

ESTTA Tracking number: **ESTTA567665**

Filing date: **10/28/2013**

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

Application Serial No.	85336779
Applicant	TURNTABLE.FM, INC.

Notice of Appeal

Notice is hereby given that TURNTABLE.FM, INC. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85336779.

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 class of goods/services:

- Class 009. First Use: 0 First Use In Commerce: 0
Appealed goods and services in the class: Downloadable software in the nature of a mobile application enabling users to listen to music, play music, comment on music, and buy music; computer software for streaming, broadcasting, transmitting and reproducing music; downloadable computer software for streaming, broadcasting, transmitting and reproducing music; Retail store services featuring virtual goods, namely, avatars and related accessories for use in an online community; retail store services featuring downloadable pre-recorded music; Providing Internet chat rooms; providing on-line chat rooms for social networking; Internet radio services, namely, transmission of audio material via the Internet; Internet broadcasting services; Internet radio broadcasting services; Entertainment services, namely, providing non- downloadable playback of music via global communications networks; entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and music for purchase; entertainment services, namely, providing on-line, non- downloadable virtual avatars and related accessories for use in virtual environments created for entertainment purposes; Providing a website allowing users to upload and download music; providing a website that gives users the ability to purchase downloadable music; providing a website featuring technology that enables users to listen to music, play music, comment on music, and buy music

Respectfully submitted,
/robert clarida/
10/28/2013

Robert Clarida

Attorney of Record

Reitler Kailas & Rosenblatt, LLC

885 Third Avenue

New York, NY 10022

UNITED STATES

rclarida@reitlerlaw.com

(212) 209-3044