

ESTTA Tracking number: **ESTTA173832**

Filing date: **11/09/2007**

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

| | |
|------------------------|--------------|
| Application Serial No. | 78840098 |
| Applicant | BioDuct, LLC |

Notice of Appeal

Notice is hereby given that BioDuct, LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 78840098.

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 010.

All goods and services in the class are appealed, namely: Surgical implants comprising artificial material, namely, surgical implants that have biocompatible tubing for use in orthopaedic surgery

Respectfully submitted,
/Thomas M. Palisi/
11/09/2007

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