

ESTTA Tracking number: **ESTTA686467**

Filing date: **07/29/2015**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	C. R. Bard, Inc.
Granted to Date of previous extension	07/29/2015
Address	730 Central Avenue Murray Hill, NJ 07974 UNITED STATES
Attorney information	ROBERTA S BREN OBLON MCCLELLAND MAIER & NEUSTADT LLP 1940 DUKE STREET ALEXANDRIA, VA 22314 UNITED STATES tmdocket@oblon.com, rbren@oblon.com, bchapman@oblon.com

Applicant Information

Application No	86366608	Publication date	03/31/2015
Opposition Filing Date	07/29/2015	Opposition Period Ends	07/29/2015
Applicant	Medline Industries, Inc. One Medline Place Mundelein, IL 60060 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 005. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Medicated, medical, pharmaceutical, dental and sanitary preparations and products, namely, medicated skin care preparations, cleansers for skin and wounds, anti-fungal creams and powders, anti-microbial soap, no-rinse head and body cleanser; wound care products, namely, dressings, adhesive bandages, medical and surgical adhesive tape, gauze, nylon strips, topical first aid gel, topical gel for medical and therapeutic treatment of wound-care; sanitary belts, sanitary pads, tampons, oral wound rinse, pre-moistened medical wipes, air deodorizers, disinfectants for hygienic and sanitary purposes, disinfectants for medical instruments, incontinence pads, adult diapers, nutritional and dietary supplements in powder and liquid form, disinfectant wipes made of fabric or paper, skin lotions, skin creams and skin ointments for medical use, cataract eye care kits composed of eye washes and protective glasses; disposable liners for use with disposable incontinent briefs and undergarments; Irrigation and urology solutions, namely, saline solutions; preparations for medical use, namely, isopropyl alcohol, alcohol treated prep pads, hydrogen peroxide, lubricating jelly, sitz bath, and providone/iodine solutions; re-usable incontinence garments; incontinence garments and pads; disposable diapers for incontinence; cloth diapers for adults</p>
<p>Class 010. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Medical devices, namely, dressing change trays, alternating pressure pumps, and pads, disposable bedside bags, single-use cold and hot com-</p>

