

**United States Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
P.O. Box 1451  
Alexandria, VA 22313-1451

nmf

Mailed: August 19, 2009

In re Mortex Manufacturing  
Co., Inc.

Serial No. 76679924

Filed: 7/26/2007

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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 June 8, 2009. The appeal in the above-entitled application is therefore dismissed. See: Trademark Rule 2.142(b).

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