

Response to Request to Clarify Applicant's Legal Entity

Applicant has identified itself as a limited company of Israel, and the Examiner has requested clarification. Accordingly, the following outlines why Applicant's legal entity is listed as a "limited company" of Israel.

While the Examiner has noted the TMEP identifies a limited company as an acceptable designation in U.S. applications for applicants from commonwealth countries, the TMEP also identifies that listing is acceptable identification from non-commonwealth countries, such as China and the Republic of Korea. (See Appendix D). Similar to those other countries, the designation of limited company is also correct for Applicant.

First, while Israel is not a commonwealth, its laws are based partially on the common law legal system. See Exhibit 1 for confirmation of this fact. Because of this, the use of *limited company* by Israel has its foundation in the country's adaptation of British common law.

Applicant respectfully points out to the Examiner that the TMEP acknowledges the word "company" is acceptable to identify an entity that, under laws of a foreign country, is equivalent or analogous to a corporation or association in the United States. TMEP §803.03(c). As such, the identification of Applicant's legal entity designation in the original application is correct and accurate.

With that as the background, the Israeli Company's Ordinance (ICO) defines a company as a corporation formed and registered in Israel in accordance with Israeli law. Moreover, most companies limit their liability, but to do so the term "limited" must appear as part of the full company name. Accordingly, Applicant's name: Teva Pharmaceutical Industries Ltd. reflects that it is a limited company of Israel.

Finally, Applicant has over 50 United States trademark registrations in which it has identified itself as a limited company of Israel. While the Examiner is not bound by the decisions of the prior examiners, consistency at the United States Trademark Office is important, especially when it comes to ownership. Applicant would like to maintain its listed legal entity designation (rather than adopt an U.S. equivalent listing) so there is no perceived cloud over ownership of its United States Trademark Registrations.

Based upon the foregoing, and the English translation entered into the application, Applicant respectfully requests the Examiner now pass this application forward to publication.