



TTAB

**TRADEMARK  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
American Cheer & Dance Academy, LLC : Law Office: 102  
Serial No. 76/512,206 : Examining Attorney: D. Ferraiuolo  
Filing Date: April 14, 2003 :  
Mark: CHEER DEPOT : Atty. Dkt. No. 7542.100

**CONTINGENT NOTICE OF APPEAL**

U.S. Patent and Trademark Office  
220 20th Street South  
Customer Window, Mail Stop TTAB  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Dear Sir:

Applicant is going to file a request for reconsideration of the Final refusal of January 14, 2005. The request will demonstrate Applicant's use of the mark for the designated goods and services. Applicant is assembling the necessary supporting documentation and there request will be filed promptly. In the meantime, as a result, Applicant hereby appeals contingently from the Office Action of January 14, 2005 in the event that application is not passed to publication.

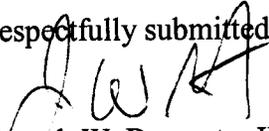
Please debit deposit account number 50-0548 for the fee due under 37 C.F.R. § 2.6(a)(18). A duplicate copy of this Contingent Notice of Appeal is enclosed. The Office is hereby authorized to charge deposit account 50-0548 for any other fees due hereunder.



07-14-2005

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #77

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JWB', is written over the printed name below.

Joseph W. Berenato, III  
Berenato, White & Stavish, LLC  
6550 Rock Spring Drive, Suite 240  
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Attorney for Applicant

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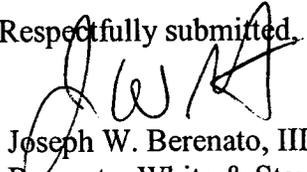
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