

ESTTA Tracking number: **ESTTA996527**

Filing date: **08/21/2019**

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

Application Serial No.	88126973
Applicant	Vital Proteins LLC

## Notice of Appeal

Notice is hereby given that Vital Proteins LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 88126973.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 005. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Nutritional supplements; Vitamin and mineral supplements; Dietary supplements sold as a protein powder, intended to supplement a normal diet or to have health benefits; Pre-packed food products, namely, meal replacement bars being nutritional supplements for wellness and fitness, and nutritional supplement energy bars
- Class 032. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Vegetable-fruit juices and nutrient-fortified vegetable-fruit energy shots, allcontaining collagen; Tonic water; spring water; mineral water; Drinking water; Mineral and aerated waters; Flavored water; Drinking waters; Water beverages; Bottled water; Flavor enhanced water; Non-alcoholic beverages, namely, water and fruit juice; Mineral, vitamin, and nutritionally enhanced water

Respectfully submitted,

/ejf/

08/21/2019

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