

ESTTA Tracking number: **ESTTA407572**Filing date: **05/06/2011**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Carefusion Corporation		
Entity	Corporation	Citizenship	Delaware
Address	3750 Torrey View Court San Diego, CA 92130 UNITED STATES		

Attorney information	Joseph R. Dreitler Bricker & Eckler, LLP 100 South Third Street Columbus, OH 43215 UNITED STATES trademarks@bricker.com Phone:6142272300
----------------------	---

Registration Subject to Cancellation

Registration No	2851773	Registration date	06/08/2004
Registrant	Einhorn, George W. 26820 S. Balmoral Woods Drive Crete, IL 60417 UNITED STATES		

Goods/Services Subject to Cancellation

Class 044. First Use: 2002/12/06 First Use In Commerce: 2002/12/06 All goods and services in the class are cancelled, namely: Healthcare consulting services

Grounds for Cancellation

Abandonment	Trademark Act section 14
-------------	--------------------------

Attachments	Petition to Cancel Making Healthcare Better.pdf (39 pages)(1277009 bytes)
-------------	--

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	/Joseph R. Dreitler/
Name	Joseph R. Dreitler
Date	05/06/2011

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

IN THE MATTER OF Trademark Registration No. 2,851,773

DATE OF REGISTRATION: June 8, 2004

CareFusion Corporation

Petitioner,

Cancellation No.: _____

v.

George W. Einhorn,

Registrant.

**PETITION TO CANCEL UNDER SECTION 14 OR PARTIALLY
CANCEL UNDER SECTION 18**

CareFusion Corporation, formerly Cardinal Health 303, Inc., (hereinafter referred to as “CareFusion”), a Delaware corporation having a principal place of business at 3750 Torrey View Court, San Diego, California 92130, believes that they will be damaged by continued registration of the trademark MAKING HEALTHCARE BETTER (hereinafter “Registration”), Registration No. 2,851,773, in the name of George W. Einhorn, (hereinafter referred to as “Registrant”) for:

Healthcare consulting services in Intl. Class 44.

and hereby petitions to cancel or partially cancel the same under 15 U.S.C. §1064 and §1068. The registration sought to be cancelled or partially cancelled is for the broad category of “healthcare consulting services” and is subject to either partial cancellation or cancellation under Sections 14 and 18 of the Trademark Act.

As grounds therefor, it is alleged that:

1. CareFusion and its affiliates and related companies and predecessors in business, (all hereinafter collectively referred to as “Petitioner”), since at least as early as 1964 and continuing to the present, have been engaged in the business of manufacturing, distributing, leasing and selling various and wide-ranging types of health care, pharmaceutical and medical products and related goods, accessories and services.

2. Petitioner offers many products and services to the medical profession, hospitals, clinics and related institutions, specifically medical devices and related services.

3. Petitioner is the owner of the trademark MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME, the United States Trademark Applications thereof, and the goodwill symbolized by the trademark applications, as follows:

- a) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,799, published June 8, 2010, for Antimicrobials for dermatological and medical use, namely, solutions, creams, gels and lotions.
- b) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,809, published June 8, 2010, for automatic medication dispensing machines and accessories therefor, namely, access controlled cabinets specially adapted for use with automatic medication dispensing machines, computer hardware, software and instructional manuals sold as a unit therewith for computerized point of use, storage, tracking and data collection; fluid flow rate meters; ammeters; computer programs for controlling and monitoring fluid flow and detecting obstructions to fluid flow in the field of intravenous and respiratory care; computer programs for capturing, storing, integrating and presenting data for patient care management; software for use at the point of care facilities, namely, critical care and ambulatory care for storage tracking of medical equipment, medications, and hospital supplies and data collection for critical care facilities; infusion systems computer servers; surgical instrument tracking software; remote controls for medical equipment, namely, infusion pumps, ventilators, and secured medication dispensing machines and inventory management systems and remote viewing software; software to integrate physiological monitoring devices and instructional manuals sold as a unit; software for analyzing physiological data and instructional manuals sold as a unit; computer software and computer hardware that enables health care establishments to enhance patient safety by verifying and documenting medical orders for patient treatment; computer software platform for documenting and accessing clinical information.

