

ESTTA Tracking number: **ESTTA770571**

Filing date: **09/14/2016**

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

Application Serial No.	79170936
Applicant	SensoMotoric Instruments Gesellschaft fÃ¼r innovative Sensorik mbH

Notice of Appeal

Notice is hereby given that SensoMotoric Instruments Gesellschaft fÃ¼r innovative Sensorik mbH appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79170936.

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: Scientific, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, supervision, life-saving and teaching apparatus and instruments, namely for measuring eye movements and gaze direction, attention and head pose of users; apparatus for recording, transmission or reproduction of sound or images, namely for recording and reproduction of eye movements or gaze directions mapped on sceneries; pre-recorded magnetic data carriers featuring software; compact discs, DVDs and other digital recording media featuring software; data storage media, namely servers, hard drives; calculators; data processing computer hardware; computers; software for medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), medical diagnostics, vision science, indicator categorisation; computer programs for medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), diagnostics, vision science, indicator categorisation; audiovisual teaching apparatus, namely PC monitors, virtual reality headsets, augmented reality headsets, projection beamers and screens, notebook displays
- Class 035. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Collection, systematization, compilation and analysis of business data and information stored in a computer memory, on a storage device, or in a computer database
- Class 041. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Education services, namely education about psychology and utilizing eye tracker information therefor in the field of medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), medical diagnostics, vision science, indicator categorization; providing of training in the field of medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), medical diagnostics, vision science, indicator categorization; entertainment, namely patient eye movement analyses during therapeutic games; organizing community sporting events, namely winter- and summer sports, especially winter- and summer ball sports, athletics, watersports, air sports, combat sports, darting, competitive sport and shooting, skiing, motorsport; organizing cultural activities, namely sporting competitions and educational events; providing information about education
- Class 042. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Scientific and technological services, namely

experiment design, data analysis, visualization and reporting in the field of medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), medical diagnostics, vision science, indicator categorisation; new product research and design in the field of medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), diagnostics, vision science, indicator categorisation; industrial analysis and research services in the field of medical assistance, education, market research, usability and user experience research, scientific research, psychology, psychiatry, psycholinguistics, linguistics, neuroscience, human factors, ergonomics, sports, professional training, gaze based interaction, ophthalmology, original equipment manufacturing (OEM), diagnostics, vision science, indicator categorisation; design and development of computer hardware and software; technical data analysis services, namely eye-, head-, gaze- and attention-tracking data analysis services; computer hardware and software consultancy, namely, consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others

Respectfully submitted,
/Keith Toms/
09/14/2016

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