

ESTTA Tracking number: **ESTTA678633**

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

Application Serial No.	79146303
Applicant	Frozenbyte, Inc.

Notice of Appeal

Notice is hereby given that Frozenbyte, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79146303.

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 009. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Video disks and video tapes with recorded animated cartoons; apparatus for recording, transmission or reproduction of sound or images; calculating machines, data processing equipment, namely, computers; blank compact discs with read-only memory for sound or video recording; DVDs and audio digital tapes featuring animated cartoons; computer game programs and software; computer memories; computer operating programs, recorded; computer peripheral devices; recorded computer programs for use in creating computer games, fantasy games, animated cartoons; downloadable computer programs for use in creating computer games, fantasy games, animated cartoons; recorded computer software for use in creating computer games, fantasy games, animated cartoons; disk drives for computers; blank magnetic disks; downloadable image files containing cartoons and fantasy images; downloadable music files; downloadable ring tones for mobile phones; blank record disks; magnetic data media, namely, blank audio tapes; mechanism for coin operated apparatus; fantasy games, animated cartoons; computer mouse; mouse pads; blank optical data carriers; blank optical discs; simulators for the steering and control of vehicles; blank USB flash drives; blank video cassettes; video game cartridges; video game programs; video game software; wrist rests for use with computers; computer game programs for gaming machines, namely, slot machines and video lottery terminals
- Class 028. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Arcade video game machines
- Class 041. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Game services provided on-line from a computer network

Respectfully submitted,
/tamarahead/
06/17/2015

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