

ESTTA Tracking number: **ESTTA343037**

Filing date: **04/19/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                        |                                 |
|------------------------|---------------------------------|
| Application Serial No. | 78738464                        |
| Applicant              | Angiotech Pharmaceuticals, Inc. |

## Notice of Appeal

Notice is hereby given that Angiotech Pharmaceuticals, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 78738464.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following class of goods/services:

- Class 010. First Use: 2004/03/00 First Use In Commerce: 2004/03/00  
All goods and services in the class are appealed, namely: A full line of surgical instruments; medical apparatus and instruments, namely, biopsy instruments, surgical blades, cannulas, catheters and catheter sets; donor tissue punches; drainage appliances for surgical procedures; eye protectors for post-surgery eye protection; artificial vascular grafts; hemostasis pads; implants consisting of artificial material; knives for medical use; medical adhesive tape, namely, umbilical tape; medical devices for use in administering fluids and drugs; medical guidewires; medical introducers; medical tubing and connectors; medical ultrasound apparatus; needles for medical use; ophthalmic apparatus and instruments for use in ophthalmic surgery; protectors and guards for medical needles and other medical sharps; punctal plugs; punctal occlusion products for medical use; punctures; scalpels; stents; surgical ligature string; wound closure devices; wound closure materials and wound closure kits; syringes; trephines; trocars; intravascular and vascular retrieval system, namely, a surgical and interventional device for the retrieval of matter and objects from human and animal vascular systems; replacement parts therefor; all the aforementioned goods having lubricious polymer coatings

Respectfully submitted,  
/Kevin S. Costanza/  
04/19/2010

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**UNITED STATES**

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