

ESTTA Tracking number: **ESTTA695472**

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

Application Serial No.	79149213
Applicant	Tetra GmbH

Notice of Appeal

Notice is hereby given that Tetra GmbH appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79149213.

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: Fertilizers for aquatic plants for use in indoor aquaria, terraria and garden ponds; fertilizers for ornamental plants; water conditioners for use in indoor aquaria and garden ponds; chemical test kits for testing ammonia, nitrite, nitrate, pH alkalinity, hardness and/or calcium in water; water softeners and decalcifiers for use in indoor aquaria, terraria and garden ponds; bacteria and preparations containing bacteria for use in water treatment; test strips for testing water in indoor aquaria, garden ponds and terraria
- Class 007. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Electric membrane pumps for use in indoor aquaria; air pumps and water pumps for use in indoor aquaria, terraria and garden ponds; water aeration systems comprising water pumps and air compressors for use in indoor aquaria, terraria and garden ponds; draining apparatus (pumps) for use in garden ponds
- Class 009. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Electrical timers for filters used in indoor aquaria, terraria and garden ponds
- Class 011. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Lighting, heating and aerating apparatus; automatic temperature regulators; air filters, water filters all aforementioned goods to be used in indoor aquaria, terraria and garden ponds; heating apparatus with integrated thermostats for use in indoor aquaria and terraria; electrical filters and systems composed thereof for use in indoor aquaria, terraria and garden ponds; UV light bulbs for use in indoor aquaria, terraria and garden ponds; string lights for use in garden ponds; water filter and systems composed thereof for use in indoor aquaria, garden ponds and terraria; fountain filtration sets; filter pads for use in filters in indoor aquaria, terraria and garden ponds; artificial waterfalls and fountains
- Class 017. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Foam sealant for use in garden ponds and pond liners
- Class 021. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Planting baskets for use in garden ponds; decoration material for use in indoor aquaria, terraria and garden ponds; indoor aquarium bowls; aquaria and tanks for fish keeping; artificial reefs to be used as decorative material in indoor aquaria
- Class 022. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Fish nets for use in indoor aquaria and garden ponds

Respectfully submitted,
/Lisa M. Willis/
09/11/2015

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