

NOTE TO THE FILE

SERIAL NUMBER: 85706876

DATE: 12/15/2012

NAME: nclarke

NOTE:

From: Brian Kunzler [mailto:bkunzler@kunzlerlaw.com]
Sent: Thursday, December 13, 2012 7:10 PM
To: Clarke, Nancy
Subject: RE: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

Examiner Clarke,

We would like to use for the specific dessert mixes, brownie mixes, cookie mixes, and pastry mixes.

Thank you.

Brian

BRIAN C KUNZLER

Registered Patent Attorney

Kunzler Law Group, PC

Email: BKUNZLER@kunzlerlaw.com

8 East Broadway, Suite 600 | Salt Lake City, Utah 84111

Tel: 801-994-4646 | Fax: 801-531-1929 | Website: www.kunzlerlaw.com

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From: Clarke, Nancy [mailto:Nancy.Clarke@USPTO.GOV]

Sent: Thursday, December 13, 2012 11:52 AM

To: Brian Kunzler

Subject: RE: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

Dear Mr. Kunzler:

Thank you for your preliminary response. I will wait for your further instructions re: "dessert

tomorrow. If you're unable to reach your client by then, please let me know, and I will issue a Priority Action instead.

Thank you.

From: Brian Kunzler [<mailto:bkunzler@kunzlerlaw.com>]
Sent: Thursday, December 13, 2012 1:37 PM
To: Clarke, Nancy
Subject: RE: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

Examiner Clarke,

The changes should be acceptable. I will have to check with the client about the specific types of dessert mixes.

Brian

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From: Clarke, Nancy [<mailto:Nancy.Clarke@USPTO.GOV>]
Sent: Wednesday, December 12, 2012 6:38 PM
To: Christie Moriarty; Brian Kunzler
Subject: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

Dear Mr. Kunzler:

I have reviewed the above applications. I would like to make a few small changes to the identifications via Examiner's Amendment, with your permission. I would like to amend:

Cl. 29: Processed fruits, vegetables, *legumes*, milk, cheese, eggs, butter, *meats* and *dairy-based chocolate beverages* stored in dry, freeze dried, dehydrated, or canned form

To:

Cl. 29: Processed fruits, vegetables, *beans*, milk, cheese, eggs, butter, *meat* and *dairy-based chocolate food beverages* stored in dry, freeze dried, dehydrated, or canned form

Also, I would like to amend:

Cl. 30: Processed grains, *desert mix, pancake mix*, baking powder, salt, and sugar, stored in dry, freeze dried, dehydrated, or canned form

To:

Cl. 30: Processed grains, *dessert mixes, namely, [specify, e.g., brownie mixes], pancake mixes*, baking powder, salt, and sugar, stored in dry, freeze dried, dehydrated, or canned form

Please let me know if the above changes would be acceptable to you and your client by responding to this e-mail, if possible, by the close of business on Friday, 12/14/12.

Thank you!

Sincerely,

Nancy Clarke

NOTE TO THE FILE

SERIAL NUMBER: 85706876

DATE: 12/15/2012

NAME: nclarke

NOTE:

From: Brian Kunzler [mailto:bkunzler@kunzlerlaw.com]

Sent: Thursday, December 13, 2012 7:45 PM

To: Clarke, Nancy

Subject: RE: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

Examiner Clarke,

The client would like to add to the specific dessert mixes: ice cream, cake mixes, cobbler mixes, and pudding.

Thank you.

BRIAN C KUNZLER

Registered Patent Attorney

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To: Brian Kunzler

Subject: RE: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

Dear Mr. Kunzler:

Thank you for your preliminary response. I will wait for your further instructions re: "dessert mixes" before preparing an Examiner's Amendment. Hopefully we'll be able to wrap this up tomorrow. If you're unable to reach your client by then, please let me know, and I will issue a ~~Dispositive Action~~ instead.

Thank you.

From: Brian Kunzler [<mailto:bkunzler@kunzlerlaw.com>]

Sent: Thursday, December 13, 2012 1:37 PM

To: Clarke, Nancy

Subject: RE: Ser. Nos. 85706861 and 85706876 for NUTRISTORE (Your Ref. Nos. 2278.3.11a and 2278.3.11b)

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To:

Cl. 29: Processed fruits, vegetables, *beans*, milk, cheese, eggs, butter, *meat* and *dairy-based chocolate food beverages* stored in dry, freeze dried, dehydrated, or canned form

Also, I would like to amend:

Cl. 29: Processed grains, *dessert mix*, *pancake mix*, *baking powder*, salt, and sugar, stored in dry

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