presses, adhesive tape removal pads, enternal gravity feeding apparatus, sharps containers, skin scrub trays, bio-hazard bags for storing medical waste, resting electrodes, I.V. start kits consisting essentially of catheters, catheter placement device, tape, tourniquet, iodine prep capsule, alcohol swab, gauze, sponges, ointments, adhesive bandages, and identification labels; and shaving preparation sets comprised essentially of disposable razor and shaving cream; surgical, medical and dental apparatus, instruments, appliances, and supplies, namely, needle holders, I.V. needle caps, surgical blade handles, and forceps; electro-surgical products for medical use, namely, electro-surgical generators, electro-surgical pencils, and medical electrodes; surgical shears and spreaders; endoscopic instruments; neurosurgery instruments, namely, retractors, saws, dissectors, and elevators; rectal, lacrimal, and disposable oximeter probes; medical and surgical scissors; medical instrument stringers and holders; surgical instrument identification tape and sheets; speculums; anesthesia masks; oxygen masks, oxygen tubing and bags, oxygen regulators, oxygen conservers and concentrators, and oximeters all for medical applications; respiratory regulators for artificial respiration, nasal aspirators; blood transfer and collection sets comprising blood collection tube holders, needles, gauges, and I.V. catheters; injection instruments with needles; bath guards for physical therapy and rehabilitation purposes; glucose monitoring systems comprising meter, case, test strips, control solutions, and lancing devices; ophthalmoscopes; otoscopes; disposable pen lights for medical use; stethoscopes; vital signs monitors; nebulizers; medical patient alarms and monitoring devices for monitoring patient or resident movement; hand protectors to prevent tube removal or tampering; stretchers and belts therefor; intravenous feeding tubes; containers, brackets and cabinets for medical waste; medical bags adapted for and sold with medical and surgical instruments; plastic bags for transmitting medical specimens; medical bags sold empty; paper bags and envelopes for sterilizing medical instruments; sterilization trays and containers; silicone mats for sterilization trays; containers specifically adapted for the transport of medical waste; guards, trays and covers specifically adapted for medical instruments; sterile procedure kits composed of pouches and tubing for use in steam/gas sterilization; sterilization monitoring products for use in monitoring sterility of medical instruments; sterilization wrap for medical instruments; reusable medical electrodes; medical furniture, namely, overbed tables and footstools; supports for general medical use; canes for medical purposes; crutches; invalid walkers and lifts; patient examination and/or treatment tables; medical patient treatment chairs; medical chart holders; medical carts and accessories, namely, cups dispensers, magnetic flex lights, bin labels, medication cart cassettes; urine collector and specimen containers for medical use; I.V. stands for medical use; protective drapes for operating room and medical treatment and apparel for medical use; catheter trays; irrigation trays for medical use; dressing change trays for medical use; medical kits comprising combinations of medical instruments, namely, forceps, hemostats, curettes, speculae, clamps, scalpels, specimen tubes, and wound dressings; patient prep materials, namely, medical gloves, cotton-tipped applicators for medical use, wash basins for medical use, urinals for medical purposes, bedpans, medicine cups, medical specimen collectors, denture containers, and orthodontic pacifiers; medical hosiery, namely, elastic hose supporters, knee high hose and thigh high hose; elastic bandages and wraps; abdominal pads; padding for orthopedic casts; incontinence sheets and underpads used for bedding; disposable armboards; Hospital and surgical instruments, namely, syringes and needles; surgical scalpels and blades; suction absorbent cotton balls and sponges; stomach tubes; catheters and catheter trays; emesis basins and covers; latex bulbs; finger splints; nipple caps; plastic bandages; pelvic traction belts; clavicle straps and pads; enema kits comprising enema apparatus and enema preparations; respiratory equipment for infants; gauze packing strips; gauze tubing; cloth medical dressing; bed equipment for surgery; rubber bags for use in connection with respiratory equipment; blood pressure measuring equipment; sterilizers; sanitary urinals; stitch pincers; surgical scissors; blood lancets; suture removal kits; specimen containers; splints; intravenous arm boards; blood collectors; oral and rectal thermometers; percussion hammers for medical use; irrigation trays; stopcocks; medicine droppers; observation tube glass; surgical instruments; needles and stylets; drainage bags; crutch tips; porous tapes; swabs; pan covers; face masks; surgical gloves; wrist restraints; surgical gowns and garments; bath safety products adapted for use by the physically disabled, namely, shower chair, shower stools, toilet safety frames, toilet safety rails, transfer benches, raised toilet seats, shower rails and grab bars, beside commodes; medical wearing apparel, namely, scrub shirts and medical gowns; hospital garments for hospital personnel and patients, namely, uniforms, coats, lab coats, jackets, shirts, pants, pajamas, robes, slippers, leggings, vests, all for use in surgical or medical purposes

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Procedure-based supply management services and inventory control and business management report services; mail order services featuring

medical devices and pharmaceutical supplies for use in the health care field
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	lack of bona fide intent to use

