

Serial No. 88/461001  
Mark: DAWNLIGHT

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 5, 2019

The following remarks are submitted in response to the Office Action issued September 5, 2019.

REMARKS

I. Applicant's Identification of Goods

In the Office Action, Examiner issued a non-final office action stating that Applicant's identification of goods/services is indefinite and overbroad.

Applicant would like to request an Examiner's Amendment incorporating the following amendments along the lines suggested by Examiner (changes are highlighted in bold, italics and underline):

Class 9: Electronic devices used to track, analyze and report health, wellness, fitness, stress, activity and sleep metrics; Electronic devices used to track, analyze and report vital signs and motion data including heart rate, activity levels, sleep quality and respiratory activity; Electronic devices for environmental, health, safety, security and equipment monitoring, control, automation and notification systems; **downloadable and recorded** computer software for use in environmental, health, safety, security and equipment monitoring, control, automation and notification systems; Electronic devices and **downloadable and recorded** computer software that allow users to remotely interact with environmental, health, safety, security and equipment monitoring, control, automation and notification systems; Electronic devices and **downloadable and recorded** computer software that allow the sharing and transmission of data and information between devices for the purposes of facilitating environmental, health, safety, security, equipment monitoring, control, automation and notification; **electronic** radar sensors; **electronic** video and audio sensors; Electronic sensors and **downloadable and recorded** computer software for motion, humidity, temperature, and light for use in monitoring, tracking, control, automation of building, facility, factory and manufacturing environments; Electronic sensors and **downloadable and recorded** computer software for use in monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances; Electronic sensors and **downloadable and recorded** computer software for use in building supervision, construction site supervision, compliance tracking,

detection of anomalies; Electronic sensors and downloadable and recorded software programs for image detection, text recognition, optical character recognition, body orientation recognition, motion detection, object detection, video object detection, sound recognition, voice recognition, image recognition, remote image sensing, scene analysis, scene recognition, character detection and recognition, vehicle type recognition, vehicle recognition, vehicle detection, garment attributes recognition, pedestrian detection, pedestrian attributes detection, people detection, people counting, density estimation, commercial invoicing recognition, image processing, video stabilization, modifying the appearance of photographs and videos, taking and editing photographs and recording and editing videos, security systems, and authentication of electronic payment processing; Downloadable and recorded software for use in recording, viewing, storing, sharing and analyzing online audio and video; **downloadable and recorded** computer software for use as an application programming interface (API); Downloadable and recorded data analytic software programs for gathering, compiling, reporting and analyzing graphical, visual and audial information and data; Downloadable and recorded computer software for processing data; Downloadable and recorded software programs for artificial intelligence (AI) based image, text, object, optical character, body orientation, motion, sound detection and recognition; Electronic sensors and **downloadable and recorded** computer software for use in analyzing, tracking and reporting image, text, object, optical character, motion, sound, voice, gesture, body motion, body orientation and other data for use in healthcare, home monitoring, patient monitoring, medical, veterinary, repair, vehicle, home, building and construction site supervision, monitoring, safety and security services; Data processing apparatus; Apparatus for image recognition and processing; Apparatus for object identification; Apparatus for gesture recognition and analysis; Apparatus for body orientation detection; Apparatus for body motion detection; Apparatus for object motion detection; Apparatus for sound recognition; Apparatus for voice recognition; Apparatus for optical character identification; Fingerprint scanner; Downloadable software, namely, computer programs for editing images, sound and video; Computer software applications, downloadable, for word and images processing; Downloadable mobile applications for editing **photos**; **Downloadable and recorded** software for processing images, graphics and text; **Downloadable and recorded** computer software for organizing and viewing digital images and photographs; **Downloadable and recorded** computer software for processing digital images; **Downloadable and recorded** computer programs in the field of health care; **Downloadable and recorded** computer programs for medical purposes; Monitoring apparatus **being electric wireless controllers** to remotely monitor and diagnose function and