- c) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME, Serial No. 77/924,815, published June 8, 2010, for medical devices, namely, intravenous fluid monitors; medical instruments and equipment, namely, infusion pumps and controllers; medical instruments and equipment, namely, ventilators and controllers for patient care; medical apparatus, namely, clinical vital sign measurement instruments; surgical instruments for use in general surgery; medical fluid administration sets comprised primarily of tubes, valves, luer fittings, vial access devices, syringes, and IV stands; instrument sterilization units for medical instruments and for medical purposes; sleep, pulmonary and neurology related medical diagnostic machines formulated specifically for the respiratory care market; disposable, single use, sterile medical devices used in interventional and surgical procedures, namely, acute para/thoracentesis drainage procedures, bone marrow biopsies, soft tissue biopsies, lumbar puncture, myelogram, arthrogram, OB/Gyn procedures, chronic drainage procedures, and vertebral augmentation procedures; hand-held ultrasonic doppler devices for obstetric and vascular evaluation, namely, remote controls and software for use therewith, sold as a unit in the nature of remote viewing software, software to integrate physiological monitoring devices, and software for analyzing physiological data; physiological monitoring, diagnostic and screening equipment and devices for medical purposes, namely, pulmonary function testing devices and exercise physiology measurement devices; medical diagnostic and screening audiological equipment, namely, audiometers, middle-ear analyzers, otoacoustic emissions and auditory brainstem response devices; and disposable and re-usable medical supplies, namely, electrodes, needles, probes and transducers used in connection therewith; medical apparatus, namely, metered infusion pumps for intravenous patient care.
- d) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,820, published June 1, 2010, for ventilators being interior environmental control apparatus for controlling airflow in hospital rooms for critical patient care.
- e) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,825, published February 1, 2010, for business operation services, namely, operation of medical care facilities for others.
- f) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,827, published June 1, 2010, for installation and repair of electronic medical equipment; hospital room wiring installation for diagnostic and monitoring equipment and related structured wiring; consulting on the installation of computer networks.
- g) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,831, published November 30, 2010, for clinical education services, namely, providing mentoring, tutoring, classes, seminars and workshops in the fields of oncology, interventional procedures, malignant pleural effusions, and vertebral augmentation; medical training and teaching.

- h) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,837, published June 1, 2010, for calibration of medical audiological equipment; pharmaceutical research services, namely, research services in connection with data collection and analysis of pharmaceuticals.
- i) MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME – Serial No. 77/924,843, published February 1, 2010, for leasing and rental of medical instruments, equipment and accessories; medical services, namely, medical analysis services relating to the treatment of persons, and collection and analysis of data in medical care facilities for medical diagnostic and treatment purposes.

A copy of each of the above applications with TESS and Assignment print-outs, showing record title in Petitioner, are attached as Exhibit 1.

4. All of the above applications for the mark “MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME” have been approved by the USPTO, published for Opposition and Notices of Allowance issued except for Serial No. 77/924,843 for:

Leasing and rental of medical instruments, equipment and accessories; medical services, namely, medical analysis services relating to the treatment of persons, and collection and analysis of data in medical care facilities for medical diagnostic and treatment purposes.

5. Serial No. 77/942,843 has been finally refused by the Trademark Examiner under Section 2(d) on the basis of Registration No. 2,851,773 for the mark sought to be partially cancelled for “healthcare consulting services”.

6. Petitioner has retained the services of a licensed private investigator and retired FBI employee, Larry E. Boggs, to determine the services, if any, being performed by Registrant under the mark MAKING HEALTHCARE BETTER. The Declaration of private investigator Larry E. Boggs (attached hereto as Exhibit 2) indicates that the Registrant is not performing “healthcare consulting services” as that term is understood.

7. Upon information and belief Registrant is not a doctor nor is he consulting on medical issues nor is he consulting on how to better deliver healthcare or more cost effective

healthcare. Rather, Registrant's services are non-medical consulting services regarding customer/patient satisfaction and additionally training non-medical personnel to become better managers.

8. Either cancellation on the basis of *void ab initio* through non use on the services or partial cancellation of this Registration to accurately reflect the actual services performed by Registrant would avoid any potential for likelihood of confusion.

