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

Application Serial No.	79086908
Applicant	PAUL WURTH S.A.

Notice of Appeal

Notice is hereby given that PAUL WURTH S.A. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79086908.

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 007.

All goods and services in the class are appealed, namely: Steel- and metalworking machines and machine tools; motors, other than for land vehicles; machine coupling and transmission components (except for land vehicles), namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; equipment for blast furnaces, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; closing devices for blast furnace throats, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; support, control and/or drive mechanisms for loading devices for blast furnace throats, especially throats without bells namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; equalization valves and gates for blast furnace installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; exhaust valves namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; machines for stopping the taphole namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; borers for holes for casting namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; lubricators namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; belts for conveyors; installations for processing and filtering slag namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installations for transport and injection of powdered materials by pneumatic means in a tank furnace namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; slag granulation installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; equipment for steelworks namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installations and equipment for vacuum ladle treatment of cast iron and steel namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; continuous casting installations for steel, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry especially continuous casting of steel ingots and billets; crushing and screening installations and equipment namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installations for blowing refining gases into steel converters namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; blowing nozzles namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installations and apparatus for changing blowing nozzles namely brushes being parts of machines, roller bearings for changing blower nozzles for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installations and equipment for fitting a refractory lining on the interior walls of a furnace namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; rolling cranes and bridges for special use for metallurgy; equipment for processing fine ore particles namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, equipment for producing pig iron using direct reduction namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, equipment for producing steel namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, continuous casting installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, installations for processing and agglomerating namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for iron ores and non iron ores, coal, lime, dolomite, magnesite and cryolith, fluidized beds, sintering installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, heat power plants and installations of environmental technology namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, steel- and metalworking machines and installations for producing

moulded refractory forms, for making briquettes and stopper heads and granulating, mixing machines for pig iron, steel, alloys and slag, converters for manufacturing steel and iron alloys, loaders for use in metallurgy, nozzles for blowers and heaters for use in metallurgy, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry devices for collecting and suction of lost gas for use in metallurgy, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry casting ladles namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, intermediary containers and dispensers for pig iron and steel namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, continuous casting machines, chill-moulds namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, equipment for regulating and oscillating for chill-moulds namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, dummy bars namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, rolling machines for steel, steel and non-ferrous metal alloys, rolling installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry using heat and cold for sheet metal, strips, sections, joists, rails, tubes and cables, rollers and laminations of steel, copper or other ceramic and/or metal materials, columns for rolling mills namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, cages for rolling mills namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, welding machines, abrading machines, machinery and installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for the improvement of metal surfaces, installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for zinc coating and coating, heat hardening and tempering machines, scissors and saws namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, especially for breaking up billets from continuous casting, sheet metal, strips, sections, joists, rails, tubes and cables, reel winders for metal strips namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, steel- and metalworking machine tools, working machines for tools namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, lathes, drilling machines, hydraulic powered engines and motors namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, turbines, namely turbines using hydraulics, gas and steam and components of turbines namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, shut-off devices and speed controllers for turbines namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, rotors and guide vanes for turbines namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, locks, namely control or shutdown components for turbine installations included in this class for the iron and steel industry, ferrous and non-ferrous metallurgical industry; gratings for cleaning by uninterrupted flow and by downstream, namely metal partitions and grilles for crushing machines for use in the iron and steel industry, ferrous and non-ferrous metallurgical industry, screen-cleaning machines, lifting and descending work platforms, cranes, conveyers, conveyor belts, bucket conveyors, worm conveyors, trucks for roller bridges, winches, winders, capstans and pulleys for machines, apparatus namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry and machines for manufacturing stones, granules, bricks, plates and moulded forms with metallic slag, machinery and equipment namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for processing and recovering waste, dust removal installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for the purposes of cleaning, composting installations, dust extractors using cyclones, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, thickening and evaporation installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; electricity generators, namely generators using turbines, hydraulics, motor-driven and turbogenerators, three-phase motors, direct and alternating current motors, hydraulic plants namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, plants using gas and steam, namely gas and steam operated power generators for the iron and steel industry, ferrous and non-ferrous metallurgical plants, combined plants and installations for producing power by cogeneration namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, electrical motors namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, converters namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry of current, voltage of intermediary circuits and frequency converters, all above-mentioned goods for use as machines or machine parts; electric squibs namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry

- Class 009.

All goods and services in the class are appealed, namely: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, blank recording discs; automatic vending machines and mechanisms for coin-operated

apparatus; cash registers, calculating machines, data processing equipment and computers; fire extinguishers; installations and apparatus for controlling, monitoring, measuring, regulating, weighing, dosaging for blast furnace installations and for metallurgy installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; profilometers namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; probing installations and apparatus namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; gas probes namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; solid material sampling probes namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; mechanical probes for blast furnaces namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; mechanical profilometers namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; electrical equipment for measuring, regulating, controlling and monitoring namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry ; transformers; electric batteries, batteries, electric switches, without contact with gas, devices for protective purposes and electrical excitation namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry electric switches and installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry at low, medium and high voltage, overhead power lines namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, overhead wires for rail-borne vehicles namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; electric conductors, especially braided or twisted wires, bars for transposed conductors namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, braided electrical conductors, insulated electrical cables; electric installations for the remote control of industrial operations; rectifiers, converters, inverters; apparatus and instruments namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for measuring for physical parameters, especially, temperature, pressure and humidity, and for chemical analyses (not included in other classes); computer hardware apparatus for controlling, regulating, simulating, visualizing and monitoring parameters of industrial installations, environmental protection installations, installations for producing, distributing and transmitting power, machines and components thereof; computer programs for controlling, regulating, visualizing and monitoring processes in industrial installations, environmental technology installations, power plants and machines and components thereof; computer programs for computers for simulating and visualising industrial installations, especially metallurgy installations, environmental technology installations, power plants, machines and apparatus; personal computers, minicomputers, microcomputers, computer monitors, keyboards and computer mice, printers, modems, volatile and non volatile semi-conductor computer memory, blank disks, blank floppy disk drives, fiber optics, namely fiber optics cables for use in the iron and steel industry, ferrous and non-ferrous metallurgical industry, media for programmed and non-programmed data namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, data transmitting equipment for sport not included in other classes namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, all above-mentioned goods for controlling, regulating, simulating, visualising and monitoring parameters of industrial installations, environmental protection installations, installations for producing, distributing and transmitting power, as well as machines and components thereof; electronic components, namely integrated circuits and printed circuits for use in industrial installations, environmental protection installations, installations for producing, distributing and transmitting power, as well as in machines and components thereof; apparatus and instruments for measuring the pollution in water and air namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, apparatus and instruments for testing materials namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, equipment for weighing materials namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry

