

LAW OFFICES
ROTHWELL, FIGG, ERNST & MANBECK

A PROFESSIONAL CORPORATION

1425 K STREET, N.W.
SUITE 800
WASHINGTON, D.C. 20005
TELEPHONE (202) 783-6040
FACSIMILE (202) 783-6031
www.rothwellfigg.com

MARTHA CASSIDY, Ph.D.
THOMAS E. MCKIERNAN
ANNE M. STERBA
LISA N. PHILLIPS
LEIGH Z. CALLANDER
C. NICHOLE GIFFORD
MONICA S. DAVIS
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HYUNKWEON RYU
R. ELIZABETH BRENNER
ADAM M. TREIBER

* NOT ADMITTED IN D.C.

G. FRANKLIN ROTHWELL
E. ANTHONY FIGG
BARBARA G. ERNST
HARRY F. MANBECK, JR.
GEORGE R. REPPER
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MICHAEL G. SULLIVAN
SHARON L. DAVIS
ROBERT B. MURRAY
CARLA C. CALCAGNO
JEFFREY L. IHENEN
GLENN E. KARTA

OF COUNSEL

JOHN A. MCCAHERILL
BARBARA WEBB WALKER, Ph.D.



July 11, 2005

Our File: 3148-106

Commissioner for Trademarks
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

TTAB

Re: U.S. Trademark Application Serial No. 76448597
for the Mark I PHARMACIST

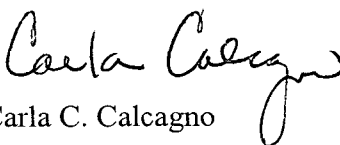
Dear Sirs:

We enclose for filing (1) Revocation of Power of Attorney and Substitution of Attorney; (2) Request for Remand; and (3) Request for Reconsideration.

No fee is believed necessary. The Commissioner for Trademarks is hereby authorized to draw on the deposit account of Rothwell, Figg, Ernst & Manbeck, Account No. 02-2135, if a fee is deemed necessary.

Please call if there are any questions.

Very truly yours,


Carla C. Calcagno

CCC/jea
Enclosures



07-11-2005

IN THE UNITED STATES PATENT AND TRADEMARK

In re Application of
Apotex, Inc.

Serial No.: 76/449,597

Filed: September 9, 2002

Mark: I PHARMACIST

Law Office 108

Trademark Attorney: Jeri J. Fickes, Esq.

**REVOCATION OF POWER OF ATTORNEY AND
SUBSTITUTION OF ATTORNEY**

Applicant, APOTEX, INC., hereby revokes all previous powers of attorney in connection with the above-identified trademark application and hereby appoints Carla C. Calcagno and the other attorneys of Rothwell, Figg, Ernst & Manbeck, 1425 K. Street, N.W., Suite 800, Washington, DC 20005, its attorneys herein, with full power of substitution and revocation, and to transact all business in the Patent and Trademark Office in connection herewith. All communication is to be directed to:

Carla C. Calcagno, Esq.
Rothwell, Figg, Ernst & Manbeck
1425 K Street, N.W., Suite 800
Washington, DC 20005
Telephone: (202) 783-6040
Facsimile: (202) 783-6031

APOTEX, INC.

By: 

(Signature)

Name: Jeff Watson

(Print)

Date: April 28, 2005

Title: Senior Vice President
Sales + Marketing
Apotex Inc

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of:
Apotex, Inc.

Serial No.: 76449597

Mark: I PHARMACIST

Filed: September 9, 2002

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) Examining Attorney: Jeri J. Fickes, Esq.
) Law Office 108
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REQUEST FOR REMAND

Applicant respectfully requests that the Board remand this application to the Examining Attorney for reconsideration of the refusal to register. As grounds for the remand, Applicant has appointed new U.S. counsel to represent Applicant in this matter. A revocation and appointment of new counsel is attached. Applicant retained new counsel after the Board already had remanded the case to the Examiner for consideration of prior counsel's remarks.

Applicant's new counsel has now reviewed the Examiner's actions and discussed them with her client and prepared an amended identification of goods and services, an argument and additional evidence. This amendment, argument, and evidence are attached as a Request for Reconsideration. Applicant believes that this amended identification of goods and services, argument, and evidence materially clarifies the nature of the goods and services for which the Applicant seeks registration and resolves at least one of the Examiner's final refusals.

TMEP Section 1207.02 expressly provides that change in counsel constitutes good cause for a remand.

Also, Applicant has a total of two applications pending for the mark IPHARMACIST which are being handled by two separate examining attorneys. These are Application Serial Nos. 76449597 and 78429952. To assure consistency and in the interests of efficiency and judicial economy, Applicant respectfully requests that the applications be transferred to one Examining Attorney.

Applicant respectfully submits that granting this remand is in the interests of judicial economy as if the Amendment and Argument moots the Appeal, it may save the resources of both the Board, the Examiner, and the Applicant. If the amendments and arguments do not moot the Appeal, they should help to clarify the record for the Board.

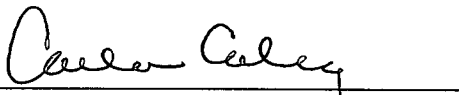
Wherefore, Applicant respectfully requests that the Board grant the Request for Remand and remand this case to the Examiner for reconsideration based on the attached arguments, evidence and amendments.

If for any reason the Board should deny the request for remand, Applicant respectfully requests that the Board reset Applicant's time to file its brief by sixty days.

Please contact the undersigned if the Board or the Examiner has any questions.

Respectfully submitted,

Apotex, Inc.

By: 

Carla C. Calcagno
ROTHWELL, FIGG, ERNST & MANBECK LLP
1425 K Street, N.W., Suite 800
Washington, D.C. 20005
Telephone: (202) 783-6040
Facsimile: (202) 783-6031

Date: July 11, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Apotex, Inc.

Serial No.: 76449597

Mark: i PHARMACIST

Filed: September 9, 2002

Examining Attorney: Jeri J. Fickes, Esq.
Law Office 108

REQUEST FOR RECONSIDERATION

Applicant hereby amends its description of goods and services to read in its entirety as follows:

Pre-recorded video tapes featuring training in the use of personal digital assistants *preprogrammed* with pharmaceutical information; and handheld personal digital assistant computers preprogrammed with computer database software containing pharmacy and pharmaceutical-related proprietary and publicly available information; both of which are intended for use by pharmacists and pharmacy technicians in the practice of pharmacy; in International Class 9.

Printed matter containing pharmacy and pharmaceutical-related information, namely: books, fliers, brochures, manuals, guides, pamphlets and trade journals in International Class 16.

Custom design for others of personal digital assistant software programs for use by a pharmacist or pharmacy technician in the practice of pharmacy, not including Internet access software in International Class 42.

As the Examiner will note Applicant has amended its description of goods and deleted International Classes 41 and 44. And, Applicant respectfully requests that the Examiner take note of the Change of Correspondence Address and Appointment of Associate Counsel attached hereto. All communications should be sent to the undersigned attorney.

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