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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

**Trademark/Service Mark Application, Principal Register
Handwritten Signature**

To the Commissioner for Trademarks:

MARK: SOFWAVE (Standard Characters, see below)

SOFWAVE

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

The applicant, Sofwave Medical Ltd., a limited corporation legally organized under the laws of Israel, having an address of

Tavor Building
Yokneam 2069202
Israel

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 010: Energy-based medical devices in the field of aesthetic applications, based on proprietary ultrasound energy technology; medical devices for skin treatment; ultrasound apparatus for medical and therapy purposes; apparatus for the treatment of cellulite and other skin conditions; apparatus for non-invasive skin treatment; medical apparatus for the cooling of the skin; aesthetic massage apparatus
Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on European Union Trademark - EUTM application number 017953752, filed 09/12/2018.

INTENT TO PERFECT 44(d) : At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.

International Class 044: Dermatological services for treating skin conditions; cosmetic treatment of skin; skin tightening services; cellulite treatment services; cosmetic facial and body care and treatment services; health and beauty care and treatment services; consultation services relating to skin care; advisory and consultancy services relating to medical apparatus and medical technology; rental and leasing of skin care equipment

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on European Union Trademark - EUTM application number 017953752, filed 09/12/2018.

INTENT TO PERFECT 44(d) : At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.

The applicant's current Attorney Information:

Christina D. Frangiosa and Jenna P. Torres, Richard E. Peirce, Candace Lynn Bell, David Gornish, Mark T. Vogelbacker, Roger Lalonde of ECKERT SEAMANS CHERIN & MELLOTT, LLC 50 S 16TH STREET, 22ND FLOOR

PHILADELPHIA, Pennsylvania 19102-2516

United States

215-851-8432(phone)

215-851-8383(fax)

ipdocket@eckertseamans.com (authorized)

The attorney docket/reference number is 313173-00001.

The applicant hereby appoints Christina D. Frangiosa of ECKERT SEAMANS CHERIN & MELLOTT, LLC

50 S 16TH STREET, 22ND FLOOR

PHILADELPHIA Pennsylvania 19102-2516

United States

215-851-8432(phone)

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as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Christina D. Frangiosa

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lmcginness@eckertseamans.com (authorized)

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 \$550 will be submitted with the application, representing payment for 2 class(es).

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 Section:

NOTE: The same person may sign the declaration on behalf of the other joint applicant(s), by merely making identical entries. The USPTO will presume that the one person who has signed was, in fact, authorized to sign on behalf of the other person(s).

Signature: _____
 Signatory's Name: ASSAF GELSTEIN
 Signatory's Position: CEO
 Signatory's Phone Number: +972-4-643 2994

Date Signed: 13-11-18

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the declaration language. Do **not** include the entire application, but do ensure that the declaration language actually appears; *a signature by itself*

will not be acceptable. If, due to browser limitations, the declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

IMPORTANT INFORMATION FOR APPLICANT:**No filing fee refunds**

Once your application is submitted, the USPTO we will not cancel the filing or refund your fee. The fee is a processing fee, which the USPTO does not refund even if a registration is not issued after substantive review of the application. This is true regardless of how soon after submission you might attempt to request cancellation of the filing.

All information submitted made public

All information submitted to the USPTO at any point in the application and/or registration process will become public record, including your name, phone number, e-mail address, and street address. Please be aware that **YOU HAVE NO RIGHT TO CONFIDENTIALITY** in the information disclosed. The public will be able to view the information in the USPTO's on-line databases and through internet search engines and other on-line databases and may use this information to contact you directly. This information will remain public even if the application is later abandoned or any resulting registration is surrendered, cancelled, or expired. For any information that may be subject to copyright protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its on-line database and in copies of the application or registration record.

Review of application

Registration is not automatic or guaranteed. A USPTO examining attorney will review your application approximately three months after the filing date for compliance with all legal requirements. This may result in a letter (an "Office action") being issued that will require you to submit a response within a strict time deadline, even if a filing company has filed the original application on your behalf. Failure to submit a timely response will result in the abandonment of your application.

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Trademark/Service Mark Application, Principal Register

NOTE: Data fields with the * are mandatory. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	N/A
MARK INFORMATION	
* MARK	mark.jpg
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES

LITERAL ELEMENT	SOFWAVE
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
APPLICANT INFORMATION	
*OWNER OF MARK	Sofwave Medical Ltd.
*STREET	Tavor Building
*CITY	Yokneam
*COUNTRY	Israel
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	2069202
LEGAL ENTITY INFORMATION	
TYPE	limited corporation
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Israel
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	010
*IDENTIFICATION	Energy-based medical devices in the field of aesthetic applications, based on proprietary ultrasound energy technology; medical devices for skin treatment; ultrasound apparatus for medical and therapy purposes; apparatus for the treatment of cellulite and other skin conditions; apparatus for non-invasive skin treatment; medical apparatus for the cooling of the skin; aesthetic massage apparatus
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	017953752
FOREIGN APPLICATION COUNTRY	European Union Trademark - EUTM
FOREIGN FILING DATE	09/12/2018
INTENT TO PERFECT 44(d)	At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.
INTERNATIONAL CLASS	044
*IDENTIFICATION	Dermatological services for treating skin conditions; cosmetic treatment of skin; skin tightening services; cellulite treatment services; cosmetic facial and body care and treatment services; health and beauty care and treatment services; consultation services relating to skin care; advisory and consultancy services relating to medical apparatus and medical technology; rental and leasing of skin care equipment

FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	017953752
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ATTORNEY INFORMATION

NAME	Christina D. Frangiosa
ATTORNEY DOCKET NUMBER	313173-00001
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FAX	215-851-8383
EMAIL ADDRESS	ipdocket@eckertseamans.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Jenna P. Torres, Richard E. Peirce, Candace Lynn Bell, David Gornish, Mark T. Vogelbacker, Roger Lalonde

DOMESTIC REPRESENTATIVE INFORMATION

NAME	Christina D. Frangiosa
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***AUTHORIZED TO COMMUNICATE VIA EMAIL** Yes

FEE INFORMATION

APPLICATION FILING OPTION TEAS RF

NUMBER OF CLASSES 2

APPLICATION FOR REGISTRATION PER CLASS 275

***TOTAL FEES DUE** 550

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