

ESTTA Tracking number: **ESTTA626027**

Filing date: **09/09/2014**

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

Proceeding	91217329
Party	Defendant AngioDynamics, Inc.
Correspondence Address	DANIEL BASOV KAPLAN BREYER SCHWARZ & OTTESEN LLP METROPARK SOUTH, 100 MATAWAN ROAD SUITE 120 MATAWAN, NY 10167-0002 UNITED STATES dbasov@kbsolaw.com
Submission	Other Motions/Papers
Filer's Name	Daniel Basov
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Signature	/Daniel Basov/
Date	09/09/2014
Attachments	Notice of Amendment for SMART TM for TTAB.pdf(131793 bytes)

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

Trademark Opposition No.: **91217329**
Applicant: AngioDynamics, Inc.
Opposer: Cordis Corp.
Application Serial No.: 85655168
Application Filing Date: 06/19/2012
Mark: **SMART**
Date of Publication: 01/14/2014

**NOTICE AND REQUEST TO ENTER AN AMENDMENT FOR TRADEMARK IN
OPPOSITION PROCEEDINGS**

The Applicant for the above mark, AngioDynamics, Inc. (“AngioDynamics”), hereby notifies the TTAB regarding the attached Amendment to the Description of Goods/Service for the above mark, which was filed with the U.S. PTO. The description of goods/services has been amended as follows, with added text underlined below:

Class 010 Non-automated medical devices, namely, peripherally inserted central catheters, implantable ports, and access needles for use with the foregoing

The Applicant further requests that this Amendment be entered and reflected in the TTAB opposition proceedings for the above-referenced mark. A copy of the PTO-filed and entered amendment is attached.

Dated: 9/9/2014

For Applicant – AngioDynamics, Inc.

Daniel Basov

Daniel Basov

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Trademark Electronic Application System (TEAS) filing receipt

We have received your Voluntary Amendment Form Filing form below.

To the Commissioner for Trademarks:

Application serial no. **85655168** (SMART) 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 010 for Non-automated medical devices, namely, catheters, implantable ports, and access needles

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: ~~Non-automated medical devices, namely, catheters, implantable ports, and access needles;~~ Non-automated medical devices, namely, peripherally inserted central catheters, implantable ports, and access needles for use with the foregoing

Class 010 for Non-automated medical devices, namely, peripherally inserted central catheters, implantable ports, and access needles for use with the foregoing

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Voluntary Amendment Signature

Signature: /daniel basov/ Date: 09/05/2014

Signatory's Name: Daniel Basov

Signatory's Position: Attorney of Record

Signatory's Phone Number: 917-806-2940

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 applicant'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 applicant in this matter: (1) the applicant 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 applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant'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.

Thank you,

The TEAS support team

Fri Sep 05 15:56:11 EDT 2014

STAMP: USPTO/PRA-199.127.148.10-20140905155611369516-85655168-
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