

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

Application serial no.	79331029
Applicant	BWI GmbH

Notice of Appeal

Notice is given that BWI GmbH appeals to the Trademark Trial and Appeal Board the refusal to register the application or the cancellation of the registration. A request for reconsideration has been filed. A suspension of the appeal is requested pending reconsideration.

The following goods or services are at issue on appeal:

- Class 009. First Use: None First Use In Commerce: None
All goods and services in the class are appealed, namely: Downloadable or recorded software, in particular communication and network software and artificial intelligence software for database management; downloadable or recorded software, in particular communication and network software and artificial intelligence software for the administration of computer local area networks; downloadable or recorded software, in particular communication and network software and artificial intelligence software for application development, web hosting, and database management; downloadable or recorded software, in particular communication and network software and artificial intelligence software for application and database integration; downloadable or recorded software, in particular communication and network software and artificial intelligence software for providing access to the internet; downloadable or recorded software, in particular communication and network software and artificial intelligence software for authorizing access to databases; downloadable or recorded software, in particular communication and network software and artificial intelligence software for creating searchable databases of information; recorded data on optical, digital and magnetic media for electronic storage; information technology, audiovisual, multimedia and photographic equipment, namely, audiovisual receivers, cameras, multi-media interface adapters and splitters, multimedia projectors, and portable multi-media viewing terminals; downloadable or recorded mobile software apps for use in database management; downloadable or recorded electronic publications in the nature of e-books, books, magazines, manuals, and newsletters in the fields of computer science, and information technology; pre-recorded media in the nature of pre-recorded magnetic data carriers containing electronic document management software; electronic publications, downloadable, in the nature of e-books, books, magazines, manuals, newsletters in the fields of computer science, and information technology; blank data storage devices and media; computers and computer hardware; apparatus for recording, transmission or reproduction of sound or images; structural parts and accessories sold as integral components for all the aforesaid goods, included in this class
- Class 038. First Use: None First Use In Commerce: None
All goods and services in the class are appealed, namely: Telecommunications, namely, facsimile services; providing access to platforms and portals on global computer networks, on the internet and on wireless networks; providing access to platforms and portals on global computer networks, on the internet and on wireless networks; electronic transmission of data, images and sound via computer terminals and networks; providing access to a global computer network; providing access to computer program on data networks, on the internet and on wireless networks; providing e-mail and facsimile services; electronic transmission of data, images and sound via computer terminals and networks; providing access to a global computer network; providing access to computer program on data networks; providing e-mail services; electronic transmission of e-mail; providing electronic transmission of secure e-mail; data communication by electronic mail; electronic transmission of mail and messages; providing access to information on the internet; providing internet chatrooms; facilitating electronic exchange of messages via chat lines, internet forum and social media; transmission of messages and images by computer; leasing access time to global computer networks; providing access to databases; web messaging, namely, forwarding of electronic messages of all kinds to internet addresses; leasing access time to websites and computer databases; providing access to online content websites and internet portals; rental of telecommunication systems and equipment; consultancy and information in relation to the aforesaid services, included in this class
- Class 042. First Use: None First Use In Commerce: None

All goods and services in the class are appealed, namely: Information technology (IT) consultancy, IT consultancy, advice and information services; IT software security, protection and repair services; electronic data duplication and conversion services; computer programming in the nature of data encoding services, computer software analysis and diagnostics; research and development and implementation of new product design in the field of computers and computer systems; computer project management services; digitalization of documents, sound and images; design, development, programming, implementation; maintenance, rental, installation and updating of software; software as a service (SAAS) services; software as a service (SAAS) services featuring software for use in database management; software as a service (SAAS) services featuring software using artificial intelligence for use in software development, machine learning, and facial and speech recognition; platform as a service (PAAS) featuring computer software platforms for use in database management and as a base for software applications and data transmission; infrastructure as a service (IAAS) services, namely, hosting software for operating virtual servers for use by others; infrastructure as a service (IAAS) services; electronic data backup services; electronic data storage services; technological services, in particular development and design of technologies for telecommunications and data communications services and telecommunications and data communications networks; technical consultancy in the field of design, development, programming, implementation, maintenance, installation and updating of software; scientific and technological services, namely, research and design in the field of computer networking hardware, computer datacenter architecture, and testing, authentication and quality control of the goods and services of others; graphic design services; IT consulting services featuring technical advice on the design, development and operation of computer devices, installation and other computer products and installation for data, information and communication technology, including data and telecommunication networks; technical planning, development, project planning, technical advice, carrying out technical tests, technical monitoring, creating and carrying out a technical concept for the use of software systems and software products in the field of data, information and communication technology, including data and telecommunication networks; electronic services, namely the electronic storage and technical conversion of data sets and information, images, video and audio sequences; rental of equipment being computer systems and computer hardware and software and computers featuring data and information technology, included in this class; IT consulting services featuring technical advice on the transfer of classic business processes to Internet-based applications; design of intranet and Internet pages as well as complete intranet and Internet presences and their content, navigation and the connected software applications; conception, creation, programming, administration, maintenance, servicing and updating of applications for the Internet and intranets, namely web pages; design, programming, maintenance, care and updating of applications for the Internet and intranets, namely Internet portals and Internet marketplaces; rental of developed applications for the Internet and intranets, namely software for web pages, Internet portals and Internet marketplaces; consultancy and information in relation to the aforesaid services, included in this class

Respectfully submitted,

/Anne W. Glazer/

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