

Note To The File

Serial Number: 88950108
Date: 01/13/2021 8:49 am
Created by: Butler, Andrea

ANTHEM LINK

Changed

- Issued Examiner's Amendment and Entered Changes

Contacted Applicant/Atty

- via E-Mail

From: Rappaport, Seth <seth.rappaport@morganlewis.com>
Sent: Tuesday, January 12, 2021 5:10 PM
To: Butler, Andrea <Andrea.Butler@USPTO.GOV>
Subject: RE: 88950108 ANTHEM LINK

Ms. Butler,

Please proceed with issuing an examiner's amendment with the following:

- 1) Enter the following disclaimer statement:

No claim is made to the exclusive rights to use LINK in Class 44 and for “providing online information in the field of health insurance benefit plans” in Class 36.

- 2) Amending the wording “personal medical history management services, namely, maintaining computerized medical data, claim data and databases containing the medical condition of individuals for medical management purposes” in Class 44 to delete the wording “claims data” – the new clause should read as follows: **“personal medical history management services, namely, maintaining computerized medical data and databases containing the medical condition of individuals for medical management purposes”** in Class 44.

Please let me know if you have any questions. Otherwise, I look forward to receiving the examiner's amendment from you soon.

Best regards,

Seth

Seth Rappaport

Morgan, Lewis & Bockius LLP

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From: Butler, Andrea <Andrea.Butler@USPTO.GOV>
Sent: Monday, January 11, 2021 4:42 PM
To: Rappaport, Seth <seth.rappaport@morganlewis.com>
Subject: RE: 88950108 ANTHEM LINK

[EXTERNAL EMAIL]

Mr. Rappaport:

Just checking on the status. Do you think we can resolve this in the next couple of days?

Thank you.

Andrea Butler

From: Rappaport, Seth <seth.rappaport@morganlewis.com>
Sent: Wednesday, January 6, 2021 11:03 AM
To: Butler, Andrea <Andrea.Butler@USPTO.GOV>
Subject: RE: 88950108 ANTHEM LINK

Ms. Butler,

Thank you for your email and happy new year. I will discuss this with my client and be in touch shortly.

Best regards,

Seth

Seth Rappaport

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From: Butler, Andrea <Andrea.Butler@USPTO.GOV>
Sent: Tuesday, January 05, 2021 11:30 AM
To: Washington Trademark e-Filings <trademarks@morganlewis.com>; Rappaport, Seth <seth.rappaport@morganlewis.com>
Subject: 88950108 ANTHEM LINK

[EXTERNAL EMAIL]

Mr. Rappaport:

I have reviewed the applicant's response in the above application. The Section 2(d) is withdrawn based on the unity of control. There is one issue with the identification that I discovered in my final

review, and the disclaimer requirement which is amended below.

· **Identification: Class 44**

The “claim data” in the identification below is not medical information that would be classified in Class 44, regardless of the preface in the ID. The “claim data” is more akin to insurance information which is the type of information that the applicant has listed in Class 36. This should be deleted from the ID below.

Providing information on health and health care via the Internet; providing personal health information via the Internet; providing health care information via telephone; medical counseling; **personal medical history management services, namely, maintaining computerized medical data, claim data and databases containing the medical condition of individuals for medical management purposes** ; providing an online medical health records database; wellness and health-related consulting services; consulting services in the fields of medical care; providing an interactive website featuring information and links to the websites of others relating to health, wellness, nutrition, weight loss, stress management and stress reduction; health care services; preventative health care services; health care services, namely, providing medical wellness information and wellness programs; health care in the nature of health maintenance organizations; managed health care services; telemedicine services; medical services, namely, medical consultations by physicians provided via phone, online chat or videoconferencing

· **Disclaimer requirement:**

Upon further consideration, I will withdraw the requirement for a disclaimer of LINK in Class 35, but it is required for Class 36 (at least with respect to the “providing online information...”) and all of Class 44. These services are provided via a website link. You’ll notice that “LINK” marks in both classes on the Register typically include a disclaimer of the term LINK, unless they are unitary in nature.

The applicant may adopt the following:

No claim is made to the exclusive rights to use LINK in Class 44 and for “providing online information in the field of health insurance benefit plans” in Class 36.

If the amendments are acceptable, I can enter it by Examiner’s Amendment and approve the mark for publication.

Thank you.

Andrea P. Butler

Trademark Attorney

U.S. Patent and Trademark Office

571-272-7491