9. As currently and erroneously described in Registrant's registration, Petitioner and Registrant are competitors in the marketplace for the sale of medical and health care related products and services for tracking and managing patient medical data.

10. As currently and erroneously described in Registrant's registration, upon information and belief, there are no restrictions in the services descriptions of Registrant's registration, so that it must be presumed that Registrant's MAKING HEALTHCARE BETTER goods and services are offered to and used by some of the same medical and health care customers and consumers who would also be in the market for and use Petitioner's MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME products and services; however, Petitioner believes that Registrant is not actually performing such services and has never performed such services.

11. As currently and erroneously described in Registrant's registration, upon information and belief, Registrant's MAKING HEALTHCARE BETTER goods are or could be advertised, marketed, promoted and provided through the same channels of trade, are or could be advertised in the same types of publications as Petitioner's MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME trademark and house mark, and are or could be sold to the same classes of the purchasing public for use by or on the same consumers as Petitioner's

MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME products and services; however, Petitioner believes that Registrant is not actually performing such services.

12. The designation MAKING HEALTHCARE BETTER which the Registrant has registered is similar to Petitioner's MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME trademark and house mark, in sound and appearance, and consumers and potential customers will believe that MAKING HEALTHCARE BETTER goods are connected with, affiliated with or endorsed by the owner of Petitioner's products and services and Petitioner's MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME trademark and house mark, or that the MAKING HEALTHCARE BETTER services are a new line of services of Petitioner; however, Petitioner believes that Registrant is not actually performing such services.

13. For the reasons set forth in paragraphs 1 through 12, Petitioner believes, and in so believing asserts that the Registrant's registration of the mark MAKING HEALTHCARE BETTER in Intl. Class 44 should be restricted to the services Registrant is actually providing, i.e., non-medical consulting services regarding customer/patient satisfaction and training non-medical personnel to become better managers or, in the alternative, cancelled on the grounds the Registrant does not and has not performed "healthcare consulting services".

14. By reason of the foregoing, Registrant's registration of MAKING HEALTHCARE BETTER for its current services description is false in Intl. Class 44 or not in use for the services on which it is registered and the registration is subject to cancellation and/or partial cancellation/restriction under *Section 14 and/or 18 of the Trademark Act of 1946 (15 U.S.C. § 1063)*.

WHEREFORE, Petitioner prays that this Cancellation be sustained and that Registration No. 2851773 for Registrant's trademark MAKING HEALTHCARE BETTER either be

restricted under Section 18 to reflect the services performed, or cancelled in its entirety.

The fee of \$300.00 for this Cancellation, as provided by *Sections 13 and 31 of the Trademark Act of 1946* is paid by charging Petitioner's attorneys' deposit account number 501981.

Please recognize Joseph R. Dreitler and Mary R. True, both members of the Bar of the State of Ohio, as its attorneys to prosecute this Petition to Cancel and to transact all business in the Patent and Trademark Office in connection herewith. Please address all communications to: Joseph R. Dreitler, c/o Bricker & Eckler, 100 S. Third St., Columbus, OH 43215 (614) 227-2343.

Dated: May 6, 2011

Respectfully submitted,

/Joseph R. Dreitler/

Joseph R. Dreitler

Mary R. True

BRICKER & ECKLER

100 S. Third St.

Columbus, OH 43215

Telephone: (614) 227-2343

Counsel for Petitioner

CAREFUSION CORPORATION

Attachment – 1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being filed electronically through on-line TTAB filing systems, ESTTA on May 6, 2011.

/Joseph R. Dreitler/

Joseph R. Dreitler

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served via regular U.S. Mail this 6th day of May, 2011, upon the following owner of record, according to the TARR Website:

Address of Record:

George W. Einhorn
1041 W. Old Monee Road
Crete, Illinois 60417-9755

Signed: /Joseph R. Dreitler/
Joseph R. Dreitler



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At: OR [Jump](#) to record: **Record 4 out of 9**[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Making Healthcare Better for Generations to Come

Word Mark

Goods and Services

MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME

IC 005. US 006 018 044 046 051 052. G & S: Antimicrobials for dermatological and medical use, namely, solutions, creams, gels and lotions

Standard Characters
Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

77924799

Filing Date

February 1, 2010

Current Filing Basis

1B

Original Filing Basis

1B

Published for
Opposition

June 8, 2010

Owner

(APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130

Attorney of Record

Joseph R. Dreitler

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)**EXHIBIT**

tabbles

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 77924799

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

[Logout](#)

Please logout when you are done to release system resources allocated for you.