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	2701601	Application Date	01/07/1998
Registration Date	04/01/2003	Foreign Priority Date	NONE
Word Mark	ADVANCING THE DELIVERY OF HEALTH CARE		
Design Mark	ADVANCING THE DELIVERY OF HEALTH CARE		
Description of Mark	NONE		
Goods/Services	<p>Class 010. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00 ONTOLOGY, UROLOGY, VASCULAR AND SURGICAL SPECIALTY DEVICES NAMELY, AUTOTRANSFUSERS, URINARY DRAINS, CHEST DRAINS, WOUND DRAINS, EVACUATORS, FILTERS, INTRODUCERS, ACCESS PORTS, STENTS, IRRIGATORS, LAPAROSCOPIC INSTRUMENTS, SURGICAL BAND LIGATORS, SPLASH SHIELD PULSED LAVAGE TIPS, SUCTION INSTRUMENTS, NAMELY, SUCTION VALVES AND TUBING, SURGICAL MESH, HERNIA REPAIR MESH AND PLUGS, VASCULAR PROBES, SURGICAL ACCESSORIES, NAMELY, PADS AND FABRIC USED INTERNALLY DURING SURGERY TO STOP BLEEDING, BIOPSY INSTRUMENTS, NAMELY, BIOPSY FORCEPS, BIOPSY NEEDLES, STONE REMOVAL PRODUCTS, NAMELY, BASKETS FOR REMOVING STONES, POLYPECTOMY SNARES, CATHETERS, NEEDLES, BIOPSY NEEDLES, GUIDE WIRES, COLLAGEN IMPLANTS, URINARY COLLECTION BAGS, FECAL CONTAINMENT DEVICES, ASPIRATORS, LASER FIBERS, NASOPHARYNGEAL AIRWAYS, URINE AND TEMPERATURE MONITORS, BLADDER ULTRASOUND DIAGNOSTIC APPARATUS, URODYNAMIC SENSORS, HYSTEROSCOPY ELECTRODES, RADIO FREQUENCY CONTROLLERS AND CONTROLLER CABLES, CONNECTOR CABLES FOR CATHETERS, CATHETER STRAPS FOR SECURING CATHETERS AND TUBES, HYSTEROSCOPY IRRIGATION SYSTEM VALVES, INTRAVAGINAL DEVICES FOR MANAGEMENT OF URINARY INCONTINENCE, ENDOSCOPIC INJECTION NEEDLES, BRACHYTHERAPY NEEDLES</p> <p>Class 035. First use: First Use: 1996/01/00 First Use In Commerce: 1996/01/00 BUSINESS CONSULTING SERVICES IN THE FIELD OF MEDICAL PRODUCT UTILIZATION AND COST BENEFIT ANALYSIS AND PROVIDING COMMERCIAL MEDICAL PRODUCTS INFORMATION AND CONSULTING SERVICES RELATING TO THE PROVISION AND MANAGEMENT OF MEDICAL SERVICES</p> <p>Class 041. First use: First Use: 1996/01/00 First Use In Commerce: 1996/01/00 PROVIDING TRAINING IN THE USE AND OPERATION OF MEDICAL SPECIALTY DEVICES, AND PROVIDING TRAINING IN THE AREA OF PATIENT-COMMUNICATION AND BUSINESS MANAGEMENT TO TECHNICIANS, NURSES, ADMINISTRATORS, SURGEONS AND DOCTORS</p>		

Attachments	75414779#TMSN.png(bytes) 86366608-Notice of Opposition.pdf(483782 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/roberta s. bren/cli/
Name	ROBERTA S BREN
Date	07/29/2015

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

<p>C. R. BARD, INC.,</p> <p style="padding-left: 100px;">Opposer,</p> <p style="text-align: center;">v.</p> <p>MEDLINE INDUSTRIES, INC.,</p> <p style="padding-left: 100px;">Applicant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Opposition No. _____</p> <p>Appl. Serial No. 86/366,608</p> <p>Mark: ADVANCING THE HEALTH OF HEALTHCARE</p>
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NOTICE OF OPPOSITION

In the matter of the application for registration of the mark ADVANCING THE HEALTH OF HEALTHCARE for the goods and services in International Classes 5, 10 and 35, Application Serial No. 86/366,608, filed by Medline Industries, Inc. ("Applicant") on August 14, 2014, which was published in the *Official Gazette* of the United States Patent and Trademark Office on March 31, 2015.

C. R. Bard, Inc. ("Opposer") obtained an extension of time to oppose to July 29, 2015.

C. R. Bard, Inc. is a corporation organized and existing under the laws of the State of New Jersey with a place of business at 730 Central Avenue, Murray Hill, New Jersey 07974, and believes that it would be damaged by registration of the mark shown in Application Serial No. 86/366,608, and hereby opposes same.

As grounds for opposition it is alleged that:

1. Since prior to August 14, 2014, Opposer, through its predecessors and/or related companies, has been and is still, engaged in the marketing and sale of medical devices and apparatus and related services under the mark ADVANCING THE DELIVERY OF HEALTH CARE (“Opposer’s Mark”).

2. Opposer is the owner of, and will rely herein upon federal Registration No. 2,701,601, issued April 1, 2003, for the mark ADVANCING THE DELIVERY OF HEALTH CARE for various goods and services. Said registration is valid, subsisting and incontestable, and is *prima facie* evidence of Opposer’s exclusive right to use Opposer’s Mark in commerce in connection with the goods and services. Printouts from the USPTO’s TSDR and Assignment databases for said registration are collectively attached hereto as Opposer’s Exhibit 1 in accordance with Trademark Rule 2.122(d)(1).

3. Commencing long prior to Applicant’s filing date, Opposer has used, and Opposer is now using, Opposer’s Mark in connection with medical devices and related services offered, distributed and sold by Opposer in commerce.

