

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Name of Applicant: **ND Industries, Inc.**
Serial Number of Application: **77/035,999**
Filing Date of Application: **November 3, 2006**

Docket No.
1403.20083

Trademark: **SURE TEMP**

International Class(es): **006 and 040**

NOTICE OF APPEAL

Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the Trademark Examining Attorney refusing registration.

This Appeal is taken for:

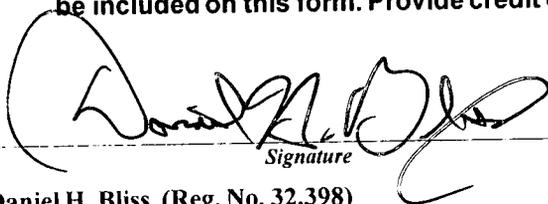
all classes listed above only the following classes: **040**

The total number of classes associated with this Appeal are: **1**

The prescribed appeal fee of **\$100.00** is to be paid as follows:

- A check in the amount of **\$100.00** is attached.
Any excess or insufficiency should be credited or debited to Deposit Account No. **02-2712**
- Please charge Deposit Account No. _____ in the amount of _____
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **June 2, 2008**

Daniel H. Bliss (Reg. No. 32,398)
Bliss McGlynn, P.C.
2075 West Big Beaver Road, Suite 600
Troy, Michigan 48084
(248) 649-6090

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Name of Applicant: **ND Industries, Inc.**
Serial Number of Application: **77/035,999**
Filing Date of Application: **November 3, 2006**

Docket No.
1403.20083

Trademark: **SURE TEMP**

International Class(es): **006 and 040**

NOTICE OF APPEAL

Certificate of Transmission by Facsimile*

| |
|--|
| I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office, Trademark Trial and Appeal Board (Fax. No. _____) on _____ (Date) |
| _____ Signature of Person Mailing Correspondence |
| _____ Typed or Printed Name of Person Signing Certificate |

Certificate of Mailing by First Class Mail

| |
|---|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451" [37 CFR 1.8(a)] on _____ June 2, 2008 (Date) |
|  Signature of Person Mailing Correspondence |
| Daniel H. Bliss Typed or Printed Name of Person Mailing Correspondence |

*This certificate may only be used if paying by deposit account.

Certificate of Mailing by Express Mail

06/06/2008 HPHAM1 00000109 77035999

01 FC:6443

100.00

| |
|--|
| I certify that this document and fee is being deposited on _____ with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and is addressed to, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. |
| _____ Signature of Person Mailing Correspondence |
| _____ Typed or Printed Name of Person Mailing Correspondence |
| _____ "Express Mail" Mailing Label Number |



06-04-2008

U.S. Patent & TM Office/TM Mail Rpt Dt #34