status of other electrical, electronic, and mechanical devices or systems, **namely, environmental, building, health, safety, security, and transportation equipment, devices or systems**; Computer software platforms, recorded **and** downloadable, **for use in remote video monitoring, control, automation and notification**; Mobile software applications, downloadable, **for use in remote video monitoring, control, automation and notification**; Computer software applications, downloadable, **for use in remote video monitoring, control, automation and notification**; Computer programs, recorded, **for use in remote video monitoring, control, automation and notification**; Computer software, recorded, **for use in remote video monitoring, control, automation and notification**; **downloadable and recorded** computer software for image, object, motion, gesture and sound detection for use in education and entertainment; **downloadable and recorded** gesture and motion detection software for use in education and entertainment; Attendance machines **being counting machines** for counting how many people are in attendance at an event; Optical character readers; Encoded identification bracelets, magnetic; Pattern recognition systems composed of computer chips, computer hardware and software; Data processing equipment; Object recognition device, namely, cameras, video cameras and computer hardware used for object scanning and recognition; Attendance **machines in the nature of** electronic readers and controllers for controlling access to a premises; Wearable activity trackers; Monitoring devices **being video cameras** for security and safety of buildings, construction sites and facilities; Anti-theft alarms for buildings, construction sites and facilities; Theft prevention installations **being electronic sensors and video cameras**, electric; Wearable and contactless **wearable** activity trackers; Monitoring apparatuses **not for medical purposes, namely, electronic sensors, video cameras and scanners**; Computer software for medical purposes, recorded, **namely, medical software for use in remote video monitoring, control, automation and notification**; Wearable computers **in the nature of head mounted and wrist mounted computers, ring scanners**; Downloadable graphics for mobile phones; Electronic cards for processing **images**; Baby monitors; Video baby monitors; **Integrated circuit** chips; Electronic chips **for the manufacture of integrated circuits**; Remote control apparatus, **namely, remote control for video monitoring cameras**; Protection devices for personal use against accidents, **namely, fall prevention, risk assessment, detection, notification and exit alarm devices being electronic sensors**; Anti-theft warning apparatus;

**Downloadable and recorded** virtual reality software for medical teaching; **Downloadable and recorded** chatting robot software for analog dialogue; Computer software for medical research, recorded; humanoid robots

with artificial intelligence; selfie lenses for mobile *phone cameras*; selfie lenses for cameras; cameras *for* photography; teaching robots; *blank* electronic chip cards for computers; *blank* electronic chip cards for mobile phones; Computer hardware; Smartglasses; Smartwatches; Interactive touch screen terminals; Data processing equipment, namely, couplers; electronic data recorders, namely, black boxes; Hologram apparatus; Electronic notice boards; luminous light-emitting electronic pointers; Smartphones; Telecommunications transmitters; Infrared detectors; Teaching apparatus, namely, manipulative blocks used as teaching aids for the visualization of math concepts; 3D spectacles; Photography, namely, *photographic* slides; Downloadable mobile applications for monitoring a user's smart phone and online activities for the purposes of analyzing cognitive ability, health and general well-being, and featuring healthcare recommendations, diagnosis and wellness information; Downloadable software for analyzing and reporting on Internet traffic, for analyzing the effectiveness of web site marketing, and for tracking web site activity and managing, monitoring, tracking and optimizing the performance and effectiveness of web sites and online marketing campaigns; Downloadable *video recordings* and *written* articles in the fields of science, technology, healthcare, artificial intelligence, artificial intelligence (AI) based monitoring, data collection, data analysis and data management; Connected electronic devices and smart *electronic* devices *for collecting, processing, analyzing, and responding* to electronic sensor data and *communicating* back *data, files, sounds, and images in the nature of* a desired voice file, audio file, audiovisual file, visual file, text file, content file, data file, photo, video, electronic work, audiovisual work, multimedia work and literary work; Connected electronic devices and smart *electronic* devices *for collecting, processing, analyzing, and responding to data in the nature of* internet and device activity and *transmitting* back *data, files, sounds, and images in the nature of* a desired voice file, audio file, audiovisual file, visual file, text file, content file, data file, photo, video, electronic work, audiovisual work, multimedia work and literary work; Humanoid robots with artificial intelligence, laboratory robots, *and* teaching robots that can collect, process, analyze and respond to electronic sensor data and communicate back a desired voice file, audio file, audiovisual file, visual file, text file, content file, data file, photo, video, electronic work, audiovisual work, multimedia work and literary work; *Providing a downloadable computer software platform for use in building and construction site supervision, monitoring, compliance tracking, safety reporting, detection and alert notification of anomalies, for use in maintenance and repair services including monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances, and for use in building supervision, construction site supervision,*