4. Opposer will rely on its common law rights in and to Opposer’s Mark used on various medical devices and apparatus, and used in connection with Opposer’s services.

5. On August 14, 2014, Applicant filed an application to register the mark ADVANCING THE HEALTH OF HEALTHCARE for various goods and services including goods and services in International Classes 5, 10 and 35.

6. The goods and services in International Classes 5, 10 and 35 for Application Serial No. 86/366,608 have been amended to read as follows:

Class 5: Medicated, medical, pharmaceutical, dental and sanitary preparations and products, namely, medicated skin care preparations, cleansers for skin and wounds, anti-fungal creams and powders, anti-microbial soap, no-rinse head and body cleanser; wound care products, namely, dressings, adhesive bandages, medical and surgical adhesive tape, gauze, nylon strips, topical first aid gel, topical gel for medical and therapeutic treatment

of wound care; sanitary belts, sanitary pads, tampons, oral wound rinse, pre-moistened medical wipes, air deodorizers, disinfectants for hygienic and sanitary purposes, disinfectants for medical instruments, incontinence pads, adult diapers, nutritional and dietary supplements in powder and liquid form, disinfectant wipes made of fabric or paper, skin lotions, skin creams and skin ointments for medical use, cataract eye care kits composed of eye washes and protective glasses; disposable liners for use with disposable incontinent briefs and undergarments; Irrigation and urology solutions, namely, saline solutions; preparations for medical use, namely, isopropyl alcohol, alcohol treated prep pads, hydrogen peroxide, lubricating jelly, sitz bath, and providone/iodine solutions; reusable incontinence garments; incontinence garments and pads; disposable diapers for incontinence; cloth diapers for adults.

Class 10: Medical devices, namely, dressing change trays, alternating pressure pumps, and pads, disposable bedside bags, single-use cold and hot compresses, adhesive tape removal pads, enternal gravity feeding apparatus, sharps containers, skin scrub trays, bio-hazard bags for storing medical waste, resting electrodes, I.V. start kits consisting essentially of catheters, catheter placement device, tape, tourniquet, iodine prep capsule, alcohol swab, gauze, sponges, ointments, adhesive bandages, and identification labels; and shaving preparation sets comprised essentially of disposable razor and shaving cream; surgical, medical and dental apparatus, instruments, appliances, and supplies, namely, needle holders, I.V. needle caps, surgical blade handles, and forceps; electrosurgical products for medical use, namely, electrosurgical generators, electrosurgical pencils, and medical electrodes; surgical shears and spreaders; endoscopic instruments; neurosurgery instruments, namely, retractors, saws, dissectors, and elevators; rectal, lacrimal, and disposable oximeter probes; medical and surgical scissors; medical instrument stringers and holders; surgical instrument identification tape and sheets; speculums; anesthesia masks; oxygen masks, oxygen tubing and bags, oxygen regulators, oxygen conservers and concentrators, and oximeters all for medical applications; respiratory regulators for artificial respiration, nasal aspirators; blood transfer and collection sets comprising blood collection tube holders, needles, gauges, and I.V. catheters; injection instruments with needles; bath guards for physical therapy and rehabilitation purposes; glucose monitoring systems comprising meter, case, test strips, control solutions, and lancing devices; ophthalmoscopes; otoscopes; disposable pen lights for medical use; stethoscopes; vital signs monitors; nebulizers; medical patient alarms and monitoring devices for monitoring patient or resident movement; hand protectors to prevent tube removal or tampering; stretchers and belts therefor; intravenous feeding tubes; containers, brackets and cabinets for medical waste; medical bags adapted for and sold with medical and surgical instruments; plastic bags for transmitting medical specimens; medical bags sold empty; paper bags and envelopes for sterilizing medical instruments; sterilization trays and containers; silicone mats for sterilization trays; containers specifically adapted for the transport of medical waste; guards, trays and covers specifically adapted for medical instruments; sterile procedure kits composed of pouches and tubing for use in steam/gas sterilization; sterilization monitoring products for use in monitoring sterility of medical instruments; sterilization wrap for medical instruments; reusable medical electrodes; medical furniture, namely, overbed tables and footstools; supports for general medical use; canes for medical purposes; crutches; invalid walkers and lifts; patient examination and/or treatment tables; medical patient treatment chairs; medical chart holders; medical carts and accessories, namely, cups dispensers, magnetic flex lights, bin labels, medication cart cassettes; urine collector and