[Start](#)

List At:

OR

[Jump](#)

to record:

Record 3 out of 9

[TARR Status](#)

[ASSIGN Status](#)

[TDR](#)

[TTAB Status](#)

(Use the "Back" button of the Internet

Browser to return to TESS)

Making Healthcare Better for Generations to Come

Word Mark **MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME**

Goods and Services IC 009. US 021 023 026 036 038. G & S: Automatic medication dispensing machines and accessories therefor, namely, access controlled cabinets specially adapted for use with automatic medication dispensing machines, computer hardware, software and instructional manuals sold as a unit therewith for computerized point of use, storage, tracking and data collection; fluid flow rate meters; ammeters; computer programs for controlling and monitoring fluid flow and detecting obstructions to fluid flow in the field of intravenous and respiratory care; computer programs for capturing, storing, integrating and presenting data for patient care management; software for use at the point of care facilities, namely, critical care and ambulatory care for storage tracking of medical equipment, medications, and hospital supplies and data collection for critical care facilities; infusion systems computer servers; surgical instrument tracking software; remote controls for medical equipment, namely, infusion pumps, ventilators, and secured medication dispensing machines and inventory management systems and remote viewing software; software to integrate physiological monitoring devices and instructional manuals sold as a unit; software for analyzing physiological data and instructional manuals sold as a unit; computer software and computer hardware that enables health care establishments to enhance patient safety by verifying and documenting medical orders for patient treatment; computer software platform for documenting and accessing clinical information

**Standard
Characters
Claimed**

Mark

**Drawing
Code**

(4) STANDARD CHARACTER MARK

**Serial
Number**

77924809

Filing Date February 1, 2010

**Current
Filing Basis** 1B

**Original
Filing Basis** 1B

**Published
for** June 8, 2010

Opposition

Owner (APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130

**Attorney of
Record** Joseph R. Dreitler

**Type of
Mark** TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > Trademark Query

No assignment has been recorded at the USPTO

For Serial Number: 77924809

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

 Please logout when you are done to release system resources allocated for you.

 List At: OR to record: **Record 2 out of 9**

TARR Status	ASSIGN Status	TDR	TTAB Status	(Use the "Back" button of the Internet Browser to return to TESS)
-------------	---------------	-----	-------------	--

Making Healthcare Better for Generations to Come

Word Mark MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME

Goods and Services IC 010. US 026 039 044. G & S: Medical devices, namely, intravenous fluid monitors; medical instruments and equipment, namely, infusion pumps and controllers; medical instruments and equipment, namely, ventilators and controllers for patient care; medical apparatus, namely, clinical vital sign measurement instruments; surgical instruments for use in general surgery; medical fluid administration sets comprised primarily of tubes, valves, luer fittings, vial access devices, syringes, and IV stands; instrument sterilization units for medical instruments and for medical purposes; sleep, pulmonary and neurology related medical diagnostic machines formulated specifically for the respiratory care market; disposable, single use, sterile medical devices used in interventional and surgical procedures, namely, acute para/thoracentesis drainage procedures, bone marrow biopsies, soft tissue biopsies, lumbar puncture, myelogram, arthrograph, OB/Gyn procedures, chronic drainage procedures, and vertebral augmentation procedures; hand-held ultrasonic doppler devices for obstetric and vascular evaluation, namely, remote controls and software for use therewith, sold as a unit in the nature of remote viewing software, software to integrate physiological monitoring devices, and software for analyzing physiological data; physiological monitoring, diagnostic and screening equipment and devices for medical purposes, namely, pulmonary function testing devices and exercise physiology measurement devices; medical diagnostic and screening audiological equipment, namely, audiometers, middle-ear analyzers, otoacoustic emissions and auditory brainstem response devices; and disposable and re-usable medical supplies, namely, electrodes, needles, probes and transducers used in connection therewith; medical apparatus, namely, metered infusion pumps for intravenous patient care

