

ESTTA Tracking number: **ESTTA279383**

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

Application Serial No.	79049690
Applicant	KUBOTA CORPORATION

## Notice of Appeal

Notice is hereby given that KUBOTA CORPORATION appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79049690.

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 004.  
All goods and services in the class are appealed, namely: Solid film lubricants; fuels; lubricating oil for diesel engines, lubricating oil for agricultural machines and implements, engine lubricating oil; other lubricating oils being industrial lubricants; mobile oil in the nature of fuel oil; motor oil; gear oil; other mineral oils and greases for industrial purposes, not for fuel; non-mineral oils and greases for industrial purposes, not for fuel
- Class 007.  
All goods and services in the class are appealed, namely: Walk-behind tractors for agricultural use, namely, tillers and parts and fittings, namely, wheels and air, oil and gas filters; cutters and brush cutters; agricultural machines, namely, mowers, combines, threshers, backhoes, reapers, binders, rice planters, seedling planters, power-operated agricultural sprayers and pumps for agricultural sprayers; hydraulic and mechanical valves for use in flow control of water for irrigation and agricultural purposes; engines for use in agricultural machines, and parts for the aforesaid goods, namely, air, oil and gas filters, clutch plates, exhaust pipes and manifolds, starters for motors, radiators for motors and engines and disc brakes; construction machines, namely, excavators, backhoes, loaders, crushers and dozers, parts and fittings for the aforesaid machines, namely, attachments for vehicles in the nature of grapple buckets and blades for moving earth and loose objects, air, oil and gas filters for use in construction machines, crawler tracks for use in construction machines; rice-shaping robots; packaging and wrapping machines; non-electric prime movers not for land vehicles, namely, engines other than for land vehicles; parts for the aforesaid engines, namely, assembly piston rings, oil seals, inlet valves, cylinder liners, rubber absorbers, exhaust valves, liner O-rings, crankpin metals, assembly connecting rods, assembly fuel filters, cylinder heads, gaskets, pistons, crankshafts, oil filters, air cleaning elements, and water pumps; starters for motors and engines; engine generators; AC generators being alternators; DC generators; lawnmowers and their parts and fittings, namely, air, oil and gas filters, loaders, grass catchers, blades, snow blowers, blowers, rotary sweepers, hitches, rotary tillers, light assembly, steering wheels and crawler tracks, all for use in lawnmowers; power transmissions and gearing for machines not for land vehicles; other machine elements not for land vehicles, namely, shafts, axles and spindles being machine elements not for land vehicles, bearings being machine elements not for land vehicles, shaft couplings and connectors being machine elements not for land vehicles, cams being machine elements not for land vehicles, toothed wheels and gears being machine elements not for land vehicles, roller chains being machine elements not for land vehicles, power transmission belts being machine elements not for land vehicles, brakes being machine elements not for land vehicles, shock absorbers being machine elements not for land vehicles, springs being machine elements not for land vehicles, gaskets for internal combustion engines, valves being machine elements not for land vehicles
- Class 012.  
All goods and services in the class are appealed, namely: Agricultural tractors and their parts and fittings, namely, air, oil and gas filters, loaders, grass catchers, blades, snow blowers, blowers, sweepers, hitches, rotary tillers, seats, wheels, tires, transmissions, vehicle rollover protection systems composed of metal bars, light assembly, steering wheels, crawler tracks, all for use in tractors; automobiles and their parts and fittings, namely, seats, wheels, tires, light assembly and steering wheels, all for use in vehicles; carts;

wheelchairs and motorized, electric-powered, self-propelled, wheeled personal mobility transportation devices and their parts and fittings, namely, seats, wheels, tires, light assembly and rollover protection systems composed of metal bars, all sold as a integral component of wheelchairs and motorized, electric-powered, self-propelled, wheeled personal mobility transportation devices; ropeways for cargo or freight handling in the nature of aerial tramways and aerial lifts; unloading tipplers for tilting railway freight cars; traction engines for land vehicles; non-electric prime movers in the nature of engines for land vehicles not including their parts; power transmissions and gears for land vehicles; other machine elements for land vehicles, namely, shafts, axles, spindles, bearings, shaft couplings and connectors, cams, toothed wheels and gears, roller chains, power transmission belts, brakes, shock absorbers, springs, gaskets for shock absorbers, cylinder head cover gaskets, exhaust gaskets, valve cover gaskets and air cleaning gaskets and valves, all being machine elements for land vehicles; AC motors and DC motors for land vehicles, not including their parts

Respectfully submitted,

/jmp/

04/21/2009

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