specimen containers for medical use; I.V. stands for medical use; protective drapes for operating room and medical treatment and apparel for medical use; catheter trays; irrigation trays for medical use; dressing change trays for medical use; medical kits comprising combinations of medical instruments, namely, forceps, hemostats, curettes, speculae, clamps, scalpels, specimen tubes, and wound dressings; patient prep materials, namely, medical gloves, cotton-tipped applicators for medical use, wash basins for medical use, urinals for medical purposes, bedpans, medicine cups, medical specimen collectors, denture containers, and orthodontic pacifiers; medical hosiery, namely, elastic hose supporters, knee high hose and thigh high hose; elastic bandages and wraps; abdominal pads; padding for orthopedic casts; incontinence sheets and underpads used for bedding; disposable armboards; Hospital and surgical instruments, namely, syringes and needles; surgical scalpels and blades; suction absorbent cotton balls and sponges; stomach tubes; catheters and catheter trays; emesis basins and covers; latex bulbs; finger splints; nipple caps; plastic bandages; pelvic traction belts; clavicle straps and pads; enema kits comprising enema apparatus and enema preparations; respiratory equipment for infants; gauze packing strips; gauze tubing; cloth medical dressing; bed equipment for surgery; rubber bags for use in connection with respiratory equipment; blood pressure measuring equipment; sterilizers; sanitary urinals; stitch pincers; surgical scissors; blood lancets; suture removal kits; specimen containers; splints; intravenous arm boards; blood collectors; oral and rectal thermometers; percussion hammers for medical use; irrigation trays; stopcocks; medicine droppers; observation tube glass; surgical instruments; needles and stylets; drainage bags; crutch tips; porous tapes; swabs; pan covers; face masks; surgical gloves; wrist restraints; surgical gowns and garments; bath safety products adapted for use by the physically disabled, namely, shower chair, shower stools, toilet safety frames, toilet safety rails, transfer benches, raised toilet seats, shower rails and grab bars, beside commodes; medical wearing apparel, namely, scrub shirts and medical gowns; hospital garments for hospital personnel and patients, namely, uniforms, coats, lab coats, jackets, shirts, pants, pajamas, robes, slippers, leggings, vests, all for use in surgical or medical purposes.

Class 35: Procedure-based supply management services and inventory control and business management report services; mail order services featuring medical devices and pharmaceutical supplies for use in the health care field.
("Applicant's Goods/Services").

7. Upon information and belief, Applicant did not make any use in interstate commerce of the mark ADVANCING THE HEALTH OF HEALTHCARE on or in connection with Applicant's Goods/Services prior to August 14, 2014.

8. Upon information and belief, Applicant's Goods/Services as identified in the application, under the trademark ADVANCING THE HEALTH OF HEALTHCARE, are or will be distributed in and through the same channels of commerce and/or sold and/or rendered to the

same classes of purchasers of Opposer's medical devices and related services sold under Opposer's Mark.

9. Applicant's mark ADVANCING THE HEALTH OF HEALTHCARE is confusingly similar to Opposer's mark ADVANCING THE DELIVERY OF HEALTH CARE.

10. Opposer believes and alleges that consumers are likely to believe that ADVANCING THE HEALTH OF HEALTHCARE identifies goods and services which originate with Opposer.

11. Applicant's use and registration of the mark ADVANCING THE HEALTH OF HEALTHCARE will enable Applicant to trade upon and utilize the goodwill established by Opposer in Opposer's Mark.

12. Opposer believes and alleges that Applicant's trademark, when applied to Applicant's Goods/Services, is likely to cause confusion or mistake or to deceive, and will deceive and mislead the purchasing public into believing that Applicant is licensed or controlled by Opposer or that Applicant is a subsidiary of or in some way related to Opposer, all in violation of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

13. Opposer, upon information and belief, alleges that it will be damaged by the registration by Applicant of the ADVANCING THE HEALTH OF HEALTHCARE trademark, as set forth in Applicant's Application Serial No. 86/366,608, in that the mark is confusingly similar to Opposer's ADVANCING THE DELIVERY OF HEALTH CARE mark and will be used in connection with goods/services identical and/or closely related to the goods/services offered by Opposer.

