

ESTTA Tracking number: **ESTTA1280633**

Filing date: **04/25/2023**

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

Application serial no.	79320584
Applicant	bitop Aktiengesellschaft (bitop AG)

Notice of Appeal

Notice is given that bitop Aktiengesellschaft (bitop AG) appeals to the Trademark Trial and Appeal Board the refusal to register the application or the cancellation of the registration. A request for reconsideration has been filed. A suspension of the appeal is requested pending reconsideration.

The following goods or services are at issue on appeal:

- Class 001. First Use: None First Use In Commerce: None
All goods and services in the class are appealed, namely: Chemical substances, chemical materials and chemical preparations and natural elements, in particular biological preparations for use in industry and science; biological preparations for use in industry; biological preparations for use in science; biological substances other than for medical or veterinary use; moistening agents; chemical substances for use as adsorbents for inhalant gases; filtering materials of chemical substances; filtering materials of mineral substances; propellant gases for aerosols; preservatives for use in pharmaceutical preparations
- Class 005. First Use: None First Use In Commerce: None
All goods and services in the class are appealed, namely: Medical and veterinary preparations and articles, namely, articles in the form of substances which prevent, detect, monitor or alleviate diseases; medical and veterinary preparations and articles, namely, medicaments and natural remedy preparations; biological adjuvants for medical purposes; chemical adjuvants for medical purposes; eye drops; anti-inflammatory gels; anti-inflammatory preparations; anti-inflammatory ointments; anti-inflammatory sprays; gases for medicinal purposes; sanitary preparations and articles; sanitary preparations and articles, in particular medicated sanitary preparations; inhalation preparations; solutions for medicinal purposes for washing the nasal passages, namely, nasal rinse; medicated lozenges; medicated mouthwashes; medicated ointments for treating dermatological conditions; medicated ointments for application to the skin; medicated ointments for application to the mucous membrane; eye ointments being eye drops for medical use; medicated sprays; medicated throat sprays; medicated dressings, drapes and applicators; medicated eye compresses for medical use; preparations for topical use; preparations for moistening the eyes, namely, eye drops; decongestants for the nose; nasal sprays for medical purposes; nasal drops; pharmaceutical preparations and substances having anti-inflammatory properties; pharmaceutical being medicated throat sprays; cleansing solutions for medical use; decongestant sprays for decongesting the mucous membrane of the nose; medicated throat sprays for use in the throat; sprays in aerosol form for use on the skin; sterile solutions for medical purposes; drops for medical purposes; sanitary preparations for medical purposes; sanitary preparations and articles, in particular eye washes
- Class 010. First Use: None First Use In Commerce: None
All goods and services in the class are appealed, namely: Medical and veterinary apparatus and instruments; medical and veterinary apparatus and instruments, in particular aerosol dispensers for medical purposes; eye baths; eye wash cups for medical purposes; eye drop guides; humidifiers for medical purposes; humidifiers for use with respiratory therapy apparatus for medical use; electric nasal irrigators; electric vaporisers for administering steam inhalants; electric nebulisers for medical purposes; chambers for inhalers; inhalers for medical use; inhalers for the administration of medicaments for medical use; inhalers for medical purposes, sold empty; inhalers for the vaporisation of para-medical substances for medical purposes; medical apparatus to facilitate the inhalation of pharmaceutical preparations; medical inhalers; nasal irrigators, electric; non-electric nasal irrigators; aerosol cans being aerosol dispensers for medical purposes; spray bottles, namely, vaporizers for medical use; hand sprayers, hand operated, for medical use

Respectfully submitted,
/rsb/
04/25/2023

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Docket no.	037447
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