

To: Healthlink Holdings Group, LLC (pto@yourtrademarkattorney.com)
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](#)
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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:

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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 www.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).

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Physical Medicine & Rehabilitation



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Patient Care Services

The Department of Physical Medicine and Rehabilitation provides comprehensive consultation, evaluation and rehabilitative services through the coordinated efforts of its physicians and therapeutic services. Inpatient rehabilitation beds are available for both pediatric and adult patients, with special emphasis on the rehabilitation needs of traumatic brain injury, spinal cord injury, orthopaedic and stroke patients. Consultative services are available to the University of Michigan Hospitals at large. Outpatient services are available at University Hospital and three satellite facilities: MedRehab, Spine Program and UM Orthotics and Prosthetics Center. Services include:

- [Electroneuromyography Laboratory](#);
- [Occupational Therapy](#);
- [Orthotics and Prosthetics](#);
- [Physical Therapy](#);
- [Rehabilitation Engineering](#);
- [Rehabilitation Psychology and Neuropsychology](#);
- [Spinal Cord Injury](#);
- [Speech-Language Pathology](#);
- Therapeutic Recreational Services.

The Department of Physical Medicine and Rehabilitation participates in the following Multidisciplinary Clinics and Programs: Arthrogyposis Clinic, Spine Program and Ventilator Clinic.

• Achilles Tendonitis	• Hip
• Adaptive Devices	• Hoarseness
• Adhesive Capsulitis	• Juvenile Rheumatoid Arthritis
• Amputations	• Knee
• Amyotrophic Lateral Sclerosis (ALS)	• Low Back Pain
• Ankle	• Metatarsalgia

- Assistive Technology
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- [Brain Injury Rehabilitation](#)
- Bursitis
- Carpal Tunnel Syndrome
- [Cerebral Palsy](#)
- [Cerebral Palsy Comprehensive Care](#)
- [Cerebrovascular Accident CVA](#)
- Chronic Pain
- Diabetic Neuropathy
- Dysphonia
- Electromyogram (EMG)
- Epicondylitis
- Fibromyalgia
- Frost
- Golfer's Elbow
- Gout
- Groin Hernia
- Groin Strain
- Guillain-Barre Syndrome
- Hamstring Strain
- Head Injury
- Head Trauma
- Heat Therapy
- [Metatarsalgia](#)
- Mild Traumatic Brain Injury
- [Multiple Sclerosis](#)
- Muscle Spasms
- [Muscular Dystrophy](#)
- [Myasthenia Gravis](#)
- Myofascial Pain
- Neurofibromatosis
- [Occupational Therapy](#)
- [Orthoses](#) (Orthotics)
- Osteoarthritis
- Over-Pronation
- [Pedorthics \(Prosthetics\)](#)
- Peripheral Neuropathy
- [Physical Therapy](#)
- [Plagiocephaly Helmets](#)
- Plantar Fasciitis
- [Post-Mastectomy](#)
- [Post-Polio Syndrome](#)
- Pressure Ulcer
- Rheumatoid Arthritis
- Scoliosis
- Sleep Apnea
- 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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