

ESTTA Tracking number: **ESTTA1300719**

Filing date: **07/31/2023**

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

Application serial no.	97101898
Applicant	The Plant, LLC

### Notice of Appeal

Notice is given that The Plant, LLC 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 005. First Use: None First Use In Commerce: None  
All goods and services in the class are appealed, namely: dietary supplements; nutritional supplements; dietary food supplements; Nutraceuticals for use as a dietary supplement; Probiotic supplements; protein supplements; vitamin and mineral supplements; vitamin-enriched foods; vitamin preparations; effervescent vitamin tablets; vitamin oils for human consumption; liquid vitamin supplements; herbal supplements; health food supplements; collagen supplements; weight-loss supplements; Cosmetics; Collagen preparations for cosmetic purposes; Skin masks; Non-medicated skin care preparations; Skin care kits comprising non-medicated skin care preparations; Non-medicated facial skin care preparations, namely, lotions, moisturizers, boosters in the nature of facial serums, serums, eye makeup removers, skin peels, toners, mists, sprays, essential oils, exfoliants, scrubs, toners, creams and cleansers; Non-medicated body skin care preparations, namely, lotions, moisturizers, powders, mists, sprays, essential oils, exfoliants, scrubs, creams, body butters, balms, salves, washes, and soaps; Non-medicated lip care preparations, namely, balms, salves, and exfoliants; Non-medicated sun care preparations, namely, sunscreens, sun creams, sun blocks, sun protection serums, sunscreen in the form of drops, sunscreen powders, sunscreen sticks, sunscreen sprays, cosmetics containing SPF protection, facial moisturizer with SPF, BB creams, CC creams; Patches containing sunscreen and sunblock for use on the skin; Sun-tanning oils, gels, creams, and lotions; Non-medicated skin care preparations for repairing sun damage; Wrinkle removing skin care preparations; Fragranced skin care preparations, namely, serums, lotions, creams, gels, foams, and facial moisturizers; Non-medicated skin care preparations, namely, solutions for rejuvenating and stimulating facial and body skin; Essential oils; Scented oils; Massage oils; Medicated skin care preparations; Medicated skin care preparations, namely, masks lotions, moisturizers, boosters in the nature of facial serums, serums, eye makeup removers, skin peels, toners, mists, sprays, exfoliants, scrubs, toners, creams and cleansers; Skin care kits comprising medicated skin care preparations; Medicated sun care preparations, namely, sunscreens, sun creams, sunblocks, sun protection serums, sunscreen in the form of drops, sunscreen powders, sunscreen sticks, sunscreen sprays, cosmetics containing SPF protection, facial moisturizer with SPF, BB creams, and CC creams; Medicated after sun care preparations, namely, serums, lotions, creams, and masks; Medicated sunburn creams; Medicated sunburn lotions; Medicated sunburn ointments; Pharmaceutical preparations for treating sunburn; Acne treatment preparations; Anti-inflammatory creams; Medicated facial masks and peels for acne treatment; transdermal patches, pads, and wraps for use in the treatment of body pain and muscle aches

Respectfully submitted,  
/Christina M. Licursi/  
07/31/2023

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