

ESTTA Tracking number: **ESTTA773178**

Filing date: **09/27/2016**

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

Application Serial No.	85892354
Applicant	Distinct, LLC

## Notice of Appeal

Notice is hereby given that Distinct, LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85892354.

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  
All goods and services in the class are appealed, namely: downloadable software in the nature of a mobile application that allows users to interact online with information and media content that other users share, and software that allows users to create, upload, view, discover share data, information and media content, excluding the following subjects: loyalty marketing, customer relationship management, customer data analytics, promotional incentive schemes and consumer packaged goods data analytics

Respectfully submitted,  
/smh/  
09/27/2016

**Scott Hervey**

**Weintraub Tobin**

**10250 Constellation Blvd #2900**

**Los Angeles, CA 90067**

**UNITED STATES**

**scott.hervey@weintraub.com**

**3108603304**