To: Healthlink Holdings Group, LLC (<u>pto@yourtrademarkattorney.com</u>)

Subject: U.S. TRADEMARK APPLICATION NO. 85272216 - NSTEP PHYSICAL

REHAB & WELLNESS - H114 001TM - Request for Reconsideration

Denied - Return to TTAB

Sent: 6/5/2013 10:53:52 AM

Sent As: ECOM102@USPTO.GOV

Attachments: Attachment - 1

Attachment - 2

Attachment - 3

Attachment - 4

Attachment - 5

Attachment - 6

Attachment - 7

Attachment - 8

Attachment - 9

Attachment - 10

Attachment - 11

Attachment - 12

Attachment - 13

Attachment - 14

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85272216

MARK: NSTEP PHYSICAL REHAB & WELLNESS

85272216

CORRESPONDENT ADDRESS:

MORRIS E. TUREK

YOURTRADEMARKATTORNEY.COM 167 LAMP AND LANTERN VILLAGE, #220

CHESTERFIELD, MO 63017-8208

GENERAL TRADEMARK INFORMATION http://www.uspto.gov/trademarks/index.jsp

APPLICANT: Healthlink Holdings Group, LLC



CORRESPONDENT'S REFERENCE/DOCKET NO:

H114 001TM

CORRESPONDENT E-MAIL ADDRESS:

pto@yourtrademarkattorney.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 6/5/2013

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. *See* 37 C.F.R. §2.64(b); TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a). The requirement(s) and/or refusal(s) made final in the Office action dated December 14, 2012 are maintained and continue to be final. *See* TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

The following evidence is attached to show that the applicant and registrant's services are closely related.

The applicant's services are "rehabilitation patient care services." "Patient care" is defined as "the services rendered by members of the health profession and non-professionals under their supervision for the benefit of the patient" (see attached from ww.mondofacto.com). Based on the above definition, "rehabilitation patient care services" would be health services for rehabilitative purposes. The registrant's services are physical therapy services. The attached from www.medterms.com defines physical therapy as "a branch of rehabilitative health."

The attached Internet excerpts show that rehabilitative patient care services include physical therapy. The applicant's broader identification includes the registrant's more specific services.

The excerpts are from:

- 1. http://www.med.umich.edu/pmr/patient/
- 2. http://rehabservices.ucsfmedicalcenter.org/patient_care/
- 3. http://www.ucdmc.ucdavis.edu/pmr/patient_services/

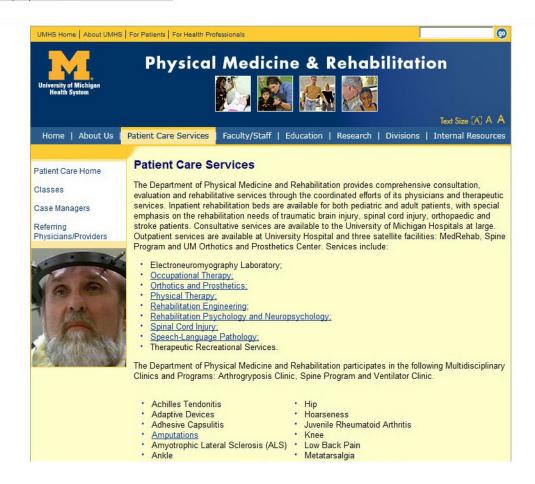
The filing of a request for reconsideration does not extend the time for filing a proper response to a final Office action or an appeal with the Trademark Trial and Appeal Board (Board), which runs from the date the final Office action was issued/mailed. *See* 37 C.F.R. §2.64(b); TMEP §715.03, (a)(2)(B), (a)(2)(E), (c).

If time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to comply with and/or overcome any outstanding final requirement(s) and/or refusal(s) and/or to file an appeal with the Board. TMEP §715.03(a)(2)(B), (c). However, if applicant has already filed a timely notice of appeal with the Board, the Board will be notified to resume the appeal when the time for responding to the final Office action has expired. *See* TMEP §715.04(a).



/Kim Saito/ Trademark Examining Attorney LO102 kim.saito@uspto.gov 571.272.9214





Assistive Technology

Athlete's Foot

Botox

Brachial Plexus Injury Brain Injury Rehabilitation

Bursitis

Carpal Tunnel Syndrome

Cerebral Palsy
Cerebral Palsy Comprehensive Care

Orthoses (Orthoses Control Osteoarthritis

Chronic Pain

· Diabetic Neuropathy

Dysphonia

Electromyogram (EMG)

 Epicondylitis Fibromyalgia

 Foot · Golfer's Elbow

Gout

· Groin Hernia

Groin Strain

Guillain-Barre Syndrome

Hamstring Strain

Head Injury

Head Trauma

· Heat Therapy

Mild Traumatic Brain Injury

Multiple Sclerosis

Muscle Spasms

Muscular Dystrophy

Myasthenia Gravis
Myofascial Pain Neurofibromatosis

Occupational Therapy Orthoses (Orthotics)

Over-Pronation

Pedorthics (Prosthetics)

Peripheral Neuropathy

Physical Therapy

Plagiocephaly Helmets

Plantar Fasciitis

Post-Mastectomy

Post-Polio Syndrome

Pressure Ulcer

Rheumatoid Arthritis

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Soft Tissue Abscess

Spina Bifida

Tracheotomy

Wound Care

Department of Physical Medicine and Rehabilitation is located at:

325 E. Eisenhower, Suite 100 Ann Arbor, MI 48108

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