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Subject: U.S. Trademark Application Serial No. 79207107 - DEMENTIA DISCOVERY FUND - N/A - EXAMINER BRIEF

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United States Patent and Trademark Office (USPTO)

U.S. Application Serial No. 79207107

Mark: DEMENTIA DISCOVERY FUND

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Reference/Docket No. N/A

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EXAMINING ATTORNEY'S APPEAL BRIEF

International Registration No. 1343604

The applicant appeals the examining attorney's final refusal to register the mark DEMENTIA DISCOVERY FUND for the following goods and services:

“Pharmaceutical and medical preparations and substances for the prevention and treatment of dementia; sanitary preparations for medical purposes; pharmaceutical preparations, all for use

in the treatment or prevention of brain diseases and degenerative dementia disorders; antiseptic preparations; prescription pharmaceuticals for humans for the prevention and treatment of dementia; veterinary and sanitary products, namely, antibiotics; dietary food supplements; health food supplements; vitamins; dietetic substances adapted for medical use, namely, sugar substitutes; food for babies; foods for medical purposes, namely, food for enteral feeding for teens adults and elders; homeopathic pharmaceuticals for use in the treatment of dementia; medicinal drinks; anti-diabetic drugs; hypertension medications; steroid hormones; non-steroidal anti-inflammatory drugs; chemicals in the nature of medical diagnostic reagents for use in medical and veterinary diagnosis of dementia disorders,” in Class 5.

“Insurance, namely, insurance brokerage; financial affairs, namely, financial information, management and analysis services; monetary affairs, namely, monetary exchange and monetary strategic consultation and research; real estate affairs, namely, leasing of real estate, real estate brokerage and real estate appraisal services; financing services in relation to medical research; humanitarian aid and development, namely, charitable fundraising and financial support services for research in dementia; charitable fundraising for dementia research; charitable fundraising for the purchase of food, clothing and medical items for those in need; financial sponsorship of medical research in the field of dementia; financial management and administration of charitable funds for dementia research; distribution and allocation of charitable funds, namely, accepting and administering monetary charitable contributions to fund medical research; credit card and charge card payment processing services; providing of financial information regarding corporate donations and payroll donations by employees; financial information, advisory, and consultancy services in relation to the aforesaid services,” in Class 36.

“Scientific and technological services, namely, research and design in the field of pharmaceutical development; scientific and technological services, namely, medical research and product development in the field of dementia; industrial analysis and research services in the field of computer hardware; design and development of computer hardware and software; design and development of computer hardware and software connected with dementia; Laboratory analysis in the field of pharmaceuticals and clinical trials in the pharmaceutical, biotechnology and medical device fields; laboratory research in the field of pharmaceuticals and clinical trials in the pharmaceutical, biotechnology and medical device fields; laboratory testing services in the field of pharmaceutical product testing; medical research laboratory services; medical research services in relation to the causes, symptoms, diagnosis, treatment and prevention of dementia; scientific genetic research in the field of dementia; provision of scientific research facilities in the nature of laboratories; medical research in relation to medicines and pharmaceuticals; medical research services; design and development of mobile device software applications; design and development of computer programs,” in Class 42.

“Medical services; the provision of medical information, online via the Internet, on the subject of all aspects of dementia diseases and the prevention of all types dementia diseases; medical services relating to the science of nutrition and the use of medical and pharmaceutical preparations and substances; medical services in relation to the recommendation and prescribing of medicaments and medical products of all kinds; medical services concerning dementia, namely physician, nursing, midwifery and hospital services; diagnostic and laboratory services, namely, medical testing for diagnostic or treatment purposes; hygienic and beauty care for human beings; agricultural services, namely, agricultural advice; dentistry services; medical analysis for the diagnosis and treatment of individuals and groups of people with dementia including x-ray examinations and taking blood samples; pharmaceutical advice; medical clinic services; medical treatment services; medical analysis services; medical information services; nursing services; information, advisory and consultancy services relating to all the aforesaid, including information provided on-line from a computer database, intranets, extranets and the Internet,” in Class 44.

Registration was refused pursuant to Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), because the applied-for mark merely describes a characteristic or purpose of applicant’s goods and/or services. It is respectfully requested that this refusal be affirmed.

STATEMENT OF FACTS

On May 11, 2017, the applicant requested registration on the Principal Register under Trademark Act Section 66 for the proposed mark DEMENTIA DISCOVERY FUND for “Pharmaceutical and medical preparations and substances; pharmaceutical and medical preparations and substances related to dementia; sanitary preparations for medical purposes; pharmaceutical preparations, all for use in the treatment or prevention of brain diseases and degenerative dementia disorders; antiseptic preparations; prescription pharmaceuticals for humans as well as other pharmaceutical products; veterinary and sanitary products; dietary foods, dietary and health food supplements; vitamins; dietetic substances adapted for medical use, food for babies, teens adults and elders; homeopathic preparations and substances; medicated drinks; anti-diabetic drugs; hypertension medications; steroid hormones;

non-steroidal anti-inflammatory drugs; chemicals for use in medical research in dementia disorders, and medical or veterinary diagnosis,” in Class 5; “Pharmaceutical and medical preparations and substances; pharmaceutical and medical preparations and substances related to dementia; sanitary preparations for medical purposes; pharmaceutical preparations, all for use in the treatment or prevention of brain diseases and degenerative dementia disorders; antiseptic preparations; prescription pharmaceuticals for humans as well as other pharmaceutical products; veterinary and sanitary products; dietary foods, dietary and health food supplements; vitamins; dietetic substances adapted for medical use, food for babies, teens adults and elders; homeopathic preparations and substances; medicated drinks; anti-diabetic drugs; hypertension medications; steroid hormones; non-steroidal anti-inflammatory drugs; chemicals for use in medical research in dementia disorders, and medical or veterinary diagnosis,” in Class 36; “Scientific and technological services and research and design; scientific and technological services and research and design relating to goods and services connected with dementia; industrial analysis and research services; design and development of computer hardware and software; design and development of computer hardware and software connected with dementia; laboratory analysis; laboratory research; laboratory research services; laboratory testing services; medical research laboratory services; research services in relation to the causes, symptoms, diagnosis, treatment and prevention of dementia; genetic research concerning dementia; provision of research facilities; research laboratories; research in relation to medicines and pharmaceuticals; medical research services; design and development of mobile device applications; design and development of computer programmes,” in Class 42; and “Scientific and technological services and research and design; scientific and technological services and research and design relating to goods and services connected with dementia; industrial analysis and research services; design and development of computer hardware and software; design and development of computer hardware and software connected with dementia; laboratory analysis; laboratory research; laboratory research services; laboratory testing services; medical research

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