

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Service Mark Application, Principal Register

To the Commissioner for Trademarks:

MARK: SPERLING PROSTATE CENTER (Standard Characters, see below)

SPERLING PROSTATE CENTER

The literal element of the mark consists of SPERLING PROSTATE CENTER. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Danny S. Sperling, a citizen of United States, having an address of
4205 West Atlantic Avenue, Building D
Delray Beach, Florida 33445
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 044: Medical diagnostic testing, monitoring and reporting services; medical screening services in the field of early detection of prostate disease; medical testing for diagnostic or treatment purposes in the field of prostate disease; medical services, namely, detection, treatment and monitoring of prostate disease; providing a website featuring information in the field of the diagnosis and treatment of prostate disease, early detection and treatment of prostate disease; providing information in the field of prostate disease prevention, screening, diagnosis and treatment

In International Class 044, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 08/00/2011, and first used in commerce at least as early as 08/00/2011, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Screenshot of Applicant website showing the mark in use with the services.

[Specimen-1](#) [SPE0-21620015371-20181010181820189831_._SOU.JPG]

Disclaimer

No claim is made to the exclusive right to use PROSTATE CENTER apart from the mark as shown.

Claim of Active Prior Registration(s)

The applicant claims ownership of active prior U.S. Registration Number(s) 4,355,687.

SECTION 2(f) Claim of Acquired Distinctiveness, based on Five or More Years' Use

The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use of the mark in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

The applicant's current Attorney Information:

David I Greenbaum and Perla Kuhn; Lori Kozak of Fox Rothschild LLP
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The attorney docket/reference number is 182782-00100.

The applicant's current Correspondence Information:

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E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant, the applicant's attorney, or the applicant's domestic representative at the e-mail address provided in this application. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Reduced Fee status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$275 will be submitted with the application, representing payment for 1 class(es).

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Declaration

Read the following statements before signing. Acknowledge the statements by signing below.

- **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
 - To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
 - The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: _____

Signatory's Name: Danny S. Sperling

Signatory's Position: Owner

Date Signed: _____

10/31/18

REQUEST A CONSULTATION

Please fill out this form and a member of our team will contact you to schedule a consultation.

First Name *

Last Name *

Phone Number *

Request a Consultation

Our advanced diagnostic and treatment options in Florida and New York City offer effectiveness and quality of life unparalleled with conventional treatments. Our prostate biopsy procedure is a minimally-invasive, low-risk procedure. The technology allows us to perform more accurate biopsies with up to 95% fewer needle insertions than conventional biopsies.

Patients also have access to **apigenin**, a natural, non-toxic, and safe supplement that has been shown to reduce the risk of prostate cancer. It is a natural, non-toxic, and safe supplement that has been shown to reduce the risk of prostate cancer. It is a natural, non-toxic, and safe supplement that has been shown to reduce the risk of prostate cancer.

WELCOME TO SPERLING PROSTATE CENTER

SPERLING PROSTATE CENTER

ABOUT US | DIAGNOSIS & DETECTION | TREATMENT | MOTION | SMART PROSTATE | BLOC | CONTACT