

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Matter of:

ITAMAR MEDICAL LTD.

Serial No. 77/111,195

Filed: February 20, 2007

Mark: PAT

Notice of Allowance Issue Date: May 27, 2008

STATEMENT OF USE UNDER 37 C.F.R. 2.88

FEE

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

Applicant requests that the above-identified trademark be registered in the United States Patent and Trademark Office on the Principal Register established by the Trademark Act of July 5, 1946 (15 U.S.C. 1051 et seq., as amended).

Applicant is using, or using through a related company, the mark in commerce on or in connection with the goods identified in the Notice of Allowance: **medical apparatus, namely, non-invasive, diagnostic units used to assess and measure body functions and states and physiological conditions which affect the vasculature**, in Class 10.

The mark was first used on or in connection with the goods specified in International Class 10: at least as early as 1997.

The mark was first used in connection with the goods specified in commerce in International Class 10: at least as early as 1998.

The mark is now in use in such commerce. One specimen showing the mark used in commerce is submitted herewith.

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this Statement of Use on behalf of the applicant; he/she believes the applicant to be the owner of the mark sought to be registered; the mark is now in use in commerce; and all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Respectfully submitted,

ITAMAR MEDICAL LTD.

By: [Signature]

Name: KOBY SHEFFY

Title: Sr. VP & CTO

Date: Sept 21, 2010

Itamar Medical Ltd.