

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

In the Trademark Application of ) Examining Attorney:  
MindRhythm, Inc. ) April L. Rademacher  
)  
Serial No.: 90/255,085 ) Law Office: 108  
)  
Filing Date: October 14, 2020 )  
)  
Mark: HARMONY ) Tiburon, California

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313

**RESPONSE TO OFFICE ACTION**

This is in response to the official action issued March 26, 2021.

The Examining Attorney objected to the identification of goods as indefinite.

However, the suggested substitute description of goods would not be not accurate. The goods do not involve electrodes or biosensors. Instead, the device is a head-engaging sensor, in the form of an accelerometer, that measures even very slight motions or accelerations of the head. Electronics and computer software are provided to produce a signal and analyze the signal, which may be determined indicative of stroke.

Therefore, it is requested that the identification of goods

be amended to read as follows:

Medical instruments, namely, a head-engaging  
accelerometer, connected electronics and computer  
software for use therewith, sold as unit, for early  
detection of stroke, in International Class 10.

If this description is not found acceptable, it is suggested  
that the Examining Attorney telephone the undersigned to discuss  
a suitable description.

Favorable action is requested.

Respectfully submitted,

/Thomas M. Freiburger/

Date: June 18, 2021

Thomas M. Freiburger  
Reg. No. 27,063  
P.O. Box 1026  
Tiburon, California 94920  
Telephone: (415) 435-0240