

ESTTA Tracking number: **ESTTA774481**

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

Application Serial No.	79172106
Applicant	SoundCloud Ltd.

## Notice of Appeal

Notice is hereby given that SoundCloud Ltd. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79172106.

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: Apparatus for recording, reproducing and/or transmission, uploading, downloading, streaming and distribution of sound, music, media, data and/or images; audio, video and digital recordings featuring music; downloadable recordings, content and media, namely, downloadable MP3 files and MP3 recordings, digital photos, graphics, audio, sound and video files; mobile communications and mobile telephones software applications for transmission of data, sound, images, music, photos, graphics, audio and video content between two points; Computer software for the collection, editing, organizing, modifying, book marking, transmission, uploading, downloading, streaming, storage and sharing of data, sound, images, music, photos, graphics, audio and video content; Software and software applications for the collection, editing, organizing, modifying, book marking, transmission, streaming, uploading, downloading, storage and sharing of data, sound, images, music, photos, graphics, audio and video content; Downloadable electronic publications in the nature of magazines and newsletters in the fields of music, and downloadable mp3s, and other digital, video and audio recording files
- Class 042. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Design and maintenance of computer software; design of computer networks for others; designing, programming, development, testing, implementation, installation, maintenance, repair services of computer software and database systems; designing, development, testing services of computer hardware; computer network services; computer network services, namely, computer network design for others; computerized data storage; hosting online website featuring music, video, graphics, films and data; Application service provider (ASP), namely, hosting computer software applications of others; computer services relating to the online provision of services and facilities for others for uploading, downloading and sharing information, data, sound, images, music, photos, graphics, audio and video content and for organizing and conducting online meetings, gatherings, and interactive discussions; Providing temporary use of on-line non-downloadable software for uploading, downloading and streaming music, data, sound, images, photos, graphics, audio and video content; electronic data storage; Computer services, namely, monitoring and analyzing the Internet traffic control and content control of the web sites and social media content of others; information, advisory and consultancy services relating to the aforesaid

Respectfully submitted,  
/Deborah J Peckham/  
10/04/2016

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