

ESTTA Tracking number: **ESTTA617443**

Filing date: **07/24/2014**

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

Application Serial No.	85920699
Applicant	LIVELEAF, INC

Notice of Appeal

Notice is hereby given that LIVELEAF, INC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85920699.

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 001. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Active chemical ingredients for use in the manufacture of pharmaceuticals for treating infection and inflammation of gastrointestinal tissue, dermal tissue, ocular tissue, ear tissue, nasal tissue, throat tissue; Chemical additives for use in the manufacture of an antibacterial, antimicrobial, anti-inflammatory, antifungal, anti-parasitic, and anti-toxin formulations; Chemical agents for chelating and sequestering; Chemical preparations for use in soil remediation, drinking water treatment, municipal and industrial wastewater treatment; Chemicals for the treatment of water and wastewater; Chemicals for use in purification of water; Food preserving chemicals; Plant extracts, namely polyphenols, used in the manufacture of antibacterial and antimicrobial products not for medical and pharmaceutical purposes; Produce stabilizer used for preserving foods
- Class 005. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: All purpose disinfectants for use in hospitals, nursing homes, daycare facilities, restrooms, restaurants, cafeterias, schools, and places of public assembly; Animal feed additive for use as a nutritional supplement for medical purposes; Animal feed supplements; Anti-infective products for veterinary use; Anti-infectives; Anti-inflammatories; Anti-inflammatory and antipyretic preparations; Antibacterial cleaners; Antibacterial substances for medical purposes; Antifungal preparations; Astringents for medicinal purposes; Chemical preparations for pharmaceutical or medical purposes, namely, for treatment of gastrointestinal symptoms of diarrhea, nausea, vomiting, stomach pain, bloating, and urgency of defecation; Chemical preparations for sanitary purposes; Chemical preparations for sanitary use; Chemical reagents for medical or veterinary purposes; Diarrhea medication; Dietary and nutritional supplements; Dietary and nutritional supplements containing phytochemicals; Dietary pet supplements in the form of pet treats; Dietary supplement drink mixes; Dietary supplement for eliminating toxins from the intestinal tract; Dietary supplements also containing polyphenols in combination with reactive oxygen species; Dietary supplements for animals; Dietary supplements for pets in the nature of a powdered drink mix; Disinfectants for hygienic purposes; Feed supplements for livestock; Food supplements; Food supplements for promoting gastrointestinal health; Gastrointestinal cleaning agents; Health food supplements; Medical cleansers for skin and wounds; Medicaments for treatment of infection and inflammation of skin and mucous membranes; Medicated animal feed; Medicated mouth care and treatment preparations; Medicated supplements for foodstuffs for animals; Medicated water for the treatment of infection and inflammation of gastrointestinal tissue, dermal tissue, ocular tissue, ear tissue, nasal tissue, and throat tissue; Medicines for the treatment of gastrointestinal diseases; Mold inhibiting chemicals for treating food; Non-medicated additives for animal feed for use as nutritional supplements; Nutraceuticals for use as a dietary supplement for promoting gastrointestinal health; Nutritional drinks for animals; Nutritional supplement for eliminating toxins from the body; Nutritional supplement for eliminating toxins from the intestinal tract; Nutritional supplements; Nutritional supplements consisting primarily of oxidized polyphenols; Nutritional supplements for promoting weight gain; Nutritional supplements in the form of a powder, a liquid, a solid, a solution, a suspension, or an emulsion; Pharmaceutical preparations for animal skincare; Pharmaceutical preparations for the prevention and treatment of ocular disorders or diseases, for the treatment of bacteria-based diseases, and for the treatment of diabetes, and anti-infective preparations, antiviral preparations, antibiotics, antifungal preparations and vaccines; Pharmaceutical products for skin care for animals; Pharmaceuticals, namely, anti-infectives; Plant extracts for medical, veterinary and

pharmaceutical purposes; Veterinary preparations for treatment of intestinal bacteria; Veterinary preparations for administration topically, orally, or rectally to treat the infection and inflammation of skin, mucous membranes, and gastrointestinal tract of animals

Respectfully submitted,
/Brian S. Boyer/
07/24/2014

BRIAN S. BOYER, PH.D.

SYNDICATED LAW

460 SEAPORT CT STE 101

REDWOOD CITY, CA 94063-5548

UNITED STATES

synlaw@syndicatedlaw.com

6505561945