

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Serial Number: 85/486,880**

**Application Basis: Intent to Use**

**Filing Date: December 5, 2011**

**Examiner: Kelly, John**

**Applicant: TRC Inc.**

**Docket Number: 11.372**

**Mark: MEDI word plus design mark**

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being electronically transmitted using EFS-Web with the United States Patent and Trademark Office.

June 19, 2012

/Brittany J. Maxey/

Date

Brittany J. Maxey

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:

In response to the Examining Attorney's Non-Final Office Action dated March 23, 2012 (hereinafter "Office Action"), Applicant responds as follows:

**REMARKS IN SUPPORT OF REGISTRATION**

Applicant respectfully requests reconsideration of the Office Action's refusal of the instant Application based upon the indefinite identification and classification of goods, a request for information about the goods, and a request for an explanation of the mark's significance.

*Office Action Pages 1 – 2.*

**I. IDENTIFICATION AND CLASSIFICATION OF GOODS**

The Office Action initially refused registration of Applicant's word mark based on an indefinite identification of goods. *Office Action Pages 1 – 2.* Applicant respectfully requests

that the Application be amended to adopt the Office Action's suggested identification to classify its goods in International Classification 009. Thus, the amendment should read as follows:

**A. From:**

scripts employed and used in robotic devices;

**B. To:**

Scripts, namely, computer software employed and used in robotic devices for operating interactive robots; in International Classification 009.

In view of the aforementioned amendments and remarks, it is respectfully requested that the refusal based on the indefinite identification of goods be reconsidered, overcome, and withdrawn.

## **II. EXPLANATION OF MARK'S SIGNIFICANCE**

The Office Action requested that the Applicant specify whether the wording "MEDI" or "MED I" has any significance in the software industry, the robotic industry, or as applied to the goods described in the application, or if such wording is a "term of art" within Applicant's industry. *Office Action Page 2*. Applicant respectfully submits that the wording "MEDI":

- does not have any significance in the software industry;
- does not have any significance the robotic industry;
- does not have any significance as applied to the goods described in the application;  
and
- is not a "term of art" within Applicant's industry.

Applicant respectfully submits that "MEDI" is, in fact, a fanciful acronym for the words "medicine, engineering designing intelligence."

### **III. INFORMATION ABOUT GOODS**

The Office Action stated that the nature of the “scripts on which Applicant intends to use its mark was not clear from the application. *Office Action Page 2.* Applicant submits a hyperlink to an online webportal ([http://www.globaltvcalgary.com/video/index.html?v=9LcQp5j1aBw3sj\\_4ygXQxH6svFWWz2LT#health+fyi](http://www.globaltvcalgary.com/video/index.html?v=9LcQp5j1aBw3sj_4ygXQxH6svFWWz2LT#health+fyi)) featuring a news story of the Applicant’s goods being used in connection with a robot. Said news story is entitled “Robots provide comfort to children.” For example, as the video shows, the scripts are used to control an interactive robot that keeps children relaxed and distracted with various activities during stressful procedures, and is more effective than traditional relaxation techniques/activities such as coloring books and music.

In light of the aforementioned amendments and remarks, Applicant respectfully requests reconsideration of the Office Action’s refusal of the instant Application based upon the indefinite identification of goods, the request for information about the goods, and the request for an explanation of the mark’s significance. There being no other issues raised in the Office Action, Applicant believes that this application is in condition for allowance and should be passed to publication. An early and favorable response is respectfully requested.

### **IV. CONCLUSION**

The undersigned 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 document or any registration resulting therefrom, declares that all statements made of her knowledge are true; and all statements made on information and belief are believed to be true. Therefore, registration of Applicant’s mark upon the Principal Registry should be allowed and such action is earnestly solicited.

Respectfully submitted,

/Brittany J. Maxey/

Brittany J. Maxey, Esq.

/Stephanus H. Yang/

Stephanus H. Yang, Esq.

Maxey Law Offices, PLLC

15500 Roosevelt Boulevard, Suite 305

Clearwater, FL 33760

(727) 230-4949

Attorneys for Applicant

b.maxey@maxeyiplaw.com