14. Upon information and belief, the *bona fides* of Applicant's intent-to-use its ADVANCING THE HEALTH OF HEALTHCARE mark are not apparent from materials of record in the subject application, and Opposer therefore challenges same and leaves Applicant to its proofs with regard to the nature and sufficiency of its intent to use the ADVANCING THE

HEALTH OF HEALTHCARE mark at the time of filing Application Serial No. 86/366,608, and at any time thereafter.

WHEREFORE, Opposer, C. R. Bard, Inc., believes and alleges that it is and will continue to be damaged by registration of the ADVANCING THE HEALTH OF HEALTHCARE trademark as aforesaid, and prays that said Application Serial No. 86/366,608 for Classes 5, 10, and 35 be rejected, that no registration be issued thereon to Applicant for Classes 5, 10, and 35, and that this Opposition be sustained in favor of Opposer.

POWER OF ATTORNEY

Opposer has appointed Roberta S. Bren, Esq., a member of the law firm of OBLON, McCLELLAND, MAIER & NEUSTADT, L.L.P., a member of the Bar of the Commonwealth of Virginia, to prosecute this opposition proceeding and to transact all business in and before the United States Patent and Trademark Office in connection herewith. Please address all correspondence to:

Norman F. Oblon
Arthur I. Neustadt
Jeffrey H. Kaufman
Roberta S. Bren
Kathleen Cooney-Porter*
Beth A. Chapman*

Christopher I. Donahue
Kyoko Imai
Richard D. Kelly
James D. Hamilton
Eckhard H. Kuesters
Robert T. Pous

Charles L. Gholz
Stephen G. Baxter
Richard L. Treanor
Richard L. Chinn

Members of the Bar of Virginia (except as indicated)
*Member of the Bar other than Virginia

Please address all correspondence to Roberta S. Bren, Esq. at OBLON, McCLELLAND, MAIER & NEUSTADT, L.L.P., 1940 Duke Street, Alexandria, Virginia 22314.

The required filing fee for this Opposition was paid online. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-2014.

Respectfully submitted,

C. R. BARD, INC.

By: Roberta S. Bren
Roberta S. Bren
OBLON, MCCLELLAND,
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(703) 413-3000
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e-mail: tmocket@oblon.com
Counsel for Opposer

Dated: July 29, 2015

RSB/BAC/cli {12659002_1.DOC}

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **NOTICE OF OPPOSITION** was served on counsel for Applicant as identified by the records of the U.S. Patent and Trademark Office this 29th day of July, 2015, by sending same, via First Class mail, postage prepaid, to:

JANET A. MARVEL, ESQ.
PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD
200 S WACKER DR STE 2900
CHICAGO, IL 60606-5896



Carlette Lisenby

EXHIBIT 1

Generated on: This page was generated by TSDR on 2015-07-29 09:48:10 EDT

Mark: ADVANCING THE DELIVERY OF HEALTH CARE

ADVANCING THE DELIVERY OF HEALTH CARE

US Serial Number: 75414779

Application Filing Date: Jan. 07, 1998

US Registration Number: 2701601

Registration Date: Apr. 01, 2003

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Apr. 10, 2013

Publication Date: Jan. 07, 2003

Notice of Allowance Date: Sep. 19, 2000

Mark Information

Mark Literal Elements: ADVANCING THE DELIVERY OF HEALTH CARE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: ONTOLOGY, UROLOGY, VASCULAR AND SURGICAL SPECIALTY DEVICES NAMELY, AUTOTRANSFUSERS, URINARY DRAINS, CHEST DRAINS, WOUND DRAINS, EVACUATORS, FILTERS, INTRODUCERS, ACCESS PORTS, STENTS, IRRIGATORS, LAPAROSCOPIC INSTRUMENTS, SURGICAL BAND LIGATORS, SPLASH SHIELD PULSED LAVAGE TIPS, SUCTION INSTRUMENTS, NAMELY, SUCTION VALVES AND TUBING, SURGICAL MESH, HERNIA REPAIR MESH AND PLUGS, VASCULAR PROBES, SURGICAL ACCESSORIES, NAMELY, PADS AND FABRIC USED INTERNALLY DURING SURGERY TO STOP BLEEDING, BIOPSY INSTRUMENTS, NAMELY, BIOPSY FORCEPS, BIOPSY NEEDLES, STONE REMOVAL PRODUCTS, NAMELY, BASKETS FOR REMOVING STONES, POLYPECTOMY SNARES, CATHETERS, NEEDLES, BIOPSY NEEDLES, GUIDE WIRES, COLLAGEN IMPLANTS, URINARY COLLECTION BAGS, FECAL CONTAINMENT DEVICES, ASPIRATORS, LASER FIBERS, NASOPHARYNGEAL AIRWAYS, URINE AND TEMPERATURE MONITORS, BLADDER ULTRASOUND DIAGNOSTIC APPARATUS, URODYNAMIC SENSORS, HYSTEROSCOPY ELECTRODES, RADIO FREQUENCY CONTROLLERS AND CONTROLLER CABLES, CONNECTOR CABLES FOR CATHETERS, CATHETER STRAPS FOR SECURING CATHETERS AND TUBES, HYSTEROSCOPY IRRIGATION SYSTEM VALVES, INTRAVAGINAL DEVICES FOR MANAGEMENT OF URINARY INCONTINENCE, ENDOSCOPIC INJECTION NEEDLES, BRACHYTHERAPY NEEDLES

