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

Application Serial No.	85319690
Applicant	MetroPCS Wireless, Inc.

## Notice of Appeal

Notice is hereby given that MetroPCS Wireless, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85319690.

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.  
All goods and services in the class are appealed, namely: Telecommunication hardware, namely, wireless telephones, batteries, battery chargers, hands-free devices for mobile devices and wireless handheld communication devices to transmit, receive or otherwise access communications networks, for use in wireless telephony and in the provision of wireless broadband communication services for the transmission of voice, video, images, data and information; computer application software for mobile phones, naamely operating system software
- Class 038.  
All goods and services in the class are appealed, namely: Telecommunications services, namely, wireless telephony and wireless broadband communications services for the transmission of voice, video, images, data and information; streaming of digital media content for others via computer networks; providing e-mail services

Respectfully submitted,  
/James F. Struthers/  
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