

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87860146
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87860146/large
LITERAL ELEMENT	LIFESHIELD
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.
ARGUMENT(S)	
The following amendments and remarks are submitted in response to the Office Action dated February 22, 2019.	
The Examining Attorney requested further amendments to the recitation of services in Classes 37, 42 and 44. As set forth above, Applicant has amended the recitation of services as suggested by the Examining Attorney and in accordance with the Manual of Acceptable Identification of Goods and Services. Applicant notes that the goods and services in Classes 9, 10, 16 and 41 are acceptable and should be passed to publication.	
Should the Examining Attorney have any questions, the Examining Attorney is encouraged to contact the undersigned at Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth floor, Irvine, California 92614.	
GOODS AND/OR SERVICES SECTION (009)(no change)	
GOODS AND/OR SERVICES SECTION (010)(no change)	
GOODS AND/OR SERVICES SECTION (016)(no change)	
GOODS AND/OR SERVICES SECTION (037)(current)	
INTERNATIONAL CLASS	037
DESCRIPTION	
Providing installation services for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (037)(proposed)	
INTERNATIONAL CLASS	037
TRACKED TEXT DESCRIPTION	
Providing installation services for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network; Providing installation services for users of medical devices and computer hardware either at the user's site or via a communication network	
FINAL DESCRIPTION	
Providing installation services for users of medical devices and computer hardware either at the user's site or via a communication network	
FILING BASIS	Section 1(b)

GOODS AND/OR SERVICES SECTION (041)(no change)**GOODS AND/OR SERVICES SECTION (042)(current)**

INTERNATIONAL CLASS	042
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DESCRIPTION

Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of computer software and hardware providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems either at the user's site or by providing a service allowing the user to use via a communication network; technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information; technical consulting services relating to healthcare management software, namely, providing use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer

FILING BASIS	Section 1(b)
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GOODS AND/OR SERVICES SECTION (042)(proposed)

INTERNATIONAL CLASS	042
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TRACKED TEXT DESCRIPTION

~~Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of computer software and hardware providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems either at the user's site or by providing a service allowing the user to use via a communication network;~~ [Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications;](#) ~~technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer;~~ [providing technical advice regarding the setup, programming, operation and control of computer software, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications;](#) ~~technical consulting services relating to healthcare management software, namely, providing software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information;~~ [installation of computer software;](#) ~~technical consulting services relating to healthcare management software, namely, providing use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer;~~ [technical consulting regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications;](#) ~~technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating~~

communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, installation of computer software, troubleshooting in the nature of diagnosing computer hardware and software problems; technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of online non-downloadable software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information; technical consulting services relating to healthcare management software, namely, providing temporary use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating and transmission of data between and among medical devices, healthcare information technology systems and a remote computer

FINAL DESCRIPTION

Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; providing technical advice regarding the setup, programming, operation and control of computer software, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; installation of computer software; technical consulting regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; technical consulting services relating to healthcare management software, namely, installation of computer software, troubleshooting in the nature of diagnosing computer hardware and software problems; technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of online non-downloadable software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information; technical consulting services relating to healthcare management software, namely, providing temporary use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating and transmission of data between and among medical devices, healthcare information technology systems and a remote computer

FILING BASIS	Section 1(b)
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GOODS AND/OR SERVICES SECTION (044)(current)

INTERNATIONAL CLASS	044
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DESCRIPTION

Consultation relating to the use of medical devices and associated hardware and software for monitoring patients or managing delivery of medication and nutritional products to patients; providing troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network

FILING BASIS	Section 1(b)
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GOODS AND/OR SERVICES SECTION (044)(proposed)

INTERNATIONAL CLASS	044
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TRACKED TEXT DESCRIPTION	
Consultation relating to the use of medical devices and associated hardware and software for monitoring patients or managing delivery of medication and nutritional products to patients; providing troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network	
FINAL DESCRIPTION	
Consultation relating to the use of medical devices and associated hardware and software for monitoring patients or managing delivery of medication and nutritional products to patients	
FILING BASIS	Section 1(b)
ATTORNEY SECTION (current)	
NAME	Steven J. Nataupsky
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	KNOBBE, MARTENS, OLSON & BEAR, LLP
INTERNAL ADDRESS	14TH FLOOR
STREET	2040 MAIN STREET
CITY	IRVINE
STATE	California
POSTAL CODE	92614
COUNTRY	US
PHONE	949-760-0404
FAX	949-760-9502
EMAIL	efiling@knobbe.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	ICUH.187T
ATTORNEY SECTION (proposed)	
NAME	Steven J. Nataupsky
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	KNOBBE, MARTENS, OLSON & BEAR, LLP
INTERNAL ADDRESS	14TH FLOOR
STREET	2040 MAIN STREET
CITY	IRVINE
STATE	California
POSTAL CODE	92614
COUNTRY	United States
PHONE	949-760-0404
FAX	949-760-9502

EMAIL	efiling@knobbe.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	ICUH.187T
CORRESPONDENCE SECTION (current)	
NAME	STEVEN J. NATAUPSKY
FIRM NAME	KNOBBE, MARTENS, OLSON & BEAR, LLP
INTERNAL ADDRESS	14TH FLOOR
STREET	2040 MAIN STREET
CITY	IRVINE
STATE	California
POSTAL CODE	92614
COUNTRY	US
PHONE	949-760-0404
FAX	949-760-9502
EMAIL	efiling@knobbe.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	ICUH.187T
CORRESPONDENCE SECTION (proposed)	
NAME	Steven J. Nataupsky
FIRM NAME	KNOBBE, MARTENS, OLSON & BEAR, LLP
INTERNAL ADDRESS	14TH FLOOR
STREET	2040 MAIN STREET
CITY	IRVINE
STATE	California
POSTAL CODE	92614
COUNTRY	United States
PHONE	949-760-0404
FAX	949-760-9502
EMAIL	efiling@knobbe.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOCKET/REFERENCE NUMBER	ICUH.187T
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Steven J. Nataupsky/
SIGNATORY'S NAME	Steven J. Nataupsky
SIGNATORY'S POSITION	Attorney for Applicant, California bar member
SIGNATORY'S PHONE NUMBER	949-760-0404
DATE SIGNED	08/22/2019
AUTHORIZED SIGNATORY	YES

CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Aug 22 13:40:58 EDT 2019
TEAS STAMP	USPTO/RFR-XXX.XXX.XX.XX-2 0190822134058185866-87860 146-6109fe8f7d54852e518d0 e2e71c83e3a3e1838a1c75815 76f3cc3c55d5a4a93-N/A-N/A -20190822123258543443

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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. **87860146** LIFESHIELD(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87860146/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

The following amendments and remarks are submitted in response to the Office Action dated February 22, 2019.

The Examining Attorney requested further amendments to the recitation of services in Classes 37, 42 and 44. As set forth above, Applicant has amended the recitation of services as suggested by the Examining Attorney and in accordance with the Manual of Acceptable Identification of Goods and Services. Applicant notes that the goods and services in Classes 9, 10, 16 and 41 are acceptable and should be passed to publication.

Should the Examining Attorney have any questions, the Examining Attorney is encouraged to contact the undersigned at Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth floor, Irvine, California 92614.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 037 for Providing installation services for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: ~~Providing installation services for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network;~~ [Providing installation services for users of medical devices and computer hardware either at the user's site or via a communication network](#)

Class 037 for Providing installation services for users of medical devices and computer hardware either at the user's site or via a communication network

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

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

Current: Class 042 for Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of computer software and hardware providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems either at the user's site or by providing a service allowing the user to use via a communication network; technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information; technical consulting services relating to healthcare management software, namely, providing use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: ~~Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of computer software and hardware providing installation services, troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems either at the user's site or by providing a service allowing the user to use via a communication network;~~ Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; ~~technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer;~~ providing technical advice regarding the setup, programming, operation and control of computer software, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; ~~technical consulting services relating to healthcare management software, namely, providing software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information;~~ installation of computer software;

~~technical consulting services relating to healthcare management software, namely, providing use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, installation of computer software, troubleshooting in the nature of diagnosing computer hardware and software problems; technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of online non-downloadable software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information; technical consulting services relating to healthcare management software, namely, providing temporary use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating and transmission of data between and among medical devices, healthcare information technology systems and a remote computer~~

Class 042 for Technical consulting services relating to healthcare management software, namely, providing installation services, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; providing technical advice regarding the setup, programming, operation and control of computer software, troubleshooting and technical support for users, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; installation of computer software; technical consulting regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network for electronic drug systems, namely, troubleshooting of computer software problems, technical administration of servers for others and troubleshooting in the nature of diagnosing server problems, 24/7 monitoring of network systems, servers and web and database applications and notifications of related events and alerts, technical advisory services relating to computer programs, 24/7 service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; technical consulting services relating to healthcare management software, namely, installation of computer software, troubleshooting in the nature of diagnosing computer hardware and software problems; technical consulting services relating to healthcare management software, namely, cloud computing and on-premises computing providing temporary use of non-downloadable cloud-based software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of online non-downloadable software that enables users to create, modify, or customize medical drug library information to be used in connection with an infusion pump, including information associated with the type, concentration, or dosage of fluids to be pumped, information for controlling select pumping protocols to be used by the infusion pump, or information enabling the tracking, monitoring, or generation of reports associated with pump usage, or to update infusion pumps with customized medical drug library information; technical consulting services relating to healthcare management software, namely, providing temporary use of on-line non-downloadable cloud computing software for facilitating communication and transmission of data between and among medical devices, healthcare information technology systems and a remote computer; technical consulting services relating to healthcare management software, namely, providing temporary use of non-downloadable cloud-based software for facilitating communication for facilitating and transmission of data between and among medical devices, healthcare information technology systems and a remote computer

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification

standards of the applicant.

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

Current: Class 044 for Consultation relating to the use of medical devices and associated hardware and software for monitoring patients or managing delivery of medication and nutritional products to patients; providing troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: Consultation relating to the use of medical devices and associated hardware and software for monitoring patients or managing delivery of medication and nutritional products to patients; ~~providing troubleshooting and technical support for users regarding the setup, programming, operation and control of medical devices, computer software and computer hardware either at the user's site or via a communication network~~

Class 044 for Consultation relating to the use of medical devices and associated hardware and software for monitoring patients or managing delivery of medication and nutritional products to patients

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

The applicant's current attorney information: Steven J. Nataupsky. Steven J. Nataupsky of KNOBBE, MARTENS, OLSON & BEAR, LLP, is located at

14TH FLOOR
2040 MAIN STREET
IRVINE, California 92614
US

The docket/reference number is ICUH.187T.

The phone number is 949-760-0404.

The fax number is 949-760-9502.

The email address is efilings@knobbe.com

The applicants proposed attorney information: Steven J. Nataupsky. Steven J. Nataupsky of KNOBBE, MARTENS, OLSON & BEAR, LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

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IRVINE, California 92614
United States

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Steven J. Nataupsky submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current correspondence information: STEVEN J. NATAUPSKY. STEVEN J. NATAUPSKY of KNOBBE, MARTENS, OLSON & BEAR, LLP, is located at

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SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Steven J. Nataupsky/ Date: 08/22/2019

Signatory's Name: Steven J. Nataupsky

Signatory's Position: Attorney for Applicant, California bar member

Signatory's Phone Number: 949-760-0404

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); 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.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney 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.

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