

ESTTA Tracking number: **ESTTA450481**

Filing date: **01/10/2012**

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

Application Serial No.	85174871
Applicant	Health Communications, Inc.

Notice of Appeal

Notice is hereby given that Health Communications, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85174871.

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: 1983/04/29 First Use In Commerce: 1983/05/05
All goods and services in the class are appealed, namely: prerecorded downloadable audio, photographic and video recordings, audiotapes, videotapes, CDs, DVDs featuring content related to responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments; audio-video photograph slides; electronic publications featuring educational, instructional, training, demonstrative and testing content related to responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments and electronic downloadable publications of educational, instructional, training, demonstrative and testing content related to responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments; software featuring education, instruction, training, demonstration and testing content related to responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments; electronic publications of audio, photographic and video recordings and audio-video photograph slides; software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing or otherwise providing electronic media or information over communication networks; software providing information from searchable indexes and databases of information, including text, electronic documents, databases, graphics and audio visual information
- Class 016. First Use: 1983/04/29 First Use In Commerce: 1983/05/05
All goods and services in the class are appealed, namely: printed matter, namely, instructional teaching and training manuals, newsletters and periodicals, reference books, workbooks, textbooks in the field of responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments, catalogs, manuscripts, classroom and independent study guides, pamphlets, leaflets, directories, journals, calendars, brochures, charts, fact sheets, practice sheets, folios, notebooks, appointment books, appointment cards, note cards, post cards, folders, stationary, note pads, pens, pencils, binders, loose-leaf binders, bumper stickers, decals, stickers
- Class 041. First Use: 1983/04/29 First Use In Commerce: 1983/05/05
All goods and services in the class are appealed, namely: providing educational services, namely, conducting seminars, programs and workshops in the field of responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments; educational services, namely, the training of others through courses, seminars, programs and workshops in the field of responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments; educational services, namely, providing courses of instruction at the secondary, post-secondary and college level in the field of responsible service, sale, and consumption of alcohol, beverages and food and operations of food and beverage service establishments

Respectfully submitted,

/kto/

01/10/2012

KEVIN OLIVEIRA

ODIN, FELDMAN & PITTLEMAN, PC

9302 LEE HWY STE 1100

FAIRFAX, VA 22031-1215

UNITED STATES

sue.williams@ofplaw.com,kevin.oliveira@ofplaw.com

(703) 218-2138