

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

Mailed: July 23, 2002

In re Emeril's Food of Love
Productions, LLC

Serial No. 76/056673

Filed: 05/25/2000

LYNN S FRUCHTER
COWAN LIEBOWITZ & LATMAN
1133 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-6799

Amy King, Paralegal Specialist

Applicant's appeal and request for reconsideration filed June 27, 2002 are noted.

The request for reconsideration requires consideration by the Trademark Examining Attorney. The appeal is instituted, but action on it is suspended and the file is herewith remanded to the Examining Attorney.

In the event registrability is found on the basis of this paper, the appeal will be moot and the Board should be so informed. In the event the refusal of registration is maintained, the file should be returned to the Trademark Trial and Appeal Board, proceedings will be resumed and applicant will be allowed time in which to file its brief on appeal.