**compliance tracking; Recorded software and downloadable software for use in building and construction site supervision, monitoring, compliance tracking, safety reporting, detection and alert notification of anomalies, for use in maintenance and repair services including monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances, and for use in building supervision, construction site supervision, compliance tracking**

Class 10: Medical **devices for monitoring vital signs, blood properties and respiratory events** used to track, analyze and report health, wellness, fitness, stress, activity and sleep metrics; Medical apparatus **for use in continuous monitoring, tracking, analyzing and reporting** vital signs and **patient** motion data in **the nature of** heart rate, activity levels, sleep quality and respiratory activity; Health and wellness instruments and apparatuses, **namely, patient monitoring sensors and alarms** for automated health, safety and wellness monitoring, tracking, analysis and alert notification systems; General health and wellness instruments and apparatus, namely, **patient monitoring sensors and alarms** featuring software for storing, relaying, tracking, measuring, displaying and automated alert notification of biometric data such as heart rate, respiration, body movement, activity intensity, type of activity, sleep quality and body movement; Video and audio **patient monitoring** sensors for use in remote monitoring, analysis and alert notification of patient health, safety and wellness; Medical devices, namely, patient monitors and patient sensors for monitoring, measuring, tracking, analyzing and alert notification of vital signs, sleep activity, bodily movements and respiratory events; Medical instruments, namely, health monitors comprising sensor that monitors the health of the elderly or disabled in their own homes; Medical device, namely, a device for measuring leg movements during sleep; Portable medical devices with sensors to monitor the physical movements of a patient **wearing or carrying the device**; Health monitoring, analysis and alert notification apparatus and instruments, **namely, patient medical monitors for monitoring patient vital signs including heart rate, respiratory rate, temperature, blood pressure, lung function** for medical, dental or veterinary use; Surgical **robots** that can collect, process, analyze and respond to electronic sensor data and communicate back a desired voice file, audio file, audiovisual file, visual file, text file, content file, data file, photo, video, electronic work, audiovisual work, multimedia work and literary work; **Medical robots for monitoring patients vital signs, tracking and recording patient data and interactive body assistance that can collect, process, analyze and respond to electronic sensor data and communicate back a desired voice file, audio file, audiovisual file, visual file, text file, content file, data file, photo, video,**

**electronic work, audiovisual work, multimedia work and literary work; Video and audio sensors being patient monitoring sensors for use in remote monitoring, analysis and alert notification of patient health, safety and wellness**

Class 35: Advertising services; Marketing services; Sales promotion for others; Marketing, advertising, and promoting the goods and services of others; **Business data analysis**, namely, collection, tracking, analysis and reporting of consumer behavioral data **for marketing purposes**; **Business** data analytics and processing; Providing business information; Compilation of information into computer databases; Systemization of information into computer databases; Compiling and processing **of** business **data** **including** graphical, image, text, object, optical character, object recognition, gesture, pedestrian traffic, motion, sound, visual information and other data; Analyzing and compiling business **data including** graphical, image, text, object, optical character, object recognition, gesture, pedestrian traffic, motion, sound, visual information and other data; Updating and maintenance of data in computer databases; Record management services, namely, web document indexing for commercial or advertising purposes for others; Search engine optimization for sales promotion; Presentation of goods and services on communication media, for retail purposes; Electronic data collection and data submission services for business purposes in the fields of retail, medicine and healthcare; Provision of an on-line marketplace for buyers and sellers of goods and services; Processing, analyzing, tracking and reporting **business data in the nature of** image, text, object, optical character, motion, sound, voice, gesture, body motion, body orientation and other data for use in healthcare, home monitoring, medical, building construction, construction, repair, vehicle security, home security, building and construction site supervision, safety and security and veterinary services; **Consulting services in the field of medical practice management for others**

Class 36: Insurance and financial information and consultancy services

Class 37: Technical support services **in the nature of** providing installation of theft prevention devices

Class 41: Education services, namely, providing training and seminars in the fields of science, technology, healthcare, artificial intelligence, artificial intelligence (AI) based monitoring, data collection, data analysis and data management; **Education services, namely, providing educational information**

**in the academic fields of science, technology, healthcare, artificial intelligence, artificial intelligence (AI) based monitoring, data collection, data analysis and data management for the purpose of academic study;** Providing online non-downloadable videos and articles in the fields of science, technology, healthcare, artificial intelligence, artificial intelligence (AI) based monitoring, data collection, data analysis and data management

