

ESTTA Tracking number: **ESTTA1128413**

Filing date: **04/20/2021**

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

| | |
|------------------------|-------------------------------|
| Application Serial No. | 88516670 |
| Applicant | DeepMind Technologies Limited |

Notice of Appeal

Notice is hereby given that DeepMind Technologies Limited appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 88516670.

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: Downloadable or recorded artificial intelligence software for use in relation to a virtual space, computers and video game consoles, science, artificial intelligence, machine learning, deep learning, reinforcement learning, building neural networks, tree search, high performance computing, distributed computing, cloud computing, analytics and data mining, virtual reality, augmented reality, development and testing of computing methods, algorithms and software for computer games and board games, providing virtual computer environments, creating, authoring, distributing, downloading, transmitting, receiving, playing, editing, extracting, encoding, decoding, displaying, storing and organizing data, playing electronic games, and creating, distributing, downloading, transmitting, receiving, playing, editing, extracting, encoding, decoding, displaying, storing and organizing audio, video and audio-video games; downloadable computer game software; downloadable or recorded computer game software for use with on-line interactive games; downloadable or recorded artificial intelligence software for playing strategy based games; downloadable electronic publications in the nature of magazines, newsletters, reports, brochures, white papers, and research papers in the field of games and gaming; downloadable electronic publications, namely, guides featuring computer and video game strategy
- Class 042. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Development and testing of computing methods, algorithms, and software for computer games, games of strategy, and board games; design, development and programming of computer gaming software; design of games; design of games of strategy; developing computer game programs using machine learning, deep learning, neural networks, and tree search; providing temporary use of online, non-downloadable artificial intelligence software for use in relation to a virtual space, computers and video game consoles, science, artificial intelligence, machine learning, deep learning, reinforcement learning, building neural networks, tree search, high performance computing, distributed computing, cloud computing, analytics and data mining, virtual reality, augmented reality, development and testing of computing methods, algorithms and software for computer games and board games, providing virtual computer environments, creating, authoring, distributing, downloading, transmitting, receiving, playing, editing, extracting, encoding, decoding, displaying, storing and organizing data, playing electronic games, and creating, distributing, downloading, transmitting, receiving, playing, editing, extracting, encoding, decoding, displaying, storing and organizing audio, video and audio-video games

Respectfully submitted,

/Dyan M. House/

04/20/2021

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