

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 79115567

MARK: UYAN NOMO

79115567

CORRESPONDENT ADDRESS:

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http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Obschestvo s
ogranichennoy; otvetstvenno ETC.

**CORRESPONDENT'S
REFERENCE/DOCKET NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

INTERNATIONAL REGISTRATION NO. 1123153

STRICT DEADLINE TO RESPOND TO THIS NOTIFICATION: TO AVOID PARTIAL ABANDONMENT OF THE REQUEST FOR EXTENSION OF PROTECTION OF THE INTERNATIONAL REGISTRATION ABOVE, THE USPTO MUST RECEIVE A COMPLETE RESPONSE TO THIS REFUSAL WITHIN 6 MONTHS OF THE "DATE ON WHICH THE NOTIFICATION WAS SENT TO WIPO (MAILING DATE)" LOCATED ON THE WIPO COVER LETTER ACCOMPANYING THIS NOTIFICATION.

The "Mailing Date" appearing on the WIPO cover letter may also be found through the USPTO's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please enter the U.S. Application Serial Number for this application and select "Documents." The "Mailing Date" is the "Create/Mail Date" of the "IB-1st Refusal Note."

This is a **PROVISIONAL PARTIAL REFUSAL** of the request for extension of protection of the mark in the above-referenced U.S. application that **applies to only the following goods in the application:** BIOLOGICAL PREPARATIONS FOR MEDICAL PURPOSES INCLUDING BIOLOGICALLY ACTIVE NUTRITIONAL SUPPLEMENTS; DIABETIC BREAD; DIETETIC BEVERAGES ADAPTED FOR MEDICAL PURPOSES; DIETETIC FOODS ADAPTED FOR MEDICAL PURPOSES; DIETETIC SUBSTANCES ADAPTED FOR MEDICAL USE; ELIXIRS PHARMACEUTICAL PREPARATIONS; MEDICINAL INFUSIONS; NERVINES; NUTRITIONAL ADDITIVES FOR MEDICAL PURPOSES INCLUDING BIOLOGICALLY ACTIVE NUTRITIONAL ADDITIVES; OPOTHERAPY PREPARATIONS; PREPARATIONS OF TRACE ELEMENTS FOR HUMAN USE INCLUDING BIOLOGICALLY ACTIVE NUTRITIONAL SUPPLEMENTS; SERUMS; THERAPEUTIC PREPARATIONS FOR THE BATH; TONICS MEDICINES; INFUSIONS. *See* 15 U.S.C. §1141h(c).

WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL PARTIAL REFUSAL:

Applicant may respond directly to this provisional refusal Office action if applicant is not represented by an authorized attorney. *See* 37 C.F.R. §2.193(e)(2)(ii). Otherwise, applicant's authorized attorney must respond on applicant's behalf. *See* 37 C.F.R. §2.193(e)(2)(i). However,

the only attorneys who are authorized to sign responses and practice before the USPTO in trademark matters are as follows:

- (1) **Attorneys in good standing with a bar of the highest court of any U.S. state**, the District of Columbia, Puerto Rico, and other federal territories and possessions of the United States.
- (2) **Canadian agents/attorneys** who represent applicants located in Canada and (a) are registered with the USPTO and in good standing as patent agents or (b) have been granted reciprocal recognition by the USPTO.

See 37 C.F.R. §§2.17(e), 2.62(b), 11.1, 11.5(b)(2), 11.14(a), (c); TMEP §§602, 712.03.

Foreign attorneys, other than authorized Canadian attorneys, are not permitted to represent applicants before the USPTO. *See* 37 C.F.R. §§2.17(e), 11.14(c), (e); TMEP §602.03-.03(b). That is, foreign attorneys may not file written communications, authorize an amendment to an application, or submit legal arguments in response to a requirement or refusal, among other things. *See* 37 C.F.R. §11.5(b)(2); TMEP §§602.03(c), 608.01. If applicant is represented by such a foreign attorney, applicant must respond directly to this provisional refusal Office action. *See* 37 C.F.R. §2.193(e)(2)(ii).

DESIGNATION OF DOMESTIC REPRESENTATIVE: The USPTO encourages applicants who do not reside in the United States to designate a domestic representative upon whom notices or process may be served. 15 U.S.C. §§1051(e), 1141h(d); 37 C.F.R. §2.24(a)(1)-(2); *see* TMEP §610. Such designations may be filed online at <http://www.uspto.gov/trademarks/teas/index.jsp>.

THE APPLICATION HAS BEEN PROVISIONALLY PARTIALLY REFUSED AS SPECIFIED BELOW.

The assigned examining attorney has reviewed the referenced application and determined the following.

SEARCH OF OFFICE RECORDS

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

IDENTIFICATION OF GOODS

Applicant must amend the identification of goods by clarifying the exact nature of the goods where indicated below in bold type. *See* TMEP §1402.01.

Applicant may adopt the following identification of goods, if accurate:

Albuminous foodstuffs for medical purposes; albuminous preparations for medical purposes; antiseptics; antiparasitic preparations; bacterial preparations for medical and veterinary use; balms for medical purposes including balms for treatment of joints; biocides; biological preparations for medical purposes, **namely**, biologically active nutritional supplements; diabetic bread **adapted for medical purposes**; dietetic **[indicate type of beverages, e.g., tea]** adapted for medical purposes; dietetic **[indicate type of foods]** adapted for medical purposes; dietetic **[clarify exact nature of substances]** adapted for medical use; digestives for pharmaceutical purposes; **pharmaceutical preparations, namely, elixirs for the treatment of [specify disease to be treated]**; ferments for pharmaceutical purposes; food for babies; germicides; herbal teas for medicinal purposes; lacteal flour for babies; liniments; lotions for pharmaceutical purposes; medicinal herbs; medicinal infusions **for treating**

[specify diseases or conditions]; medicinal oils; medicinal roots; mineral food supplements including biologically active nutritional supplements; nerviness, **namely, [clarify exact nature of goods, e.g., pharmaceutical preparations for calming the central nervous system]**; nutritional additives for medical purposes **in the nature of** biologically active nutritional additives **derived from [indicate source]**; opotherapy preparations; **pharmaceutical** preparations of trace elements for human use including biologically active nutritional supplements **for the treatment of [specify diseases or conditions]**; sea water for medicinal bathing; **medicated** serums **for the treatment of [indicate nature of use, e.g., hair, skin, lips]**; styptic preparations; therapeutic **medicated bath preparations**; **medicinal tonics for treatment of [specify diseases or conditions]**; vitamin preparations, in INT. CLASS 5;

Artificial coffee; iced tea; **herbal** infusions, not medicinal; tea; tea-based beverages, in INT. CLASS 30.

For assistance with identifying and classifying goods and/or services in trademark applications, please see the USPTO's online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netahtml/tidm.html>. See TMEP §1402.04.

Identifications of goods and/or services can be amended only to clarify or limit the goods and/or services; adding to or broadening the scope of the goods and/or services is not permitted. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include goods and/or services that are not within the scope of the goods and/or services set forth in the present identification.

/Alicia Collins Edwards/
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TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp.

Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change

for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.