Class 42: Development of and providing **temporary** use of online non-downloadable software **and non-downloadable** cloud-based software for use in monitoring, tracking, analyzing and alert notification of health, wellness, fitness, stress, activity and sleep metrics; **Development of and providing software as a service (SAAS) services featuring software for use in monitoring, tracking, analyzing and alert notification of health, wellness, fitness, stress, activity and sleep metrics;** **Development of and providing platform as a service (PAAS) services featuring software platforms for use in monitoring, tracking, analyzing and alert notification of health, wellness, fitness, stress, activity and sleep metrics;** Development of and providing **temporary** use of online non-downloadable software **and non-downloadable** cloud-based software for use in monitoring, tracking, analyzing and alert notification of healthcare related metrics including heart rate, activity levels, sleep quality and respiratory activity; **Development of and providing software as a service (SAAS) services featuring software for use in monitoring, tracking, analyzing and alert notification of healthcare related metrics including heart rate, activity levels, sleep quality and respiratory activity;** **Development of and providing platform as a service (PAAS) services featuring software platforms for use in monitoring, tracking, analyzing and alert notification of healthcare related metrics including heart rate, activity levels, sleep quality and respiratory activity;** Development of and providing **temporary** use of online non-downloadable software **and non-downloadable** cloud-based software for use in environmental, health, safety, security and equipment monitoring, control, automation and notification systems; **Development of and providing software as a service (SAAS) services featuring software for use in environmental, health, safety, security and equipment monitoring, control, automation and notification systems;** **Development of and providing platform as a service (PAAS) services featuring software platforms for use in environmental, health, safety, security and equipment monitoring, control, automation and notification systems;** Development of and providing **temporary** use of online non-downloadable software **and non-downloadable** cloud-based software for use in remotely interacting with environmental, building, health, safety, security and equipment monitoring, control, automation and notification

systems; *Development of and providing software as a service (SAAS) services featuring software for use in remotely interacting with environmental, building, health, safety, security and equipment monitoring, control, automation and notification systems;* *Development of and providing platform as a service (PAAS) services featuring software platforms for use in remotely interacting with environmental, building, health, safety, security and equipment monitoring, control, automation and notification systems;* Development of and providing *temporary* use of online non-downloadable software *and non-downloadable* cloud-based software for use in sharing and transmission of data and information between electronic monitoring devices and sensors for the purposes of facilitating environmental, health, safety, security, equipment monitoring, control, automation and notification; *Development of and providing software as a service (SAAS) services featuring software for use in sharing and transmission of data and information between electronic monitoring devices and sensors for the purposes of facilitating environmental, health, safety, security, equipment monitoring, control, automation and notification;* *Development of and providing platform as a service (PAAS) services featuring software platforms for use in sharing and transmission of data and information between electronic monitoring devices and sensors for the purposes of facilitating environmental, health, safety, security, equipment monitoring, control, automation and notification;* Development of and providing *temporary* use of online non-downloadable software *and non-downloadable* cloud-based software for use in motion, humidity, temperature, and light monitoring, tracking, control, automation in building, facility, factory and manufacturing environments; *Development of and providing software as a service (SAAS) services featuring software for use in motion, humidity, temperature, and light monitoring, tracking, control, automation in building, facility, factory and manufacturing environments;* *Development of and providing platform as a service (PAAS) services featuring software platforms for use in motion, humidity, temperature, and light monitoring, tracking, control, automation in building, facility, factory and manufacturing environments;* Development of and providing *temporary* use of online non-downloadable software *and non-downloadable* cloud-based software for use in monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances; *Development of and providing software as a service (SAAS) services featuring software for use in monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances;* *Development of and providing platform as a service (PAAS) services featuring software platforms for use in monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and*