**Standard
Characters
Claimed**

**Mark
Drawing** (4) STANDARD CHARACTER MARK

Code**Serial
Number** 77924815**Filing Date** February 1, 2010**Current
Filing Basis** 1B**Original
Filing Basis** 1B**Published
for
Opposition** June 8, 2010**Owner** (APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130**Attorney of
Record** Joseph R. Dreitler**Type of
Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead
Indicator** LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 77924815

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At: OR [Jump](#) to record: **Record 7 out of 9**[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)Making Healthcare Better
for Generations to Come

Word Mark	MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME
Goods and Services	IC 011. US 013 021 023 031 034. G & S: Ventilators being interior environmental control apparatus for controlling airflow in hospital rooms for critical patient care
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77924820
Filing Date	February 1, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	June 1, 2010
Owner	(APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130
Attorney of Record	Joseph R. Dreidler
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 77924820

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At: [OR](#) [Jump](#) to record: **Record 9 out of 9**[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)Making Healthcare Better
for Generations to Come

Word Mark

Goods and Services

MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME

IC 035. US 100 101 102. G & S: Business operation services, namely, operation of medical care facilities for others

Standard Characters
Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

77924825

Filing Date

February 1, 2010

Current Filing Basis

1B

Original Filing Basis

1B

Published for
Opposition

November 30, 2010

Owner

(APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130

Attorney of Record

Joseph R. Dreitler

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > Trademark Query

No assignment has been recorded at the USPTO

For Serial Number: 77924825

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350, v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

 Please logout when you are done to release system resources allocated for you.

 List At: OR to record: **Record 6 out of 9**

TARR Status	ASSIGN Status	TDR	TTAB Status	(Use the "Back" button of the Internet Browser to return to TESS)
-------------	---------------	-----	-------------	--

Making Healthcare Better for Generations to Come

Word Mark
Goods and
Services
MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME

IC 037. US 100 103 106. G & S: Installation and repair of electronic medical equipment; hospital room wiring installation for diagnostic and monitoring equipment and related structured wiring; consulting on the installation of computer networks

Standard
Characters
Claimed
Mark Drawing
Code (4) STANDARD CHARACTER MARK

Serial Number 77924827

Filing Date February 1, 2010

Current Filing
Basis 1B

Original Filing
Basis 1B

Published for
Opposition June 1, 2010

Owner (APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court
 San Diego CALIFORNIA 92130

Attorney of
Record Joseph R. Dreitler

Type of Mark SERVICE MARK
Register PRINCIPAL

Live/Dead
Indicator

LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > Trademark Query

No assignment has been recorded at the USPTO

For Serial Number: 77924827

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[| .HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#)
[NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: [OR](#) [Jump](#) to record: **Record 8 out of 9**

[TARR Status](#) | [ASSIGN Status](#) | [TDR](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Making Healthcare Better for Generations to Come

Word Mark	MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME
Goods and Services	IC 041. US 100 101 107. G & S: clinical education services, namely, providing mentoring, tutoring, classes, seminars and workshops in the fields of oncology, interventional procedures, malignant pleural effusions, and vertebral augmentation; medical training and teaching
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77924831
Filing Date	February 1, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 30, 2010
Owner	(APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130
Attorney of Record	Joseph R. Dreitler
Type of Mark	SERVICE MARK
Register	PRINCIPAL

Live/Dead
Indicator

LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[|.HOME](#) | [SITE INDEX](#)| [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Serial Number: 77924831

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: [OR](#) [Jump](#) to record: **Record 5 out of 9**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
(Use the "Back" button of the Internet Browser to return to TESS)

Making Healthcare Better for Generations to Come

Word Mark	MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME
Goods and Services	IC 042. US 100 101. G & S: Calibration of medical audiological equipment; pharmaceutical research services, namely, research services in connection with data collection and analysis of pharmaceuticals
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77924837
Filing Date	February 1, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	June 1, 2010
Owner	(APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130
Attorney of Record	Joseph R. Dreitler
Type of Mark	SERVICE MARK
Register	PRINCIPAL

**Live/Dead
Indicator**

LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > Trademark Query

No assignment has been recorded at the USPTO

For Serial Number: 77924837

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 5 04:05:45 EDT 2011

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

Please logout when you are done to release system resources allocated for you.

