

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513**

Baez

Mailed: April 26, 2003

In re CAPO, INC.

Serial No. 75593680

Filed: 11/23/1998

VINCENT A. SIRECI  
MORGAN, LEWIS & BOCKIUS LLP  
101 Park Avenue  
NEW YORK, NY 10178

Applicant appealed from the decision of the Trademark Examining Attorney refusing registration, but did not file a brief within the time set therefor in the Office action of December 10, 2002. The appeal in the above-entitled application is therefore dismissed. See: Trademark Rule 2.142(b).

***By the Trademark Trial  
and Appeal Board***