

ESTTA Tracking number: **ESTTA733406**

Filing date: **03/14/2016**

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

Application Serial No.	79160528
Applicant	OSYPKA AG

## Notice of Appeal

Notice is hereby given that OSYPKA AG appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79160528.

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 009. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Electric and electronic devices and instruments for the measurement, input, storage, display, analysis, processing, generation and transmission of data and signals, namely, input and output devices and instruments for computers; monitors, namely, implant device monitors, data processing devices, namely, data processors, computers, computer programs for programming and fitting implantable devices, parts of the aforesaid goods as well as additional parts for this purpose as far as included in this class, namely, electronic cables, remote controls, programmable units; all the aforesaid goods for the medical sector
- Class 010. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Medical devices and instruments for the application in diagnosis and therapy of heart and blood circulation functions; implantable catheter for pacemaker; electrodes for medical purposes, in particular heart wires; sensing and/or stimulation apparatus, namely, heart and nerve stimulator apparatus and defibrillators, each positioned outside the body and capable of being temporarily connected to the heart by means of heart wires; parts of the aforesaid goods as well as additional parts for this purpose, as far as included in this class, namely, connectors, cables and surface electrodes
- Class 037. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Cleaning, disinfection and sterilization of medical devices, apparatus and instruments for third parties
- Class 042. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Technical advice relating to the development of medical and electro-medical equipment, in particular in the field of diagnosis and therapy of heart and blood circulation functions, carrying out of research and development in the field of medical devices, apparatus and instruments, development and implementation of computer software and computer programs for data treatment

Respectfully submitted,  
/John P. Sullivan/  
03/14/2016

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