

ESTTA Tracking number: **ESTTA765693**

Filing date: **08/19/2016**

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

| | |
|------------------------|---------------------|
| Application Serial No. | 86711186 |
| Applicant | LIVINGFENCE.COM LLC |

Notice of Appeal

Notice is hereby given that LIVINGFENCE.COM LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 86711186.

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 035. First Use: 2015/06/25 First Use In Commerce: 2015/07/14
All goods and services in the class are appealed, namely: ONLINE RETAIL STORE SERVICES FEATURING TREES, SHRUBS, PLANTS AND NURSERY STORES
- Class 044. First Use: 2015/06/25 First Use In Commerce: 2015/07/14
All goods and services in the class are appealed, namely: PLANT NURSERIES, TREE NURSERIES AND PROVIDING A WEBSITE FEATURING INFORMATION IN THE FIELDS OF GARDENING, LANDSCAPING AND HORTICULTURE

Respectfully submitted,
/John S. Hale/
08/19/2016

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