- Class 011.

All goods and services in the class are appealed, namely: Loading devices for blast furnace throats, especially loading devices for throats without bells namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry

- Class 037.

All goods and services in the class are appealed, namely: Construction, namely construction of metalworking machines and tools; repair, namely repair of metalworking machines and tools; installation services namely of metalworking machines and tools for the iron and steel industry, ferrous and non-ferrous metallurgical industry; assembly work of metalworking machines and tools for the iron and steel industry, ferrous and non-ferrous metallurgical industry; assembling and building industrial installations, installations for machines and motor installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installation and assembly of electrical apparatus namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; installation and assembly of pipes for liquid

or gaseous mediums namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; servicing of products and/or apparatus, namely steel- and metalworking products and/or apparatus for the electricity and electronics industry, the precision engineering industry and general mechanics; maintenance and repair of industrial installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, environmental technology installations namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, power plants, buildings, dwellings, tall buildings, hydraulic buildings, bridge building, electrical installations, water purification installations, waste water treatment, and purification of gas namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, as well as installations for biological masses namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, waste incineration installations and composting installations; assembling namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, installing, servicing and repair of installations for mining and metallurgy, steel and metalworking machines, bridges, cranes and ducts; demolition of buildings while recovering materials from industrial, nuclear, metallurgy and environmental protection installations; repairs, namely renovation and maintenance of electrical rotary machines; servicing, maintenance and repair of electric and electronic machines for industrial installations, metallurgy installations, environmental protection installations, installations for producing, distributing and transmitting power; fitting suspension cables and transport cables, aerial cables and overhead wires namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; maintaining, and repair of computer and data processing installations being computer hardware for industrial installations, metallurgy installations, environmental technology installations, installations for producing, distributing and transmitting power and machines; building and repair services, namely improving efficiency and performance for existing power production equipment namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, assembly of components for insertion for primary and secondary measures for emission reduction, namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry, increasing the life and the degree of automation of industrial installations and environmental technology installations and power plants namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; rental of construction tools and equipment

- Class 042.

All goods and services in the class are appealed, namely: Scientific and technological services and research and design relating thereto namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; industrial analysis and research services namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; design and development of computer hardware and software; engineering services in the fields of mechanical engineering, civil engineering, fluids, electronics, electricity, automation, artificial intelligence and optimisation; technical and scientific calculations by computer namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; architectural and engineering design drawing by computer; drafting of engineering reports (engineers' services); services involving design, developing, consulting in the field of the metallurgy and steel industry, especially blast furnaces namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; data conversion of computer programs and data; computer programming; services provided by engineers, physicist and chemists namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; drafting of engineering reports (engineers' services) in the field of blast furnaces in the metallurgy and steel industry; material testing, namely analysis services for mechanical, physical and chemical properties of materials in connection with activities in the area of metallurgy; studies relating to testing metals and materials namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; project studies for building and buildings namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry; design and development of data-processing programs, especially via computing, for others; building consultancy and technical project studies namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for industrial installations, power plants and environmental technology installations; scientific and industrial research and development; construction drafting and design of mining and metallurgic installations, machines, bridges, cranes and conduits; making models of technical processes namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for industrial installations, power plants and environmental technology installations; drafting of technical plans in the field of data processing for industrial installations, metallurgy installations, environmental protection installations, installations for producing, distributing and transmitting power and machines; computer software consultancy for industrial installations, metallurgy installations, environmental protection installations, installations for producing, distributing and transmitting power and machines; computer programming for computer installations for the purpose of controlling, regulating, simulating, visualizing and monitoring parameters of industrial installations, environmental protection

installations, installations for producing, distributing and transmitting power, machines and components thereof; analysis for implementing computer systems namely for the iron and steel industry, ferrous and non-ferrous metallurgical industry for industrial installations, metallurgic installations, environmental protection installations, installations for producing, distributing and transmitting power, and machines; rental of computer installations and computer software for controlling, regulating, simulating, visualizing and monitoring parameters of industrial installations, technical installations, installations for producing, distributing and transmitting power, machines and components thereof; installation and maintenance of software for controlling, regulating, simulating, visualizing and monitoring parameters of industrial installations, installations for producing, distributing and transmitting power, machines and components thereof; creation of intranet and internet pages in the field of industrial installations, environmental protection installations, installations for producing, distributing and transmitting power, and machines; technical development and design of electrical installations; drafting of plans for construction for technical project studies regarding components for insertion for primary and secondary measures for emission reduction, increasing the life and degree of automation of industrial and environmental technology installations and power plants; product quality inspection for industrial installations, materials testing, , waste water quality control, exhaust gas and air quality control

Respectfully submitted,

/Jamie E. Platkin/

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