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

Application Serial No.	79146834
Applicant	Lidl Stiftung & Co. KG

Notice of Appeal

Notice is hereby given that Lidl Stiftung & Co. KG appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79146834.

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 016. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Paper, cardboard; cardboard boxes; printed matter, namely, paper signs, books, manuals, curricula, newsletters, informational cards and brochures in the field of office management, running an office, and office organization; bookbinding material; photographs; stationery; unprinted paper labels and blank paper labels; printed paper labels; adhesive labels; address labels; adhesives for stationary or household use; pens, pencils, markers, stamping inks, binders and paper clips; stickers supplied in sheet and/or rollform; laminated paper, copying paper, carbon paper, tabulating paper, continuous paper, ink jet paper, laser paper; plotter paper, drawing paper, paper rolls for computers, fax machines and cash registers; paper for printing photographs, computer-generated and digital images; self-adhesive paper for use in laser printers; door and name plates of paper and cardboard; printable foils for ink jet printers, laser printers and copiers, excluding for use as packaging; document laminators for office use; bookbinding machines for office use, heat transfer adhesive labels; unprinted or partially printed self-adhesive labels, not of textile; paper for packaging; printed and unprinted paper and cardboard hang tags; paper labels and tags; laminated paper, copying paper, carbon paper, tabulating paper, continuous stationery, ink jet paper, laser paper; paper for plotters; drawing paper; paper rolls for calculators, fax machines, and cash registers; paper for printing photographs, computer-generated and/or digital images; self-adhesive paper for use in laser printers; photograph albums; diaries, address books; poetry albums; calendars, appointment books; paper stationery, namely personal organizers, agendas, desk top organizers; booklets of printed forms; pads of paper, notepads, notebooks, stationery notes, shorthand scratch and scribble pads, school notebooks, drawing pads, writing pads, pads of printed forms; order forms; self-adhesive note pads, adhesive notelets and adhesive markers; note paper holders; office requisites, namely, printed paper and cardboard signs featuring names for use in on doors and desks; printed aluminum foil laminated paper for printing purposes for ink jet printers, laser printers and copiers; aluminum foil laminated paper for printing purposes; document laminators for office use; spiral binding machines for office use; paper shredders; plastic or paper bags and envelopes for merchandise packaging; photograph albums; diaries; address books; poetry albums; copy books; receipt books; burp pads of paper, notepads, blank note cards, shorthand memo pads, school notebooks, drawing pads, writing pads, form legal pads; printed forms; block note pads, repositionable note papers; adhesive labels and paper hole reinforcements; stickers supplied in sheet roll form; release coated papers for copying, displays and label production; adhesive tape, adhesive glue sticks for stationary purposes, adhesive tape rollers, photo adhesives for stationary purposes; self-adhesive note pads, adhesive notelets and adhesive markers; note paper holders; release paper for copying, displays and label production; self-adhesive printing paper for labels and displays; adhesive labels and paper hole reinforcements; adhesive letters, numbers and symbols for use in making signs and posters; office requisites except furniture, namely, envelope sealing machines, paper trimmers, staplers; adhesive tape and correction tape; adhesives and glues for stationary or household purposes; adhesive tape holders, adhesive glue sticks for stationary purposes, adhesive tape rollers, photo adhesives for stationary purposes; pressure-sensitive adhesives for stationary purposes; adhesive paper pouches for packaging; packaging strips being adhesive tape for household use, packaging tape of pvc for stationary or household use, packaging tapes for stationary or household use; pressure sensitive printing papers for labels and displays; self-adhesive label holders for adhering photographs to scrapbooks; office requisite, namely, gummed shipping labels; adhesive-backed letters, numbers, and

symbols for use in making signs, posters, binder pages, and documents; office requisites, namely, envelope sealing machines; correction tape in a dispenser for use in correcting mistakes made in printing and handwriting; adhesive corners for photographs; strips of fancy paper for packaging; adhesive packing tape for stationery or household use; special adhesive packing tape for stationery or household use; writing paper; blank cards; envelopes; mailing paper bags; air cushion mailing paper bags for packaging; writing paper and display and index cards; envelopes; packaging pouches for mails data, floppy-disk and protective-mailing envelopes; business cards; desktop business card holders; index cards; business card files; transparent envelopes; paper envelope sleeves for holding and protecting paper displays and leaflets; self-adhesive paper bags; maps; memo boards; wall daily planners; glass panels, namely writing slates; folding blackboards; magnetic boards; hanging file binders; ring binders; presentation binders; storage binders, presentation folders; printable paper and plastic transparencies for overhead projectors; binder paper; business forms; envelopes; message books; index marking tabs; printed and unprinted paper and cardboard tags; stickers; tabbed and untabbed dividers in the form of cardboard sheets for drawers for files; school writing books; easel binders; folders for papers; folders; document portfolios; paper file folder fasteners; personal organisers and organisers for stationery use; ring binder inserts being index dividers; school writing books; writing instruments; stylographic pens, highlighter pens, markers; double-ended writing instruments.; pencils and colouring crayons, ballpoint pens and refills for ballpoint pens, gel pens and refills for gel pens, fineliner pens, roller ball pens, fibre pens, ink pens, permanent markers, cd marker pens; writing implements sets; erasers, square rulers, pencil sharpeners, electric pencil sharpeners, compasses for drawing, chalk; correction fluid, correction tape, correction pencils; rubber, date and postage stamps, staples, office hole and paper hole punchers, hole reinforcement for paper; paper knives, letter-openers, triangles being drawing instruments; rubber bands; drawing pins, steel push pins for notice boards; binder, letter and pen clips; letter trays; filing cases for paper products and stationery, file boxes for storage of forms and paper containers for storage of paper products and stationery; archive boxes of cardboard; desk organizers; writing tablets; desk sets; paper containers with drawers; desk files; file and memo sorters included in this class, namely, desktop filing units with drawers, document stands, plastic file boxes, collection folders, signature folders, adhesive file spine labels, notebook and index dividers, separating tabs, hanging file folders, hanging file binders, ring binders, presentation binders, storage folders, presentation folders; paper report covers; presentation document portfolios; paper folders for protecting paper sheets; presentation, reference and storage paper folders for protecting paper sheets; partitioned paper folders for protecting paper sheets. transparent-plastic binder pages for holding and displaying business cards and photographs; sheet protector index dividers; tabbed transparent plastic binder pages for holding documents; hanging folders, hanging folders for letters or for blueprints, paper pouches for packaging; paper pouches for mailing, file boxes for storage of hanging folders, letters or blueprints; painting templates; palettes for painters, paint boxes for use in schools, paint brushes; padfolios and pocket folders; paper labels

- Class 017. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Laminating foils of plastic, used for building insulation, excluding for use as packaging; rings of rubber, namely water tight rings for plumbing pipes; washers of rubber for plumbing pipes
- Class 020. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Office furniture; desks and work tables; filing cabinets, shelves, non-metal rolling file cabinets and other containers for storage purposes, namely coat racks, storage racks, pedestal cabinets; plastic storage containers for commercial or industrial use; desk chairs and swivel chairs; seat cushions; foot stools; rotating columns for files; non-metal containers for storage of files; non-metal hardware, namely wall mounts for telephones

Respectfully submitted,
/Elizabeth W. King/
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