namely, plants extracts for medical and pharmaceutical purposes, all of these goods using traditional Eastern medicine and all for human and veterinary use

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 010 for Massage apparatus for human and veterinary use, apparatus for acupressure therapy for human and veterinary use, namely acupressure pens; Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: Massage apparatus for human and veterinary use, apparatus for acupressure therapy for human and veterinary use, namely acupressure pens; ~~Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments, and to promote health and well-being;~~ Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments and to improve health and well-being through stimulation of and pressure on acupressure zones in conjunction with plant extracts

Class 010 for Massage apparatus for human and veterinary use, apparatus for acupressure therapy for human and veterinary use, namely acupressure pens; Medical devices intended for use in humans and veterinary use, particularly for disease or injury prevention, treatment and mitigation purposes, namely, apparatus for use in treating and preventing headache, digestive disorders, respiratory disorders, sleep disorders, and other minor ailments and to improve health and well-being through stimulation of and pressure on acupressure zones in conjunction with plant extracts

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /bjg/ Date: 12/11/2018

Signatory's Name: Barbara J Grahn

Signatory's Position: Attorney of record, Minnesota bar member

Signatory's Phone Number: 6126077325

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79220108

Internet Transmission Date: Tue Dec 11 15:19:54 EST 2018

TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.XX-201812111519542

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d5d6cc997c10bc8275061d53f27b318e1896cccb

6-N/A-N/A-20181211145751940626