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

Application Serial No.	88003073
Applicant	Apple Inc.

## Notice of Appeal

Notice is hereby given that Apple Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 88003073.

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: Computers; computer hardware; handheld computers; tablet computers; telecommunications apparatus and instruments in the nature of computer hardware for telecommunications, mobile digital electronic devices for the sending and receiving of telephone calls, text messages, electronic mail, and other digital data, and for use in providing access to the internet, wireless receivers in the form of jewelry, speakers, microphones, and headsets for use with tablet computers, and communication devices for voice, data or image transmission; telephones; mobile telephones; smartphones; network communication apparatus, namely, network routers, wireless routers, mobile and wearable digital electronic devices for the sending and receiving of text, data, audio, image, video, and multimedia content across networks, network data transmitters and receivers for sending and receiving location information and providing content based on location, and home automation hubs comprised of voice-activated speakers, computer hardware, and software for controlling networked devices in the internet of things (IoT) and operating internet-enabled and connected home automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety, and other home and office monitoring and control applications; smartwatches; smartglasses; smart rings; wearable activity trackers; connected bracelets in the nature of wearable computers in the nature of smartwatches, wearable activity trackers, and controllers for operating networked devices in the internet of things (IoT) and internet-enabled and connected home automation systems; electronic book readers; computer software for the reproduction, processing, and streaming of text, data, audio, image, video, and multimedia content; computer software for identifying, locating, grouping, distributing, and managing data and links between computers and electronic devices connected to communications networks; computer software for use in communicating with, monitoring, configuring, adjusting, and controlling lighting, HVAC, security, safety, and other home and office monitoring and control applications; voice recognition software; software for controlling networked devices in the internet of things (IoT); application development software; computer software for setting up, configuring, operating and controlling computers, computer peripherals, mobile devices, mobile telephones, smartwatches, smartglasses, wearable devices, earphones, headphones, televisions, set top boxes, audio and video players and recorders, home theatre systems, and entertainment systems; computer game software; downloadable pre-recorded audio, video and multimedia content featuring music, concerts, radio, television, movies, cultural events, current events, and education and entertainment-related programs; computer peripheral devices; computer peripheral devices for use with computers, mobile telephones, mobile electronic devices, wearable electronic devices, smartwatches, smartglasses, earphones, headphones, televisions, set top boxes, and audio and video players and recorders; wearable computer peripherals in the nature of wearable computers, wearable consumer electronic devices, and wearable activity trackers for use with computers, mobile telephones, mobile electronic devices, smartwatches, smartglasses, smart rings, earphones, headphones, televisions, set top boxes, and audio and video players and recorders; biometric identification and authentication apparatus; accelerometers; altimeters; distance measuring apparatus; apparatus for recording distance; pedometers; pressure measuring apparatus; pressure indicators; Computer monitors, flat panel display screens, head mounted video displays, and headsets for use with computers, smartphones, mobile electronic devices, wearable electronic devices, smart watches, smartglasses, televisions, set top boxes, and audio and video

players and recorders; virtual and augmented reality head-mounted displays; virtual and augmented reality glasses; virtual and augmented reality headsets; 3D spectacles; eyeglasses; sunglasses; spectacle lenses; optical glasses; optical goods, namely, optical sensors, optical lenses, optical scanners, and optical readers; cameras; keyboards, computer mice, mouse pads, photo printers, video printers, document printers, disk drives, and hard disk drives (HDD); sound recording and sound reproducing apparatus; digital audio and video players and recorders; audio speakers; audio amplifiers and receivers; voice recording and voice recognition apparatus; earphones; headphones; microphones; televisions; television receivers and monitors; set-top boxes; radios; radio transmitters and receivers; global positioning system (GPS); electric navigational instruments; remote controls for controlling computers, mobile telephones, mobile electronic devices, wearable electronic devices, smartwatches, smartglasses, earphones, headphones, audio and video players and recorders, televisions, set top boxes, speakers, amplifiers, home theatre systems, and entertainment systems; wearable digital electronic devices for controlling computers, mobile telephones, mobile electronic devices, smart watches, smartglasses, earphones, headphones, audio and video players and recorders, televisions, set top boxes, speakers, amplifiers, home theatre systems, and entertainment systems; data storage apparatus, namely, computer hardware, consumer electronic devices, and computer hardware for data backup, computer memory hardware, mobile and wearable digital electronic devices for the storage of text, data, audio, image, and video files, set top boxes, and blank computer storage media; electrical and electronic connectors, acoustic couplers, optical couplers, wires, cables, battery chargers, docks in the nature of electronic docking stations, electronic docking stations and adapters for use with computers, mobile telephones, handheld computers, computer peripherals, mobile telephones, mobile electronic devices, wearable electronic devices, smartwatches, smartglasses, earphones, headphones, audio and video players and recorders, televisions, and set top boxes; interactive touchscreens; interfaces for computers and handheld computers; electronic display interfaces; audio interfaces; computer network interface devices; user interfaces for on-board motor vehicle computers and electronic devices, namely, electronic control panels, monitors, touchscreens, remote controls, docking stations, connectors, switches, and voice activated controls; parts and accessories for computers, computer peripherals, mobile telephones, mobile electronic devices, wearable electronic devices, smartwatches, smartglasses, earphones, headphones, audio and video players and recorders, televisions, and set top boxes, namely, bands, covers, and cases for all the aforesaid goods

- Class 028. First Use: 0 First Use In Commerce: 0

All goods and services in the class are appealed, namely: Toys, namely, electronic action toys, electronic learning toys, toy robots, toy drones, hand-held units for playing electronic games, musical toys, and portable musical toys incorporating telecommunication functions; games and playthings, namely, portable games with liquid crystal displays, electronic games for teaching children, and controllers for game consoles; hand-held units for playing electronic games; musical toys; musical games, namely, portable musical games with liquid crystal displays, electronic musical games for teaching children, and hand-held units for playing electronic musical games; musical playthings, namely, hand-held units for playing electronic musical games; toy audio apparatus, namely, toy audio players and audio and visual headsets for use in playing video games; toy musical instruments; battery operated toys, namely, battery operated action toys and hand-held units for playing electronic games; electronic toys, namely, electronic action toys, electronic learning toys, electronic toy robots, electronic toy drones, electronic toy vehicles, electronic toy building blocks, smart electronic play balls, and hand-held units for playing electronic games; electronic games other than those adapted for use with television receivers only; hand held units for playing electronic games other than those adapted for use with an external display screen or monitor; electrical and electronic amusement apparatus, namely, amusement apparatus adapted for use with television receivers, amusement apparatus incorporating a video monitor, and amusement apparatus adapted for use with an external display screen or monitor; toy handheld electronic devices, namely, controllers for game consoles, game controllers for computer games, game controllers in the nature of keyboards for computer games, video game interactive remote control units, controllers for toy cars, race cars, airplanes, and boats, hand-held units for playing electronic games

Respectfully submitted,  
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