

10/8/2020

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PTO Form 1957 (Rev 10/2011)

OMB No. 0651-0050 (Exp 07/31/2017)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87196946
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION	
MARK FILE NAME	https://tmng-al.uspto.gov/resting2/api/img/87196946/large
LITERAL ELEMENT	FIRST DERM
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the design of a bandage with the wording FIRST DERM to the right.
GOODS AND/OR SERVICES SECTION (009)(no change)	
GOODS AND/OR SERVICES SECTION (041)(class deleted)	
GOODS AND/OR SERVICES SECTION (042)(class added)Original Class (041)	
INTERNATIONAL CLASS	042
DESCRIPTION	
Providing a website featuring technology that allows users to transmit photographs and data regarding skin-related medical conditions affecting humans to medical practitioners, exchange information regarding skin-related medical conditions affecting humans, and search for dermatologists, pediatricians and medical clinics for the treatment of skin-related medical conditions affecting humans	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/05/2014
FIRST USE IN COMMERCE DATE	At least as early as 02/05/2014
GOODS AND/OR SERVICES SECTION (044)(class added)	
INTERNATIONAL CLASS	044
DESCRIPTION	
Providing a website featuring information regarding skin-related medical conditions affecting humans	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/05/2014
FIRST USE IN COMMERCE DATE	At least as early as 02/05/2014
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use DERM apart from the mark as shown.
CORRESPONDENCE SECTION	
	MARJORIE WITTER NORMAN

ORIGINAL ADDRESS	VENABLE LLP 2049 CENTURY PARK EAST, SUITE 2300 LOS ANGELES California US 90067
NEW CORRESPONDENCE SECTION	
NAME	MARJORIE WITTER NORMAN
FIRM NAME	VENABLE LLP
DOCKET/REFERENCE NUMBER	133370408514
STREET	2049 CENTURY PARK EAST, SUITE 2300
CITY	LOS ANGELES
STATE	California
ZIP/POSTAL CODE	90067
COUNTRY	United States
PHONE	310.229.0468
FAX	310.229.9901
EMAIL	ipdocketingla@venable.com;mwnorman@venable.com;bjbanks@venable.com
AUTHORIZED EMAIL COMMUNICATION	Yes
PAYMENT SECTION	
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	275
TOTAL FEES DUE	275
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/Marjorie Witter Norman/
SIGNATORY'S NAME	Marjorie Witter Norman
SIGNATORY'S POSITION	Attorney of record, California Bar Member
SIGNATORY'S PHONE NUMBER	310.229.0468
DATE SIGNED	07/03/2017
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Jul 03 14:50:36 EDT 2017
TEAS STAMP	USPTO/ROA-XXX.XX.XXX.XXX- 20170703145036961148-8719 6946-590a621df96ca1eca442 1ea325dfc4d3571cbad657c0d 963db5ce25283378d4d7-DA-1 926-20170703144134061662

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **87196946** FIRST DERM (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/87196946/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant hereby deletes the following class of goods/services from the application.

Class 041 for Providing a website featuring non-downloadable photographs and information regarding skin-related medical conditions affecting humans; providing a website for the purpose of transmitting photographs and data regarding skin-related medical conditions affecting humans to medical practitioners, receiving information regarding skin-related medical conditions affecting humans, and identifying dermatologists, pediatricians and medical clinics for the treatment of skin-related medical conditions affecting humans

Applicant hereby adds the following class of goods/services to the application:

New: Class 042 (Original Class: 041) for Providing a website featuring technology that allows users to transmit photographs and data regarding skin-related medical conditions affecting humans to medical practitioners, exchange information regarding skin-related medical conditions affecting humans, and search for dermatologists, pediatricians and medical clinics for the treatment of skin-related medical conditions affecting humans

Filing Basis: Section 1(a), Use in Commerce: For all applications: The mark is in use in commerce and was in use in commerce as of the application filing date. The provided specimen shows the mark in use in commerce (see specimen statement below). **For a collective trademark, collective service mark, collective membership mark, or certification mark application:** The applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the application filing date. **For a certification mark application:** The applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. The mark was first used at least as early as 02/05/2014 and first used in commerce at least as early as 02/05/2014 , and is now in use in such commerce.

Applicant hereby adds the following class of goods/services to the application:

New: Class 044 for Providing a website featuring information regarding skin-related medical conditions affecting humans

Filing Basis: Section 1(a), Use in Commerce: For all applications: The mark is in use in commerce and was in use in commerce as of the application filing date. The provided specimen shows the mark in use in commerce (see specimen statement below). **For a collective trademark, collective service mark, collective membership mark, or certification mark application:** The applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the application filing date. **For a certification mark application:** The applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. The mark was first used at least as early as 02/05/2014 and first used in commerce at least as early as 02/05/2014 , and is now in use in such commerce.

CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current:

MARJORIE WITTER NORMAN
VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES
California
US
90067

Proposed:

MARJORIE WITTER NORMAN of VENABLE LLP, having an address of
2049 CENTURY PARK EAST, SUITE 2300 LOS ANGELES, California 90067
United States
ipdocketingla@venable.com;mwnorman@venable.com;bjbanks@venable.com
310.229.0468
310.229.9901

The docket/reference number is 133370408514 .

ADDITIONAL STATEMENTS

Disclaimer

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

FEE(S)

Fee(s) in the amount of \$275 is being submitted.

SIGNATURE(S)

Declaration Signature

The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the *Trademark Rules of Practice*.

Response Signature

Signature: /Marjorie Witter Norman/ Date: 07/03/2017

Signatory's Name: Marjorie Witter Norman

Signatory's Position: Attorney of record, California Bar Member

Signatory's Phone Number: 310.229.0468

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: MARJORIE WITTER NORMAN
VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, California 90067

RAM Sale Number: 87196946
RAM Accounting Date: 07/05/2017

Serial Number: 87196946
Internet Transmission Date: Mon Jul 03 14:50:36 EDT 2017
TEAS Stamp: USPTO/ROA-XXX.XX.XXX.XXX-201707031450369
61148-87196946-590a621df96ca1eca4421ea32
5dfc4d3571cbad657c0d963db5ce25283378d4d7
-DA-1926-20170703144134061662

RAM SALE NUMBER: 87196946
RAM ACCOUNTING DATE: 20170705

INTERNET TRANSMISSION DATE:
2017/07/03

SERIAL NUMBER:
87/196946

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
	7009	2017/07/03	275	1	275