OIPE JC139
FEB 2 0 2004
PATENT & TRADEMARK OFFICE

TTAB

Trademark Law Office: 111
Serial No.: 76/430,455
Mark: **SNICKERS MARATHON**

946.10335

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

02-20-2004
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #78

Applicant	:	Mars, Incorporated
Serial No.	:	76/430,455
Trademark	:	**SNICKERS MARATHON**
Filing Date	:	July 11, 2002
Examining Attorney	:	Georgia Ann Carty
Law Office	:	111

30 Rockefeller Plaza
New York, New York 10112

Assistant Commissioner for Trademarks
Box TTAB -FEE
2900 Crystal Drive
Arlington, VA 22202-3514

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Trademark Trial and Appeal Board from the August 21, 2003 Final Refusal to register the above-identified trademark. Please note that Applicant filed a response to this Final Refusal on February 20, 2004.

02/27/2004 TSMITH 00000005 061205 76430455
01 FC:6403 100.00 DA

Please charge the requisite appeal fee pursuant to 37 C.F.R. § 2.6(a)(18) to our Deposit Account Number 06-1205.

Respectfully submitted,

Dated: February 19, 2004

By: Patricia L. Werner

Leslie K. Mitchell
Erica Rayburn Halstead
Patricia L. Werner
FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112
(212) 218-2100

Attorneys for Applicant,
Mars, Incorporated

NY_MAIN 408869v1