**appliances;** Development of and providing **temporary** use of online non-downloadable software **and non-downloadable** cloud-based software for use in building supervision, construction site supervision, compliance tracking, detection of anomalies; **Development of and providing software as a service (SAAS) services featuring software for use in building supervision, construction site supervision, compliance tracking, detection of anomalies;** **Development of and providing platform as a service (PAAS) services featuring software platforms for use in building supervision, construction site supervision, compliance tracking, detection of anomalies;** Development of and providing **temporary** use of online non-downloadable software **and non-downloadable** cloud-based software for use in image detection, text recognition, optical character recognition, body orientation recognition, motion detection, object detection, video object detection, sound recognition, voice recognition, image recognition, remote image sensing, scene analysis, scene recognition, character detection and recognition, object detection and tracking, vehicle type recognition, vehicle recognition, vehicle detection, garment attributes recognition, pedestrian detection, pedestrian attributes detection, people detection, people counting, density estimation, commercial invoicing recognition, image processing, video stabilization, modifying the appearance of photographs and videos, taking and editing photographs and recording and editing videos, security systems, and authentication of electronic payment processing; **Development of and providing software as a service (SAAS) services featuring software for use in image detection, text recognition, optical character recognition, body orientation recognition, motion detection, object detection, video object detection, sound recognition, voice recognition, image recognition, remote image sensing, scene analysis, scene recognition, character detection and recognition, object detection and tracking, vehicle type recognition, vehicle recognition, vehicle detection, garment attributes recognition, pedestrian detection, pedestrian attributes detection, people detection, people counting, density estimation, commercial invoicing recognition, image processing, video stabilization, modifying the appearance of photographs and videos, taking and editing photographs and recording and editing videos, security systems, and authentication of electronic payment processing;** **Development of and providing platform as a service (PAAS) services featuring software platforms for use in image detection, text recognition, optical character recognition, body orientation recognition, motion detection, object detection, video object detection, sound recognition, voice recognition, image recognition, remote image sensing, scene analysis, scene recognition, character detection and recognition, object detection and tracking, vehicle type recognition, vehicle recognition, vehicle detection, garment attributes**

recognition, pedestrian detection, pedestrian attributes detection, people detection, people counting, density estimation, commercial invoicing recognition, image processing, video stabilization, modifying the appearance of photographs and videos, taking and editing photographs and recording and editing videos, security systems, and authentication of electronic payment processing; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in recording, viewing, storing, sharing and analyzing online audio and video; Development of and providing software as a service (SAAS) services featuring software for use in recording, viewing, storing, sharing and analyzing online audio and video; Development of and providing platform as a service (PAAS) services featuring software platforms for use in recording, viewing, storing, sharing and analyzing online audio and video; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in gathering, compiling, reporting and analyzing graphical, visual and audial information and data; Development of and providing software as a service (SAAS) services featuring software for use in gathering, compiling, reporting and analyzing graphical, visual and audial information and data; Development of and providing platform as a service (PAAS) services featuring software for use in gathering, compiling, reporting and analyzing graphical, visual and audial information and data; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in artificial intelligence (AI) based image, text, object, optical character, body orientation, motion, sound detection and recognition; Development of and providing software as a service (SAAS) services featuring software for use in artificial intelligence (AI) based image, text, object, optical character, body orientation, motion, sound detection and recognition; Development of and providing platform as a service (PAAS) services featuring software platforms for use in artificial intelligence (AI) based image, text, object, optical character, body orientation, motion, sound detection and recognition; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in monitoring, analyzing, tracking and alert notification of image, text, object, optical character, motion, sound, voice, gesture, body motion, body orientation, anomalous events and other data in connection with the provision of healthcare, home monitoring, patient monitoring, medical, veterinary, repair, vehicle, home, building and construction site supervision, monitoring, safety and security services; Development of and providing software as a service (SAAS) services featuring software for use in monitoring, analyzing, tracking and alert notification of image, text, object, optical character, motion, sound,

voice, gesture, body motion, body orientation, anomalous events and other data in connection with the provision of healthcare, home monitoring, patient monitoring, medical, veterinary, repair, vehicle, home, building and construction site supervision, monitoring, safety and security services; Development of and providing platform as a service (PAAS) services featuring software platforms for use in monitoring, analyzing, tracking and alert notification of image, text, object, optical character, motion, sound, voice, gesture, body motion, body orientation, anomalous events and other data in connection with the provision of healthcare, home monitoring, patient monitoring, medical, veterinary, repair, vehicle, home, building and construction site supervision, monitoring, safety and security services; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in processing data; Development of and providing software as a service (SAAS) services featuring software for use in processing data; Development of and providing platform as a service (PAAS) services featuring software platforms for use in processing data; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in editing images, sound and video; Development of and providing software as a service (SAAS) services featuring software for use in editing images, sound and video; Development of and providing platform as a service (PAAS) services featuring software platforms for use in editing images, sound and video; Development of and providing temporary use of online non-downloadable software and non-downloadable cloud-based software for use in health care, medical services, home-based care for the disabled and elderly, building safety, security, babysitting, childcare, hospitality, construction site safety, vehicle security; Development of and providing software as a service (SAAS) services featuring software for use in health care, medical services, home-based care for the disabled and elderly, building safety, security, babysitting, childcare, hospitality, construction site safety, vehicle security; Development of and providing platform as a service (PAAS) services featuring software platforms for use in health care, medical services, home-based care for the disabled and elderly, building safety, security, babysitting, childcare, hospitality, construction site safety, vehicle security; Computer programming; Computer software design; Updating of computer software; Electronic data storage; Electronic storage of electronic media, namely, images, text, audio, and video data; Maintenance of computer software; Providing information on computer technology and programming via a web site; Installation of computer software; Conversion of data or documents from physical to electronic media; Computer system design; Cloud computing featuring software for use in database management and image, sound, and

