

ESTTA Tracking number: **ESTTA696297**

Filing date: **09/16/2015**

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

Application Serial No.	79151709
Applicant	Dr. Willmar Schwabe GmbH & Co. KG

Notice of Appeal

Notice is hereby given that Dr. Willmar Schwabe GmbH & Co. KG appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79151709.

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 005. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: pharmaceutical preparations for use in the treatment of gastrointestinal disorders; veterinary preparations used to treat gastrointestinal disorders in domestic pets and livestock; food in the form of blocks, powder, granulated powder, grain, capsule, tablet, liquid or jelly; food supplements in beverage form
- Class 029. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Low-fat foods based on proteins and fat, with added fatty acids, namely, those principally consisting of extracts of plant in the form of blocks, powders, granulated powders, grains, capsules, tablets, liquids or jellies, excluding those for medical purposes
- Class 030. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Low-fat foods based on carbohydrates, namely, those consisting wholly or principally of grain extracts in the form of blocks, powders, granulated powders, grains, capsules, tablets, liquids and jellies, excluding those for medical purposes

Respectfully submitted,
/NATHANIEL KRAMER/
09/16/2015

NATHANIEL KRAMER
KIRSCHSTEIN, ISRAEL, SCHIFFMILLER & PIER
425 FIFTH AVENUE 5TH FLOOR
NEW YORK, NY 10016-2223
UNITED STATES
NDKRAMER@MINDSPRING.COM
212-697-3750