List At:

OR

to record:

Record 1 out of 9

(Use the "Back" button of the Internet Browser to return to TESS)

Making Healthcare Better for Generations to Come

Word Mark
Goods and
Services

MAKING HEALTHCARE BETTER FOR GENERATIONS TO COME

IC 044. US 100 101. G & S: Leasing and rental of medical instruments, equipment and accessories; medical services, namely, medical analysis services relating to the treatment of persons, and collection and analysis of data in medical care facilities for medical diagnostic and treatment purposes

Standard
Characters
Claimed

Mark Drawing
Code

(4) STANDARD CHARACTER MARK

Serial Number

77924843

Filing Date

February 1, 2010

Current Filing
Basis

1B

Original Filing
Basis

1B

Owner

(APPLICANT) CareFusion Corporation CORPORATION DELAWARE 3750 Torrey View Court San Diego CALIFORNIA 92130

Attorney of
Record

Joseph R. Dreitler

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead

Indicator LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

|.HOME | SITE INDEX| SEARCH | eBUSINESS | HELP | PRIVACY POLICY



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



Assignments on the Web > Trademark Query

No assignment has been recorded at the USPTO

For Serial Number: 77924843

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

In Re the Application of:	:	
	:	
Applicant: CareFusion Corporation	:	
	:	
Mark: MAKING HEALTHCARE	:	
BETTER FOR GENERATIONS	:	
TO COME	:	Trademark Law Office: 110
	:	
Serial No: 77/924843	:	Examining Attorney: Daniel Capshaw
	:	
Filed: February 1, 2010	:	

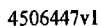
1. I am a retired employee of the F.B.I. have been employed from February 1958 until retiring January 1994.

3. I was a licensed Private Investigator in the State of Arizona from October 1997 to October 2003.

5. I was retained by counsel for the Applicant to obtain information about the owner of U.S. trademark registration number 2851773 for Making Healthcare Better for "healthcare consulting services, which is owned by George Einhorn, Crete, IL.

6. I located George W. Einhorn who resides at 1041 W. Old Monee Rd. Crete, IL 60417-9755, telephone 708-672-9371 and spoke with him on the telephone. Mr. Einhorn stated the following about his business:

Einhorn is a consultant. His company is called **Making Healthcare Better**. He has no employees and works from his home. He provides this service to hospitals and clinics. He works mostly in Indiana and Illinois. Einhorn said he provides non-medical consulting services, such as obtaining information about patient satisfaction and healthcare delivery and satisfaction. He also conducts courses for



non medical staff on how to become better managers. Einhorn stated that he is not a physician nor does he teach classes or consult on medical issues.

7. I have checked various telephone directories and listings and determined there is no phone listing for any company called Making Better Healthcare, nor is there an internet website.

8. Attached is the specimen of use that Mr. Einhorn filed for purposes of renewing his trademark registration of No. 2,851,773.

I declare under penalty of perjury that the foregoing statements are true to the best of my knowledge.

April 13, 2011
Date

Larry E. Boggs
Larry E. Boggs

Attach - 1

Einhorn Associates

Making Healthcare Better®

26820 S. Balmoral Woods Drive
Crete, Illinois 60417
Phone: (708) 672-9371
Cell: (708) 704-1342
e-mail: gweinhorn@comcast.net
Tax I. D. 360-46-9595

INVOICE

DATE:
November 11, 2009

INVOICE #:
01:1031

Bill To:
Alexian Brothers Medical Center
c/o Kathleen Prunty
Workforce Development Learning Institute
Roncoli Center
600 Alexian Way
Elk Grove Village, IL. 60007

DUE DATE:
December 31, 2009

*** PLEASE MAKE CHECK TO: GEORGE W. EINHORN**

DESCRIPTION	QUANTITY	RATE	AMOUNT
11/11/2009 Alexian Brothers Medical Center - "Managing Performance through Leadership Conversations" Class	1. hrs.	\$250.00/hr.	\$250.00
TOTAL	1.00 hrs		\$250.00*

Thank You for Your Business