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

Application Serial No.	79062216
Applicant	Kuros Biosurgery AG

## Notice of Appeal

Notice is hereby given that Kuros Biosurgery AG appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79062216.

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 classes of goods/services:

- Class 005.

All goods and services in the class are appealed, namely: Cosmetic products, namely, implants, coatings, creams, gels, solutions, pastes, beads, microparticles, nanoparticles and cement, which contain hormones and/or growth factors to support restoration and reconstruction in reconstructive or cosmetic surgery; materials for permanent or temporary enlargement, filling, repair, stabilization, support and replication of endogenous soft tissue, in particular fatty tissue and muscle tissue, other than for medical purposes, namely, protein and/or peptide and/or polyalkylenoxide preparations; carrier materials of synthetic and/or natural origin for cosmetic purposes, namely, matrices, solutions, gels, pastes, microparticles, nanoparticles, beads and cements, in particular consisting of fibrin and/or polyethylene glycol for retention or increased release of peptides or proteins, in particular hormones and growth factors, i.e., substances which stimulate growth of an organism or maintain growth; pharmaceutical products and preparations, namely, protein and/or peptide preparations, in particular for locally supporting the formation or regeneration of missing or damaged body parts, in particular of hard or soft tissue, in particular skin or bone; pharmaceutical or medical formulations, namely, implants, coatings, creams, gels, solutions, pastes, beads, microparticles, nanoparticles and cements of synthetic and/or natural origin for medical purposes, in particular comprising fibrin and/or polyoxyalkyleneoxides, namely, polyethylene glycol for retention or sustained release of peptides, proteins and/or allograft materials, in particular hormones, growth factors and/or demineralized bone matrix, i.e., substances which stimulate growth of an organism or maintain growth; healthcare preparations, namely, implants, coatings, creams, gels, solutions, pastes, beads, microparticles, nanoparticles and cements; biomedical products and biotechnology products for medical purposes, namely, peptides and proteins like hormones and growth factors or allograft materials used to spur regrowth and formation and to repair tissue, namely, tissue of bone, skin, organs, tendons, ligament, cartilage; materials for medical purposes for permanent or temporary enlargement, filling, repair, stabilization, support and/or regeneration of hard or soft tissue, in particular bone, intervertebral disk, cartilage, fatty tissue and muscle tissue, namely, protein and/or peptide and/or polyalkylenoxide preparations; biocompatible permanent or temporary adhesives and sealants, in particular for human and animal organs, soft and hard tissue for medical purposes; biocompatible separating materials, namely, anti-adhesion materials for avoiding undesired adhesion of organs and/or soft parts for medical purposes; implants and transplants of human derived autologous or allograft materials; autologous and allograft soft tissue for cosmetic and medical purposes; autologous and allograft hard and soft tissue in particular bone for transplantation purposes, bone replacement, cartilage replacement, vessel replacement, tissue replacement and fatty tissue replacement

- Class 010.

All goods and services in the class are appealed, namely: Artificial tissue replacement for restoring, maintaining and/or improving the function of diseased or damaged human or animal tissue (tissue engineering); synthetic implants, and transplants and modified implants and transplants, tissue, cells and/or molecules for replacing and/or for supporting the function of missing or damaged body parts; synthetic hard and soft tissue, in particular synthetic bone for transplantation purposes and diagnostic purposes, synthetic bone replacement, cartilage replacement, vessel replacement, tissue replacement and fatty tissue replacement; modified implants and transplants with engineered endogenous material, tissue, cells or molecules for replacing and/or for supporting the function of missing or damaged body parts

Respectfully submitted,  
/Jody H. Drake/  
02/12/2010

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