video processing; Software as a service (SAAS) services featuring software for use in remote video monitoring, control, automation and notification; Platform as a service (PAAS) services featuring computer software platforms for use in remote video monitoring, control, automation and notification; Platform as a service (PAAS) services featuring computer software platforms for use in building and construction site supervision, monitoring, compliance tracking, safety reporting, detection and alert notification of anomalies, for use in maintenance and repair services including monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances, and for use in building supervision, construction site supervision, compliance tracking; Providing a website featuring temporary use of non-downloadable software for use in building and construction site supervision, monitoring, compliance tracking, safety reporting, detection and alert notification of anomalies, for use in maintenance and repair services including monitoring, maintenance and anomaly detection of machinery, vehicles, equipment, instruments and appliances, and for use in building supervision, construction site supervision, compliance tracking; Providing an internet site for medical purposes, namely, providing a website featuring on-line non-downloadable software that allows users to remotely interact with patient monitoring and automated alert notification systems

Class 44: Health care services; Home healthcare services; Medical services; Medical diagnostic and monitoring services through the use of wearable and contactless medical devices, sensors and monitoring apparatuses; Health care services, namely, collection and provision of health data and information for treatment and diagnostic purposes; Providing medical information and data being medical information; Health monitoring services being medical services provided through the use of wearable and contactless monitoring devices and sensors with automated alert and monitoring capacity for use in connection with health care, home health, medical, and veterinary services; Healthcare, veterinary and medical services, namely, monitoring, storing, relaying, tracking, measuring, analyzing, displaying and automated alert notification of vital signs and motion data such as heart rate, respiration, body movement, body orientation, activity intensity, type of activity, sleep quality and body movement; Healthcare and wellbeing services, namely, providing an internet site featuring medical information for use in monitoring, tracking, analyzing, reporting, automated alert notification of health, wellness, fitness, stress, activity and sleep metrics; Health care and medical services, namely, monitoring, tracking, analyzing, reporting and automated alert notification of vital signs and motion data including heart rate, activity levels, body orientation, sleep quality and respiratory activity;

Providing health care and wellness information and recommendations ***being health advice*** online, through a website, downloadable mobile applications and via electronic communications; Providing information regarding ***medical*** diagnosis and health online, through downloadable mobile applications, a website, and via electronic communications; Consulting services in the field of healthcare, namely, consulting services in the field of medical care; Medical services, namely, ***medical*** consultation services related to patient management, treatment and monitoring; Medical equipment rental services

Class 45: Home and building ***security*** monitoring using wireless and wired sensors, motion detectors, alarms, audio devices, video devices, home automation devices, and security devices and equipment; safety and security monitoring ***being monitoring of security alarms*** using sensors, cameras and motion detectors; Home security alarm monitoring; Monitoring of security alarm systems; Home and facility ***medical alarm*** monitoring ***for*** elderly ***people***, disabled ***people***, and children

## II. Cited Pending Application

Examiner has also identified a pending application which preceded Applicant's filing date stating that the application if registered may present a bar to registration of Applicant's Mark under Trademark Act Section 2(d), namely: U.S. Application Ser. No. 88416393 for DAWNLIGHT. Applicant respectfully submits that this prior pending application was abandoned on January 14, 2020.

## III. Conclusion

In view of the foregoing remarks, Applicant believes that its Mark should be accepted, and such action is respectfully requested. The Examining Attorney is requested to telephone the undersigned if the Examining Attorney has any questions or if there are any additional issues that need to be addressed.