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

Application Serial No.	79112144
Applicant	FuturaGene Limited

Notice of Appeal

Notice is hereby given that FuturaGene Limited appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79112144.

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 001. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Biotechnologically-formed genes for use in the manufacture of agricultural seeds; biotechnology formed genes, microbes and enzymes for use in the production of agricultural seeds to enhance plants' growth therefrom
- Class 031. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Live transgenic and non-transgenic trees and seedlings for forestry; live plants and plant tissue for plant propagation modified to grow faster or to produce higher crop or biomass yields; live plants and plant tissue for plant propagation modified to be substantially improved as a source for producing wood pellets; live plants and plant tissue for plant propagation modified to be substantially improved as a source for producing biofuels; live plants and plant tissue for plant propagation modified to be substantially improved as a source for producing ethanol or butanol or any other wood product chemical derivative; live plant tissue for plant propagation modified to be substantially more resistant to pest, disease or other biotic stress
- Class 042. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Plant genetic research and development for biofuel, biopower, forestry and agricultural markets; providing information in the field of plant genetics research resources; research and development services relating to plant genetics; research and product development for others in the field of genetically engineered plants and plant seeds, namely, development of recombinant genes to produce novel gene sequences for use in science, research, agriculture and industry; research and development of transgenic and non-transgenic trees for forestry purposes for others; and research and development of genomics and plant culture; genetic engineering in the field of live transgenic and non-transgenic trees and seedlings
- Class 044. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Tree planting of live transgenic and non-transgenic trees and planting of seedlings for purposes of plant breeding and afforestation services, namely, converting land to forest by planting trees or their seeds; consultancy and advisory services relating to the planting of live transgenic and non-transgenic trees and seedlings for purposes of plant breeding and afforestation services, namely, converting land to forest by planting trees or their seeds; plant breeding; afforestation services, namely, converting land to forest by planting trees or their seeds; agricultural advice, horticultural services; agricultural services, namely planting, growing, fertilizing, pruning and picking live transgenic and non-transgenic trees and seedlings for others; horticultural services; plant nurseries; tree surgeons' services
- Class 045. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Licensing of intellectual property, namely, technology licensing services relating to plant genetics; and licensing of intellectual property in the form of patents, patent applications, know-how and show-how in the fields of global biofuel, horticulture, forestry and agriculture

Respectfully submitted,
/deirdreclarke/

08/06/2015

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