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1998

Use in Commerce: Nov. 1998

For: BUSINESS CONSULTING SERVICES IN THE FIELD OF MEDICAL PRODUCT UTILIZATION AND COST BENEFIT ANALYSIS AND PROVIDING COMMERCIAL MEDICAL PRODUCTS INFORMATION AND CONSULTING SERVICES RELATING TO THE PROVISION AND MANAGEMENT OF MEDICAL SERVICES

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1996

Use in Commerce: Jan. 1996

For: PROVIDING TRAINING IN THE USE AND OPERATION OF MEDICAL SPECIALTY DEVICES, AND PROVIDING TRAINING IN THE AREA OF PATIENT COMMUNICATION AND BUSINESS MANAGEMENT TO TECHNICIANS, NURSES, ADMINISTRATORS, SURGEONS AND DOCTORS

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1996

Use in Commerce: Jan. 1996

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No Currently 44E: No Amended 44E: No
Filed 66A: No Currently 66A: No
Filed No Basis: No Currently No Basis: No

Current Owner(s) Information

Owner Name: C. R. Bard, Inc
Owner Address: 730 Central Avenue
Murray Hill, NEW JERSEY 07974
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Attorney/Correspondence Information

Attorney of Record
Attorney Name: Roberta S. Bren **Docket Number:** 181120US35
Attorney Primary Email Address: imdocket@oblon.com **Attorney Email Authorized:** Yes

Correspondent
Correspondent Name/Address: Roberta S. Bren
Oblon, McClelland, Maier & Neustadt, L.L.P.
1940 Duke Street
Alexandria, VIRGINIA 22314
UNITED STATES
Phone: 703-413-3000 **Fax:** 703-413-2220
Correspondent e-mail: imdocket@oblon.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 20, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 10, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 10, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Apr. 10, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Apr. 10, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Mar. 27, 2013	TEAS SECTION 8 & 9 RECEIVED	
Apr. 10, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Apr. 06, 2009	ASSIGNED TO PARALEGAL	66607
Apr. 01, 2009	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 01, 2009	PAPER RECEIVED	
May 01, 2008	CASE FILE IN TICRS	
Apr. 01, 2003	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 2003	PUBLISHED FOR OPPOSITION	
Nov. 29, 2002	PAPER RECEIVED	
Dec. 18, 2002	NOTICE OF PUBLICATION	
Nov. 22, 2002	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 11, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 11, 2002	PAPER RECEIVED	
Jun. 20, 2002	NON-FINAL ACTION MAILED	
Oct. 25, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 11, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 11, 2001	NON-FINAL ACTION MAILED	
Apr. 05, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 12, 2001	USE AMENDMENT FILED	

Sep. 19, 2000 NOA MAILED - SOU REQUIRED FROM APPLICANT
Jun. 27, 2000 PUBLISHED FOR OPPOSITION
May 26, 2000 NOTICE OF PUBLICATION
Feb. 29, 2000 APPROVED FOR PUB - PRINCIPAL REGISTER
Feb. 17, 2000 EXAMINER'S AMENDMENT MAILED
Dec. 02, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE
Jun. 04, 1999 NON-FINAL ACTION MAILED
Mar. 15, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE
Sep. 14, 1998 NON-FINAL ACTION MAILED
Aug. 27, 1998 ASSIGNED TO EXAMINER

74819

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 01, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 10, 2013



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For Serial Number: 75414779

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